

Postcolonial excess(es):
On the mattering of bodies and
the preservation of value in India

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abstract

This thesis postulates the annihilation of the poor as the authorised end of development. This circumstance, I contend, is an effect of the entanglement – that is, the mutual affectability (Barad 2007) – of the human and capital as descriptors of ethical and economic value, respectively. Accordingly, I suggest that the annihilation of the poor by capital under the sign of development is authorised as the preservation of value. I designate this as the postcolonial capitalist condition. The argument unfolds through encounters with three sites that have become metonymic with destruction wrought by development: the state response to peasant revolt against land expropriation in Nandigram, the Bhopal gas leak, and the recently emergent surrogacy market. I offer these as different instantiations of the annihilation of the poor, each of which gives lie to the recuperative myth of development. Here, annihilation proceeds by leaving a material trace upon the body. I follow this trace to argue the indispensability of the body in performing the ideological work of development – that is, to preserve an idealised appearance as human through the eradication of the poor that appear as subaltern – even as it establishes itself as an emancipatory truth. Thus, in this thesis I offer an analysis of the violence of capital not as socio-materially imposed (per Karl Marx) but rather as an onto-materially authorised (following Georges Bataille). As such, I seek to explicate the differential mattering of bodies – as both, appearance and significance – under development.

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introduction

**postcolonial excess: on the matter(ing) of bodies and
the production of value in-/difference in India**

My project begins with an image: the body of a child, drained of life and colour. Its mouth slightly parted; white, unblinking spots where there were once, perhaps, seeing eyes. Its torso – broken flesh, broken bone – encased in broken stone¹.

Then the story: December 3rd, 1984. The populus of Bhopal is gassed with 27 tons of methyl isocyanate from Union Carbide's pesticide factory. 'It felt like somebody had filled our bodies up with red chillies, our eyes tears coming out, noses were watering, we had froth in our mouths' (Champa Devi Shukla). Within 24 hours, this city-turned-gas-chamber claimed over two thousand lives, devastated over 150,000 bodies, thousands of which were – which *are* – yet to be born. The next morning, a father buries – covers over with rubble – his child. 'Unable to bear the thought of never seeing her again', we are told, 'he brushed away the dirt for one last look'².

What is this image? A seething presence: the resemblance of a particular child, violated, in a scene of destruction that we know as the Bhopal tragedy. But also a signification: a disassembled body – the disintegration of embodied matter into merely its organic state – that signifies the dangers of industrial expansionism, the horrors of global capital. This image, then, as Jacque Rancière's (2009) description of the photographic image suggests, is constituted through a 'double poetics ... as cipher of a history written in visible forms and as obtuse reality, impeding meaning and history...' (2009, pp.11–12). Indeed, to encounter the 'Burial of an unknown child' is, at first, to be arrested by its sheer presence. As such, it is what Rancière designates a naked image – the presentation of a reality that insists solely upon its witnessing. Yet, witnessing, he continues, 'always aims beyond what it presents' (2009, p.26) so that the naked image is nevertheless a signification. We read, thus, upon the body of the child the inscriptions of an evental (Bhopal as a singular occurrence) and categorical (Bhopal as a manifestation of the violence of global capital) testimony. It is this latter moment of signification that marks the point of departure for this thesis.

¹ This description refers to the image 'Burial of an unknown child', captured by the Indian photographer, Raghu Rai.

² Rai, describing the scene he encountered (Station Museum of Contemporary Art 2004)

Tara Jones (1988) has designated the catastrophe in Bhopal as an act of corporate killing. Citing systemic indifference to the well-being of labouring populations in favour of corporatist supremacy, she denies the singularity of the event, insisting ‘many Bhopals will happen’³. Indeed, other critical accounts, such as those by Suroopa Mukherjee (2010) and Kim Fortun (2001), describe the event – that is, the incident as well as its aftermath – as representative of the moral disregard of socioeconomically subjugated populations by subjects of power. The image, then, presents not the reality of a particular child but rather is the signifier of the many. It speaks the many futures brutally terminated, and those yet awaiting this fate, under the shroud of global capital. I write in concurrence with Jones, Mukherjee and Fortun – and with Rancière’s designation of the naked image as historical testimony – suggesting that the body of the child, in its brute presence, tells the story, in fact, of disappearance(s). Yet, rather than limiting the argument to corporatist critique, I seek to establish this disappearance as elemental to the postcolonial capitalist condition.

I describe the postcolonial capitalist condition as the contemporary ethical circumstance wherein the annihilation of the poor is authorised as the preservation of value. My consideration of value proposes an entangled structure between the ethical and the economic, where the human and capital describe the registers, respectively. That is, drawing from Karen Barad’s description of entanglement, I suggest that the human and capital are ‘not simply intertwined with another, as in the joining of separate entities, but... *lack an independent, self-contained existence*’ (2007, p.ix; added emphasis). In developing this argument, I propose the human as a phenomenological descriptor of existence that is marked by material and ontological freedom. As such, the human describes an appearance that is idealised as ethical in opposition to that which appears as excess. The term excess, as used by Georges Bataille’s (1993), is all that has no use or that exceeds utility. Following Bataille’s conceptualisation of the human, I note this appearance as formalised in the conditions of existence associated with the body. In this thesis, I will describe how the bodies of the poor, extant in the situation of material deprivation, are deemed differentially human. Keeping in mind Barad’s provocation that appearances are an effect of the separability of appearances within a given phenomenon – rather than a difference between phenomena and their ‘outside’ – I use the phrase differentially human to identify these appearances as separated from, and ethically degraded in comparison to,

³ From the subtitle of her text.

that idealised as human. In the postcolonial context, I will suggest that this separation is effected by capital, under the sign of development, to produce the poor as subaltern and the postcolonial subject as differentially mattering appearances. Accordingly, I will explicate the violence proliferated by capital, such as that evidenced in Bhopal, as the unleashing of capital's authority to eradicate the appearance of degradation as intended towards the preservation of an idealised appearance as human. Drawing from the work of development critics such as Arturo Escobar (1995) and Kalpana Wilson (2013), I explain how this eradication proceeds, in the first instance, as a recuperation intended towards the 'humanisation' of the poor through the enhancement of their material conditions of existence.

Yet, as the cases considered in this thesis (Bhopal, Nandigram and the surrogacy market, each of which will be addressed towards the end of this chapter) will substantiate, recuperation is merely annihilation deferred. I will argue this proposition by affirming, in line with the historical materialist writings of Karl Marx (1970; 1970; 1976) and Gayatri Spivak (1985), that the reproduction of capital is contingent upon the subjugation of the conditions of existence. To wit, *bodies that appear as differentially human are the condition of possibility for the reproduction of capital*. This represents the entanglement of the human and capital that I seek to explicate in this thesis. In this circumstance, as I will show, annihilation is, in the final instance, the actualisation of the imperative to preserve both, the human and capital, as value. Using Bataille alongside Marx and Spivak, I will explicate the necessity of preservation as an effect of the institution in modernity of the human and capital as prime descriptors of ethical and economic value, respectively.

I introduce my project with the image of the body of the child because it captures the spirit and the substance of my project. In this thesis, I will propose the body – or, more specifically, matter – as revealing of entanglements that structure the postcolonial capitalis condition. Barad refers to matter as 'phenomena in their ongoing materialization' (2007, p.151). That is, matter is that which is *constantly manipulated*⁴ through encounters with other matter to project a given appearance, or to institute itself as phenomenon. Yet matter materialises appearances differentially, bounding matter that matters against that which does not. This bounding produces spaces of intelligibility where intelligibility is 'a feature of the world in its differential becoming' (2007, p.149).

⁴ This phrase does not derive from Barad but is one I advance myself and will be explained in detail in chapter 2.

All that lies beyond is unintelligible, and I will add through this thesis, degraded and devalued. To paraphrase Barrett, the preservation of matter that matters must thus proceed through the bounding against matter that does not. Writing in the scene of violation as objectified by the image of the child, *this thesis unfolds as an exposition on 'how matter comes to matter'* (Barad 2007).

By thus approaching differentiation and subjugation through matter, I offer an analysis of this condition not as socio-materially imposed (following, Marx) but rather as an onto-materially authorised (following Bataille). As such, I present an intervention into materialist descriptions of capital. I do so by eschewing the logic that proposes the poor as an effect of subjugation to capital, and approach this figure instead as the condition of possibility for the propagation of capital. Using Bataille, I will show that the material conditions of existence bear ontological significance so that the conditions of degradation that mark the poor signify differential humanness. This signification authorises a recuperative gesture whereby the poor may restore ethical value to themselves. This recuperation proceeds through the manipulation of matter signifying excess into a productive form. Indeed, the subjection of labour for the production of economic value (in the form of capital) is made to appear as the securing of ethical value (in the form of humanness). Yet, just as the labourer is alienated from economic value, so are they from ethical value. In other words, the recuperative gesture of capital is a ruse directed towards the production of economic value and, as such, confirms the ethical value of those existences that already appear to it as ideal while consolidating the ethical devaluation of the labourer, the subject of onto-materialist difference.

Consequently, this thesis will propose ethical devaluation as the condition of possibility for the production of economic value. Writing with Didier Deleule (2014), I suggest that devaluation of the poor is an effect of their situation of survival – specifically, their subjugation to necessity as evidenced in its degraded material circumstance. This appearance as ethical excess is ‘made to matter’ through its appropriation by capital, i.e. through its materialisation as a productive body. Deleule describes the productive body as instituted through the fragmentation of the living form in order to produce individuated organs that can be made to interface efficaciously with capital. As such, the productive body is actually intended towards its functioning as a dead machine. Consequently, recuperation reveals itself here as a tendency at least towards a symbolic annihilation. In fact, in this thesis I will argue that recuperation is merely annihilation

deferred. Here, the destruction of the body of the poor by capital is the actualisation of its degraded value. As such, eradication secures the human. Thus, it is in the interaction between the body and capital that humanness, as ethical value, is consolidated. The appearance of the body as materially violated is the actualisation of ethical devaluation. It is this circumstance that is substantiated in the body of the child captured in Rai's image.

The child in Rai's image signifies differential humanness. It exists in a situation of unfreedom as substantiated by its presence in the factory slums, the scene of material deprivation. Its body appears as excess and, hence, a signifier of ontological degradation. The body of the child, of course, is the metonymic representation of all those that share its scene and appearance. These are the bodies of the poor, materialised in the first instance as degraded matter and always already vulnerable to disappearance in order to preserve the figure of the human. In the case of Bhopal, the bodies confronting the chemical factory were made to matter for capital – i.e. materialised as productive – through their subjugation to labour. This subjugation proceeds as recuperation – the promise of liberation from degradation – but ultimately reveals itself as annihilation. As such, the destruction of these bodies by capital is always already authorised as the eradication of degraded matter. The violation of the child's body is thus the culmination of what Denise Ferreira da Silva (2007) calls the logic of obliteration whereby ethical value is secured through the disappearance of its excess. The marks on the child's body merely reveal, or restage, its primordial situation as degraded. Simultaneously, the security of the bodies on the other side of capital – of capitalists and their representatives, or what for the purpose of this thesis I will call the postcolonial subject – affirms their bodies as matter that matters. The differential materialisation of bodies when facing capital represents a differential mattering – where mattering implies both substance and significance (Barad 2007, p.3).

The signifying moment of the body generally relates its institution in modernity as a 'cultural text' congealed through material-discursive practices of race and sex (cf. Butler 2011; Silva 2007). Here, race and sex are ontological categories that come to describe the human. The figure of the human is inaugurated by Reason and Freedom – the twin pillars that ground the ethics of Enlightenment thought. Man, the subject associated with this figure, expresses himself through understanding and will. Yet, even as Man actualises himself as such through rational, self-determined activity, the figure of the human is reified through matter. In particular, matter materialised as European/(white)-male-

propertied body appears as human, and hence constitutes ethical value. As a corollary, differentially materialised bodies appear as if non- or sub-human, and hence empty of ethical content. The materialisation of bodies in racial and sexual difference is the material manifestation of ontological and ethical difference. The differential mattering of the body under modernity, then, is a coincident effect of phenomenological description (bio-social appearance) and ontological ascription (ethical possibility). The presumption of ontological difference institutes bodies materialised in racial and sexual difference as naturalised targets for eradication. This describes the transparency thesis as explicated by Silva (2007). Building from this, I propose bodily violation is the anticipated condition of the racial and sexual body ontoepistemologically marked as differentially human⁵.

Staying with her, I note that the contemporary postmodern moment, however, attempts to rearticulate the human, so that bio-social (racial and sexual) markers that signify non- or sub-humanness are sublated into exteriorised differences equally comprehensible by the category of human. In this circumstance, all conscious life is postulated as capable of expressing humanness. Postmodernity's attempted reassemblage notwithstanding, the category 'human' continues to exist as a differential, so that the containment of existence within this idealised figuration continues to unfold as violence. Drawing from Bataille (1993), I will show in this thesis that, under the aegis of postcolonial capital, this idealisation is an effect of the material conditions of existence. In other words, the possibility of being a subject of Reason and Freedom is signified through the appearance of the body in relation to the conditions under which it materialises itself – that is, in relation to capital. On the one hand, the body that appears as what Bataille describes as luxurious – i.e. the body that is materialised through exuberant expenditure – signifies freedom from necessity, and hence is the material instantiation of the figure of the human. On the other, the bodies of the poor – those that materialise under conditions of deprivation as excess – signifies unreason and unfreedom. The body thus materialised represents degradation, anticipating final destruction. As such, the interaction of capital with the body as appearance unfolds as the arbitration of ethical value intended towards securing the figure of the human.

In contemplating differential mattering under the postcolonial capitalist condition, I offer in this thesis an intervention into the field of postcolonial critique. While the postcolonial

⁵ Refer to page 4 for an explanation of the distinction I propose between human difference and differentially human.

idiom retains racial and sexual difference as descriptors of differential humanness, this description is not sufficient to comprehend the violence of the preservation of the human. This is particularly evident in the contemporary moment of globalisation wherein economic stratification occurs within both, spaces marked geohistorically as postcolonial wherein biosocial (and especially phenotypical) differentiation does not bear similar import, as well as the deterritorialisation of these spaces effected by various levels of labour migration (Spivak 1999). For instance, in addition to Bhopal, my thesis addresses the emergence of a surrogacy market in India. The surrogacy industry – the latest formalisation of technologically interpellated labour in India – recruits working class mothers to carry ‘third-party foetuses’ to term. While the possibility of the industry is effected by advancements in reproductive biotechnologies, it is actualised only through the availability of cheap(ened) labour. Here, the cheapness of the surrogate’s labour is not solely an effect of her devaluation as racial and sexual other. While the materialisation of the body of a poor woman as surrogate is indeed an effect of her sexual difference, it appears as such even as it faces other bodies materialised in racial difference, including those that appear as ‘Indian’. Instead, the body of the surrogate is materialised as such by the conditions of material depravation. That is, her body faces capital as underproductive matter.

By being materialised as such, however, the body becomes open to consumption, both material (the direct depletion of physiological matter in growing the foetus) and symbolic (the direct transfer of maternal affect to the intended parents). Through this process of consumption the body of the surrogate mother is rendered a *thing* emptied of ethical value⁶. The other side of the exchange, however, entails the consolidation of ethical value. Intended parents face the surrogate mother as capitalists facing capital. This relation is an effect of their material conditions of existence that exceed that of the surrogate. As such, intended parents appear as onto-materially free. To the extent that

⁶ In her address of racial and sexual subalternity in ‘To be announced’ (2013), Silva writes the body of the racial and sexual subaltern as a referent of the Thing (2013, p.49). Following Hegel, she posits the Thing as that which has no value. But it is precisely as such that it mediates between I and the Other: ‘Without space/time, and the categories of social scientific knowledge it sustains, The Thing immediately/instantaneously registers (mediates without transforming, reducing, or sublating) the relationships (violent and otherwise) that constitute our conditions of existence’ (2013, p.58). The body of the racial/sexual subaltern is not, but carries the trace, of the Thing. As such, it is the bearer of, and threatens the unleashing of, excess. While the postulation of the Thing as ‘no value’ is useful to my argument, it does besides that more than I require it to do. My use of *thing* is intended to signify not in the ontological but in the objective register. That is, the *thing* represents an objectification effected by the emptying out of ethical value rather than the scene for the constitution of the Subject and its Others.

they appear subjected, this is an effect of their procreative inability – i.e. their inability to fulfil the heteropatriarchal imperative to reproduce. Yet any ensuing threat of ethical deprivation is resolved in confrontation with – that is, through the productive consumption of – the surrogate mother. This transaction – the end of which is parenthood – confirms the ethical value of the intended parents.

I thus offer Bhopal and the surrogacy market as different manifestations of annihilation operating under the cloak of recuperation. Each moment reveals the violence of ethical arbitration performed by capital. However, while the material mutilation of Bhopal is a spectacular actualisation of ethical devaluation, the horror of surrogacy is far more ambivalent, appearing as it does primarily in the symbolic register of ‘Third World exploitation’. In neither case, however, does destruction appear as an effect of direct force. Here lies the perverse brilliance of the postmodern turn. For in rewriting the colonial logic of rescue as effected through sovereign command, it situates the recuperative gesture of power in consciousness and self-determination. That is, colonial reason – that which decreed the instrumentalisation and eventual extermination of the other of human – is reconfigured to usher these existences into a disciplinary regime. This is effected by systematised tools that subject these others to its reason. Of course, the very fact of subjection signals the differential valuation of existences that must be recuperated in order to align with the figure of the human as the valued form. Here, however, subjugation is posited not as a consequence of external force but rather of self-determined will, so that disciplinary force projects itself as the inevitable outcome of rational choice. On the other hand, for those existences that refuse disciplining, differential ethical valuation advances to the point of radical devaluation, justifying symbolic or material punishment as a function of self-determined *unreason* – i.e. a self-determined turning away from Reason. This disobedience authorises sovereign violence tending towards death. This describes the case of Nandigram wherein the developmentalist state unleashed the full effect of its force against peasants who were resisting the expropriation of their land for economic development. This resistance, appears under the transition narrative – transition to modernity, transition to capitalist – as irrational behaviour that threatens the extant order of the state (Chakrabarty 2000). Consequently, the violence of the state is legitimised as self-preserving violence – what Silva calls *necessitas* (Silva 2009) – against the threat posed by irrational subjects.

Yet, even where external force is not mobilised, death manifests as the logical end of disciplinary power. Death, then, is the anticipated condition of differential mattering. Consequently, death, as represented in the image of the child, is not evental (a historical happening) but rather definitive (the culmination of a condition). In the case of Bhopal, the Union Carbide factory constitutes the scene – material and ontological – of the child’s mutilation. The factory, as the site of labour, signifies subjection to necessity. Indeed, the factory in Bhopal is one of the early moments of India’s neoliberal, globalising trajectory. As such, it propagated itself as an intention towards economic growth and social progress. Consequently, it drew from the rural masses turning them into an urban proletariat. Yet, as is the wont of capitalising states, the lack of infrastructural resources to support the newly emergent population reiterated their deprived circumstance. This was nowhere more evident than in the slum colonies pressed up against the factory walls. Most of those killed that night lived in these, their presence there a reminder of their subjection. This subjection – which materialises their bodies as subservient to the chemical factory – is the restaging of an ontological difference instantiated through dispossession that barred their historical existence from humanness. While the specific relation, if any, of the child to the factory or its adjacent colony is unknown, her proximity suggests a sharing of this historical circumstance. The fragmentations of her body, then, are the writing of her ontological descent.

Similarly, in the case of the surrogacy market, surrogate mothers are recruited from situations of material depravation. While this circumstance identifies her as underdeveloped, hence cheap, labour, she is hailed by the surrogacy market, specifically, as an incomplete mother. The economic condition of the potential surrogate hinders her from providing fully for her children/family. Women enter the market in order to accumulate resources that would allow them to educate their children – especially their girl children who might otherwise be deprived of the opportunity – as well as to provide other forms of material stability such as building a house of one’s own. This possibility is represented by the surrogacy market because the payment therein far exceeds the wages available to women otherwise dispossessed of the fullness of their capabilities. Consequently, by entering the surrogacy market, the surrogate worker reconfigures her matter as productive, not only to alleviate her economic condition, but more crucially, to fulfil her maternal affect. Yet, even as the market promises *human* advancement as an effect of the advancement of her material conditions of existence, the consumptive exchange of which she is object alienates her from ethical existence.

In this thesis, I offer Bhopal and surrogacy as different manifestations of the force of development imprinting itself upon matter, thereby revealing it as an instrument of ethico-economic negotiations. If, as already noted, ethical devaluation is the condition of possibility for the production of economic value, then the body itself, as the appearance of ethical value, must be destroyed – i.e. returned to matter – so that capital may endure. Of course, this destruction, as a function of labour, is not uniform. Rather, it is determined by the circumstance of survival as signified through the subjection to necessity. The body is materialised as the substance of ethical value or degradation in its relation to capital. This appearance is appropriated by capital in order to reproduce itself even as it secures humanness as the idealised expression of existence. Indeed, under the postcolonial condition, the reproduction of capital proceeds as the preservation of the figure of the human. Capital, then, is the medium through which ethical value, or humanness, is differentially distributed and is finally realised in its encounter with the body. It is this arbitration of humanness as played out in the relations between the body and capital – the negotiation of how matter is made to matter – that my thesis seeks to explicate.

The remainder of this chapter charts the unfolding of the thesis.

chapter summaries

This thesis seeks to explicate the annihilation of the poor as elemental to the postcolonial capitalist condition. Consequently, my argument unfolds through an encounter with various sites that demonstrate this circumstance. In particular, my examples will recount spectacular instances of violence enacted by capital. These encounters, however, are not intended to be sensational. Rather they are used to grasp the structure of violence – specifically, the entanglement of the human and capital as appearances of value – that is otherwise elided by its dreadful repetition. I begin with this caveat in order to distinguish my motivation from endeavours wherein the spectacle of the violated subaltern – of broken poor black and brown bodies – are deployed to draw sentimental association.

For instance, in her text, *Scenes of subjection* (1997), Saidiya Hartman begins with a repudiation of spectacles of violence – a move precisely opposed to the gesture that introduced this thesis. In refusing to (re)-present the violence enacted upon the bodies of the enslaved – in this case, specifically, upon Frederick Douglass' Aunt Hester – she seeks to 'call attention to the ease with which such scenes are usually reiterated, the

casualness with which they circulate, and the consequences of this routine display of the slave's ravaged body' (1997, p.3). She pronounces herein an objection to the overdetermination of slave existence through acts of terror and violation; an overdetermination that obscures the violence not only of 'the quotidian and the mundane' (1997, p.4), but, more crucially, of the separation, indeed the separability, of the slave from the reader/spectator.

Hartman argues that the spectacle of violence as objectified through the slave body, as well as any disgust or empathy this might evoke in the (usually white male) spectator are both formed through the 'kinds of expectations and the qualities of affect distinctive to the economy of slavery... [i.e.] the relation between pleasure and possession of slave property' (1997, p.21). For the arousal of empathy is made possible only by re-placing the body of the slave with one's own, thereby rendering it 'an abstract and empty vessel vulnerable to the projection of others' feelings, ideas, desires, and values' (1997, p.21). Through this re-imagination, the body of the slave continues to be possessed for, and dominated through, the production of another's fantasies. The witness of the spectacle also, then, embodies the role of the master, the dominator. Consequently, Hartman writes, '[the] imagined beating is immune neither to the pleasures to be derived from the masochistic fantasy nor to the sadist pleasure to be derived from the spectacle of sufferance' (1997, p.21). Thus, in her view, the act of witnessing transfers the relation of power – between pleasure and pain – from the master and slave, to the spectator and those existences represented by the slave body.

Yet, in his text, *In the break*, Fred Moten notes that Hartman's 'refusal of recitation... reproduces what it refuses' (2003, p.5). That is, he suggests that reference to the event – even if devoid of detail – is itself an acknowledgement of the primal violence, one that reasserts itself as such in every future address of the systemic violence, be it quotidian or spectacular. Indeed, if Hartman's project is to shift focus from explicit renditions of terror in order to re-present slavery as the violence enacted under 'the rubric of pleasure, paternalism and property' (1997, p.4), then each of these articulations signifies, in fact, 'the ongoing (re)production of that performance [the beating of Aunt Hester] in all its guises and... each of those guises is always already present in and disruptive of the supposed originarity of that primal scene' (2003, p.4). Moten's critique of Hartman is intended not as a dismissal of her gesture but rather to grasp at its productive possibility in considering how one might 'subject this unavoidable model of subjection to a radical

breakdown' (2003, p.5). This requires, in his view, a recognition of the spectacular as 'the *conjunction* of reproduction and disappearance [that is] the condition of possibility, [the] ontology and [the] mode of production' (2003, p.5). Accordingly, my encounter in this thesis with various sites of violation follows from the notion that spectacles of violation produced by capital are the suturing of reproduction and disappearance – reproduction because they replay *ad infinitum* violation effected by capital, and disappearance because they elide the differential distribution of humanness under global capitalism. It is specifically this latter moment of disappearance that I will seek to explicate.

Consequently, **Chapter 1** will introduce the project through the case of Nandigram, a region in the state of West Bengal that has become synonymous with the violence of development in India. This event entails the brutalisation of peasants who were resisting the expropriation of land for industrial use. I discuss this case in order to demonstrate the ideological (ethico-economic) function of development under postcolonialism. The purpose of this chapter is to explicate a method for comprehending development as an instrument that confirms, and hence preserves, the human and capital as appearances of value. I begin this process by investigating the methods of analysis that have been used to comprehend the violence in Nandigram. The disparities between these approaches reveal the differences in apprehending the figure of the subaltern as a subjugated subject. This is indicative, I suggest, of the tensions between the frames of postcolonial criticism and historical materialism within which the circumstance of subjugation is typically scrutinised. Consequently, the first half of the chapter provides a review of each method in order to highlight its respective limitations. In so doing, I advocate a method that is constituted through a combination of the ontological imperative of the former with the materialist imperative of the latter. Such an onto-materialist method, I submit, is offered by Gayatri Spivak's explication of postcolonial critique.

Accordingly, the chapter continues by investigating the terms of applying a postcolonial critique to comprehend the circumstance of annihilation as apparent under the postcolonial capitalist condition. Since annihilation is spectacularised through its material trace of the body, I demonstrate the imperative of accounting for the body – or more precisely, matter – in the method of postcolonial critique. I do so by engaging the works of Karen Barad (2007) and Hortense Spillers (1987) to explicate the significance of matter in the appearance of subalternity. Specifically, I demonstrate how their focus on onto-materialism enables a recognition of the violation of the subaltern as the material

instantiation of its separation from the figure of the human. Indeed, the appearance of this separation as difference, according to Barad, is an onto-materialist effect of a given instrument that effects separations within a given phenomenon. The final section of the chapter outlines ethico-political critiques of development in order to demonstrate it as the instrument that institutes a separation between the human and the subaltern under the postcolonial capitalist condition.

Chapter 2 demonstrates how this separation authorises the eradication of the subaltern – specifically the poor – by capital under the sign of development. As such, the chapter aims to underscore this sanction as an effect of the entanglement of the human and capital as appearances of ethical and economic value, respectively. I explicate this circumstance by first engaging the appearance of value as it structures development. Commencing with Marx’s labour theory of value (1976), I outline the parameters of the production of economic value under capitalist modes of production. In so doing, I will suggest that his explication of the social character of value – as produced through relations of domination and subjugation – opens towards, but does not account for, the role of subalternity. I substantiate this critique using Leopoldina Fortunati’s (Fortunati 1995) feminist intervention in order to highlight how sexual subalternity enables the erasure of female labour in the production of economic value. This erasure marks the intensification of domination by capital as an effect of ontological subjugation thereby revealing subalternity as a necessary condition for the expansion of value by capital. This argument pertains as well to the economic subaltern as demonstrated by Gayatri Spivak’s (1985) critique of Marx. Using Spivak’s explication of the devalorisation of labour in the comprador countries, I show how this circumstance institutes the poor as ontologically degraded. That is, given that the devalorisation of labour results in the suppression of consumptive possibilities, the poor appear as ethically marginal to the space of humanness. I draw this argument from Hannah Arendt’s (1998) intervention into Marx wherein she rewrites consumption rather than labour as the expression of *Man par excellence*. This produces a circumstance, she suggests, wherein no object is safe from destruction as an effect of consumption. Within the comprador theatre, the ruse of development renders the poor as such objects of consumption through their almost complete reduction to use in the production of economic value. The first half of the chapter thus explicates how the subjugation of the poor as subaltern constitutes the condition of possibility for the production of economic value. This relationship constitutes the structure of development.

The second half of the chapter seeks to highlight annihilation as the necessary end of development as authorised by the entanglement of the human and capital. This proposition is explicated through Georges Bataille's (1993) description of the human as a phenomenological descriptor of ethical existence instituted through the negation of excess. He describes excess as that which exceeds utility. The body, as organic sensuous material, is the expression of excess in the first instance and hence must be negated through its subjection to labour. To wit, only those bodies that appear productive express humanness. As already indicated, under the capitalist mode of production, the poor as subaltern appears as differentially human. I use the description of the productive body as outlined by Didier Deleule (2014) in order to comprehend this circumstance. For Deleule, the productive body under capitalism is that which subjects itself to dead and other living machines. The possibility of sociality granted to productive bodies is an effect of the degree of their subjection – or more precisely, is determined by what he calls their conditions of survival. Indeed, the primacy of biological survival compels the poor to subject themselves to maintaining the enhanced conditions of survival of postcolonial subjects. Thus, I will show that the subjugation of the poor is the condition of possibility not only for the production of economic value but also for the appearance of postcolonial subjects as human. This circumstance represents the entanglement of the human and capital. In order to establish the annihilation of the poor as the inevitable effect of this entanglement, I read Bataille's explication of the relation between sovereign and servile into Deleule's account of the differential institution of productive bodies. Bataille posits luxurious consumption – that is, the surplus consumption of the products of another's labour – as the expression of sovereignty. Indeed, this is precisely the form of relation between the poor and the bourgeois in the postcolonial circumstance. In so far as the exercise of sovereignty is an expression of humanness, *par excellence*, the preservation of the human proceeds through the guarantee of surplus consumption achieved through an ever-expanding production of commodities. This guarantee authorises the subjection of the poor tending towards annihilation. I make this argument by juxtaposing Bataille's account of sovereignty with Achilles Mbembe's (2003) necropolitical account wherein sovereignty describes the exercise of control over death. In so doing, I confirm annihilation as the necessary end of development intended towards the human and capital as appearances of value. By demonstrating this circumstance as an effect of the entanglement of the human and capital, this chapter provides a theoretical framework for the remainder of the thesis.

Chapter 3 returns to Bhopal in order to demonstrate the imperative of the body in actualising this entanglement. In particular, it seeks to demonstrate how the material traces of annihilation left upon the body perform the ideological work of development. That is, I show how the violation of the body is made to serve as a material record of differential humanness thereby validating the recuperative myth of development as truth. The chapter begins with a historio-political account of Bhopal that seeks to contextualise the event within a developmentalist frame. I describe the circumstances under which the factory was set-up in Bhopal with minimal infrastructural investment, planning regulation, or knowledge transfer. This situation resulted in catastrophe, not in the form of the leak itself but with regards the extent of destruction caused. I also detail the juridico-political aftermath of the leak that has prolonged the tragedy into the present day. Here, I provide a brief overview of political and legal debates with regards redress in order to establish the discursive figuring of the poor as ethically degraded. The chapter then moves to describe how this degradation is naturalised through the material conditions of the existence of the poor. In particular, I use the works of Mary Douglas (2002) and Bataille (1993) to demonstrate how the appearance of dirt or filth, associated with the condition of poverty, produces the bodies of the poor as filth themselves. This appearance, Bataille notes, signifies animality – i.e. the failure to actualise humanness. As such, it warrants eradication as a means to preserve an idealised appearance as human. I argue this latter proposition through an explication of the logic of obliteration as outlined by Denise Ferreira da Silva (2007). Following this description, I will suggest that the violations of the bodies of the poor are confirmation of a truth always already imprinted upon their bodies and realised, finally, through the intervention of capital. As such, they give lie to the recuperative gesture of development. Even so, under the postcolonial capitalist condition, development proceeds as truth.

Accordingly, the chapter advances by speaking to the indispensability of the body in validating development as an emancipatory project. Here, I use Elaine Scarry's (1985) account of the body in pain to outline how power registers itself through injury. The experience of pain is, in fact, that of a differentiated self – of the self reduced to matter in contradistinction to the subject who exists through the absence of pain. The violation of the body by capital, I thus suggest, is confirmation of the differential humanness of the poor. The efficacy of this strategy lies not only in the experience of pain but also in its spectacle. I will corroborate this argument through accounts of capital punishment as offered by Peter Linebaugh (2006) and David McNally (2011) to affirm how the

proletarian body has historically been made to perform as a record of the truth of capital by marking it as criminal. The chapter will conclude by locating the violation of Bhopal within the history of capital as it unfolds in post-/colonial India. I will introduce the notion of ‘flesh’ as articulated by Hortense Spillers (1987) to suggest that the injuries inflicted by Bhopal are the eruptions of a primordial writing by colonial capital on the bodies of those instituted as poor. The chapter thus underscores how the bodies of the poor are the congelation of negat(ed)(ive) value so that the erasure executed by the gas leak confirms the posit(ed)(ive) value of the bodies of postcolonial subjects that appear as human. To wit, I will affirm that under the postcolonial capitalist condition the securing of bodily integrity is the promise of humanness.

This argument is further substantiated through an engagement with surrogacy in **Chapter 4**. Surrogacy is a relationship wherein a woman, the surrogate, is sought to bear a child for a third-party parent or parents – commonly referred to as intended parents. This chapter seeks to demonstrate surrogacy as a moment of annihilation because it causes the depletion of the surrogate body through its productive consumption in the process of procreation. I will posit this depletion as an injury to the body committed by intended parents thereby confirming the surrogate mother as differentially human. This critique is not intended as a condemnation of intended parents but rather seeks to recognise the differential production of subjectivities in the context of the heteropatriarchal imperative to reproduce. Accordingly, the chapter begins with a brief overview of the discourses that structure the surrogacy market. Here, I focus especially on the role of choice and agency in relation to both, surrogate mothers and intended parents, in mobilising the market. I thereby highlight the differential stakes of their participation in the market. Whereas for surrogate mothers participation promises the possibility of the enhancement of ethical value as an effect of the improvement of their economic circumstance, for intended parents participation entails the exercise of a consumptive subjectivity intended towards the actualisation of their ethical value through kinship.

The possibility of this transaction between surrogate mothers and intended parents relies, however, on an always already implied ethical differentiation. I make this argument by considering the history of stratified reproduction wherein the reproductive capacities of poor women and women of colour are devalorised. In India, this history is manifest in the practice of sterilisation. I will use the concept of bioavailability as articulated by

Lawrence Cohen (2008) in order to argue that sterilisation and surrogacy are two sides of the same reproductive coin. That is, I will show how surrogacy is an alternate form of biopolitical control wherein the presumed reproductive excess of poor women is made 'available' to intended parents. This circumstance, I suggest, negates the recuperative promise of the market for poor women. In particular, I use critiques of the employment and marriage contract, as offered by Carol Pateman (1988), Patricia Williams (1991) and Robyn Wiegman (2003) to refute the possibility of choice and agency as attributed to surrogate mother in their participation in the surrogacy contract

The history of stratified reproduction, as that which by corollary entails the valorisation of reproduction by white and wealthy women, also interpellates intended parents as subjects of the surrogate market. This is an effect of the ethical value accorded to the family as a signifier of bourgeois subjectivity. I will demonstrate this through the genealogy of the family as a juridico-economic unit as outlined by Jacques Donzelot (1979), Michel Foucault (1990) and Ludmilla Jordanova (1995). Moreover, the surrogacy market not only promises the fulfilment of genetic kinship ties for intended parents but also activates them as consumptive subjects. As such, and recalling Bataille, the surrogacy market enables the expression of sovereignty by intended parents in relation to the servility of surrogate mothers. This relation of domination and subjugation, however, pertains to the transfer of ethical rather than economic value from surrogate mother to intended parents by means of the baby. I will argue that in the case of surrogacy sovereignty is not limited to the acquisition of the products of another's labour – here, the child – but extends to the productive consumption of the surrogate mother herself. This is a result of the position of the surrogate mother as a means of production. Consequently, using Sylvia Federici's (2004) materialist critique of reproductive labour, I will show how the accrual of ethical value for intended parents is a form of accumulation by dispossession. This process constitutes an injury to the body and subjectivity of poor women while preserving the bodily and subjective integrity of heteronormative subjects. This circumstance, I contend, confirms the surrogacy market as the scene of the abjection of the poor intended towards the preservation of the heteronormative subject *qua* human.

In sum, this thesis attempts to highlight the differential mattering of the subaltern body under the postcolonial capitalist condition. It concludes, however, by reaffirming the ethical challenge of comprehending this figure.

chapter 1

encountering the subaltern: on the method of postcolonial critique

On March 14th 2007, a contingent of police, 3000-strong, was set upon the villagers of Nandigram, a region comprised of 27 villages in the eastern Indian state of West Bengal. These villagers had been involved in a long stand-off with the state government, protesting the plan to grant corporate access to the region for the purpose of developing a chemical hub. This plan entailed not only the take-over of agricultural lands but would also incur the displacement of the approximately 65,000 people living in the region.

Upon receiving notification of removal, the people of Nandigram began occupying their villages, driving out government and party operatives, arming themselves, and establishing political autonomy in the region. For almost two months, they were locked in violent confrontation with cops-and-cadre, fighting back the take-over of land and livelihood. Finally, on March 14th, the state unleashed the full force of itself.

What followed has been referred to as carnage, massacre and civil war. But these descriptors indicate not so much the numbers killed as the nature of atrocities committed. For torture, mutilation and rape were far more pervasive in the violence in Nandigram than actual murder.

The revolt in Nandigram is one of many in a long line of peasant/tribal/indigenous movements launched against industrialisation and globalisation in India. This event stands out, in particular, because it aligned with the 150th anniversary of the 1857 uprising against the British East India Company that marked a major turning point in the country's colonial history. This uprising not only produced a more violent entrenchment of colonial power via dispossession, but also formed the backdrop to a surge in anti-colonial resistance. The events of 2007 were precipitated by a similar motive of dispossession by the state. The plan to build a chemical hub in Nandigram was authorised under the Special Economic Zones Act, or SEZ Act, which is designed to promote the rapid economic development in the country. In fact, SEZs mobilise colonial era eminent domain laws to appropriate 'underdeveloped' land into circuits of productive capital (Sanyal & Shankar 2009).

The focus of this chapter is to explicate a methodology for comprehending the violence of capital as it unfolded in Nandigram, and as it appears in the remainder of the sites discussed in the thesis – Bhopal and surrogacy. As such, I situate my method of analysis – what I will in the course of this chapter explicate as a postcolonial critique that is concerned with entanglements – against what Dipesh Chakrabarty (2000) calls ‘transition narratives’ and in alignment with Gayatri Spivak’s (1999; Spivak 1988a) call to expresses responsibility towards the subaltern. Let me commence by describing the former.

A transition narrative is a method of historicisation that takes a universal(ised) concept as a *telos* – Chakrabarty offers as examples of this ‘end of history’ figuration, the modern individual as posited by Enlightenment thought and capitalism as proffered by Marx – and compares the historical location/trajectory of the object of investigation with respect to this end. In other words, transition narratives are concerned with identifying a lack or lag in the development of a given subject and charting the movement, or progress, of said subject towards a pre-determined end. The situation in Nandigram may well be read as a transition narrative – in particular, as a narrative of the transition to capital. Here, the villagers appear as ‘primitive’ as an effect of their removal from capital and their attachment instead to ‘unproductive’ land and ‘unproductive’ modes of existence. The plan to introduce a chemical factory, then, is instituted as a motive to make them productive. As such, the event may be considered as a move by the state not only to integrate Nandigram into a capitalist system but also, in so doing, to institute the villagers as modern subjects.

While this argument is attractive from the perspective of the Marxist analysis of primitive accumulation, Partha Chatterjee (2008) has suggested that the situation of peasants in postcolonial India can no longer be accounted for in these terms. Instead of signifying the process of primitive accumulation by the state, in his estimation, situations such as Nandigram represent efforts by the state to *reverse* the effects of such accumulation. That is, while he acknowledges the tendency of the postcolonial capitalist state towards dispossession⁷, he rehabilitates the state as charged with reversing the consequent effects.

⁷ Chatterjee retains the Marxist concept of ‘primitive accumulation’ to describe this circumstance of dispossession. This is curious considering his central argument depends on the description of the peasant as no longer extant as such – that is, peasant life, he notes, is now almost completely assimilated into the market economy. Indeed, he describes contemporary peasant society as marked by *non-corporate capital* (2008, p.58). The force of dispossession, then, does not disrupt pre-capitalist modes of production as much as it entails the consolidation of corporate capital. Consequently, as Aditya Nigam (2008) notes in his response to Chatterjee, the process of dispossession described by the latter can more accurately be described by David Harvey’s framework of ‘accumulation by dispossession’.

‘Under present globally prevailing normative ideas’, he notes, ‘old-fashioned methods of putting down peasant resistance [to dispossession] by armed repression have little chance of gaining legitimacy. The result is the widespread demand today for the rehabilitation of displaced people who lose their means of subsistence because of industrial and urban development’ (2008, p.55). This statement is not an expression of naiveté. Rather, it represents Chatterjee’s conviction with regards the influence of what he names civil society – the realm of ‘proper citizens’ – on the state. Civil society – composed mainly of educated, middle-class, urban individuals – holds sway over the contemporary Indian state, exercising itself through the demand for ‘the legal rights of proper citizens, to impose civic order in public places and institutions and to treat the messy world of the informal sector and political society with a degree of intolerance’ (2008, p.58). Under this description, the violence of Nandigram appears not as the eradication of ‘primitive’ existences but rather as the imposition of civil order on an otherwise chaotic political society – the space inhabited by those that are ‘not-yet citizens’⁸. More specifically, given the putative responsibility of the state to mitigate the effects of dispossession, the resistance of the villagers appears to civil society as a demand to be recused from the national polity. Consequently, in Chatterjee’s view, events such as those that unfolded in Nandigram could be avoided if civil society interacted with political society through the recognition that ‘the bulk of the population in India lives outside the orderly zones of proper civil society [and hence] it is in political society that they have to be fed and clothed and given work, if only to ensure the long-term and relatively peaceful well-being of civil society’ (2008, p.62).

⁸ The formulation of ‘not-yet citizens’ does not imply a denial of recognition as being a part of the national polity – e.g. these ‘not-yet citizens’ still have voting rights. Instead, as Chatterjee notes, the ‘not-yet’ refers the form of integration, or lack thereof, of these existences into civil society as the domain of bourgeois citizenship. In other words, ‘not-yet citizens’ appear as such because they are part of the informal economies that operate on the basis on non-corporate capital. Their resistance to the state, as the bearer of the interests of civil society, then, is to protect this non-corporate capital from dissolution thereby safeguarding themselves against the fickleness of the market. Chatterjee suggests that the chaos of political society emerges from its demand to be treated as an exception to the rule:

[W]hen a group of people living or cultivating on illegally occupied land or selling goods on the street claim the right to continue with their activities, or demand compensation for moving somewhere else, they are in fact inviting the state to declare their case as an exception to the universally applicable rule. They do not demand that the right to private property in land be abolished or that the regulations on trade licences and sales taxes be set aside. Rather, they demand that their cases be treated as exceptions. When the state acknowledges these demands, it too must do so not by the simple application of administrative rules but rather by a political decision to declare an exception. The governmental response to demands in political society is also, therefore, irreducibly political rather than merely administrative. (2008, p.61)

This demand for exceptional treatment – which requires the contravening of the government’s own rules of order – appears as corruption, and the violation of properly adduced rights, to civil society, and hence as chaos that impedes social/national advancement.

Thus, even though Chatterjee disavows, specifically, a transition to capitalism narrative in his analysis of Nandigram, his positing of peasant communities as political society in opposition to civil society – as well as his argument with regards restitution – retains the form. Indeed, the difference between political and civil society is presented as a lack (of order) and a lag (in integration) of the former in relation to the latter wherein the role of the state is to negotiate some form of restoration. In a critical response to Chatterjee, Aditya Nigam (2008) dismisses his construction of political society as a waiting-room⁹ for the ‘not-yet citizens’, describing it instead as the space of the ‘unthinkable because unrepresentable’. This unrepresentability is an effect of its being a ‘hidden transcript’ (a term he borrows from James Scott’s text of the same title¹⁰) wherein the forms of living are always illegible under the gaze of the state. That is, even as political society interfaces with the state, it always does so in translation. It is thus the space of double-existence. Its appearance as interfacing with the market economy and speaking the language of rights is a mere performance that allows visibility under the gaze, yet represents the ‘continuations of other forms of life reinvented and reconstructed to deal with or survive in the world of capitalism’. Consequently, Nigam recognises peasants – those subjectivities that constitute political society – as subalterns. Here, subaltern is used in the precise sense of the term as offered by Gayatri Spivak – i.e. those that exist as if ‘without identity. ... where social lines of mobility, being elsewhere, do not permit the formation of a recognisable basis of action’ (2005, p.476). As such, these doubled existences remain illegible, hence illegitimate, and can be destroyed whenever and wherever they appear as

⁹ I borrow this term from Chakrabarty (2000) who suggests that historicism sets-up history as a waiting room wherein the ‘not-yets’ are held awaiting transition into universal instantiation – e.g. modernity, capitalism. Thus, for instance, he notes how ‘Indians’ were posited by the British as in the waiting-room of modernity awaiting an actualisation that would render them fit for modern forms of political organisation such as self-rule and citizenship.

¹⁰ Scott’s text, *Domination and the arts of resistance: Hidden transcripts* (1990), is concerned with comprehending the resistance of subordinated groups through a consideration of their ‘offstage’ discursive practices of the subordinated, as well as of those in power, in relation to the public record, or ‘public transcript’. He refers to discursive practices isolated from the public gaze as ‘hidden transcripts’:

If subordinate discourse in the presence of the dominant is a public transcript, I shall use the term *hidden transcript* to characterize discourse that takes place “offstage,” beyond direct observation by powerholders. The hidden transcript is thus derivative in the sense that it consists of those offstage speeches, gestures, and practices that confirm, contradict, or deflect what appears in the public transcript. ... What is certain is that the hidden transcript is produced for a different audience and under different constraints of power than the public transcript. (1990, pp.4–5)

In positing political society as a ‘hidden transcript’, Nigam attempts to reframe it as an active, even if socially incomprehensible, space that is disruptive of civil society’s pretensions as a ‘master narrative’, rather than merely lacking/lagging behind it.

a threat to civil society¹¹. The violence in Nandigram, in Nigam's evaluation then, is the *actualisation* of subaltern existence as unlawful.

Indeed, the villagers of Nandigram represent what, borrowing from Georges Bataille (1993), we may refer to as excess. Excess is all that lies beyond utility and serves no purpose. In the context of humanity – which, per Bataille, is instituted as the scene of utility – it represents all that must be abandoned in the realisation of an ethical subjectivity. Excess, then, as that which represents the failure of this actualisation, signals an ethical degradation. More crucially, it stands in opposition, and as a threat, to humanity and must hence be eradicated in order to preserve humanness. While excess is not a 'hidden transcript' *per se* – that is, it is not an active production but an external imputation of ontological difference – it operates similarly. To wit, excess is that which appears as illegible, hence illicit, within the space of humanity and thus authorises annihilation. In the next chapter, I will explicate in greater detail the condition of excess and the imperative of its eradication in order to describe the role of capital in accomplishing this end. However, at this juncture, the intervention of the concept of excess helps elucidate Nigam's articulation of the difference between political and civil society as an *ethical* difference, or more specifically an ethical differentiation. In other words, the terms upon which political society organises itself appear unlawful in accordance with the master code of the human. In this context, and under the gaze of civil society, the villagers of Nandigram are deemed to have abandoned the ethical duty to actualise themselves as fully, or properly, human. This circumstance posits them as, what in this chapter I will explicate as, differentially human.

I use the phrase 'differentially human' (or, sometimes, 'differential humanness') rather than 'human difference' so as to underscore a potentiality not yet actualised rather than an absolute distinction. This choice is informed by critiques of humanism that challenge

¹¹ By way of example, Nigam offers the figure of the pirate as epitomising this double, hence politically vulnerable, existence:

[T]he figure of the 'pirate' ... has now become a pervasive metaphor for the illegal, the unruly and the unregulated. The pirate today is one who copies, multiplies and distributes or sells with scant respect for the original except as object of consumption. The pirate produces the 'copy' or the 'fake' and throws it alongside the 'original' into the market, duping the original branded producer. Often, though, s/he who is called the pirate, merely shares information and products with others. 'Intellectual property', copyright and trade mark have thus become the new banners of capitalist aggression – as it stands threatened by such pirate or contraband capital – its own cheap copy. To the state, it poses another kind of threat by depriving it of what it believes are its legitimate revenues – all the transactions in this domain being completely 'off the record'.

the institution of the figure of the human as the measure of all things ethical. The tacit corollary to humanist thinking, notes Leela Gandhi (1998), is the implication of differential humanness – i.e. that ‘some human beings are more human than others – either on account of their access to superior learning, or on account of their cognitive faculties’ (1998, p.29). According to this articulation, to situate the villagers of Nandigram as differentially human would seem to imply an adherence to the ‘not-yet’ logic of transition narratives. This, however, need not be the only possibility. Rather, in this chapter I propose differential humanness as the condition of subalternity wherein to approach the ‘not-yet’ is to interrogate not a lack or lag but rather the very constitution of the universals that makes divergence from them appear as such. That is, to historicise the subaltern – or, to consider the appearance of existences as differentially human – necessitates asking ‘how this seemingly imperious, all-pervasive code might be deployed or thought about so that we have at least a glimpse of its own finitude, a glimpse of what might constitute an outside to it’ (Chakrabarty 2000, p.93). This, in fact, is the work of the postcolonial critic.

From this perspective, it is important to note that the difference between Chatterjee and Nigam’s descriptions of the violence in Nandigram is not the imputation of a lack or lag on the villagers – or rather the acknowledgement of such an imputation – but rather is their respective understanding of the role this imputation plays in the analysis of violence. For Chatterjee, the violence in Nandigram is an effect of a forestalled transition, effected by a mutual misrecognition between peasants¹² defending the circumstances of their subsistence from the precarity of the market and a state that views them as obstinately sticking to their ‘traditional’ modes of existence. For Nigam, on the other hand, the transition narrative puts under erasure the state’s determination of particular existences as always already unlawful and hence exterminable. Thus, while Chatterjee appears to leave unquestioned the very terms upon which the transition narrative stands – i.e. the modern individual and capital – Nigam proffers a postcolonial critique that challenges the teleology implied by these terms and charges them with the inevitability of violence. It is in this spirit, of postcolonial critique, that I undertake the following project.

¹² In *Provincializing Europe*, Chakrabarty notes that his use of the term peasant, rather than following a strict sociological definition, is intended to encompass all ‘seemingly nonmodern, rural, nonsecular relationships and life practices that constantly leave their imprint on the lives of even the elites in India and on their institutions of government’ (2000, p.11). This expanded meaning is, I reckon, intended by Nigam and Chatterjee too, and it is certainly implied in my usage in this chapter.

In this thesis, I posit development as the formal ruse – or, the ‘public transcript’ (Scott 1990)¹³ – adopted by the state to ratify the eradication of those forms of existence that appear to it as a threat. From Nigam’s perspective, political society is the explicit object of development because it sustains and secures itself through ‘contraband capital’ which undermines both formal capital, by threatening its profits, and the state, by not only depriving it of revenue but also by eluding ‘mechanisms of disciplining and policing that are put in place by state elites in countries like India in order to bring the entire ‘economy’ within the domain of the ‘formal’’. In my reading of Nigam, political society is constituted through the category of the poor. Indeed, it is existence circumscribed by this category – one that identifies the economic subaltern as differentially human – that I am concerned with in this chapter, and in my thesis, in general.

I introduce this chapter with the story of Nandigram because it typifies the experience of development in India. The unfolding of the event unambiguously explicates the annihilation of the economic subaltern as authorised by development. As such, it is a spectacular representation of the sites addressed in this thesis – i.e. Bhopal and surrogacy – wherein the act of extermination in Nandigram proceeded through the exercise of brute force. Here of course, force was deployed by the state in the service of capital. In the other two cases, annihilation appears as the direct effect of capital. Whereas in Bhopal the primary act of injury is committed by the Union Carbide factory, in the case of surrogacy injury is an effect of the capitalisation of one’s own reproductive capacities. This does not imply the non-complicity of the state but rather that the violence by capital is sanctioned by state under the sign of development. As such, I suggest that development is the manifestation of *necessitas*.

In her work on the violence of the state, Denise Ferreira da Silva posits *necessitas* as ‘the epistemological figuring of reason as violence’ (2009, p.219) wherein the annihilation of the racial subaltern is authorised as a self-preserving violence – i.e. as a duty and right of the state as sovereign. This formulation derives from Silva’s rehearsal of the transparency thesis (2007) which will be detailed later in the chapter. However, suffice it here to note that this self-preserving violence is sanctioned by the institution of the racial subaltern in affectability – the circumstance wherein reason is not comprehended through interiorised judgement and self-determination, but through its exteriorised forms as law and its enforcements (2009, p.224). As such the racial subaltern constitutes a threat to the ethical

¹³ See fn. 4

order of the state. This logic, I suggest, pertains as well to the economic subaltern as indicated by Bataille's notion of excess explicated above. I will elaborate on this relationship between economic subalternity and excess in the following chapter. However, at this point we can note that the operation of development as *necessitas* is an effect of the appearance of the poor as illicit hence threatening to the order represented by the state.

Yet, as I will outline in this chapter, development presents itself as a strategy of economic intervention intended towards *human* progress and, thereby, progress towards *humanness* (Wilson 2013; Nederveen Pieterse 2001; Escobar 1995). Under this transition form, development is advanced as a recuperative gesture intended towards the restoration of old subjectivities – those regarded as 'primitive' or 'not-yet' – into those designated as modern, or more precisely, human. In this circumstance it is, in fact, capital that appears as a restorative force. In this context, regions such as Nandigram are subject to the truth of capital whereby peasant, tribal and indigenous subjectivities that are associated with it must be dissolved and coerced into new 'worker' subjectivities. Resistance to this truth represents a turning away from Reason, expressed as economic development, and hence is the actualisation of the threat posed by their unlawful existence. This authorises the unleashing of sovereign force intended towards submission or, otherwise, disappearance. Development thus confronts its objects as existence that must be eradicated – through recuperation or annihilation – as an effect of their unknowable hence threatening difference. Consequently, annihilation is intended towards the preservation of the human and capital as truth.

In the next chapter, drawing mainly from the writings on value of Bataille, Spivak (1985; 1999) and Lindon Barrett (1998), I will demonstrate that the imperative for this preservation is the institution in modernity of the human and capital as descriptors of ethical and economic value, respectively. *Consequently, the annihilation of the poor, as described above, is authorised as the preservation of value. I posit this circumstance as the postcolonial capitalist condition.* My aim in this thesis is to demonstrate development as the manifestation *par excellence* of this condition. I will develop the framework for this argument in the next chapter by revealing development as structured through the *entanglement* of ethical and economic value, i.e. of the human and capital. Entanglement, as defined by Karan Barad, 'is not simply to be intertwined with another, as in the joining of separate entities, but to lack an independent, self-contained existence' (2007, p.ix). To propose the entanglement

of the human and capital, then, is to propose the inseparability of these two figurations in engagements with value. This circumstance, I will suggest, is definitive of the postcolonial capitalist condition. Consequently, I will show that under this condition, the reproduction of capital proceeds not as the subjugation of labour, as proposed by Marx, but rather as the eradication of excess, as described by Bataille. As will be explicated in this chapter, this shift represents the intervention of postcolonial critique into historical materialism.

Postcolonial critique is a methodological approach offered by Gayatri Spivak that remains faithful to the subaltern (cf. 2005; 1999; 1988a). That is, she proposes this method as grounded in a recognition of the subaltern as instituted in excess – here, an excess of meaning – that renders it unknowable and hence unrepresentable within the Western epistemological tradition that has instituted master categories for the comprehension of existence. For the postcolonial critic, this unrepresentability should neither call for a translation, or ‘recovery’ into representation – i.e. making the subaltern speak – nor should it provoke an abandonment. Rather, a faithfulness to the subaltern necessitates a responsibility to their trace – to chart the itineraries of power that have instituted them as such, in opposition to and foreclosed by, the figure of the human (1988a; 1999). The writing of this thesis draws inspiration from this articulation and, hence, it from this point that I begin.

The first section of this chapter aims to situate this thesis as a work of postcolonial critique. Consequently, the section outlines the debates that constitute this practice. I begin by locating the emergence of the subaltern as a figure of ‘postcolonial’ analysis within the work of the Subaltern Studies Collective¹⁴. Taking its cue from Marxist materialism, the intellectual project of this group was to re-instate existences written out of history – specifically the figure of the peasant – into the field of historical analysis. However, as some critics have charged, the particularity of Subaltern Studies to the

¹⁴ The Subaltern Studies Collective was initially comprised of the historians Ranajit Guha, Shahid Amin, David Arnold, Partha Chatterjee, David Hardiman and Gyanendra Pandey. Vinayak Chaturvedi credits Guha’s teacher at Presidency College Calcutta, Susobhan Sarkar, with introducing his student to the works of Gramsci ‘at a time when most Marxists in the West were unfamiliar with [it]’ (2000, p.viii). Indeed Guha’s 1983 text *Elementary aspects of peasant insurgency in colonial India*, is a foundational text in the collective work of the Collective. Most of the important writings of the Collective were published as collected volumes. Some of the more known of these include ‘The prose of counterinsurgency’ (Guha 1983), ‘Peasant revolt and Indian nationalism’ (Pandey 1982), ‘Conditions for knowledge of working-class conditions’ (Chakrabarty 1983) and ‘Touching the body: Perspectives on the Indian plague’ (Arnold 1987).

Indian context as a *postcolonial* place (Shohat 1992), combined with the growing entrenchment of poststructuralism as an academic practice (Dirlik 1994; Ahmad 1995), morphed the former project into a more expansive, yet more generalised, project of ‘postcolonial criticism’. In this section, I will provide a review of these critiques. In particular, I will focus on the charge that the abandonment of materialism in favour of the discursive divests the practice of any relevance to explicating the lived effects of subalternity. Building on the provocation of authors such as Dirlik and Ahmad to be attentive to the implications of class – or, the effects of capital – on the production of the subaltern, the second section discusses the possibilities and limitations of the practice of historical materialism to elucidating the postcolonial capitalist condition.

on the limits of postcolonial criticism

That the situation in Nandigram unfolded under the aegis of a leftist party that constituted the state government of West Bengal – the Communist Party of India – Marxist (CPI-M) – caused substantial global consternation amongst leftist activists. It called into question the possibility of a united front against the encroachments of global capital. The plea for unity within the left issued by intellectuals located elsewhere was met with agitation by activists in India. In a letter titled ‘To our friends in Bengal’, intellectuals such as Tariq Ali, Noam Chomsky, Mahmood Mamdani, Vijay Prashad and Howard Zinn appealed to left unity, writing:

The balance of forces in the world is such that it would be impetuous to split the Left. We are faced with a world power that has demolished one state (Iraq) and is now threatening another (Iran). This is not the time for division when the basis of division no longer appears to exist. (Chomsky et al. 2007)

Leftists in India, including Aditya Nigam, Mahashweta Devi, Nivedita Menon, Arundhati Roy and Sumit Sarkar, voiced concern at this appeal, noting the contemporary CPI-M’s appetite for ‘unbridled capitalist development, nuclear energy at the cost of both ecological concerns and mass displacement of people (the planned nuclear plant at Haripur, West Bengal), and the Stalinist arrogance that the party knows what “the people” need better than the people themselves’ (Nigam et al. 2007). These values, they suggested, hardly reflected those they believed to be held by the original signatories and, anyhow, could scarcely be considered leftist. Moreover, alluding to the reference to Iraq and Iran, they posited the resistance against SEZs as an integral part of the struggle against US imperialism, and hence posited opposition to the state’s actions in Nandigram

not as a distraction but rather a different manifest of the same struggle. In response to this critique, the original signatories issued a clarification, emphasising their condemnation of the strategies of the CPI-M. The intent of their statement, they noted, was to encourage left critics in ‘putting pressure on the CPI-M in West Bengal to correct and improve its policies and its habits of governance, rather than dismiss it wholesale as an unredeemable party’, thereby holding it accountable to its ‘laudable traditions... that once brought extensive land reforms to the state of West Bengal and that had kept communal tensions in abeyance for decades in that state’ (Chomsky et al. 2007a).

I read in this debate between Chomsky et al. and Nigam et al. the question of representation as posed by Spivak in her introduction to ‘Can the subaltern speak?’ (1988a). Here, she underscores the two ‘related but irreducibly discontinuous’ (1988a, p.275) meanings of the word: to speak *for* another and to *re*-present one’s own reality. The call for ‘accountability’ issued by the first group – indeed the implication of restoration of the CPI-M – seems to express a conviction that the party, needed to be rehabilitated as part of the global left movement, so that the work of representing (speaking for) the global poor in the midst of increasing capitalist and imperial hostility could continue unabated. The response of Nigam et al. seems to question the ability, and need, for a party – and especially this one – to do the work of representing. Indeed, in accusing the CPI-M of pretending to know the interests of the people, they affirm the resistance of the poor as a re-presentation of their reality *par excellence*. For Spivak, it is through the encounter with this second register of representation that the postcolonial critic must operate.

Another related point of contention that differentiates the two responses to Nandigram is their evocation of what Chakrabarty designates as the two histories of capital (2000). Here, he refers to the history of capital – ‘the past that is internal to the structure of being of capital’ (2000, p.66) – as History 1. History 2 is made up of the heterogeneous histories that contribute to, but can exist apart from, capital. They are pasts that ‘enable the human bearer of labor power to enact other ways of being in the world – other than, that is, being the bearer of labor power’ (2000, p.66). This, according to Chakrabarty, is where the possibility of the ‘politics of human belonging and diversity’ (1999, p.67) lie. As such, History 2 is the space of resistance to the logic of capital¹⁵. Yet, the plea for ‘left

¹⁵ Chakrabarty notes that, according to Marx, History 1 seeks to subjugate the various pasts that are of History 2. Yet, the character of History 2 is such that it persists in interrupting History 1. In other

unity' issued by Chomsky et al. seems to miss this, situating Nandigram instead within resistance conceptualised as a response to the logic of capital as exemplified in History 1. For the second group, instead resistance is linked to the history of capital, yet is differentiated by its particularities. In other words, from their perspective, faithfulness to a global left movement is an empty gesture in so far as this movement can never be a unity but rather is an assemblage of resistances constituted through History 2.

To approach Nandigram, then, from the perspective of a postcolonial capitalist critique requires that the resistance 'it speaks of is [recognised as] something that can happen only *within* the time horizon of capital, and yet it has to be thought of as something that disrupts the unity of that time' (2000, p.95). In other words, to bring Spivak and Chakrabarty together, it requires interaction with History 2 as the site of re-presentation. The purpose of this section is to identify the possibilities and challenges of postcolonial criticism – constituted as an academic practice – in enabling this interaction. Consequently, the section begins with an overview of Subaltern Studies – the practice of insurgent historiography developed by historians of India – as a harbinger of postcolonial criticism. I focus, in particular, on descriptions of the subaltern as the figuration of difference. The work of Ranajit Guha (1983; 1981) will be instructive here. Thereafter, I use the writings of Gayatri Spivak (1988b) and Gyan Prakash (1994) to demonstrate how the poststructuralist essence of Subaltern Studies is transmogrified into the field of postcolonial criticism.

Following a brief description of the possibilities offered by postcolonial criticism, I will highlight critiques of the practice itself as outlined in texts by Aijaz Ahmad (1995) and Arif Dirlik (1994). These critiques underscore the tendency of contemporary postcolonial criticism to conflate subalternity with normative difference, i.e. that which appears as marginality and underrepresentation. Ahmad and Dirlik implicate bourgeois intellectuals in the execution of this shift, charging an investment in explicating their own positioning as other rather than in engaging the lived effects of subalternity. They advocate, instead, an attentiveness to the work of capital in producing the political existence of the subaltern. By thus outlining the limitations of postcolonial criticism, this section seeks to identify the need for a historical materialist intervention therein. This will be elaborated

words, even as capital attempts to subsume life under its universalised logic, life's specificities continue to counteract and therefore transform it. This resistance of life to capital is what necessitates an attentiveness of History 2 – i.e. to particularities – when considering struggles against capital.

upon in the following section. But let me begin with a brief review of the precarity of the term ‘postcolonial’.

In ‘Notes on the “Post-Colonial”’, Ella Shohat (1992) posits postcolonial studies as a effect of an academic instrumentality rather than of organic intellectualism. The coinage of the term in the late 1980s represents, she suggests, ‘a terminological shift indicat[ing] the professional prestige and theoretical aura the issues have acquired, in contrast to the more activist aura once enjoyed by “Third World” within progressive academic circles’ (1992, p.100). Here, Third Worldism evokes the radical circumstance of ‘First World leftists and Third World guerrillas [walking] arm in arm toward global revolution’ (1992, p.100). The ‘postcolonial’, on the other hand, signals a politico-intellectual safe space engendered by the relegation of the colonial to the past ‘and marked with a closure – an implied temporal border that undermines a potential oppositional thrust’ (1992, p.106). That is, for Shohat, the term represents a problematic temporality – a false historical rupture – between the period designated as colonial and the present. This deceptive temporality not only obscures the persistence of the colonial paradigm of domination and subordination – material, spatial/territorial, and political – but, more significantly, mitigates a militant comprehension and confrontation with these relations¹⁶.

Shohat thus objects to ‘[t]he globalizing gesture of the “postcolonial condition” or “post-coloniality” [as it] downplays multiplicities of location and temporality, as well as the possible discursive and political linkages between “post-colonial” theories and contemporary anti-colonial, or anti-neo-colonial struggles and discourses’ (1992, p.104). She shows favour, instead, to the language of ‘neo-’ for it signals new manifestations of colonialism (or new manifestations of the colonial mode of power) rather than a closure and a moving beyond. Contemplating a shift in the description of the world historical circumstance, she writes:

Perhaps it is the less intense experience of neo-colonialism, accompanied by the strong sense of relatively unthreatened multitudes of cultures, languages and ethnicities in India, that allowed for the recurrent usage of the prefix “post” over that of the “neo”. Now that debt-ridden India, where “post-colonial discourse” has flourished, has had to place itself under the tutelage of the International

¹⁶ Shohat, in fact, begin her notes by citing her experience with a curriculum committee at CUNY that demonstrated discomfort with any reference to issues such as “imperialism and third worldist critique”, “neo-colonialism and resisting cultural practices”, and “the geopolitics of cultural exchange”. They were visibly relieved, however, at the sight of the word “post-colonial”. Only the diplomatic gesture of relinquishing the terrorising terms “imperialism” and “neo-colonialism” in favor of the pastoral “post-colonial” guaranteed approval’ (Shohat 1992, p.99).

Monetary Fund, and now that its non-aligned foreign policy is giving way to political and economic cooperation with the U.S., one wonders whether the term “neo-colonial” will become more pervasive than “post-colonial”. (1992, p.106)

Shohat’s jab at the Indian context in particular, stems from her postulation of ‘Indian’ academic discourse (at least, in its institutionalised form in U.S. academia) as the fountainhead of the postcolonial form. This claim emerges from the history of postcolonial studies as germinated by the Subaltern Studies Collective.

In his introduction to *Mapping subaltern studies and the postcolonial* (2000), Vinayak Chaturvedi posits Subaltern Studies as the (institutional) precursor to the postcolonial studies project. Introduced as the practice of insurgent historiography, the concern of the Subaltern Studies Collective was to ‘revise the ‘elitism’ of colonialists and bourgeois-nationalists in the historiography of Indian nationalism’ (2000, p.vii). Nationalism, in the first instance, was the primary strategy and authorisation of the Indian anti-colonial movement. As Gyan Pandey notes, ‘nationalism... attributed agency and history to the subjected nation, [even as] it staked a claim to the order of Reason and Progress instituted by colonialism’ (1994, p.1475). Consequently, national/ist historiography became a critical tool of anti-colonial practice. Yet, as Ranajit Guha states in the inaugural volume of Subaltern Studies (1981), this form of historiography emulates its colonial counterpart insofar as it produces the native elite as the proper bearers of the national/ist project. This approach is limited, then, in its inability to

acknowledge, far less interpret, the contribution made by the people *on their own*, that is, *independently of the elite* to the making and development of this nationalism. ... The involvement of the Indian people in vast numbers, sometimes in hundreds of thousands or even millions, in nationalist activities and ideas is thus represented as a diversion from a supposedly ‘real’ political process, that is, the grinding away of the wheels of the state apparatus and of elite institutions geared to it, or it is simply credited, as an act of ideological appropriation, to the influence and initiative of the elite themselves. (Guha 1981, p.3; original emphasis)

The ‘people’ that Guha refers to are the subalterns, those who represent ‘the demographic difference between the total Indian population and all those whom we have described as the ‘elite’ (1981, p.8)¹⁷. The failure of elitist historiography, then, is the effective dismissal of the possibility of subaltern agency, indeed of subaltern consciousness.

¹⁷ Elsewhere, in the Preface to the volume, the subaltern is posited as the name for ‘the general attribute of subordination in South Asian society whether this is expressed in terms of class, caste, age, gender and office or in any other way’ (Guha 1981, p.vii).

Borrowing the term from the writings of Antonio Gramsci, the Subaltern Studies Collective¹⁸ instituted itself as such, seeking to re-articulate Indian history ‘from below’. Specifically, ‘[t]he six-point methodological programme on the history of the subaltern classes in Gramsci’s ‘Notes on Italian History’ was taken up as a framework for writing about and, more distantly, shaping an authentic ‘politics of the people’” (Chaturvedi 2000, p.viii). This form of subaltern politics is located, according to the Collective, within peasant consciousness. Guha notes that even instances of rebellion by urban working classes and the petty bourgeoisie replicate this paradigm. While traditional historiography describes these insurrections either, negatively, as law and order problems or, positively, as influenced by elite ideology, Guha insists on their subaltern particularity, one that was sharply distinct from and, in fact, in strong opposition to elite domination. Moreover, these moments of resistance were diversely manifest based upon ‘the outlook of its leading elements dominating that of the others at any particular time and within any particular event’ (1981, p.5). Thus, even while the various acts of rebellion were united in their subaltern positionality and the common experience of domination and exploitation, they appeared messy and incoherent and, hence, beyond political comprehension. Consequently, as Guha remarks in his writings of peasant movements, they became relegated to the idiom of natural phenomena – ‘they break out like thunderstorms, heave like earthquakes, spread like wildfires, infest like epidemics’ (1983, p.2) – or were explicated as reactionary effects wherein ‘insurgency is regarded as *external* to the peasant’s consciousness and Cause is made to stand in as a phantom surrogate for Reason, the logic of that consciousness’ (1983, p.3; original emphasis).

Instead, the Subaltern Studies Collective envisioned its work as the recuperation of subaltern, principally peasant, existence as conscious and its resistance as political. This was materialised through an epistemology founded upon ‘meticulous thick descriptions of insurgency’ (Chaturvedi 2000, p.x) that accounted for their own particular (religious, social, cultural) forms of existence. This entailed interventions not merely into colonial and national/ist historiography, but, significantly also Marxist historiography. Indeed, given the centrality of the figure of the peasant, Marxist analyses of modes of production crucially substantiated the Collective’s writings. However, the intent here was not to comprehend peasant rebellion within the narrative of transition to a capitalist mode of

¹⁸ The Subaltern Studies Collective was initially comprised of the historians Ranajit Guha, Shahid Amin, David Arnold, Partha Chatterjee, David Hardiman and Gyanendra Pandey. Chaturvedi credits Guha’s teacher at Presidency College Calcutta, Susobhan Sarkar, with introducing his student to the works of Gramsci ‘at a time when most Marxists in the West were unfamiliar with [it]’ (2000, p.viii).

production. Rather, they sought to intercede therein, comprehending peasant resistance in India as the incorporated effect of domination within their specific, yet heterogeneous, political, cultural, and religious *and* economic circumstance. Of course, this necessitated a radical re-reading – a reading against the grain – of colonial, national and even Marxist discourse. The project thus emerged as one of rectification and recovery, making it vulnerable to charges of being a positivist project – i.e. the supposition that ‘if properly executed, it will lead to firm ground, to some *thing* that can be disclosed’ (Spivak 1988b, p.10). Yet, as both Spivak and Gyan Prakash (1994) note, the project unfolded in time as an account of the itinerary of colonial, and ultimately ‘Western’, power. That is, rather than re-/un-covering an authentic subaltern, the writings of the Collective came to record the failures and foreclosures wrought by hegemonic ideas and representations that mis-/displaced her. This was perhaps effected, to some extent, by the lack of sources left behind by the subaltern (Prakash 1994, p.1480), yet it was substantiated, in the main, by the influence of post-structuralism that questioned the possibility of an autonomous subject and consciousness-in-general.

Thus, as Spivak and Prakash both suggest, in attending to the historicisation of subaltern existence, the Collective ultimately took up the task of unpacking dominant discourse that constituted the subaltern (and itself) as such: ‘[s]ubalternity thus emerges in... the functioning of the dominant discourse as it represents and domesticates peasant agency as a spontaneous and “pre-political” response to colonial violence. ... [I]t refers to that impossible thought, figure, or action without which the dominant discourse cannot exist and which is acknowledged in its subterfuges and stereotypes’ (Prakash 1994, p.1483). In this, the description of subalternity took on a more critical form, so that the subaltern came to signify a liminality between the known and unknowability – ‘the “native” was at once an other and entirely knowable; the Hindu widow was a silenced subaltern who was nevertheless sought as a sovereign subject asked to declare whether or not her immolation was voluntary’ (Prakash 1994, p.1488). Similarly, Spivak describes the subaltern as an ‘allegory of the predicament of *all* thought, *all* deliberative consciousness’ (1988b, p.12). She thus marks the subaltern not as a recuperable subject-position but rather as the intransigent object of thought. In so approaching the subaltern, Spivak’s intention is not to propose the figure as a dehistoricised theoretical figment but rather to acknowledge the various forms of existence that (*are made to*) persistently occupy the

lacunae and aporias of knowing¹⁹. By thus highlighting its post-structuralist gist, and the consequent refining of the definition of subaltern/ity, Spivak and Prakash pose Subaltern Studies as a practice that anticipates postcolonial critique²⁰.

In her text on *Postcolonial theory*, Leela Gandhi describes colonialism as ‘the historical process whereby the ‘West’ attempts systematically to cancel or negate the cultural difference and value of the ‘non-West’ (1998, p.16). Following from this description, postcolonial critique marks an opening towards these negations that approaches what is lost therein. Specifically, it signals an attentiveness to subjugations, or foreclosures, of particular modes of existence and knowing as effected in the universalising of ‘Europe’ – i.e. the institution of a spatio-temporally specific ontoepistemology as world historical. Consequently, Prakash describes postcolonial critique as the practice of traveling the ‘fault lines [of dominant discourse] in order to provide different accounts, to describe histories revealed in the cracks of the colonial archaeology of knowledge’ (Prakash 1994, p.1486). This colonial archaeology entails an accounting of humanism, the fundamental proposition of Enlightenment that enabled the imposition of universality as the condition of ontoepistemic subjugation. Gandhi describes humanism as the contention that ‘underlying the diversity of human experience it is possible, first, to discern a universal and given human nature, and secondly to find it revealed in the common language of rationality’ (1998, p.27). Humanism thus institutes the figure of Man – the subject idealised as human – as the measure of all things ethical. Yet, as Gandhi notes,

¹⁹ Spivak’s project in this text, which introduces the volume *Selected Subaltern Studies*, is to affirm the project as deconstructionist:

If seen in this way, the work of the Subaltern Studies group repeatedly makes it possible for us to grasp that the concept-metaphor of the ‘social text’ is not the reduction of real life to the page of a book. ...

It can be advanced that their work presupposes that the entire socius, at least in so far as it is the object of their study, is what Nietzsche would call... a ‘continuous sign-chain’. The possibility of action lies in the dynamics of the disruption of this object, the breaking and relinking of the chain. This line of argument does not set consciousness over against the socius, but sees it as itself also constituted as and on a semiotic chain. It is thus an instrument of study which participates in the nature of the object of study. To see consciousness thus is to place the historian in a position of irreducible compromise. I believe it is because of this double bind that it is possible to unpack the aphoristic remark of Nietzsche’s that follows the image of the sign-chain with reference to this double bind: ‘All concepts in which an entire process is comprehended... withdraws itself from... definition; only that which has no history is definable.’ At any rate, these presuppositions are not, strictly speaking, consonant with a desire to find a consciousness (here of the subaltern) in a positive and pure state. (1988b, p.5)

²⁰ It is worth flagging, at this juncture, a distinction between postcolonial critique and postcolonial criticism. While I do not see this distinction as explicit within the field itself, I highlight it in order to establish my interest in the critiqueform. What follows, however, is primarily an elaboration of what has been designated postcolonial criticism. I engage it to tease out this distinction in order to highlight my investment in critique. I will return to this towards the end of this section.

the tacit corollary to humanist thinking is the implication of differential humanness. Indeed, this is the place of difference occupied/signified by the subaltern. Given that colonial subjugation is the instantiation of native modes of existence and knowing as differentially human, postcolonial critique, including Subaltern Studies as its inaugural form, advances itself through anti-humanist contention.

The description of postcolonial as such assigns a reflective modality to the prefix 'post-' rather than the temporality attributed by Shohat. Yet, it also substantiates her charge of the field as academically orientated, rather than conducive of radical praxis. Gandhi concedes this claim, writing, 'there is little doubt that in its current mood postcolonial theory principally addresses the needs of the Western academy. It attempts to reform the intellectual and epistemological exclusions of this academy, and enables non-Western critics located in the West to present their cultural inheritance as knowledge' (1998, p.ix). This claim follows from the description of postcolonial criticism as operating within a symbolic terrain making it an exercise in academic or theoretical posturing that bears little consideration, or resemblance, to the lived existence of the subaltern. Providing an insight into anti-postcolonialist arguments, Gandhi notes how these

repeatedly foreground(...) the irresolvable dichotomy between the woolly deconstructive predicament of postcolonial intellectuals and the social and economic predicament of those whose lives are literally or physically on the margins of the metropolis. Critics like Arif Dirlik and Aijaz Ahmad, in particular, are unrelenting in their exclusion of all theoretical/intellectual activity which lacks adequate referents to 'everyday' sociality. (1998, p.56)

Here, the criticism put forth pertains to, at best, the dismissal by, and, at worst, the complicity of, postcolonial criticism in restaging modes of domination and exploitation prevalent under the present condition of global capitalism.

In his text *The postcolonial aura* (1994), Arif Dirlik laments the poststructuralist investments of postcolonial theory as being unable to offer a cogent response to contemporary social and political challenges. This, he notes, is a consequence of its commitment to anti-Eurocentric critique that has devolved into a concern with questions of identity and difference. In Dirlik's reading:

[t]he affirmation of "difference" is basic to a postcolonial epistemology. Difference is important not just as a description of a situation, but more importantly because it shapes language, and therefore, the meaning of identity; every representation of the self carries upon it the trace of the "other." Identity, it follows, is never "essential," but the product of relationships. Whether informed

by Bakhtin's dialogics or Derrida's "différance," difference and the negotiation of difference becomes crucial to the construction of identity and, by extension, of culture. (1994, p.5)

Here, the materiality of difference is displaced in favour of materialisations. That is, directed by its postmodernist method – one that dispels the possibility of a 'real' – postcolonial criticism concerns itself with the determination of the social, and differences therein, as constructs. This gesture, Dirlik acknowledges, is productive in exposing the role of power in the institution of global difference, and of revalorising its subordinated forms. Yet, the reduction of all to construction eliminates the possibility of a radical politics, one that can emanate only from a localised, historicised analysis of structures. This, he notes, is consonant with the workings of global capital: 'The postcolonialist (and postmodernist) insistence on the world as a social construct, against a representation of the world that recognizes to it a reality beyond human will and cognition, expresses a voluntarism that is very much synchronous with contemporary capitalism (Disney professes a similar epistemology). ... An epistemology that offers no means to distinguish different "differences," or even reality and fiction, opens the way to such social and political manipulation' (1994, p.xi). Dirlik attributes this impossibility of 'distinguish[ing] different differences' to the relegation of all forms of master-narratives as the founding anti-Enlightenment (anti-structuralist) gesture of postcolonial criticism. Indeed, while the distinction against Europe as an epistemic (socio-cultural) signifier is allowed to hold, given its originary valence, the dismissal of all 'foundational thought'²¹ proceeds to the detriment of difference *within* what is given as the postcolonial (previous Third) world. This, however, is not to suggest that postcolonial criticism dismisses or homogenises difference therein but rather that it evacuates it of historical substance.

In a particularly cutting critique of Homi Bhabha's *The location of culture* (1994), Aijaz Ahmad (1995) argues that (Bhabha's) postcolonial criticism sublates difference into descriptive vocabulary such as hybridity, multiplicity, heterogeneity and ambivalence. According to Ahmad, the possibility of these descriptions is contingent upon the notion of displacement, not one that is coercive but rather agential: 'These hybridities, cultural and philosophical, lead then to a certain conception of politics which Bhabha outlines in his essay 'The postcolonial and the postmodern: the question of agency', where we are

²¹ Dirlik quotes Gyan Prakash's definition of it as such: 'According to Prakash, a foundational view is one that assumes "that history is ultimately founded in and representable through some identity – individual, class, or structure – which resists further decomposition into heterogeneity"' (1994, p.56).

again told that ‘the individuation of the agent occurs in a moment of displacement’, because ‘contemporary postcolonial discourses are rooted in specific histories of cultural displacement’ (1995, p.14). That is, in seeking to describe the heretofore subjugated others of Europe as subjects, postcolonial criticism attends to their self-making. However, opposing the structured determinants of subjectivity as instituted by Enlightenment (colonial) thought, it approaches postcolonial subjectivity as unfolding through symbolic and spatial migratory practices. In this iteration, notes Ahmad, the postcolonial comes to mark the dissolution of the nation-state form. This constitutes a radical political rupture for, if under colonialism, and in anti-colonial thought, the nation-state signified the horizon of politics, its notional disappearance in the postcolonial situation signals the need for a new basis of political action – one that comes to be fulfilled by ‘identity’, the postmodern descriptor of existence. Yet, this ascent of identity, he notes, does not capture the political existence/possibility of the marginalised within the spatio-temporally postcolonial world – rather it displaces the specificities of their subalternity onto the general scatter of subordination plotted along the Europe-Other axis. Dirlik regards this approach as culpable for the restaging, rather than the undoing, of hegemonic power as postcolonial criticism intends:

The spatial homogenization that accompanies a “unified temporality”..., to the extent that it “fails to discriminate between the diverse modalities of hybridity,” may end up in “the consecration of hegemony.” ... “Postcolonialism’s” repudiation of structure and totality in the name of history, ironically, ends up not in an affirmation of historicity, but in a self-referential “universalising historicism: that re-introduces an unexamined totality by the back door by projecting globally what are but local experiences. (1994, p.66; quotes from Shohat 1992)

Moreover, if, as Bhabha suggests, ‘the language of critique... is a sign that history is happening’ (quoted in Ahmad 1995, p.18), then the language of identity and its qualifiers – hybrid, heterogeneous, etc. – represents, according to Ahmad, the economically/culturally fetishist critic reading their own itinerary into and against that of colonial/imperial domination. This reveals, in fact, the class(ed) basis of postcolonialism and its project of criticism:

That one is free to invent oneself and one’s community, over and over again, as one goes along, is usually an illusion induced by the availability of surpluses – of money-capital or cultural capital, or both. That frenzied and constant refashioning of the Self, through which one merely consumes oneself under the illusion of consuming the world, is a specific mode of postmodern alienation

which Bhabha mistakenly calls ‘hybridity’, ‘contingency’, ‘postcoloniality’. (1995, p.18)

Consequently, for Ahmad, as for Dirlik, postcolonial criticism is an effect of the postcolonial intellectual – the bourgeois, often male, generally migrant, subject resident within ‘Western’ academic institutions: ‘[it] is a discourse that seeks to constitute the world in the self-image of intellectuals who view themselves (or have come to view themselves) as postcolonial intellectuals; ... Third World intellectuals who have arrived in First World academe, whose preoccupation with postcoloniality is an expression not so much of agony over identity, as it often appears, but of newfound power’ (Dirlik 1994, p.62).

Yet, despite their charges, neither Dirlik nor Ahmad proposes an abandoning of the project. Dirlik, in fact, acknowledges that the in(ter)vention of ‘postcoloniality’ has offered a necessary response to the ‘crisis of understanding produced by the inability of old categories to account for the world’ (1994, p.73). Yet, as already noted, they both take issue with its institution principally as a discursive construct, that which proceeds by ways of the “flattening” of global relations by the insistence on heterogeneity without structure’ (1994, p.151). What they promote, instead, is an engagement with structure, and in particular, that of class/capitalism, in so far as it offers an analytic position for the launching of radical praxis against contemporary conditions of domination and exploitation. ‘Postcolonialism’, Ahmad asserts, ‘is also, like most things, a matter of class’ (1995, p.16). Similarly, Dirlik insists that ‘attention to structural context, especially the context of a globalized capitalism, is necessary *not just to grasp contemporary global relations, but the very phenomenon of postcolonial criticism*, with its insistence on the autonomy of culture and the priority it gives to questions of ethnicity and culture over earlier concerns with class and gender’ (1994, p.viii; emphasis added). Indeed, it is only through a recognition of structures that the ‘critic’ can reckon with their own difference, and complicity, therein. By thus rendering themselves, too, an expropriative object of their own thought, they may seize the possibility of professing a pertinent politics. I will return to this proposition in the third section of this chapter where I will elaborate upon Spivak’s call for *critique* – a methodological approach distinct from criticism – as a space of intellectual and political possibility. There I will argue that Spivak’s method of critique, while being attentive to Dirlik and Ahmad’s call for the centring of materialism, also recognises the dangers of direct application of historical materialism to postcolonial contexts. This risk

entails coercing a representation of the subaltern within a universalist framework that marks, in fact, the restaging of colonial epistemology.

In order to affirm the imperative of this methodological approach, however, it is necessary to comprehend the humanist underpinnings of historical materialism. Accordingly, the next section outlines the limitations of Marxist concepts in giving an account of the subaltern's encounter with capital. Using the work especially of Cedric Robinson (2000), I demonstrate how Marx's appropriation of Man as the historical subject *par excellence* comprehends alterity only in relation to capital. As such, it cannot account for subalternity as an ontologically instituted difference. I acknowledge there, along with Kevin Anderson (2010) and Tom Jeannot (2007), that Marx's writings do demonstrate a concern with, at least, racial and national difference. However, with the help of critiques proposed by Denise Ferreira da Silva (2007) and Spivak (1999), I will demonstrate how these differences appear as mere descriptions of relations of subjugation consolidated by capital; they do not represent an ontological critique of the human. Consequently, the purpose of the following section is to identify the imperative of postcolonial critique, as an *onto*-materialist practice, in undertaking an analysis of postcolonial capitalism.

on the limits of historical materialism

As noted earlier, Chatterjee views the violence in Nandigram as a fundamental failure of politics. That is, he considers it a double effect of the underdevelopment of peasant politics in addressing their 'unsure and inadequate' ability to deal with the world of capital (2008, p.61), as well as the failure of the state to provide adequate measures for the reversal of dispossession by capital. This circumstance, however, is an effect not of peasant transition into/within a capitalist system, but rather of the bourgeois transformation of civil society. That is, contemporary peasant society, having already been integrated into the market economy, is marked by non-corporate capital. Peasant society is thus concerned with being protected against the uncertainties of a market dominated by corporate capital as well as against potential decapitalisation by it. On the other hand, the 'passive revolution' underway in India by means of civil society demands the imposition of law and order on political society so as to secure national growth, without, however, converting political society into 'dangerous classes' (2008, p.62). This passive revolution, Chatterjee claims, represents a transformation of the political structures civil society. The violence in Nandigram marks the failure of both, peasant

society and the state to adequately respond to this bourgeois transformation. Chatterjee's intervention thus seeks to outline the limits of Marxist concepts, such as primitive accumulation, and descriptions of historical figures, such as the 'peasant', in comprehending the events in Nandigram.

For Nigam, on the other hand, historical materialist analyses never seemed to offer a sufficient explication of the peasant condition. In the first place, as he notes, the notion of primitive accumulation is historically contingent, pertinent from late 15th to early 16th century English history. This particular analysis of the transition from 'pre-capitalist' to capitalist history cannot be universalised because the figure of the 'peasant' (through which the transition is described) also bears a historically specific form. Instead, for Nigam, the identity that appears as peasant in India always already constitutes a 'dangerous class'. This appearance as a political identity within the modern capitalist state is a forgery of the modern capitalist subject. The peasant is a pirate in civil society who 'produces the 'copy' or the 'fake' and throws it alongside the 'original' into the market, duping the original branded producer' (2008). As such, she is dangerous to the state since her very existence as a double – as a 'hidden transcript' whose truth neither be known nor controlled – undermines its legitimacy. As an appearance that constitutes political society she is subaltern, but as identity under the gaze of the modern capitalist state she is peasant. Consequently, the very positing of the peasant as an identity is precarious since they can be dissolved whenever and wherever the state finds them a threat. This, for Nigam, is the circumstance of the violence in Nandigram. Since a historical materialist analysis would approach the peasant as an identity rather than an appearance, Nigam argues that it bears limited implication for analysing the violence of capital in a space like India.

In order to underscore the postcolonial capitalist context of my thesis, this section outlines a racial/postcolonial critique of Marxist materialism, so as to identify spaces for intervention. I begin with a brief account of Cedric Robinson's critique of Marx in his seminal text *Black Marxism* (2000). As such, his critique demonstrates Marxism as a specifically 'Western' construct that was rewritten, with profound effect, by Black revolutionaries committed to racial liberation. Here, I outline specifically his examination of Marx's conceptual production wherein race appears as additive to, rather than constitutive of, the capitalist project. Robinson's account has received some response in recent recuperations of Marx's writings on race and nationality. I heed these in the works

of Kevin Anderson (2010) and Tom Jeannot (2007) as presented below. Yet, I argue that these recoveries do not respond to the substance of Robinson's critique. For the inadequacy of Marx's comprehension of race stems from his assumption of this as bio-socially, rather than ontologically, constituted category. This, according to Robinson, prevents Marx from appreciating capitalism as an always already racial project. I support this reading of Robinson through the interventions of Gayatri Spivak (1999) and Denise Ferreira da Silva (2007) who observe how Marx's investment in a normativised description of self-consciousness as the driver of history effectively precludes the racial subaltern – the one who is instituted in affectability and hence can make no claim to consciousness. Indeed, as I will later show, it is this preclusion that authorises capital to objectify the racial other for the expropriation of labour. Thus, in this section I demonstrate Marx's inability to recognise racial subalternity as the condition of possibility for the development of a capitalist mode of production. This circumstance, I will finally note, eliminates the racial subaltern from his vision for human liberation.

In *Black Marxism* (2000), Robinson expounds on the Black Radical Tradition as a profound response to – not negation or dismissal but expansive refiguration of – Marxism as a 'Western construction' (2000, p.2). The first section of this text, however, wherein he sets up his argument, is concerned with demonstrating capitalism as a racial project. Here, Robinson suggests that the notions of race and nation anticipated, and hence were fundamental to, the capitalist organisation of production and exchange (Robinson 2000, p.9). More significantly, these conceptions were pertinent, in the first instance, to the European circumstance – emanating from the organisation of labour in its Roman as well as feudal history – rather than, as often posited, emergent only from the moment of the colonisation of the Americas and the trans-Atlantic slave trade. Thus, race figures not as a biosocially descriptive category but as a particular strategy of domination, 'its epistemology, its ordering principle, its organizing structure, its moral authority, its economy of justice, commerce, and power' (Robinson 2000, p.xxxi). According to Robinson, Marx's engagement with race as that which is external to, and emerges in relation to, Europe, escapes a reckoning with race as axiomatic, rather than additive, to expropriation and exploitation under capitalism.

Robinson substantiates his position by recounting the situation of enslavement under the Roman and Middle Ages. His intent here is not merely to assert the figure of the slave as pre-dating the African slave trade, but more so to set up it up as the condition of

possibility for the emergence of the western European bourgeoisie. Robinson counters Marx's evolutionary thesis of the bourgeoisie as a revolutionary class that emerged in opposition to feudalism, and suggests that rather than being 'the "germ" of a new order dialectically posited in an increasingly confining host – feudalism – [they signified] an opportunistic strata, willfully adaptive to the new conditions and possibilities offered by the times' (2000, p.19). The implication here is that the western European bourgeois class did not negate feudalism to institute mercantile capitalism, but rather appropriated its 'social, cultural, political, and ideological complexes' (2000, p.10) in order to overcome the decline of the feudal system. The consolidation of the bourgeois as the ruling class required not only the arrogation of a 'labouring class' produced of the serfs, slaves and vagabonds of the Middle Ages, but more significantly of the creation of a bourgeois mythology that narrated its superiority as authorisation for the force required to produce the requisite 'masses'. The promulgation of this mythology through the construct of the 'nation' – as a short-hand for the 'historical, racial, cultural, and linguistic entity that [it] signifies' (2000, p.24) – ascertained that:

[t]he bourgeoisie that led the development of capitalism were drawn from particular ethnic and cultural groups; the European proletariats and the mercenaries of the leading states from others; its peasants from still other cultures; and its slaves from entirely different worlds. The tendency of European civilization through capitalism was thus not to homogenize but to differentiate – to exaggerate regional, subcultural, and dialectical differences into 'racial' ones. As the Slavs became the natural slaves, the racially inferior stock for domination and exploitation during the early Middle Ages, as the Tartars came to occupy a similar position in the Italian cities of the late Middle Ages, so at the systemic interlocking of capitalism in the sixteenth century, the peoples of the Third World began to fill this expanding category of a civilization reproduced by capitalism. (2000, p.26)

Thus, racialism, as a strategy of domination and exploitation, was endemic to Europe's politico-economic organisation – one that eventually manifests itself as capitalism. This racialism received further rearticulation as the western Europe bourgeoisie extended its reach beyond, and with the epistemological authorisation of, its nation-state into colonial lands, through the incorporation of indigenous labour (including that within Europe, itself) and, finally, through the commodification of African slaves.

In an apparent rejoinder to Robinson's work, however, Kevin Anderson argues that Marx was keenly attuned to race/ism and nation/alism as crucial factors of capitalist subjugation. In *Marx at the Margins* (2010), he reviews Marx's personal correspondence and his journalistic articles, primarily in the *New York Tribune*, to outline his thought

regarding the place of colonialism within European capitalism. Anderson here argues that Marx's increasing attention, especially, to the anti-British uprisings in India and the nationalist movement in Ireland demonstrate not only his recognition of colonial subjugation as a practice of capitalist expropriation, but, more significantly, his recognition of the 'internally generated emancipatory potentials of these societies' (2010, p.124). Indeed, he saw within anti-colonial movements the potential for forging domestic and international solidarities for a world labour movement. Thus, for example, writing about the Indian mutiny of 1857, he describes the rebelling soldiers as 'the "best ally" of the revolutionary movement in the West' (2010, p.41). Similarly, conveying his support for Irish national liberation a few years later, he notes:

I have become more and more convinced – and the thing now is to drum this conviction into the English working class – that they will never do anything decisive here in England before they separate their attitude towards Ireland quite definitely from that of the ruling classes, and not only make common cause with the Irish, but even take the initiative in dissolving the Union established in 1801, and substituting a free federal relationship for it. ... Every movement in England itself is crippled by the dissension with the Irish, who form a very important section of the working class in England itself. (quoted in Anderson 2010, p.145)

Thus, Marx viewed anti-colonial struggles as a particular manifestation of, indeed the vanguard movements for, revolutionary struggle against capitalist oppression.

In a similar vein, Tom Jeannot asserts that for Marx, 'racism and capitalism are cut from the same cloth' (2007, p.87). He substantiates this argument through Marx's writings on the U.S. Civil War. Most pertinently, Jeannot highlights Marx's communication with Lincoln at his re-election as evidence of the former's recognition of the abolition of the enslavement of black and African people in the U.S. as a truly world revolutionary cause. Marx, here, does not conceive of the Civil War in purely economic terms but also as the necessary overthrow of racial subjection:

While the working men, the true political powers of the North, allowed slavery to defile their own republic, while before the Negro, mastered and sold without his concurrence, they boasted it the highest prerogative of the white-skinned laborer to sell himself and choose his own master, they were unable to attain the true freedom of labor, or to support their European brethren in their struggle for emancipation; but this barrier to progress has been swept off by the red sea of civil war.

The working men of Europe... consider it an earnest of the epoch to come that it fell to the lot of Abraham Lincoln, the single-minded son of the working class,

to lead his country *through the matchless struggle for the rescue of an enchained race and the reconstruction of a social world.* (quoted in Jeannot 2007, p.75; added emphasis)

This is not to suggest that Marx's theoretical concern with slavery is not as a primarily economic category. But rather, that he recognises its historical particularities as founded on racial difference – whether it be black enslavement in the U.S. or Irish subjugation by the English.

Beyond the racial character of slavery, Jeannot seeks to demonstrate that Marx's indictment of slave labour in the U.S. was simultaneously a condemnation of its racist nature. He does so by citing a few quotes from *Capital* wherein Marx remarks upon the hateful and abhorrent nature of black slavery²². But perhaps the most significant of these is from *Wage labour and capital*, where he comments upon the false equivalence of blackness and the slave:

What is a Negro slave? A man of the black race. The one explanation is as good as the other. A Negro is a Negro. He only becomes a slave in certain relations. A cotton spinning jenny is a machine for spinning cotton. It only becomes capital in certain relations. Torn away from these conditions, it is like capital as gold by itself is money, or as sugar is the price of sugar. (quoted in Jeannot 2007, p.86)

This Jeannot reads as Marx's affirmation that the equation between African and slave is not an effect of nature but 'only in the context of "certain" capitalist social "relations"' (2007, p.86). Consequently, he notes, 'Marx was aware of the social construction of "race" as a category in the first place, and he demonstrated the systematic role that racist practices and ideology play in the history and development of the capitalist mode of production' (2007, p.87)

²² 'In the United States of America, every independent workers' movement was paralyzed as long as slavery disfigured a part of the republic. *Labor in a white skin cannot emancipate itself where it is branded in a black skin.* However, a new life immediately arose from the death of slavery. The first fruit of the American Civil War was the eight hours' agitation, which ran from the Atlantic to the Pacific, from New England to California, with the seven-league boots of the locomotive.' (quoted in Jeannot 2007, p.85) 'While the cotton industry introduced child-slavery into England, in the United States it gave the impulse for the transformation of the more or less patriarchal slavery into a system of commercial exploitation. In fact, the veiled slavery of the wage-laborers in Europe needed the unqualified slavery of the New World as its pedestal. ... [Capital] comes dripping from head to toe, from every pore, with blood and dirt. ... The discovery of gold and silver in America, the extirpation, enslavement and entombment in mines of the indigenous population of that continent, the beginning of the conquest and plunder of India, and the conversion of Africa into a preserve for the commercial hunting of black skins. ... The treasures captured outside Europe by undisguised looting, enslavement and murder flowed back to the mother country and were turned into capital there.' (quoted in Jeannot 2007, p.86)

The evidence presented by Anderson and Jeannot, then, would seem to run counter to Robinson's claim that 'driven... by the need to achieve the scientific elegance and interpretive economy demanded by theory, Marx consigned race, gender, culture, and history to the dustbin' (2000, p.xxix). Despite the command of this accusation, I believe this statement to be somewhat of a rhetorical flourish elevated by critics as encompassing the spirit of Robinson's critique. Instead, I contend that his charge pertains more specifically to Marx's implicit gloss over the specificities of each encounter, and regarding them from the perspective of subjugated, not merely as 'labouring masses' but each determined by their epistemologies and cultural logics. Thus, Robinson asserts, 'Marx's conceit was to presume that the theory of historical materialism explained history; but, at worst, it merely rearranged history. And at its best (for it must be acknowledged that there are some precious insights in Marxism), historical materialism still only encapsulated an analytical procedure which resonated with bourgeois Europe, merely one fraction of the world economy' (2000, p.xxix).

Against this claim, too, the work of Anderson and Jeannot offers a response. By providing an account of his, until recently unpublished, *Ethnological notebooks*, they assert the prevalence of Marx's multilinear thinking. The notebooks consist primarily of Marx's study of various anthropological texts with a view to comprehending non-Western and pre-capitalist societies. In particular, Anderson's reading of the notes suggests that Marx was concerned with understanding 'the social relations within contemporary societies under the impact of capitalist globalization' (2010, p.201). Thus, for instance, Marx studied the condition of gender relations in clan-based society, such as the Iroquois and other indigenous communities in Australia and India; and communal social relations in pre-colonial India, Indonesia and Algeria as well as their transformation under colonial rule. To Anderson and Jeannot, these studies represent not only Marx's growing interest in understanding geo-historical specificities as grounds for different manifestations of economic liberation but also his abiding concern with a 'philosophy of liberation' (Jeannot 2007, p.79) in general. What we have, then, is an affirmation of Marx's multilinear thinking through diverse geo-histories. Indeed, Marx is seen to be interested in how the specificities of these geo-histories would produce their own trajectories of liberation. Moreover, within the context of the western European and North American bourgeois order, he recognises the production of racial and national difference as an instrument of not only economic, but more generally, of human subjugation. What then is to be made of Robinson's critique?

In order to address this, I offer two more quotes from his text:

Both [Henri] Pirenne and [K.G.] Davies understood that the biological metaphor of a bourgeoisie emerging out of the Middle Ages, nurturing itself on the “mercantilisms” and administrations of the Absolute Monarchies of the traditional period between feudalism and the capitalism, and on the lands and titles of impoverished nobilities, then finally achieving political and economic maturity and thus constituting industrial capitalism, *is largely unsupported by historical evidence. Rather it is a historical impression*, a phantom representation largely constructed from the late eighteenth century to the present by the notional activity of a bourgeoisie as a dominant class. This history of “the rise of the middle class” is an amalgam of bourgeois political and economic power, the self-serving ideology of the bourgeoisie as the ruling class and thus an intellectual and political preoccupation-mediated through the constructs of evolutionary theory... (2000, p.19; added emphasis)

and

Marx had not fully realized that the cargoes of laborers also contained African cultures, critical mixes and admixtures of language and thought, of cosmology and metaphysics, of habits, beliefs, and morality. *These were the actual terms of their humanity*. These cargoes, then, did not consist of intellectual isolates or deculturated Blacks – men, women, and children separated from their previous universe. African labor brought the past with it, a past that had produced it and settled on it the first elements of consciousness and comprehension. (2000, pp.121–122; added emphasis)

The first quote identifies Marx’s conceptual point of departure – i.e. the bourgeois figure – as based in historical fabrication; the second, his incomprehension of the implications of epistemological difference and specificity. Reading these two quotes in conjunction reveals, I believe, the core of Robinson’s account. Robinson’s critique of Marx as Eurocentric, and of Marxism as a western construction, stems from a recognition of the grounding of his categories – the terms of his analysis – in a particular (mis)apprehension of European social and political history. Indeed, it is this history that Marx posits as the ruptural instantiation of a capitalist order, and hence the origin of world history. Yet, if we are to accept that the emergence of western European bourgeois history as history as such is constructed through a ‘language of error’ (Robinson 2000, p.19), then Marx’s endeavour to produce a universalist account of capitalism (or, an account of capitalism as if universal) already suffers a false start. It follows, too, that the subject and concepts of this history are figured through epistemological assumptions identical to the mythology. So that, even as Marx shifted his gaze from Europe to other geo-histories, and recognised difference in the trajectories and the play of racial difference in the institution, functioning and potential revolution of capitalist relations, his thought retained the

western European bourgeois figure as his subject of analysis. It is this limitation that Robinson underscores in pointing to Marx's disregard of linguistic, cosmological and metaphysical specificity as the terms of one's humanity. Indeed, what this observation anticipates is a critique of Marx's appropriation of Man as the subject of history and hence the primary figure in his materialist analysis.

Marx's materialist approach is founded on the consideration of Man as animal *plus*. That is, while man is *of* Nature, subject to physiological needs and the primordial drive towards survival, what distinguishes Man from animal is consciousness. Consciousness consists in man directing his faculties towards appropriating things external to him and thereby establishing himself in relation of the world beyond his being. It is through consciousness that man confirms the objective reality of the self – that is, locates himself within the world of things (cf. Fromm 1970; Marx and Engels 1970)²³. In so far, then, as productive activity – the process of making the world one's own – is the basis of human existence, Marx shares a common articulation of Man with an idealist approach. However, rather than positing the thinking mind as the producer of the world – the mind, through concepts, actualises ontological essence into objective existence – and hence the substance of history, Marx posits the 'actual life-process' of man as his primary expression of productive activity: 'Consciousness can never be anything else than conscious existence, and the existence of men is their actual life-process' (Marx and Engels 1970: 47). Consequently, labour is Man's primordial mode of self-realisation and, consequently, of historical movement. Indeed, this description of Man propels Marx's historicist analysis of labour in charting the trajectory to, and beyond, capitalist society. Yet, when Marx expands his gaze beyond Europe, he observes difference – what in fact appears to him as a lag – in the development of class structure, the essential effect of capitalism, in various regions of the globe.

In *A critique of postcolonial reason* (1999), Spivak postulates that Marx develops his formulation of the Asiatic Mode of Production (AMP) in order to approach this question of difference. She describes AMP as 'the name and imaginary fleshing out of a difference in terms that are consonant with the development of capitalism and the resistance *appropriate* to it as "the same"' (1999, p.79). Spivak's argument proceeds from

²³ Man makes his life activity itself the object of his will and consciousness. He has a conscious life activity. It is not a determination with which he is completely identified. Conscious life activity distinguishes man from the life activity of animals. Only for this reason is he a species-being. Or rather, he is only a self-conscious being, i.e. his own life is an object for him, because he is a species-being. (Marx 1970, p.101)

an account of Species-Life and Species-Being as the two forms of human existence proffered by Marx as crucial to the unfolding of history. Whereas the former is man's natural condition – i.e. wherein he is *of* nature, where 'nature is [his] "great body without organs"' (Spivak 1999, p.76) – the latter names the self-conscious, self-intending human being, he who understands and acts against the given. By actively transforming his given conditions of existence, the Species-Being institutes himself as the subject of history²⁴. It is for this reason that Marx views capitalism not merely as an economic project but a historical one, so that existences that are consonant with Species-Life belong not only to the pre-history of capital, but to that of Man. This differentiation is evidenced, according to Spivak, in Marx's figuration of the AMP.

Since capitalism is concerned with the production of value, the Species-Being reveals himself as such through his capacity to produce value in excess of his own need, a circumstance that produces the possibility of further production and exchange:

When human self-conscious activity (Species-Being) appears in the value-form... it shows itself capable of producing value in excess of what is needed to sustain being-natural in Species-Life (subsistence). Yet it is a difference between need and making that means not only the possibility of exchange, but also the possibility of a surplus accessible to further exchange (or use). (1999, p.79)

This description conceives class differentiation and struggle as an effect of man's conscious activity, and indeed, the condition of possibility for his ultimate emancipation. Within this historical account, the AMP – signified by the appearance of property as 'the relation of the individual to the *natural* conditions of labour and of reproduction as belonging to him as the objective, nature-given body without organs of his subjectivity' (quoted in Spivak 1999, p.80) – is offered as a descriptor of a geo-temporality yet associated with Species-Life, i.e. of human activity mediated externally, here by the figure of the oriental despot, rather than by self-consciousness. Marx's engagement, then, with geo-historical difference does not evidence a consideration of (the possibility of) onto-

²⁴ 'We set out from real, active men, and on the basis of their real life-process we demonstrate the development of the ideological reflexes and echoes of this life-process. The phantoms formed in the human brain are also, necessarily, sublimates of their material life-process, which is empirically verifiable and bound to material premises. Morality, religion, metaphysics, all the rest of ideology and their corresponding forms of consciousness, thus no longer retain the semblance of independence. They have no history, no development; but men, developing their material production and their material intercourse, alter, along with this their real existence, their thinking and the products of their thinking.' (Marx & Engels 1970, p.47)

phenomenological difference, but rather is an endeavour to fit ‘historical presuppositions into a logical mold’ (Spivak 1999, p.81).

Even if we are to grant, with scholars such as Anderson and Jeannot, that Marx began to distance his thought from a teleological view to history and that, in fact, he appreciated geo-historical difference as offering varied models of revolution, it remains that his account of world history relies upon the primacy of a particular elaboration of the self-conscious subject (the one he names Species-Being) as universal. Indeed, as Denise Ferreira da Silva notes in her engagement with *The German ideology*, ‘the rewriting of History and self-consciousness as effects of a double exteriority – that is, that of universal regulation (laws of production) and social relationships – retains self-determination as the singular attribute of the *homo historicus*’ (2007, p.189). Along with Spivak’s observation above that for Marx class differentiation and struggle are the condition of possibility for human emancipation, she notes that their historical materialist method fashions self-consciousness as a thing of necessity for the production of conditions of existence, and hence integral to the unfolding of history. In this, Marx’s scientific schema does not activate an alternate social ontology that displaces the human subject as instituted by a western European bourgeois onto-epistemology but merely re-maps the priority of self-consciousness from an idealist conception of the subject to a materialist one. This is the proper content of Robinson’s critique of Marx’s disregard of racial and national difference in the institution and functioning of capital – one that is substantiated by Silva’s address of Marx’s implication in the transparency thesis.

The transparency thesis identifies the Enlightenment subject of Europe as the *transparent I*, determined as such through a self-determined ability to act in accordance with reason. The *transparent I* is a subject of ‘*universal poesis*... [wherein] reason [is conceived] the sovereign interior producer of the universe’ (Silva 2007, p.xvi). In this evaluation, the mind is privileged as the seat of rational action, displacing the body as a site of self-determined action. In radical opposition to the *transparent I* stands the *affectable I*, an existence determined as being a ‘thing of world’, not of understanding and judgement. Indeed, the *affectable I* is subject to ‘*universal nomos*... [wherein] reason [is conceived] as the exterior regulator of the universe’ (2007, p.xvi). That is, incapable of recognising, let only actualising, its own essence, the *affectable I* functions, instead, by reason exterior to itself. Reason thus institutes the *transparent I* and the *affectable I* in unresolvable difference. This difference, notes Silva, is captured through the notion of raciality. Raciality names the

epistemological tools used to objectify (ethical) difference through outer determination, wherein the body, and the territories attached to it, are written as signifiers of the mind. Put differently, descriptions of racial and national difference that rely on visual/aesthetic or geo-historical markers signify, in fact, an unsublatable onto-epistemological, therefore ethical, difference in existence as S/subject.

Once more, given that Marx locates self-determined activity, and hence consciousness, as the instrument of History, Silva notes:

[B]ecause historical materialism does not relinquish interiority, it rewrites self-consciousness in transparency. In other words, its limits reside precisely in that, ... in its centering of materiality (of the laboring body [the principal instrument] and of human relationships [at once agent and effect] of production), the privileging of the “real/divided” society over the “ideal/unified” nation, as the subject of History [it] retains recognition as the sine qua non of proletarian emancipation.

This is the certain implication of difference as it emerges in Marx’s thought – so that, while he recognises difference, and even more the constructedness of it, this recognition pronounces the ultimate possibility of incorporation within the universal condition of self-determination rather than noting it as an effect of a geo-historically situated description of existence. Thus, for example, when Marx denounces the presumed natural equivalence of ‘Negro’ and ‘slave’, he posits that African/black peoples, too, have the capacity for self-determination, and hence historical activity, that is degraded under the condition of enslavement – not that the dehumanisation of the enslaved manifests through the sublimation of their present onto-epistemologies into, and their beings’ subsequent disavowal from, a remote instantiation produced as universal²⁵.

Thus, it is the mere pretension of universality, in fact, that always already renders deceptive gestures that aim to recuperate him as a non-reductionist, multilinear, intersectional theorist of liberation. That Marx maintains a universalist aspiration, even as he encounters the historical productivity of difference, is an effect of the assumption of phenomenological sameness – i.e. of identical structures of experience and consciousness

²⁵ This argument with regards the preclusion of the racial subaltern is pertinent, as well, to the role of women in Marx’s thought. Marxist feminists have critiqued the diminishing of socially reproductive labour as non value producing, and its consequent relegation to ‘women’s work’ (cf. Federici 2004; Fortunati 1995). This ‘blind-spot’, it is commonly argued, represents his inability to comprehend socially reproductive labour as the condition of possibility for the production of market value, and hence the primordial instantiation of value. However, it could further be argued that Marx’s categorisation as such stems, rather, from his unconsidered acceptance of women, as posited in Enlightenment thinking, as affective things lacking the capacity for self-consciousness and, hence, entities incapable, in general, of being historical agents. I will address this in greater detail in Chapter 5.

across time and space. This has profound implications for the possibility of political emancipation not only in practice but also as theory. It is for this reason that the critique inaugurated by Robinson, and continued in Spivak and Silva, is important – not as a disavowal of Marx’s work but rather as an attentiveness against the deployment of his ‘speculative morphology as an adequate blueprint for social justice’ (Spivak 1999, p.82)²⁶. Accordingly, the following section outlines the possibilities of postcolonial critique in response to this caution.

I begin by outlining the significance of Spivak’s call for ‘a deconstructive politics of reading’ (1999, p.7) which insists on confronting structures that produce difference and the ‘writer’s’ complicity therein. The intent here, I believe, is to comprehend difference not as an intractable problem of ‘authenticity’ and ‘representation’, but rather as (having) material effect. This is in contradistinction to postcolonial criticism which, in displacing structure(s) for conditions such as hybridity, heterogeneity, multiplicity and ambiguity, proposes difference as ‘a metahistorical principle, making it nearly impossible to distinguish one kind of “difference” from another politically’ (Dirlik 1994, p.ix). Spivak’s commitment to the material effects of difference as they figure in relations of domination and subjugation is evidenced in her insistence on the critic’s responsibility to the subjugated other.

The aim of the following section is to situate myself as writer/critic/spectator/subject in relation to the subaltern existences I encounter in this thesis. In order to do so, I find useful the concept of agential separability as articulated by Karan Barad (2007). Barad offers this concept as a critique of the ontological determinism of representations. That is, she argues that ontological difference, as assumed in the register of representation, is only an appearance effected by the iterative performance of material practices²⁷. In order

²⁶ I am not certain that Ahmad or Dirlik would grant her this distinction. Even so, this is my reading of her postcolonial intervention, one that, I contend, is not done sufficient justice in the formers’ readings.

²⁷ This description recalls Judith Butler’s (2011) account of performativity. However, Barad argues that Butler leaves both matter as fixed and passive, a limitation effected by her primary interest in human social practices. Consequently, she notes:

Butler’s theory ultimately reinscribes matter as a passive product of discursive practices rather than as an active agent participating in the very process of materialization. This deficiency is symptomatic of an incomplete assessment of the causal factors of materialization and an incomplete reworking of “causality” in understanding the nature of discursive practices (and material phenomena) in their productivity. (2007, p.151)

Instead, Barad describes matter as ‘phenomena in their ongoing materialization’ (2007, p.151), so the question of mattering, as posed by Butler, is rearticulated as a question of ‘intra-active becoming’ whereby the mattering (as substance and significance) one body is the coproduction of another body that matters differentially as an effect of a separation – an agential cut – instituted within a given field of

to contemplate the productivity of Barad's intervention, I offer Hortense Spillers' (1987) account of the materialisation of the black female body as an effect of the practices of injury committed under slavery. In so doing, I demonstrate how the white/male body (that, originally, of the slave master) is bounded as mattering against that of the black/female body within the field of racial/sexual appearance. Explicating this account through Barad's critique of representationalism, I read Spillers back into the postcolonial context, thereby interrogating its productivity in approaching the subaltern. Here, I read the subaltern – or specifically the body of the poor – as bounded out of mattering by the material practices that instituted the modern postcolonial subject as that which matters within the phenomenon of the human. Recognising thereby the agential separation between myself as writer/critic/spectator/subject against the subaltern existences I encounter, I propose postcolonial critique as a method that is concerned with entanglement. That is, I suggest that a historicisation of the subaltern, as advocated by Spivak and Chakrabarty, necessitates a self-implicating practice that recognises the observer as a co-produced effect of the observed. In other words, the observer exists only in so far as they have been separated out from the observed by a particular apparatus of observation. In the final section of this chapter, I will affirm development as the apparatus that effects this separation – that institutes what Barad calls an agential cut – between myself (as postcolonial subject) and the subaltern.

on encountering the subaltern

In his explication of political society as the scene of subalternity, Nigam posits the figure of the pirate as epitomising an illegible hence illicit existence. This figure, he notes,

has now become a pervasive metaphor for the illegal, the unruly and the unregulated. The pirate today is one who copies, multiplies and distributes or sells with scant respect for the original except as object of consumption. The pirate produces the 'copy' or the 'fake' and throws it alongside the 'original' into the market, duping the original branded producer. Often, though, s/he who is called the pirate, merely shares information and products with others. 'Intellectual property', copyright and trade mark have thus become the new banners of capitalist aggression – as it stands threatened by such pirate or contraband capital – its own cheap copy. To the state, it poses another kind of threat by depriving it of what it believes are its legitimate revenues – all the transactions in this domain being completely 'off the record'. (2008)

appearance. Explicating the merits and demerits of Barad's intervention further to this is beyond the scope of this thesis.

Thus, the pirate's very existence is a hidden transcript and, as such, she lives a double-existence. On the one hand, the act of 'piracy' is the exercise of her agency in accruing the means of subsistence otherwise denied her. Yet, this circumstance precludes the possibility for organised resistance against the capitalist state that compels her mode of subsistence – i.e. 'piracy' – in the first place. Indeed, by installing her as pirate – that is, by attributing to her the identity of 'pirate' – the state authorises itself, as a function of *necessitas*, to eradicate her as unlawful. Consequently, this identity cannot serve as the basis for the formation of a legible politics and, in fact, renders precarious any alternate form of visibility/identity asserted by her. The figure of the pirate thus perfectly captures the circumstance of subalternity as defined by Spivak.

In 'Scattered speculations on the subaltern and the popular', Spivak hones her description of subalternity as 'a position without identity. ... where social lines of mobility, being elsewhere, do not permit the formation of a recognisable basis of action' (2005, p.476). Indeed, the subaltern is she who, absent access to 'institutional infrastructure', lacks recognisable agency, where agency names 'institutionally validated action, assuming collectivity' (2005, p.475). This description is offered as a means to mark an irreducible difference between the subaltern/ity and the people/popular, a distinction that was unacknowledged in the former's appropriation by Subaltern Studies. To posit equivalence between the two is merely to fill the 'position without identity' with a generalised/generalisable one. 'People', notes Spivak, 'is a pluralised general category that has no necessary class-description' (2005, p.479). This serves the interest of the recorders and managers of the subaltern – the intellectuals and self-fashioned leaders of resistive collectives – those who can self-synecdochise: 'put aside the surplus of my subjectivity and metonymise myself, count myself as the part by which I am connected to the particular predicament so that I can claim collectivity, and engage in action validated by that very collective' (2005, p.480). This option, however, notes Spivak is not available to all. This is what marks the place of the subaltern, indeed, the difference between the subaltern and the people. By describing the subaltern thus Spivak recognises the various differences that comprise 'subalternity' hegemonised as the popular, the generalised mass of the subjugated. The difference between the popular and the subaltern thus described is a perfect representation of distinct descriptions of peasant society as offered by Chatterjee and Nigam. Whereas for the former peasant society is constituted through an identity formed through differential fulfilment of rights by the state, the latter views peasant society as an appearance whose essence, because unknowable, is always already a

threat to the state. Indeed, it is only as such that associated existences can be reduced to a peasant identity and made subject to the disciplinary power of the state (2008). The massacre at Nandigram marks the failure of this subjection and the necessary eradication of subalternity as it confronts the state as sovereign.

Against the instinct of postcolonial criticism to protect this subaltern in an aura of unessentialisability and hence untouchability, Spivak advocates an urgent, even if flawed, performance of critique that ‘historicize[s] the subaltern... [through the] contamination of historiography into the field of the historical possibility of what we can only call the present’ (2005, p.484). Chakrabarty similarly states that to historicise the subaltern is to ask ‘how this seemingly imperious, all-pervasive [master] code might be deployed or thought about so that we have at least a glimpse of its own finitude, a glimpse of what might constitute an outside to it’ (2000, p.93). Following these instigations, the purpose of this section is to contemplate a methodology for such a historicisation. I take as my point of departure the proposition that eradication is the necessary end of the subaltern. Here, eradication may proceed as a recuperation of the subaltern into a legible, and hence legitimate, subjectivity, or as outright annihilation (although, as I will argue in the next chapter, recuperation is merely annihilation differed). Regardless of the form it takes, I observe that under the postcolonial capitalist condition, eradication unfolds in the encounter between capital and the body. Or more precisely, in the encounter between capital and the matter of the body. Given that it is matter that registers the force of annihilation – and that subalternity is thus confirmed, in the final instance, through matter – I consider its significance in historicising the subaltern. To wit, this section reflects upon the significance of matter in undertaking a postcolonial critique.

I begin below by engaging the work of Hortense Spillers (1987) on the concept of flesh. Spillers describes flesh as matter through which the body is primordially materialised as a socio-symbolic substance. Every subsequent violation of this body, she notes, is a revelation of the original writing of the whip on matter. As such, every violation exposes a ‘hieroglyphics of flesh’ (1987, p.67) that must be read as a historical trace congealed in matter. The productivity of such a reading is that it identifies the particular location of different bodies within a ‘grammar’ instituted by an inaugural violence. Spillers is interested primarily in the black female body and therefore traces its lineage back to the slave driver’s whip that inaugurates an ‘American grammar’. As such, Spillers is concerned with the matter of the racial subaltern – the one who Silva posits as the

affectable I (2007). To read the hieroglyphics of flesh in a postcolonial context, however, is more complex. This is because racial subalternity is always already implied of the postcolonial subject. However, as has been asserted by Chakrabarty and Spivak, among others discussed above, to approach subalternity within the postcolonial context is to engage illegibility and unlawfulness *also* in relation to capital. In other words, the poor who occupy the space of subalternity within the context of India appear as such because they signify excess in relation to both, the figure of the human as well as capital. I will explicate this in detail in the next chapter.

Suffice it to notice at this juncture that Spillers' account helps me read, and is helped by, Karen Barad's description of agential separation. I explicate this concept in this section in order to describe how Spillers' distinction between body and flesh is an explication of Barad's concern with mattering. I use both these texts to read the circumstance of the subaltern in the postcolonial context and thereby explicate the terms of my own encounter with it throughout this thesis. Using Barad, I will describe this encounter as an entanglement, thereby proposing postcolonial critique as a method that must be attentive to entanglements. Let me begin with Spillers.

In her text 'Mama's baby, Papa's maybe', Hortense Spillers (1987) notes that the African slave trade with/in the Americas is generally regarded as a case of 'high crimes against the flesh' (1987, p.67). This characterisation, in her view, is indicative of the fact that injury was done to the person of African women and men. Here, injury is seen to proceed through flesh in its 'seared, divided, ripped-apartness, riveted to the ship's hole, fallen, or "escaped" overboard' (1987, p.67). The association between the wounding of the person with the violation of flesh is an effect of Spillers' positing of flesh as a primary narrative. In other words, flesh is the primary medium through which the body is written as text – *before body there is flesh* – so that the violation of body is the disintegration of a text and thus the dissolution of person to flesh. Spillers explicates this circumstance by addressing the 'theft of the body' (1987, p.67) that inaugurated the New World order. She uses this phrase to describe the 'severing of the captive body from motive will and desire... [wherein] the female body and the male body become a territory of cultural and political maneuver, not at all gender-related, gender-specific' (1987, p.67). That is, the body during the Middle Passage is in 'suspension' – dissolved of all its indigenous signification and produced as undifferentiated mass it awaits a new inscription – through name, identity, signification – that will be gained only upon reaching land at the other

end (1987, p.72). As such, the relation between body and person is severed through the external imposition of meanings and uses, and it is as flesh – matter awaiting materialisation into body²⁸ – that the cargo is shipped.

The materialisation of the body – here, as black (and) female within a specifically American ‘grammar’, or symbolic order – is enacted, in the first instance, through acts of torture under slavery that consolidate her body as always captive, vulnerable to ‘protocols of “search and destroy”’ enacted by/for the state (1987, p.67). However, the markings of torture on the captive body – what Spillers refers to as a ‘hieroglyphics of flesh’ – are invisible once the body materialises within a cultural code organised through skin colour. Thus, Spillers defines flesh as ‘that zero degree of social conceptualization that does not escape concealment under the brush of discourse, or the reflexes of iconography’ (1987, p.67). Yet, despite this invisibility of flesh, its hieroglyphs are transferred across generations so that the body, marked by colour and other culturally identifiable determinants, is in fact a text whose inside has been turned out. That is, the signification of the body is in fact the ossification of meaning made through flesh. It is as such that every subsequent act of violation of the body is the eruption, in fact, of flesh that exposes the inscription of the originary acts of wounding. Crucially, Spillers posits the distinction between body and flesh as the primary distinction between liberated and captive subject-positions. This, in my view, seems to indicate the ob/ab/jection implied in the flesh awaiting materialisation through instruments of torture and the vulnerability of the black female body thus materialised to have its flesh exposed, in contradistinction to the subjecthood signified by the integrity of the body of the white male (slave master). Indeed, it is the instrument of torture, wielded by/for the slave master upon flesh that confirms the distinction in subject positions.

I read in Spillers’ account of injury under slavery as productive of an ‘American grammar’, a critique of representationalism. Karen Barad defines representationalism as ‘the belief in the ontological distinction between representations and that which they purport to represent; in particular, *that which is represented is held to be independent of all practices of representing*’ (2003, p.804; added emphasis). Accordingly, she critiques representationalist methods for taking for granted the ontological difference between black/female and white/male, asking only perhaps after the accuracy of the

²⁸ I use the term materialise with specific reference to Butler’s usage where she describes the materialisation of bodies as an effect of the imposition of regulatory norms on the matter of the body and the signifying effects of the same (2011, p.xii).

representation. Spillers' assertion of the injury of flesh as the practice of externally imposing meaning, as well as her affirmation of the black (female) body as a cultural text turned inside out, signal her recognition of ontological difference as produced through material practices. Put differently, Spillers is interested in *how* the black female body is made to represent. This is affirmed in her distinction between body and flesh – before body there is flesh – and that every violation of the black female body reveals the hieroglyphics of flesh etched under the slave master's whip. Consequently, it seems to me that her imposition of the distinction between body and flesh as primary to the distinction between liberated and captive subject-positions, is an acknowledgement of what Barad refers to as agential separability (Barad 2007; Barad 2003).

Agential separability is the condition of '*exteriority within (material-discursive) phenomena*' (2003, p.825) so that appearance of difference is in fact a separation instituted by an agential cut. Reading Spillers accordingly, we might state that the difference of the black/female is an effect of an exteriority within the phenomenon the human effected by the instruments of torture. In this context, the productivity of an agential cut is that it institutes 'a causal structure among components of a phenomenon' (2007, p.140) with determines what comes to matter and what is excluded within a given phenomenon²⁹. It is only as such – i.e. through the bounding of the white/male body as matter, or as an appearance, that matters – that he is fully intelligible as, or within the phenomenon of, human whereas the black/female as being exterior to, or in excess of, the bounds of

²⁹ Barad explicates this proposition by engaging embodied technologies. Using the example of a wheelchair, she notes that, for the 'user', the wheel-chair is integral to, and never separate from, their embodied existence. Yet, practices that materialise the able-body enact a cut between disability and ability wherein disability (effect) marks the breaking-down of the able-body (cause), marked by the externalised presence of the wheel. This causality is the differential mattering (exclusion) of the 'disabled body' in relation of the 'abled'. Yet, if the boundary of the body were not to be so defined – by the distinction, say, between organic and inorganic – but by a description of ability to move through the world, then the wheelchair would enact an alternate agential cut, not producing absolute difference but rather of a separation within the able-body as phenomenon:

It is when the body doesn't work – when the body "breaks down" – that such presuppositions [of the 'normal' body] generally surface. It is often only when things stop working that the apparatus is first noticed. When such (in)opportunities arise the entangled nature of phenomena and the importance of the agential cut and their corollary constitutive exclusions emerges. It then becomes clear that "able-bodiedness" is not a natural state of being but a specific form of embodiment that is co-constituted through the boundary-making practices that distinguish "able-bodied" from "disabled." Focusing on the nature of the materiality of able bodies as phenomena, not individual objects/subjects, makes it clear what it means to be able-bodied: that the very nature of being able-bodied is to live with/in and as part of the phenomenon that includes the cut and what it excludes, and therefore, that what is excluded is never really other, not in an absolute sense, and that in an important sense, then, being able-bodied means being in a prosthetic relationship with the "disabled." (2007, p.158)

matter (where mattering, for Barad (2007, p.3), represents both, substance and signification) is posited as unintelligible. As already noted, this separation – which appears, due to bounding as an ontological difference – is an effect of the agential cut instituted by instruments of torture wielded by/for the slave master. Barad defines agency as a “*doing*” or “*being*” in its *intra-activity*. It is the enactment of iterative changes to particular practices...’ (2007, p.178). Agency, then, does not presume movement according to a motive will exercised by already constituted entities. Rather, it suggests the mutual becoming – the *intra-action* – of entities within phenomena. That is, agency is the unfolding of differential distributions of mattering within phenomena, where differentiation appears as the effect of an agential cut.

The point here is that agential separability – separation as an effect of an agential cut – institutes matter that matters. To apply this notion to the postcolonial context, agential separability allows us to think the subaltern *within* the phenomenon of the human and yet as that which challenges its very architecture. In order to do so, however, we must follow Spillers’ provocation to read a hieroglyphics of flesh in order to approach how the figure of the subaltern is separated out and what apparatus or instrument institutes this agential cut. For instance, to read the hieroglyphics of flesh in Nandigram necessitates a reading of its historicity recountable through the theft of land. Here, theft of land refers to the colonial severing of indigenous relations to land, albeit structured through indigenous relations of production. Under colonial modes of production, those that worked the land were instituted not as wage-earners but rather as a means of production for capitalist expansionism in the metropole. Indeed the superexploitation of variable capital – through pauperisation bounded to a decapitalised agrarian system – was the cornerstone of the colonial project of wealth extraction (cf. Banaji 2010). This theft of land instituted the associated existence as peasant and ‘backward’. Of course, this was made possible through the deployment of ruthless extra-legal and extra-economic coercive measures, and more importantly, the brutal suppression of any sign of peasant revolt. Here, violence was posited as a tool of comprehensibility – that is, as the only language that the peasants understood. Thus, to adapt Spillers’ account to the postcolonial context, it may be suggested that the theft of land enacted injury against the flesh, it inaugurated a ‘post-/colonial grammar’ wherein the bodies of the poor are always vulnerable to the exposure of flesh. Indeed, in the colonial context, the instruments that expropriated land enacted an agential cut that instituted the poor as differentially mattering, and hence, subaltern.

In the following section, I will assert development as the contemporary manifestation of colonial instruments that enacts an agential cut within the phenomenon of humanity. I will use the work of critics of development in order to demonstrate this as disciplining (Escobar 1995) or ‘civilising’ (Nederveen Pieterse 2001; Wilson 2013) apparatus that addresses itself to ‘the poor’ – especially peasants and women – as subaltern. Through an engagement with the history of development as a global project, it will be shown that the figure of the subaltern – or the appearance of ‘the poor’ – is of development’s own manufacture. In other words, development produces the very appearance it then addresses itself too. It is as such that we can recognise the intra-activity – the mutual becoming – of the subaltern and the postcolonial subject as an effect of an agential separation instituted by development. While this circumstance is the condition of possibility for the postcolonial subject to *observe* the subaltern, it also confirms the entanglement between the subjects and objects of development. Recalling Barad, entanglement describes the circumstance wherein an entity ‘lack[s] an independent, self-contained existence’ (2007, p.ix) and thus does not exist apart from the other. This co-existence, which appears as separation, is the effect of the agential cut. Consequently, I suggest that in order to stay faithful to the subaltern, the work of postcolonial critique demands an attention to entanglement and the apparatus that institutes this circumstance. It is in this spirit that the next chapter will interrogate the structure of development as it confronts the poor as subaltern. However, let me conclude this chapter by first explicating development as an apparatus that produces an agential cut.

on development as the enactor of an agential cut

I return one final time to the debate about the character of violence in Nandigram. Recall that Chomsky et al., in making a plea for left unity, discourage the outright dismissal of the CPI-M as an unredeemable party. They advocate instead holding the party accountable to its laudable history. Similarly, Chatterjee views the unfolding of Nandigram as an effect of misrecognition and mistrust between peasants, as those that constitute political society, and the state, as the bearer of the interests of civil society. As a preventative measure against the repetition of such violence, he notes that civil society must recognise that some of the work of rehabilitation – i.e. of reversing the effects of primitive accumulation – has to proceed within political society itself. Thus Chatterjee as well as Chomsky et al. appear to approach Nandigram through the lens of good governance. Yet, as Nigam et al.’s response to the latter’s statement emphasises, the

failing of the CPI-M government is not structural, but rather fundamental, in that their very principles abide by *necessitas*:

While the CPM-led West Bengal government has announced that it will not go ahead with the chemical hub without the consent of the people of Nandigram, it has not announced any plans of withdrawing its commitment to the neo-liberal development model. It has not announced the shelving of plans to create Special Economic Zones. It has not withdrawn its invitation to Dow Chemicals (formerly known as Union Carbide, the corporation responsible for tens of thousands of deaths in Bhopal) to invest in West Bengal. *In other words, there are many more Nandigrams waiting to happen.* (2007; added emphasis)

It is thus evident that while the first group views Nandigram as an aberration, for the second group, it is (or has become) a metonym for the annihilation of the Indian poor through development.

The purpose of this section is to demonstrate development as an apparatus that institutes an agential cut, forcing thereby a reckoning with the subject and subaltern as entangled. To wit, I seek to demonstrate development as an apparatus of differential mattering. I do so by outlining how it differentiates out the poor as ‘backwards’ while simultaneously presenting itself to them as a means of recuperation. I begin my argument by outlining the historical and political context of the emergence of development discourse. Following the work of Arturo Escobar (1995) and Jan Nederveen Pieterse (2001), I describe the appearance of development as a secular discourse of redemption. Here, development, manifest as scientific rationality, is instituted as a panaceaic solution to the question of mass poverty, where poverty is the description not merely of a socio-economic condition but, in fact, signifies differential humanness. The authors argue that development then creates the circumstance whereby ‘the poor’ may install themselves as self-determining, rational actors by subjecting themselves to capital, thereby expressing an intention towards humanness. It is as such that development institutes itself as a truth, authorised by its rational basis in scientific and economic knowledge, and motivating ethical existence. Yet, as the authors note, development is an object of discourse grounded in Enlightenment ideals. It is the materialisation of an ideology that upholds the idealisation of the human as a descriptor of ethical value while negating other forms of existence as devalue³⁰. I substantiate this proposition by demonstrating the operation

³⁰ Indeed, as Lindon Barrett (1998) notes, this is precisely the binarism that structures value as a phenomenon. Consequently, value operates not only as form (i.e. appearance) but also as force, represented in negation and intended towards the preservation of the associated appearance as value. I will describe this in greater detail in Chapter 2.

of development as *necessitas*. The section continues therefore with an engagement of Kalpana Wilson's (2013) work on race and development. Using this, I review how development rewrites the civilising mission of the colonial project as a project of restoring human capabilities hindered by the conditions of poverty and human insecurity. Under the conditions of neoliberal, global capital, 'peasants' and 'women' appear as prime instantiations of subjugated existence, and hence the primary objects of development discourse. Outlining Escobar and Wilson's explication of this circumstance, I conclude the section by demonstrating how the intervention of development within liberal humanist discourse serves to sustain, rather than recuperate, the poor as the condition for accumulation of economic value under global capital. Consequently, this section sets up the discussion in the following chapter wherein I explicate development as the manifestation of the postcolonial capitalist condition such that annihilation is its authorised end intended towards the preservation of the human and capital as elemental descriptors of value in modernity. I begin this conversation here by outlining the context of emergence for development as a global project.

In *Encountering development*, Arturo Escobar describes development as

a historically singular experience, the *creation of a domain of thought and action...* [defined through the production of] knowledge... elaborated into objects, concepts, theories, and the like; the system of power that regulates its practice; and the forms of subjectivity fostered by the discourse, those through which people come to recognise themselves as developed or underdeveloped. (1995, p.10; added emphasis)

Emerging at the end of World War II, and contemporaneous with the onset of decolonisation across the globe, development was advanced as a strategy for the economic incorporation of the colonies/countries of Africa, Asia and Latin America into the global economy. This project was authorised as the recovery of 'over half the population of the world' from the throes of poverty and its attendant individual and social ills, and the elevation of their living to the standards enjoyed by the other half. This mission would be actualised through 'modernisation' – i.e. through the intervention of scientific and technological knowledge and mechanisms that had enabled the economic and, hence, social and cultural, advancement of countries in North America, and Western and Northern Europe. Thus, those regions and peoples of the world not yet advanced would be brought to the path of socio-economic progress. Regardless of debates on how this intervention would proceed, the overarching principle of development became posited as a certainty. Yet, as Nederveen Pieterse notes in his text on *Development theory*,

this certainty does not establish development as an inviolable truth but rather reveals it as a ‘point of view of the centre of power, it is the theorisation (or rather, ideologisation) of its own path of development’ (2001, p.18). In other words, development is *a discourse* of modernisation, epistemologically situated in Enlightenment thinking. As such, it marks a reworking of colonial discourse on economic and moral difference.

As is now commonly acknowledged, the colonial project established itself as a civilising mission (Nederveen Pieterse 2001; Wilson 2013). This was substantiated by the postulation of the colonised as inhabiting the other side of the Christian/savage, rational/irrational, consciousness/sentience divide. Here, the project of civilisation entailed recuperating the colonised into modern existence through European mediation. Within this framework, the colonies appeared as objects of management. That is, colonial economics figured the colonies only as sources of cheap raw materials and labour, and the location for expanding markets. Given the presumed rational deficiencies of the colonised, scientific and technological knowledge were considered beyond their comprehension and useful only in so far as they were deployed through the mediation of the coloniser. The colonies were, thus, not sites meriting substantive capital investment. Of course, as historical evidence confirms, this racialism³¹ was a necessary strategy for maintaining the competitive market advantage of the metropole over the colonies. Yet, by positing the colonised as the moral other, colonial power manifest itself as a custodial authority to whose productive, rational capacities economic value should rightfully accrue. Racialism was thus the means for rendering economic subjugation. The global proliferation of anticolonial movements, premised on the conscious humanity of the colonised, challenged the legitimacy of this racial logic, revealing it as false. In response, the colonisers, and primarily the United States, discovered ‘poverty’. Indeed, poverty was instituted as, and still remains, a crucial concept around which development organised itself (Escobar 1995; Nederveen Pieterse 2001).

In this context, Escobar notes, development came to be presented as a ‘fair deal’ for the whole world (1995, p.3). The ethico-economic contours of this deal were made explicit in various U.S. and UN doctrinal thought, such as the Truman Doctrine, whose enunciated aim was

³¹ As described in section 2, racialism denotes the transformation of regional, linguistic and cultural difference into racial difference.

to bring about the conditions necessary for replicating the world over the features that characterised the “advanced” societies of the time – high levels of industrialization and urbanization, technicalization of agriculture, rapid growth of material production and living standards, and the widespread adoption of modern education and cultural values. ... Only in this way could the American dream of peace and abundance be extended to all the peoples of the planet. (1995, p.4)

Thus, in Escobar’s view, development described a complete restructuring of the ‘other half’ of the world. While the social sciences discovered, described and measured the social, cultural and economic ‘poverty’ of the ‘underdeveloped Third World’, they worked in consort with science and technology to offer ‘solutions’ to these ‘problems’. Indeed, these disciplines took it upon themselves to produce the conditions necessary for the optimisation of life as a function of rationality. It is as such that Escobar proposes a Foucauldian reading of development as a disciplinary strategy. In particular, it was a strategy directed towards the ‘modernisation’ of ‘the poor’. The endeavour towards modernisation, notes Escobar, has its roots, in fact, within Europe, where the emerging capitalist states required the transformation of heretofore disposable poor into a class of labouring consumers. Consequently, ‘[the] “modernization” of poverty signified not only the rupture of vernacular relations but also the setting in place of new mechanisms of control. ... It was, indeed, in relation to poverty that the modern ways of thinking about the meaning of life, the economy, and social management came into place’ (1995, p.22). Development follows a similar logic of modernising the poor. In this context, however, ‘poor’ came to describe those colonially subjugated existences now encapsulated in concepts such as ‘underdeveloped’ and ‘Third World’, so that modernisation, in both its socio-cultural and economic forms, is a necessary strategy for harnessing the difference signified therein.

Approaching development thus, Nederveen Pieterse affirms it as a secularised discourse of redemption:

Developmentalism conforms to a Christian format and logic in viewing history as a salvific process. Thus it merges Christian and Enlightenment discourses so that the momentum of faith corresponds with the logic of reason – reason and rationalization operating toward the fulfillment of the expectations of faith. Providence recast as Progress. Predestination reformulated as determinism. The basic scenario of the scripture, Paradise-Fall-Redemption, comes replicated in evolutionary schemes. Primeval simplicity and innocence (the good savage or the pastoral past), followed by the fall from grace (corruption, decay, capitalism, urbanism – varying according to discourse), which is in turn to be followed by a redeeming change (modernity, technology or revolution). (2001, p.25)

The discursive shift evidenced by this evolutionary description marks development as a *neocolonial* liberal humanist discourse wherein the colonial other, who could mimic humanness only under the tutelage of the coloniser, becomes rescripted as a human-in-waiting, eventually actualised through the intervention the ‘developed’ world. Here, material manifestations of ethico-economic subjugation are transformed from indicating a natural condition of existence into descriptions of backwardness that can be rectified through assistance. Yet, as already indicated, this redemptive logic assumes Europe – the geo-historically and epistemologically situated entity – as universal. Indeed, each binary that authorises development – developed/underdeveloped, advanced/backwards – assumes a teleological conception of world history, with western Europe (and now the United States, as its evolved image) leading the charge and the rest of the world scattered on a continuum behind it. Thus positioned, it falls to the former, as an effect of moral responsibility, to help the latter catch up. Indeed, as outlined above, this is the relationship between the metropole/west and the colonial/postcolonial contexts, according to Chakarabarty, wherein the latter is viewed as needing retrieval from the waiting room of history.

Yet, akin to the original circumstance of the European poor, this attempted rectification – the recuperation of those left behind by progress, onto the path towards their rightful teleological end – is, ultimately, a self-serving discourse. Development was a refiguration of colonial economics, undertaken, this time, not only on behalf of the United States as the pre-eminent economic power but also intended towards the revitalisation of post-War European economies. Development, then, was less a benevolent strategy of modernisation, and more one of dependence – one wherein the politically and economically strong states – those that in world-systems analysis are referred to as the core – depended upon the weaker, indeed weakened, states – the periphery – in order to consolidate themselves as such. Rather than proceeding under the direct control of the core states, however, development materialised itself through strategies of management and control exercised by the periphery states, albeit modelled upon those propounded by the core. The role of the periphery states is to facilitate the entry of the world market into its own society, not vice versa (Nederveen Pieterse 2001, p.25) and is achieved as an effect of unequal political and economic relations. Indeed, this inequality is a necessary condition for the authorisation of development, rather than its object of mitigation.

In her text on *Race, Racism and Development* (2013), Kalpana Wilson views these unequal material and symbolic relations as an affirmation of the intimate connection between race and development since its inception. As outlined above, critiques of development posit it as the restaging of Enlightenment thinking. Wilson takes this argument further, explicating this replication as the preservation of the founding relationship between race and capital that materialises Enlightenment thought. Nowhere is this more evident than in the institution of slavery wherein the projection of racial difference authorised the capitalisation of life itself. The incompatibility of the condition of enslavement with Enlightenment ideals of freedom and universal humanism notwithstanding, slavery has been a primary mode of capitalist production in modern history. This was achieved by the evacuation of the ‘others’ of Europe from the space of humanity, an eradication that allowed for the ‘full commodification and therefore non-integrity of the body’ (Wilson 2013, 1.394). Insidiously, this thwarting of humanness – of the actualisation of human capacities – inflicted by enslavement came to naturalise, to morally justify, the very condition. Moreover, as Wilson notes, the description of race was further consolidated by revolts enacted by the enslaved against their dehumanisation, so that these acts were constructed as acts of barbarity necessitating strategies of subjugation and terror that confirmed their non-humanness.

This form of suppression and removal from humanness as a strategy of moralised domination was not limited to slavery but was manifest in all forms of colonial practice. In the case of colonial India, for instance, Wilson considers how the 1857 uprising against the British East India Company was a crucial moment for the consolidation of racial difference in India. The ‘unprecedented scale and social diversity’ (Wilson 2013, 1.425) of this event³², culminated in the institution of direct imperial control grounded in the formulation of racial difference. That is, the uprising provided the scene for the projection of the barbaric other as a legitimate object of colonial force. Official records constructed the actions of revolted as outrages that offended moral, civilised sensibilities providing the grounds for the intensification of colonial strategies of control. These methods, which pre-dated the uprising, unfolded through the institutionalisation of distinctions of caste and religion that justified colonial control as reform. This control

³² The uprising was precipitated by the introduction of new gun cartridges wrapped in paper greased with cow and pig fat. Since the cartridges had to be opened with the mouth, they offended the religious sentiment of both, Hindu and Muslim soldiers. While the revolt began with the army, it spread through and received support from other sectors of the public, cutting across religious, caste and regional divides.

did not limit itself to the cultural/symbolic terrain. Instead, intervention in the moral domain was actualised through a socio-material restructuring of the relations of the colonised to land and labour. That is, by ‘returning’ Indian society to its ‘authentic’ socio-moral form as determined principally in caste, the colonial power was able to limit the forms of labour and ownership available to the populace. This transformation, realised through native intermediaries, effectively transferred control of economic resources – land, raw materials and labour – to the colonisers, serving the needs of the rapidly industrialising metropole. As Wilson documents, this resulted in the complete destruction of the indigenous textile industry as well as artisanal trades such as spinning, weaving, pottery and smithery.

The masses thus dispossessed constituted a substantial segment of the 1857 rebellion. Precisely therefore the colonisers intensified their control, using moral discourse for economic ends. In practice, taxation became a predominant tool of control. The lasting legacy of this system is not only mass impoverishment in the post-/colony – triggered by the coerced shift from subsistence farming to cash-crop cultivation (2013, 1.653) – but also massively pervasive deskilling and deindustrialisation. This is precisely the scene – determined as both, cultural and economic backwardness – against which development can posit itself as redemptive practice. Akin to colonial power, development asserts itself by speaking to the place of socio-economic subjugation wrought by a traditional, ‘backward’ order. While in the former context this place is occupied by the bio-socially described racial other, under development this location is determined by indicators of economic and social dispossession. Consequently, development discourse most often addresses itself to ‘peasants’ and ‘women’ as signifiers of these forms of dispossession, respectively.

Escobar approaches development’s ‘discovery’ of peasants and women through the analytic of visibility. That is, these figures emerged as objects of development discourse through an ‘objectifying regime of visibility’ (1995, p.155) that spectacularised these existences so as to subject them to disciplinary regimes of power. Thus, for instance, peasants were apprehended as ‘a somewhat bothersome and undifferentiated mass with an invisible face; they were part of the amorphous “surplus population,” which sooner or later would be absorbed by a blooming urban economy’ (1995, p.157). The characterisation of peasant activity as unproductive, since removed from urban and national markets, posited them as a population problem and resource drain that needed

to be solved through modernisation. Discourses of poverty, hunger and population ‘explosion’ attached themselves to peasant existence as a primary signifier of the ‘crisis’ and the principal target for the solution. The solution entailed rationalising peasant existence, getting them to ‘behave like good and decent capitalist farmers’ (1995, p.158), through the supply of necessary knowledge and capital. The Green Revolution was the outcome of this fervour to make peasants more productive – i.e. to make their labour yield more commodities (mainly food) more profitably. This ‘revolution’ was authorised through an economic reductionist image of the peasant as stunted by the inability to maximise his labour. The erasure of the peasant as a historico-cultural being confirms her as a mere object of disciplinary power, to be brought/taught into the proper economic order. Consequently, as Escobar notes, the imposition of the Green Revolution was met with resistance across the globe, not merely for its ultimately economically destructive effects but also because it was ‘above all else a struggle over symbols and meanings, a cultural struggle’ (1995, p.167). When such revolts occur, however, they are viewed as confirmation of the irresoluteness of the peasant, unwilling to abide by (the) order as the condition of their own well-being. This sanctions the final eradication of those resisting as a necessary removal of an obstacle to ‘progress’. This circumstance of final eradication is evidenced in the events at Nandigram. Yet, it is the scene against which the destruction in Bhopal unfolds as well. Historically, as I will describe in Chapter 3, the emergence of ‘Bhopal’ – the factory, its workers, residential colonies, and finally, its devastation – is a direct effect of the Green Revolution. Furthermore, even though disciplinary power manifests differently in Nandigram as in Bhopal, the existences that produce these spaces confront development as the effect of a shared ontological lineage. In both circumstances, their relation to capital is an effect, and confirmation, of their ethical degradation, actualised in their final reduction to matter.

The metric of productivity is similarly applied to women as an indicator of backwardness v/s modernity. In this case, however, productivity is associated with agency, or a lack thereof. In particular, women are posited as being unproductive as an effect of the deprivation of rational possibility by the sexist/misogynist mandates of their traditional cultures. As Wilson’s study of colonial era and development era visual discourse ascertains, the production of the figure of the colonised/Third World woman relies upon the juxtaposition of lazy, undisciplined men with industrious, enterprising women actualised by the intervention of colonial and, later, commercial and non-profit multinational, intervention. While colonial power proceeded through the logic of rescue

– specifically in the oft-cited formulation of ‘white men saving brown women from brown men’ (Spivak 1988a) – this discourse extends under the development frame as the liberation of female agency. That is, the participation of women in global markets is viewed as an effect of a ‘rational individual exercising free will’ (Wilson 2013, 2.868) rather than of economic coercion. Indeed, the valorisation of agency in development discourse puts relations of oppression and exploitation under erasure so that women’s participation in the marketplace, even when undertaken as a strategy of survival, is hailed as a rational, free-willed intension towards progress. Yet, Wilson remarks, rather than signifying emancipation, the description of agency in development discourse merely marks the instrumentalisation of poor women under neoliberalism (2013, 2.902). I will demonstrate this proposition in Chapter 4 in my discussion of the surrogacy market in India. Here, I will demonstrate how rhetoric of agency restages procreative labour under the conditions of the employment and marriage contract. This is evidenced in the productive consumption of the bodies of poor women which facilitates a transfer of ethical value from her to intended parents. This transaction, solicited as an exchange grounded in a shared humanness marked especially by maternity, confirms in fact the differential humanness of poor women materialised as surrogate. To wit, the appearance of the poor as ethically degraded is the condition of possibility for the institution of the surrogacy market.

It is evident from the preceding outline that development, as an apparatus of agential separation, is in effect an apparatus of differential distributions of mattering. Put differently, capital, under the sign of development, materialises bodies differentially. These differential appearances – which are constituted through the bounding of ‘matter that matters’ within the phenomenon of the human – are the basis of the differential distribution of value amongst them. This distribution of value operates in the ethical register but has implications in the economic register as well. For, as will be described in the following chapter, ethical degradation, represented by the poor as subaltern, is the condition of possibility for the reproduction of capital, even as this reproduction is the condition of possibility for the accrual of ethical value – i.e. the consolidation of humanness – for the postcolonial subject as capitalist/consumer. This circumstance reveals the entanglement of ethical value (the human) and capital (economic value) under postcolonial capitalism. Thus, using the work mainly of Marx, Spivak, Bataille and Barrett, the following chapter explicates this entanglement as the structure of the

postcolonial capitalist condition that authorises the annihilation of the poor as the necessary end for the preservation of value.

Put starkly, the mutilated bodies encountered throughout this thesis are the condition of possibility for its writing.

chapter 2

the entanglement of the human and capital: on the syntax of the postcolonial capitalist condition

Gayatri Spivak's text, *A critique of postcolonial reason* (1999), stages encounters with the native informant as she circulates within epistemological practices. Beginning with colonial discourse and continuing through to transnational cultural studies, Spivak examines the centrality of this figure in structuring postcolonial reason. In so doing, she proposes the native informant as the figure that is foreclosed from the space of the Subject – i.e. that which constitutes the Subject but only through its expulsion. Indeed, she posits the native informant as 'a name for that mark of expulsion from the name of Man' (1999, p.6). As such, the native informant is subaltern. In the context of the global present, Spivak designates the 'poorest woman of the South' as the appearance of this figure – an assertion that is substantiated by a critique of her emergence in the milieu of global finance³³.

In a particularly biting critique of this circumstance, Spivak notes how the poorest woman of the South materialises, putatively and perversely, as an effect of the Kantian categorical imperative such that global finance 'can justify the imperialist project by producing the following formula: make the heathen into a human so that he can be as an end in himself; in the interest of admitting the raw man into the noumenon; yesterday's imperialism, today's "Development"' (1999, pp.123–124). Of course, the engagement of this subaltern by capital is ultimately concerned with its own reproduction so that she is appropriated, in fact, as 'the favored agent-as-instrument of transnational capital's globalizing reach' (1999, p.200). Even so, Spivak notes, subjecting oneself to finance capital presents itself as the only, or primary, line of social mobility to an otherwise invisible/dispensable existence. This, as noted in the previous chapter, is an effect of capital's presentation as recuperative. Yet, recuperation, I have affirmed, is annihilation differed.

In this thesis I seek to demonstrate how, under the postcolonial capitalist condition, the preservation of value proceeds through the annihilation of the poor. In order to make

³³ She makes a similar argument about scapegoating in reference to the British intervention into sati reform which she provocatively codes in the formulation 'white men are saving brown women from brown men' (1988a; 1999; 2005). Here, women were produced as objects of rescue as a means to consolidate the moral and political authority of the colonial powers.

this argument, this chapter moves with Spivak by focusing on the preservation of value such that it comprehends the ‘poorest woman of the South’, or the poor in general, as subaltern. Spivak’s own engagement with this subaltern proceeds through an engagement of transnational cultural studies. This is apparent in her deconstructionist approach towards the emergence of the ‘poorest woman of the South’ as subaltern and the material effects of this emergence. Here, she advocates a transnational literacy amongst feminists and cultural theorists so that they might hear the subaltern rather than represent her ‘interests’ against capital through an already available code. While this is an important project, it is not mine. Rather, as already stated, I approach the practice of postcolonial critique as a concern with entanglements. As such, I depart from Spivak because I am compelled by the matter of the subaltern – where matter, recalling Barad, describes phenomena in their ongoing materialisation (2007, p.151). It is only as such, I contend, that we can recognise the condition of entanglement wherein an entity ‘lack[s] an independent, self-contained existence’ (2007, p.ix) and thus does not exist apart from any other.

Thus, the purpose of this chapter is two-fold. First, it seeks to demonstrate how the appearance of value structures development. Here, I will explicate capital and the human as phenomenological descriptors of economic and ethical value, respectively, in order to posit their entanglement as constitutive of the operation of development. Given the place of development as an instantiation of the postcolonial condition, the entanglement of these appearances constitutes its syntax. The explication of this syntax proceeds by engaging the transaction between devalued work/er and economic value as it unfolds under the purview of global capital. I will substantiate this exchange through what I will explicate as the manipulation of matter intended towards the securing of the human and capital. Here, I borrow Barad’s definition of matter as ‘phenomena in their ongoing materialization’ (2007, p.151). Consequently, matter is that which is perpetually being re-/formed to establish an appearance. In this chapter, I am concerned in particular with the interactions between capital and embodied matter that negotiate appearance as human. That is, I will demonstrate how the recuperative gesture enacted by capital under the sign of development entails a manipulation of the embodied matter of the poor into productive bodies. This materialisation is merely annihilation deferred; so that annihilation is the definitive gesture of dematerialisation by capital intended towards the preservation of a particular appearance as human. This, I propose, is an effect of the differential structure of capital and the human.

Thus, the second aim of this chapter is to outline the differential structure of capital and the human so as to establish annihilation as the ultimate actualisation of their ontology. I do so by demonstrating material conditions of existence – i.e. the conditions under which the body materialises itself as an appearance in relation to capital – as ontological signifier. Specifically, I will show that existence appears as human in so far as it expresses a material freedom, i.e. freedom from necessity. This is precisely the description that allows development to do its work. As noted in the previous chapter, development addresses itself to those existences that appear ‘backward’ as an effect of their un-/underdeveloped material circumstance. In this chapter, then, I will show how capital appropriates the poor, as appearances of degradation, and materialises them as productive bodies under the promise of manifesting them, ultimately, as materially liberated and hence human. However, this putative recuperation is of course a ruse for the appearance of degradation as necessary for the reproduction of capital is achieved through the persistent subjection of the poor. This subjection confirms their ontological difference signified by their material degradation while simultaneously securing the ontology of the human signified by those existences to which the material value of capitalist reproduction accrues. This is the descriptive statement of the postcolonial capitalist condition. As noted earlier, the purpose of this chapter is to demonstrate how the entanglement of the human and capital, as signifiers of value, structures development, and hence constitutes the syntax of the postcolonial condition. The primary purpose in doing so is to reveal annihilation as the ultimate actualisation of this syntax. That is, I will explicate annihilation as the culmination of the relation of domination and subjugation as instituted by the human and capital, as descriptors of value, and hence a preservation of the same.

I begin this analysis by engaging the appearance of capital under the postcolonial condition. The first section of this chapter is thus concerned with the structure of capital in actualising itself as a differential. I begin with Marx’s (1976) elaboration on the social significance of capital as a signifier of economic value. In particular, I outline his labour theory of value that identifies the devalorisation of labour power as the condition of possibility for the valorisation of capital. As observed in the previous chapter, Marx’s preservation of Man as historio-ethical subject of labour, prevents him from accounting for the institution of an ontological difference effected by his (Man’s) invention, and that appears as racial and sexual difference. I evidence this critique using Leopoldina Fortunati’s (1995) criticism of Marx for disregarding the sexual division of labour. In so

doing, Fortunati argues, Marx misses the intensification of subjugation – or more precisely, the absolute devalorisation of labour power – accomplished by capital by putting reproductive labour under erasure. This erasure is authorised by the patriarchalist institution of Man as Subject and thereby serves to preserve him as such. This form of devalorisation, of course, is constitutive of the postcolonial condition wherein Man appears in his onto-materialist instantiation.

The section thus moves to demonstrate the devalorisation of labour as it proceeds along the international division of labour. Here, I use the work of Gayatri Spivak (1985) to demonstrate how the appearance of backwardness – determined by decapitalised conditions of existence – devalorises labour power within comprador countries thereby authorising the maximisation of its use value. Such a maximisation not only objectifies life but also limits the possibility of its future cultivation. That is, existence in the comprador theatre is made to persist as degraded. This appearance of degradation serves the uninterrupted valorisation of capital and hence of existences whose conditions of survival it represents. As such, the valorisation of these existences – what Spivaks refers to as the condition of the being super-adequate to oneself – is manifest through the enhancement of consumptive possibilities on the other side of this division of labour. Indeed, as Hannah Arendt (1998) notes, under the conditions of global capital, consumption has become the expression of Man *par excellence*. This, according to her, is an effect of the institution of labour – i.e. the productive consumption of capital – as the privileged form of human activity under modernity. This produces a circumstance wherein no object is safe from annihilation through consumption. This proposition has dire consequences for workers on the devalorised side of the division of labour. Indeed, the maximisation of their use value tends precisely towards their annihilation through the productive consumption of their labour power as capital. The process towards annihilation proceeds, of course, to assure the possibility of super-adequation on the other side of the division. In the next section of the chapter, I demonstrate super-adequation as the appearance of the human as sovereign so that annihilation – effected by the productive consumption of labour power tending towards the absolute – secures the ontology of the human.

I make this argument beginning with Georges Bataille's (1993) description of the human as instituted through the negation of excess. Here, excess describes that which exceeds the 'world of thought' and utility. In other words, excess is all that appears as serving no

purpose. Consequently, for Bataille, the humanised world is instituted through subjection to the rule of productive activity. Existence that appears productive thus bears a positive value and is separated from excess as the space of negative value. The condition of material depravation, then, appeals to capital as a moment for intervention. In the latter circumstance, capital recuperates what appears as degraded matter, materialising it as a productive body.

The section continues to develop this argument using Didier Deleule's (2014) elaboration of the productive body as effected through the scientisation of the living body that tends towards its institution as a dead machine. This is achieved through 'organology' – the intervention of psychology that fragments out the living body in order to minimise the impact of its psycho-sensuality. Of course, this process is necessary for maximising the utility of the body through its subjection to capital. While the materialisation of the productive body is a universal imperative, this materialisation is not uniform. That is, body is differentially materialised per the division of labour extant in a given system. Indeed, it is precisely this differentiation that determines the appearance of a body's condition of survival. Those bodies whose survival is against biological death are constituted as servile whereas those for whom survival is the experience of exuberance – described through liberation from necessity and partaking in material indulgence – appear as sovereign.

The section thus concludes by returning to Bataille's description of the human, now instituted as sovereign. Here, sovereignty is performed through the productive labour of consumption, specifically, of the objects of another's labour. This is the appearance of an exuberant existence; one, however, that is contingent upon the reduction of another to the condition of servility. The servile, although now materialised as productive bodies through the negation of their excess, are yet barred from humanity as an effect of their inability to transcend necessity as the condition of survival. This is precisely the interface between the servile body and capital evidenced in the context of development. While the body's materialisation as such represents the promise of economic growth – i.e. an enhancement of the conditions of survival – it is in fact an instantiation of its institution as degraded. The sovereign subject, materialised through capital, requires degradation in order to reproduce itself. Whereas the ongoing materialisation of sovereignty is an effect of its relation to servility, it actualises itself, in the final instance, as annihilation. This proposition follows from Achille Mbembe's (2003) necropolitical description, wherein

sovereignty is the exercise of control over mortality. This description is useful to comprehend the security of sovereign as contingent upon the abjection of life to the point of death. In this context, death is the ultimate instantiation of sovereignty and, hence, of the human.

This chapter thus presents the annihilation of bodies in their encounter with capital, as the actualisation of the entanglement between the human and capital. In so doing, it offers a theoretical framework for the remainder of this thesis.

on the encounter of the subaltern and capital

Lindon Barrett's text, *Blackness and value* (1998), opens with an account of Billie Holiday's experience working as a cleaner. Holiday's work consisted in keeping the steps of neighbourhood houses clean. This work initially got her a nickel per job. Eventually, recognising the value of her labour, she buys her own supplies and begins to charge three times the regular pay for her services, i.e. 15 cents instead of a nickel. The value of Holiday's work lay in preserving the steps as signifiers of value themselves.

As Barrett notes, the steps separate the inside of the house from the outside, and as such are a representation of what lies within. The *white* steps – signifying cleanliness, a purity even – mark the interior of the house as a valued space, while as a boundary, they preserve the sanctity of the inside against the dirt and disorder on the outside. In order to confirm this value – i.e. for the inside to project its cleanliness and order – the steps mandated constant cleaning. Yet, even as they recognised the symbolic value of the steps, the women of the houses, according to Holiday, were uninclined to do their own cleaning: 'All these bitches were lazy. I knew it and that's where I had them. They didn't care how filthy their damn houses were inside, as long as those white steps were clean' (quoted in Barrett 1998, p.11). Holiday mobilises this symbolic value of the steps to sell her labour at an inflated rate. Yet, her success at thus appropriating economic value exceeds the value of the steps as signifier. As Barrett suggests, Holiday's entrepreneurial success is as much an effect of her deference (albeit in facetious form) to the boundary with respect to her own devalued position.

Holiday bears a negat(ed)(ive) value³⁴ in relation to the steps as a boundary that constitutes and safeguards the inside – the space of the white mistress – as posit(ed)(ive) value. This, Barrett affirms, is an effect of her blackness, and, I would add, her femaleness. Recalling Silva's (2007) explication of the transparency thesis presented in Chapter 1, we note that these descriptors institute Holiday as an *affectable I* – that existence which is marked as being a 'thing of world', not of understanding and judgement. This circumstance institutes the racial and sexual subaltern in ontological difference. Holiday's racial subalternity, as Barrett confirms, ontologised³⁵ her as fit for 'low, down, dirty' work (1998, p.19). Indeed, her willingness to thus mingle with dirt consolidates her negat(ed)(ive) value while simultaneously re-inforcing the posit(ed)(ive) value of the inside/whiteness (also Silva 2013). Similarly, as I will underscore in this section, her femaleness naturalises her labour of cleaning. In other words, since such work, being reproductive, is relegated to the domestic space – i.e. is instituted as 'women's work' – Holiday's labour is seen as appropriate, indeed natural, for her sexual form (Fortunati 1995). As such, since reproductive work is domestic and hence deemed non-productive, Holiday's labour, and indeed Holiday herself, are viewed as valueless. Holiday's cunning, then, as Barrett notes, is to deploy her doubly devalued position to access positive value through the exorbitant rates she charges. That is, she transforms her devalued position into a means of seizing economic value for herself. But in so doing – that is, by performing deference to her white mistress given her own devalued location as black/female for the accrual of economic value – she affirms the value of the boundary and the whiteness enclosed within it.

Barrett's engagement with Holiday's experience as a cleaner narrative is an attempt to outline the production of value. Production, here, circumscribes not only the material and symbolic instantiations of value, but more crucially, that of the phenomenon itself. In other words, Barrett is concerned with the phenomenology of value. The culmination of this endeavour is reflected in the subtitle of his text, *seeing double*. This phrase is intended to invoke both, the binarism of value as well as the condition of impaired perception. The former is an effect of its constitutive boundaries – of inclusion and exclusion, subjugation and domination – as evidenced in the case of the steps in

³⁴ This designation is an adaptation of Barrett's positing of the bounding of value as posit(ed)(ive) (1998, p.15).

³⁵ I use this term to underscore how the ontological difference imputed to the racial/sexual subaltern naturalises her degradation. It is as such that Holiday is posited as fit for menial labour. Or more precisely, that menial labour is deemed as ontologically appropriate for Holiday. I will explicate this argument in detail over the course of this chapter.

Holiday's narrative. Yet, this binarism is obscured as value 'struggles to appear a hypostasized, singular, fixed, centered phenomenon' (1998, p.12). The appearance of value as such indicates a blurred picture. Barrett's undertaking, then, follows from the imperative to correct the latter circumstance by exposing the binary structure of value. Of course, enacting this corrective is not an original project. Barrett commences his study noting the importance of Marx's contributions to the study of value. He acknowledges Marx's examination of the fetishisation of the commodity under capitalism as exposing it [the commodity, hence value] not only as a representation of value but also as the instantiation of a differential.

This structure of value as a differential institutes it as violence. This is an effect of its elaboration through boundaries – the production of a posit(ed)(ive) inside and a negat(ed)(ive) outside – as well as its imperative to preserve its posit(ed)(ive) form through the securing of boundaries. Consequently, Barrett notes, '[v]alue denotes domination and endurance in a space of multiplicity. Its presence and performance entail the altering, resituating, and refiguring of the Other, or many Others, in margins, in recesses indeed, paradoxically, outside a self-presence (defined by a fetishized boundary) that nonetheless aspires to be everywhere' (1998, p.19). Indeed, for Marx, the commodity as a differential represents the social relationship of domination and exploitation between capitalist and worker. Value, in this description, is an effect of labour. Yet, as is evident in Holiday's circumstance, value, in its material register, is subsequent to – indeed an effect of – the inscription of symbolic value. To wit, Holiday deploys her negat(ed)(ive) (symbolic) value as a resource for the production of material value. It is precisely this symbolic value – or lack thereof – represented in the appearance of degradation that is mobilised by development to secure the reproduction of capital.

This section is an elaboration of the mobilisation of symbolic value in the production of value under the conditions of global capital. Whereas Holiday accrues the economic value of this mobilisation herself, under the purview of global capital, the mobilisation of symbolic value enhances capital itself. In both cases, however, the production of economic value is an effect of relations of domination and subjugation. I begin this section, therefore, by outlining this social character of capital as explicated by Marx in his labour theory of value. However, rather than approaching degradation as an effect of capital, I seek to establish its appearance as a necessary condition for its reproduction. I elaborate this proposition by first demonstrating racial and sexual difference as the

originary appearance of degradation that is appropriated by capital but only through an erasure. That is, I seek to explicate how Marx's labour theory does not sufficiently account for existences produced as the other of Man. In so doing, I first engage Leopoldina Fortunati's (1995) work to outline how capital exploits sexual differentiation in order to valorise itself. As her criticism of Marx's labour theory demonstrates, the institution of sexual difference as an ontological difference, authorises the erasure of reproductive labour undertaken by women so that it appears unproductive. This erasure represents doubled exploitation by capital that ultimately serves to secure patriarchy. This structure of exploitation persists under global capital where the devalorisation of labour proceeds along the lines of the material conditions of survival.

Using Gayatri Spivak's (1985) intervention into contemporary interpretations of Marx's labour theory, I outline how the international division of labour signifies abjection as an effect of the appearance of degradation. That is, the international division of labour represents, in fact, the authorised eradication of the poor. This abjection tending towards annihilation facilitates an increasing accumulation of capital, thereby securing consumptive possibilities on the other side of the division. In other words, the devalorisation of labour as an effect of degradation enables an increase in the accumulation of capital on the other side of the division of labour for those whose conditions of survival are already defined by it. This accumulation appears as the intensification of consumption beyond necessity. I address this appearance through Hannah Arendt's (1998) critique of ascension of labour as enabled by Marx. Here, she describes how, under advanced/global capitalism, the labour of constant consumption has come to signify humanness. In so far as abjection is the condition for perpetual consumption, it is also, then, the negation of the possibility of humanness on one side of the division of labour that confirms humanness as the provenance of the other. This section thus demonstrates how capital – structured through the binarism of valorisation and degradation – secures humanness through the violence of abjection.

I turn first to Marx.

Marx commences his elaboration of value in Volume 1 of *Capital* (1976) through an interrogation of the commodity as its basic representation and the primary expression of social relations under a capitalist mode of production. The commodity is a product of labour that bears use and exchange value. The use value of a commodity is unique to it and is limited by its characteristic property in satisfying man's needs; exchange value

describes the relationship that determines the proportion whereby a given commodity can be exchanged for another (1976, p.126). Both these forms of value are discrete. Indeed, as Marx notes, exchange value is completely independent of use value for the former expresses itself as a quantity whereas the latter as a quality. In the exchange relation, then, use value is abstracted from the commodity so that what remains is its value. Consequently, he writes, 'exchange-value [is] the necessary mode of expression, or form of appearance, of value' objectified in the commodity (1976, p.128). It is this property of the commodity that renders it a particular, and peculiar, artefact of the capitalist mode of production. Marx explicates this through his labour theory of value.

Since the commodity is produced through the expenditure of labour power, its value is an effect of labour power congealed in the commodity (1976, p.128). Here, labour power describes the physical and intellectual (and we might add affective) capabilities that are spent in the production of use values (1976, p.270). As a means of production, labour power is an abstracted quantity since it only as such that it may participate in relations of exchange. That is, whereas concrete labour bestows a particular form, and hence utility, upon its product, the appearance of this product as a commodity – i.e. its appearance as value – relies purely upon its materialisation through 'congealed quantities of *homogenous labour*' (1976, p.136; added emphasis). The quantity of this undifferentiated labour is measured as an effect of the duration over which labour power is expended. In other words, the value of a commodity is a representation of labour time socially necessary for its production (1976, p.144). Marx describes socially necessary labour time as 'the labour-time required to produce any use-value under the conditions of production normal for a given society and with the average degree of skill and intensity of labour prevalent at that society' (1976, p.129). Consequently, the magnitude of value of a commodity represents the proportion of socially necessary labour time required for the production of the associated commodity, and is in direct proportion to the same. This quality of value as being an effect of labour time has particularly insidious consequences for subjects of labour.

Under the capitalist mode of production, labour power is the fundamental instrument of production, and hence a commodity itself – owned by the worker, sold to the capitalist. The actualisation of labour power as such is contingent upon its exchange, that is, on its instantiation as value. Marx posits that under a capitalist mode of production the only form of labour that bears value is productive labour wherein productive labour is that

which produces surplus value: ‘Capitalist production is not merely the production of commodities, it is, by its very essence, the production of surplus-value. ... The only worker who is productive is one who produces surplus-value for the capitalist, or in other words contributes towards the self-valorization of capital’ (1976, p.644). The value of productive labour, then, is expressed through its price – i.e. in its wage. As the expression of the value of labour power, wages represent the socially necessary labour time for labour to re/produce itself – not merely for the worker to replenish his immediate physiological needs, but also to sustain himself mentally, physically and emotionally. Thus, by paying wages, the capitalist pays for the reproduction of the worker. The production of surplus value, however, requires the expropriation of surplus labour – i.e. labour over and above what is required for the worker to reproduce herself. The maximisation of surplus value, then, depends upon the maximisation of the expropriation of surplus labour. This is achieved through the minimisation of the socially necessary labour of the worker, expressed through technological advancements and the subsequent devalorisation of labour and suppression of wages:

The prolongation of the working day beyond the point at which the worker would have produced just an exact equivalent for the value of his labour-power, and the appropriation of that surplus-labour by capital – this is production of absolute surplus-value. ... The latter presupposes that the working day is already divided into two parts, necessary labour, and surplus-labour. In order to prolong the surplus labour, the necessary labour is shortened by methods for producing the equivalent of the wage of labour in a shorter time. The production of absolute surplus-value turns exclusively upon the length of the working day, whereas the production of relative surplus-value completely revolutionizes the technical processes of labour and the groupings into which society is divided. (1976, p.645)

This process constitutes the relation of domination and exploitation that characterises the production of value under capital.

Following from the critique of Marx in the previous chapter, we must note that his explication of the labour theory of value assumes a universal subject – objectified in the European male. Under the contemporary circumstance of global capital, however, as Spivak reminds us, the place of the worker is occupied most frequently by poor women in the South. Consequently, Marx’s labour theory must account for the play of racial and sexual subalternity in the production of value. Indeed, as feminist materialist critiques highlight, the relegation of certain forms of labour as unproductive represents the devalorisation of labour/er along sexual (and, as I will demonstrate, also racial) lines.

This naturalises the subjection of particular labouring bodies to capital up to the point of abjection. We have noted this already how Holiday's blackness and femaleness authorises her degradation through/in labour. This circumstance, as I will describe below, pertains as well to the poor.

In *The arcane of reproduction*, Leopoldina Fortunati (1995) critiques Marx's labour theory of value for putting reproductive labour under erasure. As noted above, Marx recognises the devalorisation of labour as a condition of possibility for the extraction of surplus value. Yet, in this description, labour is limited to its productive form. That is, Marx is concerned with the suppression of wages and unconsidered increases in labour productivity (through the imposition of longer working hours and subjugation to technology as the form of domination and exploitation under capitalism. Fortunati criticises Marx for his inattentiveness to 'valueless' forms of labour that in fact undergird capitalist production. This critique is substantiated through the argument that the absolute devalorisation of reproductive labour constitutes the primary and necessary condition for the expropriation of value by capital. Reproductive labour, as Fortunati affirms, creates value precisely because it is productive of labour power as a commodity. Yet, its appearance as non-value is an effect of positing it as a 'natural force of social labor' (1995, p.12). That is, the relegation of reproductive labour to the private sphere makes it appear as though it were the natural (normal, instinctive) unfolding of human sociality, beyond the purview of capital and hence beyond representation as value (in the form of a wage).

Given that the private sphere is feminised (domestic, apolitical), the labour performed in this space is naturalised as women's work. Indeed, the concentration of reproductive labour amongst women, releases the male worker from any reproductive responsibilities, liberating him fully to serve capital. By earning a direct wage from capital, the male worker is able to support the unwaged process of reproductive labour. That the value of women's/reproductive labour receives representation only indirectly in the male worker's wage implies doubled exploitation – the exploitation of two workers with one wage, in so far as the wage represents the labour time socially necessary to reproduce the male worker, and therefore his social relations, *without accruing any value for him/themselves*. As such, wages keep the male worker subjected to capital, and the female worker subjected to the male and indirectly to capital. More crucially, by negating the value of women's/reproductive labour, capital produces a resource for itself that intensifies its

ability to expropriate value³⁶. This creation of a space of non-value intended towards the production of value manifests not only along the line of sexual difference but along that of racial difference as well. This is evidenced, for instance, in Spivak's consideration of the subjects of labour that occupy the 'other side' of the international division of labour.

In 'Scattered speculations on the question of value', Gayatri Spivak (1985) critiques interpretation of Marx's labour theory of value that attempts to restore the primacy of use-value in relations of exchange as an anti-capitalist gesture. Such a restoration, she suggests, works well when considering 'word-processors ... as well as independent commodity production (hand-sewn leather sandals), our students' complaint that they read literature for pleasure not interpretation, as well as most of our "creative" colleagues' amused contempt for criticism beyond the review, and mainstream critics' hostility to "theory"' (1985, p.89). This tongue-in-cheek critique is intended to draw attention to the differential textuality of use in the 'comprador countries' and serious implications of a romanticised restoration of use value therein.

In order to demonstrate the textuality of use, Spivak introduces the notion of 'affectively necessary labour' – i.e. labour that is undertaken because the worker seeks to benefit from the affects created thereby. In this case, surplus labour is not in excess of socially necessary labour and cannot be reduced merely to the substance of surplus value. To wit, the possibility of affectively necessary labour makes it so that the securing of value to use does not eliminate the possibility of the accumulation of wealth (as evidenced, for instance, in the word processor.) Moreover, the possibility of affectively necessary labour applies only where productivity has reached highly advanced levels – i.e. where the subject of labour power has been sublated into the subject of consumer-humanism. This sublation, as Spivak argues, is achievable only by restricting productivity on the other side of the international division of labour.

³⁶ This is precisely the point of critique/departure for Barrett's intervention into Marx as well – the institution of negat(ed)(ive) space for the production of posit(ed)(ive) value. Consequently, he approaches the phenomenon of value through the interrogation of limits. Even as he explicates value primarily in its symbolic instantiation, his insistence on being attentive to boundaries emerges from his critique of Baudrillard's thesis of symbolic value. Here, Baudrillard is said to offer the notion of symbolic value as a means to correct the unquestioned materiality (in both senses of the term) of *use* in Marx. In response, Baudrillard seeks to 'get outside "the logic of value"' by describing 'a place of formlessness that would belie the possibility of value itself' (1998, p.15). This he attempts by staking out a position in the space of non-use. Yet, as Barrett notes, this gesture merely reifies the phenomenon of value since 'value always declares such a scission [between, say, use and non-use] in order to substantiate, privilege, and hypostasize a particular form of "positive value"' (1998, p.15). That is, in trying to find a space outside of value – where value is recognised primarily in its positive form/alisation – Baudrillard, like Marx, misses the significance of the 'outside' as the condition of possibility of value as such.

Capitalist modes of production depend upon the capitalists' ability to consume the use value imminent in the workers' labour power. In order to increase surplus value, the capitalist must assume the use of the greatest proportion of this labour power available in the worker, an exploit accomplished by decreasing the latter's necessary labour. The extraction of relative surplus depends on an increase in the productivity of labour and a concomitant decrease in the value of labour. This is accomplished by technological advancements, especially in industries that produce the basic commodities necessary for subsistence. This, in turn, reduces the value of the commodities themselves. But, the accumulation of wealth by the capitalist depends upon continuous iterations of the circuit of money capital – i.e. the transformation of the surplus products of labour (commodity capital) into money, a portion of which is returned to production in the form of capital (means of production) (cf fn. 5). The first transformation – i.e. the actualisation of commodity capital – is enabled only when other capitalists or workers issue their money (whether in the form of surplus value or wages) into the circuit of exchange. In order to sustain increases in relative surplus value, decrease in the value of basic commodities must be offset by the generation of newer commodities, removed from those required for basis subsistence. Moreover, the concomitant decrease in the value of average labour necessitates a reconfiguration of the division of labour that can sustain a class that can purchase this expanding array of commodities – a consumer class – alongside those, the consumption of whose labour power can be maximised in the production of surplus value.

Describing the unfolding of this process under the contemporary arrangement of capitalism, Spivak writes:

Since the production and *realization* of relative surplus-value, usually attendant upon technological progress *and* the socialized growth of consumerism, increase capital expenditure in an indefinite spiral, there is the contradictory drive within capitalism to produce more absolute and less relative surplus-value as part of its crisis management. In terms of this drive, it is in the “interest” of capital to preserve the comprador theater in a state of relatively primitive labor legislation and environmental regulation. Further, since the optimal relationship between fixed and variable capital has been disrupted by the accelerated rate of obsolescence of the former under the rapid progress within telecommunications research and the attendant competition, the comprador theater is also often obliged to accept scrapped and out-of-date machinery from the post-industrialist economies. To state the problem in the philosophical idiom of this essay: as the

subject as super-adequation in labor-power seems to negate³⁷ itself within telecommunication, a negation of the negation is continually produced by the shifting lines of the international division of labor. (1985, p.84)

Spivak's reference to the negation of the 'subject as super-adequation in labour power' articulates a subject who is super-adequate to himself – i.e. one who produces value for himself through the consumption of his own labour power (his mental, physical and emotional capacities) in the unfolding of the self rather than alienating himself from it in exchange. The effective withdrawal of (a portion of) his labour power from circulation in the market, however, is possible only through the negation of this negation for those in the comprador theatre, a circumstance achieved by 'mak[ing] sure that multinational investment does not realize itself fully there through assimilation of the working class into consumerist-humanism' (1985, p.84). That is, the negation of the negation implies the suppression of a segment of subjects from becoming super-adequate to themselves. The anchoring of value to use, then, has little relevance – or rather, is of invidious consequence – to those yet maintained in a proletarianised condition. The intensification of the extraction of absolute over relative surplus value marks the intensification of the condition of alienation, and hence un-freedom. To wit, the augmentation of the use value of labour power imminent in particular individuals, or more precisely, bodies, is the reduction to thing-ness. This is precisely the condition of un-freedom – subjection to alienation by necessity – that drives Marx's thought³⁸. Under contemporary conditions of global capital, as Spivak notes, we observe that this reduction to a labouring existence exists not merely across the worker-capitalist divide, but more significantly, is differentially distributed across the (global-racial-sexual) division of labour. Her distinction between subjects that are super-adequate to labour power and super-adequate to themselves implies, I suggest, the subject's differential possibilities in expressing humanness. In so far as man actualises himself through human activity (material and symbolic), humanness is materialised in the process of world-making. While Marx attributes this process to labour and production, Spivak's critique indicates a shift away from this form towards self-valorising consumption under global capital. According to

³⁷ Negation, here, refers to a negative relation to circulation wherein, cut off from circulation, the object reverts to its natural form.

³⁸ 'By reducing the worker's need to the barest and most miserable level of physical subsistence, and by reducing his activity to the most abstract mechanical movement; [the political economist] says: Man has no other need either of activity or of enjoyment. For he declares that this life, too, is human life and existence. (Marx 1970, p.50)

...

'The worker may only have enough for him to want to live, and may only want to live in order to have that' (1970, p.51).

Arendt, this shift, effected by the ascension of technology and automation, represents a decline in world-making and an intensification, in fact, of a destructive mode of existence as perpetual consumption. Even so, I contend that the possibility of such consumption represents merely a shift in the manifestation of humanness while preserving its essential logic and distribution.

In *The human condition*, Hannah Arendt (1998) critiques Marx for his failure to distinguish between labour and work, a difference, she contends, that is imperative to comprehending the possibility for freedom³⁹. She does so by providing an account of the interface between human capacities and the nature of society against the backdrop of the modern world. Her address is directed, in general, at the glorification of labour in modern society as the primary descriptor of man's productive activity. This elevation, reified by the 'seemingly blasphemous notion of Marx that labor (and not God) created man or that labor (and not reason) distinguished man from other animals' (1998, p.86), leaves unconsidered the political implications of labour in its historicity, blurring thereby the distinction between products of labour and their relation to world-making.

Referring to the basis of labour in antiquity, Arendt remarks upon the condition of the subject of labour – i.e. *animals laborans* – as one of enslavement and animality. The condition of labouring meant the individual was subject to the needs of their body, and that in attending to them he deprived himself from participation in human activities, the activities of *animal rationale*. The latter was one who engaged in contemplation and public intercourse in order to generate public spaces that could 'transcend the life-span of mortal men' (1998, p.55). The productive activity of *animal rationale* was the sustenance of the polis, the space marked by freedom from necessity and domination. This is political man. Labour – that is, the enslavement and subjection of *others* to labour – is the condition of possibility for political man, and hence of freedom. As Arendt notes:

What all Greek philosophers, no matter how opposed to *polis* life, took for granted is that freedom is exclusively located in the political realm, that necessity is a primarily pre-political phenomenon, characteristic of the private household organization, and that force and violence are justified in this sphere

³⁹ It bears mentioning that this distinction proposed by Arendt has been the object of some criticism – one I tend to agree with. As the discussion above will reveal, the distinction between labour and work replicates in form much of the distinction between productive and reproductive labour. It is not my intent, therefore, to posit this distinction as novel. Rather, I outline it because Arendt's explication of world-making in relation to work and labour facilitates a discussion on their relevance to humanness, and thus, what I will refer to as ethical value.

because they are the only means to master necessity – for instance, by ruling over slaves – and to become free. (1998, p.31)

The condition of the *animal laborans*, on the other hand, was that of abjection, of ‘a fate worse than death, because it carried with it a metamorphosis of man into something akin to a tame animal’ (1998, p.84). While enslavement in antiquity did not rely on descriptors of ontological difference, as is the wont of the modern institution, it did institute a different phenomenology of the enslaved, so that emancipation from slavery entailed a change in the same.

Furthermore, the condition of *animal laborans* is one of worldlessness. Labour, in its strict sense, produces nothing but life. It adds no new ‘objects’ to the world and is instead concerned only with reproducing itself. There is no end-point to the process of labouring – it is a repetitive and continuous cycle that ends only with the death of the labouring organism (1998, p.98). To be liberated from labour is to have the capacity to materialise the world. In a materialist context, this means to produce objects that ‘guarantee the permanence and durability without which the world would not be possible at all’ (1998, p.94). Arendt distinguishes this form of productivity from labour, designating it as work. The subject of work is *homo faber*, he who fabricates the objects that generate an enduring world. In this, *homo faber* is the ‘lord and master of the whole world.... his productivity [seen] in the image of a Creator-God’ (1998, p.139). This is in contradistinction to *animal laborans* who are servants to nature and the world.

Moreover, while *animal laborans* produces objects primarily according to, and used (up) by, the exigencies of life, the products of *homo faber* are an effect of reification. To wit, the products of work emerge from an ‘image or model whose shape... not only precedes it, but does not disappear with the finished product, which it survives intact, present, as it were, to lend itself to an infinite continuation of fabrication’ (1998, p.141). The products of labour, on the other hand, are the effect of conditioned activity and, under the division of labour, may have no resemblance with the final product. They leave, in fact, no material trace in the world. Conversely, products of work materialise the world. Consequently, Arendt notes, it is not labour but work that is the true expression of man. Indeed, it is the *animal laborans*’ subjection to labour – his degradation to the status of a ‘tame animal’ – that frees up man’s capacity to be *homo faber*, the lord and master of the world. Or, per Spivak’s formulation, the condition of being made super-adequate to

labour signifies the devalorisation of labouring subjects necessary for man to become super-adequate to himself.

Contemporary society, according to Arendt, is not divided between *animal laborans* and *homo faber*. Rather, it is a society fully constituted by the former. Arendt's critique of Marx's elevation of labour in modern society – i.e. the institution of productive power as the ultimate expression of human activity – is that the repetitious and eternal character of labour makes it so that the products of labour must be constantly consumed and cannot bear an enduring quality:

...the endlessness of production can be assured only if its products lose their use character and become more and more objects of consumption...

In our need for more and more rapid replacement of the worldly things around us, we can no longer afford to use them, to respect and preserve their inherent durability; we must consume, devour, as it were, our houses, and furniture and cars as though they were the “good things” of nature which spoil uselessly if they are not drawn swiftly into never-ending cycle of man's metabolism with nature. (1998, pp.125–126)

As a result, the contemporary society of *animal laborans* is no longer subject to the bondage of necessity but rather to that of perpetual consumption, and especially so, of the superfluities of life. Consequently, whereas the emancipation of labour produces the possibility for unfolding oneself through the world that is accomplished through the circumstance wherein ‘eventually no object of the world will be safe from consumption and annihilation through consumption’ (1998, p.133). This essentially destructive drive of the *animal laborans* fulfills itself through the expansion of automation. Yet, it is precisely this circumstance that reaffirms the distinction between *animal rationale* and *animal laborans* – the subject who masters technology in producing enduring politico-ethical objects and spaces (e.g. Spivak's word processing subject, crafter of hand-made sandals, ‘creative’ colleague,) and the subjected automaton that produces the conditions of life in the comprador countries. Arendt's bleak estimation of a world driven to annihilation through consumption may underestimate the immaterial/affective aspect of contemporary world-making⁴⁰ yet it cogently anticipates the necessary degradation of particular objects of the world – the organic automaton – entailed in the process⁴¹.

⁴⁰ This argument is forwarded by Michael Hardt in his discussion of immaterial labour as the most valorised form in the postmodernised economy (that defined through the predominance of service and information labour). He substantiates his argument by considering the turn in production from Fordist to Toyotist model. Whereas the former entailed the mass manufacture of standardised commodities and

By looking from the shadow of value represented in the comprador theatre, then, we observe that value is not merely an economic effect, but rather is an entanglement of the ethical (human) and the economic (capital). The tendency to maximise the use value of labour power towards the absolute is the process of creating a negat(ed)(ive) space within the comprador theatre. The ethical devaluation thereby implied constitutes a resource for capital to extract not only economic value but also to create ethical value in the form of subjects super-adequated to themselves. Value, as Barrett notes, ‘is the “the willful expenditure of the Other in an imposing production of the self’ (1998, p.28). To be certain, under capital this expenditure is of the energetic body; yet, one that is facilitated by, and proceeds through, ethical degradation. In other words, even as capital secures itself through abjection, the appearance of existence as degraded is its initial moment of authorisation to operate as such.

The following section provides an elaboration of this argument by engaging Georges Bataille’s (1993) description of the human. Here, Bataille describes the appearance of degradation through the notion of excess. Excess describe forms of existence that appear degraded that exceed utility. The expression of humanness requires a negation of excess so as to institute productivity as its idealised form. Consequently, those existences that signify excess are the other of, and therefore barred from, humanity. Since the negation of excess necessitates a subjection to productivity, the recuperation of degraded ‘others’ into humanity proceeds through their subjection to capital. This represents the materialisation of the productive body. I describe the appearance of this body through Didier Deleule’s (2014) engagement with psychology as a practice of organology. The productive body is instituted through the fragmentation of the living form in order to produce individuated organs that can be made to interface efficaciously with capital. As such, the productive body is intended to function as dead machine. This production,

minimally sought feedback from the consumer, the latter restructures manufacturing as a service, one that actively and constantly extracts feedback from the consumer that determines production. Thus, even as commodities are consumed at an increasing pace, this consumption is a product of, and remains productive of, communication and information. A similar argument pertains to affective labour that occasions the deployment of information and communication in the production and exchange of affect. The predominance of this form of production and consumption as the contemporary materialisation of value preserves sociality (even if in an instrumentalised form) rather than intensifying isolation and degrading action, as Arendt fears.

⁴¹ Of course, the valorisation of immaterial labour reifies racial and sexual divisions of labour. In its first form, as information labour, the material labour that produces the instruments of information is put under erasure. The production of tangible commodities is devalued in a postmodernised economy, so that the associated labour is similarly degraded. Indeed, the technological divide produces subjects of information and affect by denying the same to the subjects of use value – a transactional form that persists in the organisation of affective labour.

however, is not identical and proceeds differentially in accordance with the division of labour. Here, those forms of existence whose conditions of survival are defined predominantly through biological necessity are the most ethically degraded. That is, they mirror most closely dead machines having had their psycho-social capacities almost completely severed from their being. Indeed, these instantiations of productive bodies represent the object of labours that produce the more enhanced conditions of survival of capitalists and their representatives. This represents what Bataille describes as the relation between servility and sovereignty.

The latter part of the section outlines Bataille's conception of sovereignty as effect through the consumption of the goods of another's labour. As such, sovereignty represents the liberation from necessity and the expression of life through material indulgence. This form of existence is idealised as human under the conditions of global capital. The appearance of sovereignty, however, is contingent upon another's subjection to labour. Intervening through Achille Mbembe's (2003) necropolitical account, I argue that sovereignty manifests itself through the abjection of life to the point of death. In so far as sovereignty is the expression of humanness *par excellence*, then, the human can only be preserved through an abject subjection to capital. In this context, annihilation enacted by capital is, in fact, the actualisation of the human as sovereign. Consequently, the next section substantiates violation as the preservation, rather than the destruction, of the human.

on the subaltern and the appearance of the human

Recounting a particular incident from her time as a full-time cleaner employed to clean the inside of houses, Holiday remarks on the invocation of her blackness as the site for verbal rebuke:

This great big greasy bitch [the woman for whom Holiday worked] didn't do a thing all day until about fifteen minutes before her old man was due home for dinner. Then she would kick up a storm. I didn't know my way around her fancy kind of joint. Instead of telling me what she wanted me to do, she'd get excited because her husband was waiting, start hollering at me and calling me "nigger." I had never heard that word before. I didn't know what it meant. But I could guess from the sound of her voice. (quoted in Barrett 1998, p.23)

The deployment of this particularly violent racial epithet was intended to emphasise and consolidate her degraded position. As Barrett notes, the use of the word identifies Holiday with existence that is 'visibly insignificant; she is visibly and categorically

relegated to the domain of those left in the dark' (1998, p.24). Indeed, her individual debasement – an effect of her blackness – materialises her as part of the very dirt that she is meant to clean. As such, Holiday represents a negat(ed)(ive) value form in relation to the posit(ed)(ive) form represented by her white mistress. The appellation identifies her as an excess that must be excluded from humanness; the very utterance of this appellation stages this removal. I begin with this narrative because it reveals, I contend, the productivity of the subaltern in the preservation of value.

In the last chapter, I used the work of Karen Barad to affirm the subaltern as an effect of an agential separation from the subject within the phenomenon of the human (2007; Barad 2003). Furthermore, drawing from Hortense Spillers' account of the injury committed upon flesh by the whip (and other instruments of torture) of the slave master, I posited these as instituting the agential cut that produced a separation between the black/female from the white/male. This separation, or separability, is sustained by subsequent material practices of 'search and destroy' undertaken by/for the state that expose the flesh of the black female as subaltern in distinction to the body of the white male as subject. Holiday's body as black (and) female, and specifically so within a U.S. American context, recalls its lineage from the slave master's whip. The crack of this whip is repeated when the mistress of the house issues commands from on high while she, Holiday, stoops low directed by her orders; it is repeated too the first time she recognises herself as the object of the n-word; it is repeated in the steps as boundary whose whiteness marks her as of the outside and whose threshold she may cross only by labouring over it. In thus repeating acts of the injury, the white body bounds itself as value separating out the black body as an excess that can only be approached through violence (Silva 2013). Indeed, what Holiday's circumstance substantiates is that the preservation of value as form – as objectified appearance, here whiteness – proceeds through the infliction of value as force – signified by the boundary, and boundary-making practices (the commands issued by the mistress, the use of violent language) as forceful exclusion (Barrett 1998, p.68).

This section is concerned with how these exclusions are authorised as the preservation of value figured in the human. Whereas Holiday's appearance as excess is onto-epistemologically instituted as an effect of her blackness, I suggest that under the postcolonial condition this appearance is an effect of the material conditions under which existence unfolds, specifically the appearance of existence as poor. I demonstrate

this using Bataille's (1993) description of the human as that which is opposed to excess. Here, excess is that which lies beyond utility, so that negation of excess is accomplished through the institution of existences that appear productive to/of capital. As such, the human is objectified in the productive body. However, as is evidenced in Holiday's narrative, her productivity does not resolve her appearance as excess – substantiated in her naturalisation of one who does 'dirty' work as an effect of her blackness. That is, even as Holiday's blackness is manipulated to institute her as productive it maintains her as devalued given that it (her blackness) locates her outside of the space of the human. In order to extend this analysis to the case of the poor, I use the work of Didier Deleule (2014) to explicate how the conditions of survival associated with productive bodies effect a differential distribution of humanness. Here, the bodies of the poor – i.e. those bodies that interface with capital in order to secure biological survival – are servile in relation to those that, liberated from biological necessity, manifest survival as a socio-economic exuberance and hence appear as human. I explicate this circumstance through Bataille's description of the appearance of sovereignty wherein sovereignty, as affirmed through the consumption of the products of another's labour, implies its contingency on subjection.

Indeed, this is the structure of the relation between Holiday and her mistress. The domination implied therein does not proceed merely through Holiday's subjection to labour but is confirmed by her blackness in relation to her mistresses' whiteness. This relation thus reveals the differential structure of the human, the preservation of which necessitates the violence of maintaining particular existences not merely as servile but intended towards eradication. I underscore this circumstance through Achille Mbembe's (2003) description of sovereignty as the exercise of control over death, so that annihilation, as an effect of capital, appears as its definitive gesture in the service of human. In Holiday's case, this finality is apparent in the deployment of the epithet that categorically 'kills' her – here, the symbolic eradication signified by the n-word – in order to affirm the mistress as sovereign. However, as I will show in this section, and in the cases described later in this thesis, under the postcolonial condition this act of killing, as undertaken, produces a definitive death of the poor intended towards the preservation of economic and ethical value.

I begin, now, with Bataille's engagement with the human.

The human, for Bataille, is the phenomenological descriptor of an existence produced through the negation of nature. Here, servility is not so much a subjective position as it is an ontological condition effected by subjection to the tyranny of reason. Bataille's concern with servility follows from his anxiety with the loss of the miraculous. He describes the miraculous as that which is '*impossible but yet there it is*' (1993, p.206). The experience of the miracle lies in its essential unanticipated-ness, or more so, its unanticipatability, so that the actualisation of the unanticipatable arrests thought. Bataille refers to this as the moment of unknowing, when '*anticipation dissolves into NOTHING*' (1993, p.207; original emphasis). This nothingness is radically opposed to the condition of knowing as the end of knowledge. That is, the privileging of rationality by modern man posits him in a constant confront with the possibility of knowing. This movement is putatively directed towards an ultimate liberation, or transcendence, of the human condition. Yet, as Bataille argues, this pursuit of knowledge as mean(ing)s makes man servile to thought; for in the continued, and inevitably frustrated, anticipation of a result – of knowing, or knowability – he loses appreciation of the miraculous, as such, and is thus deprived of his sovereign capacity. It is only in the moment of the miracle that we may be 'thrust from our anticipation of the future into the presence of the moment, of the moment illuminated by a miraculous light, the light of sovereignty of life delivered from its servitude' (1993, p.207).

This mode of being is opposed to that of 'archaic man', the one who is 'taken up with what is sovereign, marvellous, with what goes beyond the useful' (1993, p.226). Even insofar as he must satisfy his needs, he does so through an animal nature rather than rational practice. The world of the archaic man, then, is not constituted through the progression of objects but of the experience of moments. In this, archaic man expresses a nonalienated existence. As Bataille notes, the sovereignty of archaic man lies in his interface with chance, with the arbitrary. The advent of the primitive man – marked by the in(ter)vention of tools intended to dominate chance – effected a 'world of operation [...] subordinated to the anticipated result' (1993, p.227). This subordination of life to utility reduced man to a thing, so that his existence, now objectified, became alienated from his inner (animal) experience. Thus, the inauguration of man as such, marked a denial of the possibility of sovereignty.

Indeed, modern man is always already servile. He is subordinated, at least, to the disavowal of chance, and the attendant advancement of objects – production of/as

means. In the institution of this world of/as things, he establishes himself as a tool, one whose 'meaning is given by the future, in what the tool will produce, in the future utilization of the product; like the tool, he who serves – who works – has the value of that which will be later, not of that which is' (1993, p.218). Thus, Bataille notes, the condition of modern man is marked by the anguish of the 'anticipation of oneself' (1993, p.218). In his portentous attempt to apprehend himself in the future, man endeavours to rewrite his servility as sovereignty expressed through the abandonment of his natural condition. Bataille locates the inaugural moment of this phenomenon of sovereignty in the suspension of erotic activity.

Bataille describes the erotic as a form of activity that serves no purpose – i.e. activity that lies in excess of 'this world of useful and isolated things, in which laborious activity is the rule' (1993, p.24). He begins his consideration of the erotic by addressing the incest prohibition as a fundamental structure of human existence. Beyond the import of biology and the economy of exchange, Bataille reads the incest prohibition as a means of 'countering [the] animal disorderliness' (1993, p.55) of free sexual activity. Amongst animals, sexual activity functions as per its natural given-ness – i.e. it is the effect of 'only an irresistible, fleeting impulse, destitute of meaning' (1993, p.48). The incest prohibition is the effect of recognising in sexual, or erotic, activity the possibility of value-production beyond mere reproduction.

Writing, for example, of the exchange of women as authorised by the prohibition, Bataille notes:

Thus, women are essentially pledged to *communication*⁴², which is to say, they must be an object of generosity on the part of those who have them at their immediate disposal. The latter must give them away, but in a world where every generous act contributes to the circuit of general generosity, I will receive, if I give my daughter another woman for my son (or my nephew). ... What is denied in the incest prohibition is only the result of an affirmation. The brother giving his sister does not so much deny the value of sexual union with his close kinswoman as he affirms the greater value of marriage that would join his sister with another man, and himself with another woman. There is more intense communication in exchange based on generosity than there would be in immediate gratification. (1993, pp.42–43)

The incest prohibition, then, is intended to move erotic activity away from the useless consumption of resources towards strictly established utility. That is, recognising the

⁴² The 'communication' that Bataille refers to is the indication of socioeconomic status.

scientific (i.e. biological and economic) futility of unrestrained sexual activity, the incest prohibition accords it new value. All activity that exceeds the bounds of usefulness becomes relegated to the realm of the erotic.

By introducing his argument through a critique of the incest prohibition, Bataille seeks to establish man as an effect of the 'servility of thought' (1993, p.14) – i.e. of the submission of his inner truth to useful ends. The humanised world is, thus, the reduced world of thought. This is the world defined by kinship, religion, occupation, etc. through which an individual circulates. All that lies beyond this world is the accursed domain. As evidenced in the incest prohibition, this is the domain of animality, produced through the negation of nature. Indeed, Bataille asserts the negation of the natural condition as elemental to the emergence of man as such.

Of course, the incest prohibition is not the primary moment of negation but rather an effect of it. The primordial negation pertained to 'the being's *dependence* on the natural given, on the body which it did not choose' (1993, p.90). Bataille's determination of this dependence is not so much metaphysical (i.e. the body as pure substance devoid of the possibility of rational comprehension) but rather existential. Reading existence as expenditure (of resources, energy), he notes man's preoccupation with use as a particular effect of the human condition – i.e. the rational processes that impel him to establish utility as a resolution to its (expenditure/consumption's) immediate problem (cf. Bataille 1991). All expenditure that exceeds utility is considered base, accursed. Yet excess is the natural condition:

On the surface of the globe, for *living matter in general*, energy is always in excess; the question is always posed in terms of extravagance. The choice is limited to how the wealth is to be squandered. ... The general movement of exudation (of waste) of living matter impels him, and he cannot stop it; moreover, being at the summit, his sovereignty in the living world identifies him with this movement; it destines him, in a privileged way, to that glorious operation, to useless consumption. If he denies this, as he is constantly urged to do by the consciousness of a necessity, of an indigence inherent in separate beings (which are constantly short of resources, which are nothing but eternally needy individuals), his denial does not alter the global movement of energy in the least: The latter cannot accumulate limitlessly in the productive forces; eventually, like a river into the sea, it is bound to escape us and to be lost to us. (1991, p.23; original emphasis)

Thus, humanity institutes itself as a posit(ed)(ive) form through the negation of excess as the natural given.

The body, as organic, sensuous matter – produced through cycles of birth and death, through various functions and excretions – is always already excess. The enactment of sovereignty requires, then, the abandonment of the body – its natural movements and intensities, its eroticism. The ensuing circumstance – characterised by the abandonment of the miraculous and the erotic – is the scene of sovereignty, constituted as the liberation from an ontology of the organic. Yet, this circumstance is in fact the negation of Freedom. The facticity of biological life as the substance of survival – as that which must be reproduced and preserved to guarantee the sustenance of man – renders the project of negation as a necessarily failed project. In so far as it can constitute an appearance, then, negation proceeds through the subjection of matter to the activity of productive expenditure. Bataille’s account of the human thus describes how embodied matter, which by its very nature recalls excess, is manipulated through labour in order to project a consolidated appearance as human. This affirms matter, as proposed by Barad, as crucial to the ongoing materialisation of the phenomenon of the human. Yet, given that the appearance of a particular form as human is effected by an agential cut, it must be observed that particular instruments – in this case, capital – produce separations in the scene of productive bodies effecting a differential distribution of humanness. Below I outline Didier Deleule’s (2014) account of the institution of the productive body in order to provide an explication of this circumstance.

In ‘Body-Machine and Living Machine’, Deleule addresses the scientisation of the psycho-sensual ‘living machine’ to produce a ‘forgery’ (2014, l.1377) that he posits as the body-machine. ‘The image of the body-machine,’ he writes, emerges from:

a definition of nature as an exuberant and omnipresent force [*puissance*], the sum of all possibles in which everyone may legitimately actualise themselves in determinate conditions that vary according to their virtue, and a redefinition of nature that excludes from its space a large set of possibles so as to allow only one to emerge at the expense of all others: nature as a uniform object suitable for mathematical treatment. ... The boundless force [*puissance*] of irrational energies [*forces*] at work in the manifold of nature... is replaced by the idea of an eminent and unique dignity... subject to invariable and uniform laws, rationally stipulated and therefore rationally discernable, if only by ordinary understanding armed with methodological tools. (2014, l.1415–1424)

This redefinition of nature, and hence the vital body, is not intended as a reduction to, or a simulation of, the mechanistic. Rather, it is the augmentation of power in actualising conquest – the mastery over nature – as the ontology of man. The machine is made to imitate life. The body-machine is thus an ‘epistemological myth’ (2000, l.1468) stipulated

as the culmination of perfected, not degraded, life – where perfected life manifests as productive power. As such, the body-machine ‘with its blemishes of subjectivity scoured away... appears in its historical destiny as productive being’ (2014, 1.1490–1491).

The inauguration of the living machine as body-machine is principally a project of discipline. That is, by subjecting it to its mechanistic potentiality, the body is disassociated from its psycho-sensual wiles. Or more precisely, sensation and perception are subjected to scientific examination, so that the body – its organs and surfaces, as the material sites of experience – can be transformed into ‘efficacious motion’⁴³. The creation of the body-machine thus entails a transformation of the living machine as if it were ‘dead’. To reiterate, the appearance of the body-machine as ‘dead’, is not in itself the evocation of a degraded circumstance. Rather, by diminishing the hindrance of sense perception and psychical affect, the dead machine is viewed as the absolute seizure of the body’s latent power [*puissance*]⁴⁴ in opposition to nature. Of course, Deleule acknowledges this conception of the body-machine as a ruse, for even if it is ‘the *telos* of intelligibility for man-machine, it also undergoes a real devaluation, for it becomes that which lacks reason, i.e. language, calculation, the projection of ends’ (2014, 1.1526–1527). This devaluation, which is ultimately a degradation, is the condition of possibility for the institution of the body-machine as the body of capital. This body form is what Deleule and François Guéry⁴⁵ refer to as the productive body. The productive body, however, is not an ideological effect of capitalism. Rather, it names the already ‘organologised’ body as appropriated by capital.

The productive body emerges from a scission of the social body into an individualised form, a cut that is replicated in the separation of the body from the totality of its powers (in particular of power [*puissance*] from knowledge [*pouvoir*]). Deleule attributes the agency of this cut (to use Barad’s terminology) to the discipline of psychology – or what he refers to as “y” – which is concerned with ‘knowledge-formation about separable parts or senses of the body... in order to gain an arithmetic knowledge of the body’ (Barnard & Shapiro 2014, 1.578). Psychology, as the practice of organology, approaches the biological body as such in order to examine and control each organ of sense and perception so as to ‘minimize [the ensuing] embarrassing “subjectivity”’ (Deleule 2014, 1.1573). The end

⁴³ Deleule thus rewrites Bataille’s disavowal of nothingness/the erotic as rationalisation that acknowledges the facticity of the senses, yet seeks to colonise them as a means to minimise, or eradicate, their effects.

⁴⁴ Refers to physical power as opposed to *pouvoir*, or symbolic power/authority.

⁴⁵ Deleule’s text appears as Part II of the co-authored volume titled *The productive body*.

of organology, according to Deleuze, is the ‘epiphenomenalisation of consciousness’ whereby the immediate causality of the body – its matter and functions – on the mind is denied. This creates a circumstance wherein

a scale of beings in which the hypothesis of vital phenomena with no need of consciousness nevertheless can never entail the possibility of consciousness and its acts apart from the presence of the body. *The bodily machine functions without receiving its orders from consciousness; yet, always present at the highest level of the hierarchy of beings, consciousness accompanies it without acting.* Thus the machine moves by itself and the soul is reduced to a lesser function as the “logical subject of internal experience””. (2014, l.1619–1622)

Thus, the body-machine is brought into interface with the world-machine merely as an organ, devoid of any (need for) consciousness. This applies to the mind as well, which rather than being approached as the seat of reason and will, is merely an instrument applied to actualise a given end. An organ, thus appropriated as an instrument intended towards manifesting a de-personalised/specialised end, becomes a ‘metonymic representation’ of the productive body (2014, l.1537). This appropriation proceeds by means of, and for, capital, so that the productive machine appears as the body of capital⁴⁶. Indeed, the productive body only appears as such – an amalgamation of organs, divested of life as sense, affect, and knowledge – in communion with capital. In this

⁴⁶ This argument resonates with that of Deleuze and Guattari in *Anti-oedipus* (2000). Here, they posit the *organised* body as an effect of desiring-production – i.e. production effected by a desire to commune with an externalised world. The process of desiring-production grafts the body in the image of the product, the body thus organised produces products in its image, and so on:

Producing is always something “grafted onto” the product; and for that reason desiring-production is production of production, just as every machine is a machine connected to another machine. (2000, p.6)

...

Desiring-machines make us an organism; but at the very heart of this production, within the very production of this production, the body suffers from being organized in this way, from not having some other sort of organization, or no organization at all. (2000, p.8)

A body that is not yet thus organised – i.e. the body without organs (BwO) – is an unproductive body, and as such opposes the desiring-machine since it views the latter as ‘an over-all persecution apparatus’ (2000, p.10). (Deleuze and Guéry’s productive body thus appears an imitation of the desiring-machine.)

As such, capital is the BwO of the capitalist. The desiring-machine, then, serves as the recording or inscribing device that makes capital productive:

Machines attach them-selves to the body without organs as so many points of disjunction, between which an entire network of new syntheses is now woven, marking the surface off into co-ordinates, like a grid.

...(2000, p.12)

The process as process of production extends into the method as method of inscription. Or rather, if what we term libido is the connective “labor” of desiring-production, it should be said that a part of this energy is transformed into the energy of disjunctive inscription... (2000, p.13)

It is as such that the *organised* body, i.e. the desiring-machine, institutes itself as the organised (productive) body of capital.

form, the productive body is ‘no longer a living being who runs a machine, but [is subject to a] machine that makes [it] a machine out of the living being’ (2014, l.1858–1859). The productive body is thus an accessory that either serves or oversees dead machines, but it is the dead machine that governs the activity of the living machine. As such, the productive body is servile. This servility, of course, does not appear uniformly within the system of the fully developed productive body. The form in which a living machine is reduced to a productive body – or, the extent to which it must submit itself to servility – is contingent upon the position of its subject in the division of labour.

The differentiation between individuated productive bodies is founded on the apportionment of capacities – such that some bodies are completely divested of any competence other than brute power whereas others are granted mental/intellectual proficiencies required for surveillance and control (2014, l.1842–1844). The productive body is thus an accessory that either serves or oversees dead machines, and must be preserved in this capacity. Under all possible circumstances, the maintenance of the productive body necessitates the survival of the biological body. Even where the productive body is itself produced as a ‘dead machine’, in so far as it is divested of its capacities for life, it can only be maintained as such by returning life, albeit in its mechanised form, back to it – i.e. through the survival of the biological body. In more advanced circumstances, the productive body is instituted through the mind as organ for the purpose of surveillance and control. Here, the maintenance of the productive body entails the development of new abilities, and thereby encourages a form of social survival that exceeds physiological necessity⁴⁷. The differential manifestation of productive bodies – which is an effect of the division of labour within a system of the fully developed

⁴⁷ This encouragement of sociality is not limited to productive bodies instituted through sense or intellect, but also has pertinence to those instituted as biological machines in the main. Indeed, as Deleuze notes, the survival of the biological body requires the maintenance of the living machine, even if minimally, as *living*. Consequently, he observes that the imperative of modern psychology has shifted towards securing the ‘productive consumption’ of the living machine:

The living machine, reduced to the status of an accessory, constitutes a “moment” of the productive process, but this “moment” is obviously dispossessed of the very meaning of its productive act *because the accessory... in its essence, is not superfluity but ignorance*. One of the functions of the psychological intervention... is to restore to the subject an alien awareness of his condition by inculcation in him a certain type of self-awareness centered on folkloric notions of “belonging”, of “feelings of group identity,” or even a brand of “empathy-spontaneity-creativity” that lend a ludicrous aura to the concept of “personality,” itself always accompanied by its trusty sidekick, “well-being” [intégration].

...

The goals of psychology... are thereby integrated into the general goals of the productive body which... encounters at every step and in all its diverse forms the resistance of life... and must, in consequence, and in the strongest sense, take account of it. (2014, l.1882–1890, 1919–1923; added emphasis)

productive body – thus represents differential systemic investments in the survival of individual productive bodies. As such, they signify the distribution of possibilities for survival within the system of fully developed productive bodies.

Deleuze's account of the productive body thus demonstrates its differential appearance in relation to conditions of survival. Akin to Bataille, he affirms the centrality of productivity – i.e. of the instrumentalisation of the body through labour – as the manifestation of the modern subject under the imperatives of rationality and utility. Yet, what his intervention additionally offers is an insight into how these productive bodies are differentially manifest in relation to the circumstance of life beyond labour. Deleuze posits enhancements in the possibility of biological survival as the creation of 'abundance', whereas advancements in social survival appear in the form of 'promotions' (2014, 1.1784–1786). Yet, given that the sustenance of the system requires an expansive mass of productive machines to subordinate themselves to dead machines – indeed living machines must be made to compete with dead machines in the labour market – their will to survival must be channelled so that it is primarily biologically motivated. That is, a large proportion of the fully developed productive machine must be reduced to its biological component. This, in fact, is the circumstance of the poor, so that any 'abundance' – whether pertaining to biological or social survival – accrues to those granted sociality, i.e. those that express what Bataille designates as exuberant life. The subjection of the poor entails not only their subordination to dead machines but also to fully living machines – indeed, eventually, to those subjects that exhibit the condition of sovereignty. Deleuze's account thus signals the relation of domination between the sovereign (bourgeois/subject) and servile (poor/subaltern) as fundamental to the entangled structure of the human and capital. I substantiate this proposition by returning to the work of Bataille.

As noted earlier, the human, in Bataille's articulation, describes the subject committed to productive expenditure. However, in a system fully constituted of productive bodies, the human appears as existence liberated from productivity. Or more precisely, the human describes a form of survival defined through 'unproductive expenditure' – i.e. the disposal of energy beyond necessity. Bataille designates this form of existence as sovereign. The sovereign is he who 'truly enjoys the products of this world – beyond his needs. ... [T]he sovereign (or sovereign life) begins when, with the necessities ensured, the possibility of life opens up without limit' (1993, p.198). Within the context of

modernity – wherein the miraculous and erotic are replaced by the imperative of economic and social utility – unproductive expenditure entails the enjoyment of another’s labour. Sovereignty is thus appropriated through surplus consumption without the investment of labour. This is not to suggest that the sovereign man is not a productive machine, but rather that his productivity within the fully developed productive machine is located within his cultivation as a living machine through expenditure beyond utility. This surplus expenditure is contingent upon the expropriation of another’s labour – or more precisely, upon the servility of other living machines to their biological survival. In this context, the servile are those who ‘without means labor and reduce their consumption to the necessities, to the products without which they could neither subsist nor labor’ (1993, p.198) – those that are motivated primarily by biological survival. In contradistinction, the sovereign’s survival as such lies in the anticipation of themselves through a world of things – that is, through the consumption (or more precisely, negation) of another’s possibility for social survival. The relationship between the sovereign and the servile is, thus, fundamentally that of subject to object.

Survival, according to Deleuze, describes the circumstance of ‘becoming a servant of death, i.e., accepting that the very conditions of life are controlled, so to speak, by an outside organism following a plan whose complexities may provide an illusion of autonomy but ultimately reveal themselves as elements of an alien body’ (2014, l.1767–1769). This description of survival recognises the tension between will and force that structures the situation of subjection. Where survival is concerned with a victory against biological death, the survivor is only in ‘a trial run for death and thus the opposite of life’ (2014, l.1776). That is, the productive body reduced to a biological machine is destined for death, so that its productive form is merely a postponement of its fate. The survivor thus typifies the adaptive submission of biological substance to productive movement against the forces of death. As such, this submission is directed by the force of the sovereign as the arbiter of the possibility of biological survival. Consequently, the servile appears as an object intended towards the sovereign *qua* subject.

Bataille reflects on the relation between subject and object as a relation between interiority and exteriority:

We live in a world of *subjects* whose *exterior, objective* aspect is always inseparable from the *interior*. But within ourselves what is given of ourselves, objectively, as

the body, appears subordinate to us. My body is obedient to my will, which within myself I identify with the presence, perceptible from the outside, of the being that I am. Thus, generally, the object, or the objectively given being, appears to me to be subordinate to subjects, whose property it is.

...

Mechanically, I put on the same plane those things that generally appear to me in the dependence where they have no pre-eminence over one another and those things that I eat, that serve me, that are, with respect to the subject that I am, *servile* objects. (1993, pp.238–239)

Thus, while sovereignty, in its primordial articulation, is not an ‘objective product’ but an inner experience – of the unanticipatable, the miraculous – its modern expression is constituted through an anticipation of the self actualised in relations of subjugation. While the experience of the moment remains pertinent – Bataille posits the sovereign as he who acts as if death were not – this experience is now contingent upon his reification as such (rather than his dissolution), engendered through an externalised objectification. Here, material luxury becomes posited as the putative means to experiencing the fullness of existence; it projects the image of exceeding death. Sovereign existence is luxurious⁴⁸, translated as indulgence in material excess. Thus, even though he himself is an instrument – subject to future ends – the sovereign manifests himself as such by externalising his own objecthood into a world of things. To wit, the ability of the sovereign to experience life beyond the struggle of necessity, beyond utility, is made possible through the objectification of another. This reduction of another to objective existence – to a productive body servile to its own will to biological survival – is enabled through their subjection to necessity⁴⁹. This ‘becoming-thing’ of the servile is achieved and maintained through sovereign force. Or, more particularly, servility constitutes the location whereby the sovereign manifests himself *qua* human. As such, servile existence is both the object and the effect of capital’s negotiation of humanness, thereby revealing the security of the human as an effect of sovereign violence.

⁴⁸ In Bataille’s writings, luxury is the objective form of excess, of absolute expenditure. The basis of luxury is the transgression of the principle of utility. Death, as that which negates, in the absolute, the utilitarian unfolding that is (intended to be) life, is its most luxurious form. Similarly, but on a lesser scale, material luxury is a violation of useful production and consumption.

⁴⁹ Bataille, in fact, recognizes servile man as closer to the experience of sovereignty than the ostentatious displays of the wealthy. For the beggar or the labourer, who engage in acts of escape, are better placed to encounter the miraculous. Take for instance the laborer who drinks to escape necessity. Here, the experience of intoxication gives him ‘for a brief moment, the *miraculous* sensation of having the world at his disposal’ (1993, p.199; original emphasis). This, according to Bataille – the abandonment of the future in favour of the present – is the essence of sovereignty. For the wealthy man, on the other hand, sovereignty is a relational display, *intended* towards an instrumental, and ultimately ephemeral, end.

Writing of the relations of subjugation implied by sovereignty, Achilles Mbembe notes that '[t]o exercise sovereignty is to exercise control over mortality and to define life as the deployment and manifestation of power' (2003, p.12). While Mbembe, like Bataille, remains interested in necropolitics – i.e. in the political work of death – his description of sovereignty marks a departure from Bataille's subjective articulation towards one explicitly concerned with the use of force – or, more precisely, with the manifestation of sovereignty as force. Thus, in his piece on necropolitics, he frames his writing of sovereignty as concerned with 'those figures of sovereignty whose central project is not the struggle for autonomy but *the generalized instrumentalization of human existence and the material destruction of human bodies and populations*' (2003, p.14; original emphasis). Juxtaposing 'necropower' with Foucault's conception of biopower, Mbembe seeks to comprehend politics as the *perpetual motion* of death. That is, rather than positing death, or killing, as the limit resolution of conflict, he engages death as the practice of 'war without end' (2003, p.23). Here, the figure of the enemy, who must be 'made to die' so as to restore the sovereign/ity, dissolves into the figure of the sub-human – the savage – who must be categorically eradicated in the war of/for humanity. Death, then, is not a means of preservation or restoration of the *nomos*, but rather an incessant means of 'realizing the already known telos of history' (2003, p.20).

Mbembe thus re-writes Foucault's formulation of sovereignty – the power to 'let live or make die' as a means of exercising discipline and control – as the practice of distributing value, i.e. 'the capacity to define who matters and who does not, who is *disposable* and who is not' (2003, p.27). Writing beyond moments of biopolitical terror – such as those exemplified by slavery and the Holocaust – Mbembe sites the colony as a necropolitical zone *par excellence*. Here, the instrumental and administrative rationality of the biopolitical regime intersects with the sacred ground of history and identity to institute the colony as a space unfolded through death⁵⁰. Under the conditions of global capital, however, the sovereign violence of colonial expropriation and occupation is manifest not merely through militaristic deployments but also, and more often, through juridico-economic measures. Referencing conditions in besieged states in Africa, he writes of the role of 'enclave economies' in the distribution of death in the post-colony:

⁵⁰ Expounding on the case of Palestine, for instance, Mbembe notes how accounts of history, authorised by narratives of divine right, engender a state of siege, wherein distinctions between internal and external enemy are dissolved to subject entire populations to sovereign force.

[Th]e controlled inflow and the fixing of movements of money around zones in which specific resources are extracted has made possible the formation of *enclave economies* and has shifted the old calculus between people and things. The concentration of activities connected with the extraction of valuable resources around these enclaves has, in return, turned the enclaves into privileged spaces of war and death. War itself is fed by increased sales of the products extracted. (2003, p.33)

...

The extraction and looting of natural resources by war machines goes hand in hand with brutal attempts to immobilize and spatially fix whole categories of people or, paradoxically, to unleash them, to force them to scatter over broad areas no longer contained by the boundaries of a territorial state. As a political category, populations are then disaggregated into rebels, child soldiers, victims or refugees, or civilians incapacitated by mutilation or simply massacred on the model of ancient sacrifices, while the “survivors,” after a horrific exodus, are confined in camps and zones of exception. (2003, p.34)

Indeed, these political categories constitute those survivors who are merely on a ‘trial run for death’. In Foucault’s writing, *homo economicus* is ‘the human being who spends out, wears out, and wastes his life in avoiding the imminence of death’ (1994, p.257). Yet, as Mbembe’s necropolitical re-writing of sovereignty demonstrates, the servile/survivors do not merely labour against death, but rather are abjectified *to the point of* death in the display of sovereign desire. Under a necropolitical regime of global capital, the sovereign’s imperative of excess consumption is accomplished not so much through the alienation of life as its abject instrumentalisation. To wit, the violence of the sovereign consists in the disposal of (the life of) the servile. It is precisely through this differential of sovereignty and servility, as it structures the entanglement of the human and capital, that development unfolds.

Moreover, the form of disposal – the bruises, wounds and severings – constitutes the generalised substance of servility. Referring, for instance, to the remains of the Rwandan genocide, Mbembe describes the fragments of flesh and bone of the un/dead as inscribed ‘in the register of undifferentiated generality: simple relics of an unburied pain, empty, meaningless corporealities, strange deposits plunged into cruel stupor’ (2003, p.35). We observe this generalisation, too, in the fragmented body of the child and the spectacle of violence in Nandigram. Yet, even in this stripping away of subjectivity, its matter insists on signification – the violations, a mark of (its) unconsidered existence.

Mbembe’s account of sovereignty thus emphasises the material violence of abjectification. In so doing, it extends Bataille’s description of servility as effected

through labour. Yet, what remains significant in the latter's analysis is his elaboration of this condition as a particular appearance of humanness. Bataille's account of sovereignty and servility, while materially circumscribed through relations of production and consumption, addresses, in fact, human differentiation. Excess, for Bataille, is the primordial principle of humanness, one that is negated in the subjection of existence to reason. Consequently, excess as a form of unproductive, erotic existence becomes a descriptor of diminished or debased human-ness, signified through embodied, topographical and social disorder. On the other hand, the projection of order – at least as an aesthetic – is achieved through indulgence in excess as a marker of transcendence. This transcendence, manifest through luxurious consumption, is accomplished through the subjection of the servile as thing. Moreover, the material consequences of servility – the absence of material excess and the prevalence of disorder – institute servile existence as excess itself. Indeed, it is precisely this excess – in its material instantiation (the body), and not merely its expenditure (labour) – that is consumed by the sovereign in/as the disposal of life. Mbembe's account of necropolitics, where death substantiates sovereignty, further reveals the unambiguous brutality of excess in these synchronistic articulations. As such, death – as the final negation of excess – is the actualisation of the human effected by capital.

This chapter has sought to demonstrate how subjection and obliteration under development operate through the entanglement of the human and capital. I have proposed this entanglement as the structure of development and hence the syntax of the postcolonial condition. This argument was forwarded by revealing the differential structure of the human and capital so that their preservation unfolds as violence. As such, the annihilation of existences that appear as degraded or devalued is the necessary teleological end for the ontological security of the posit(ed)(ive) form. This is possible because value conceals itself as a differential and operates by naturalising itself (Barrett 1998), so that subjection and annihilation, as the practices of securing value, must proceed as if ontoepistemologically authorised. As made evident in this chapter, the body offers itself precisely as the source of this authority.

This is a crucial intervention made possible through a critical global account of value. By being attentive to the entanglement of the human and capital in the production of value, we can comprehend the body not mere as a potentiality – the store of labour power – but, more crucially, as signifying matter. The primacy of the economic in materialist

descriptions of value posits the body as abstract(ed) energetic matter that is socially undifferentiated in the first instance – so that social differentiation, as manifest in relations of domination and exploitation, is viewed as an effect of capital. Instead, by considering value under capital as a relation between its economic and its ethical register – the mutuality of capital and the human – we are compelled to approach the body as ontoepistemologically materialised – that is, as matter that is made to represent – so that it may serve to consolidate the humanist pretension of development. Capital is thus concerned with the body not merely as substantive matter but also as signifying matter – not merely with what the body can materialise but how it comes to be materialised itself. This is an effect of the phenomenology of value that requires a space of non-value to institute itself as such. The body, as signifying matter, serves precisely this function of revealing a space of non-value that can attend to the ideological needs of capital.

As already indicated, under modernity, the body is materialised (and biologically naturalised) as racially and sexually differentiated substance, and hence a signifier of ontological difference. This materialisation situates the racial and sexual other as a degraded being, extant in the shadow of the human. This radical alterity always already situates the body thus inscribed as a space of negat(ed)(ive) ethical value. The body is thus constituted as the natural basis for juridico-economic relations of domination and subjection. Under the conditions of global capital, however, these direct inscriptions upon matter, while necessary, are no longer sufficient to describe ethical differentiation and devaluation. Instead, as Wynter notes, there is a shift in the description of the human from a primarily biogenetic one, to one that folds the biogenetic into an economic description of ontological difference. Of course, this description is an appearance – one that maintains the body as its material instantiation. However, rather than relying on the inscription of matter, it prioritises the conditions under which the body materialises itself as such – that is, the conditions under which the body is reproduced as labour and life. These material conditions that attend the production of the body as such are now posited as signifiers of ontological difference, and thus become the naturalised basis for the relations of domination and suppression.

The next chapter elaborates upon this signification of the body as it authorised exploitation, and finally eradication, in Bhopal.

chapter 3

the matter(ing) of bodies:

on the Bhopal gas leak and the tragedy of excess

“I used to be human once. So I am told.” Thus begins the story of the eponymous narrator of Indra Sinha’s novel *Animal’s People* (2008). An abandoned/orphaned infant survivor of ‘that night’, we meet him through his narrative, recorded on tape for a foreign journalist. Growing up on the edges of the Kampani’s toxic wastelands – swimming in the ‘lakes’ formed when rainwaters filled its sludge pit – his body, gradually and painfully, becomes severely contorted. He becomes ‘Animal’ – moving on all fours, ‘throwing my weight onto my hands, hauling feet forward in a kind of hop’, with his ‘arse up in the air and legs too weak to squat’ (2008, pp.15–16); foraging for food in the alleys behind houses and restaurants, sharing his findings with ‘a yellow dog, of no fixed abode and no traceable parents, just like me’ (2008, p.18).

Animal, of course, was not always so named; the name emerged in play, the effect, no doubt, of an inescapable observation:

One day we [children of the orphanage] were lying on the grass in hot sun, drying off. A girl about my own age, she pushed me and left the prints of her muddy fingertips on my body. The mud dried pale on my skin. She said, ‘Like a leopard!’ So then they all dipped their fingers in the clay and covered me with leopard marks. ‘Animal, jungle [wild] Animal!’ *The name, like the mud, stuck.* The nuns tried to stop it but *some things have logic that can’t be denied.* (Sinha 2008: 16; emphasis added)

This logic, that confirms his name, is the failure of the negation of animality objectified in his body. Indeed, throughout his narrative, Animal attests to a consciousness of his ‘animal condition’: “‘Animal is a horrible person, full of filth.’ ‘Think I don’t know it already?’ (2008, p.79).

This explication in Animal’s narrative of his symbolic and material defilement extends as well, albeit differentially, to other characters that populate his life, i.e. to ‘Animal’s people’. If his appellation is intended to represent the degradation of his existence, then the designation ‘Animal’s people’, marks not only a relational aspect but, more significantly, the tacit trajectory of all those whose existences and fates he signifies: ‘All things pass, but the poor remain. We are the people of the Apokalis. Tomorrow there will be more of us’ (2008, p.366).

Indra Sinha's *Animal's People* is situated in the fictional city of Khaufpur. The story is set around the incidents of 'that night' and make constant note of the 'Kampani' and its 'Amrikan' lawyers. Even though the story never references Bhopal by its particular name, it is evident that this is a fictionalised re-telling of the devastation of the gas leak. There is no dearth of first-hand accounts of survivors of the event⁵¹. Yet, I begin with this fictionalised account because of its pointed symbolism. That is, the epithets therein – 'Animal', 'Animal's people', 'people of the Apokalis' – make stark the circumstance of violation represented by the leak.

As previously noted, per Bataille, the appearance of excess signifies animality. Animality is the zone of the miraculous and the erotic – where life expresses itself in full exuberance, unfolding in opposition to the principles of rationality and utility. Thus, it is that which is barred from humanity, separated out as the space of non-value. Animality describes the circumstance of ethical degradation, that which must be eradicated for the preservation of the human. The previous chapter described the role of capital in fulfilling this end. There, I described how the appearance of animality – i.e. existence that appears as excess – appeals to capital as an opportunity for intervention. This is the basis of development wherein capital advances a recuperative gesture, materialising a productive body. This body, of course, exists for capital – indeed, it is intended towards the reproduction of capital – so that its maintenance as such requires the continued suppression of its (the body's) conditions of survival. To wit, capital maintains the bodies of labourers as ethically degraded so that the production of economic value – as an effect of the materialisation of productive bodies – proceeds through the upholding of the labourer as ethically devalued. The recuperative gesture of development, then, remains contained within the relations of domination and subjugation or what, following Bataille, we may identify as sovereignty and servility. Animal's proximity to the kampani that night – an effect of poor conditions of living – substantiates this subjugation. His form – a consequence of 'that night' – is the material record of its trajectory. His consciousness – of his situation and that of his people – is recognition of the inevitability of their termination, an effect of their differential humanness.

In the previous chapter, I demonstrated annihilation as the imperative of development as an effect of the entanglement of the human and capital as descriptors of value under

⁵¹ Cf. Suroopa Mukherjee (2010) *Surviving Bhopal: Dancing bodies, written texts and oral testimonies of women in the wake of an industrial disaster*. T.R. Chouhan (1994) *Bhopal, the inside story*.

postcoloniality. There I also affirmed the significance of the body in signifying and preserving value. In particular, I demonstrated how the body of the poor appears as excess and hence as ethically devalued. Furthermore, this appearance as negat(ed)(ive) value appeals to capital in securing itself. That is, bodies of the poor are appropriated by capital as signifying excess that must be eradicated by materialising them as productive. The accumulation of value by capital – or more precisely, for capitalists – is contingent upon the expropriation of the ethical value of workers. In other words, the reproduction of capital proceeds through the continued degradation of the workers objectified in their materially deprived conditions of existence, up to the point of annihilation.

I continue this discussion with the Bhopal gas leak because it reveals the attempts of development to advance itself – and therefore the human and capital – as the truth of liberation and progress. Indeed, the chemical plant was commissioned by the state as a project of the Green Revolution. However, as Animal's narrative, as well as the broken body of the child in Rai's image, reveal, the project culminated as the annihilation of poor rather than their emancipation from poverty. This is the truth of development writ large on the bodies of the dead, like the child, and the un-dead, like Animal and his people, alike. The purpose of this chapter, however, is not to read this embodied truth. I have already demonstrated development as the manifestation of the postcolonial capitalist condition wherein the annihilation of the poor is the necessary end intended towards the preservation of the human and capital as value. Instead, the purpose of this chapter is to highlight the imperative of the body – or more precisely, of matter – in actualising this project. In other words, I will read the case of Bhopal to propose how an attentiveness to matter reveals it as indispensable to realising annihilation as the necessary end of development.

Corporeal matter, on the one hand, is the ontic dimension of the body – that which in registering exchanges, for instance, of pleasure or pain, heat or cold, rough or smooth, is the substance through which life, and its worlds, are experienced as such (Scarry 1985). But matter is also a becoming. It is 'the effect of a dynamic of power, such that the matter of bodies will be indissociable from the regulatory norms that govern their materialization and the signification of those material effects' (Butler 2011, p.xii). That is, corporeal matter is constantly being re-formed in order that it may project a desired meaning under a given governing structure. In this chapter, I will address both these

aspects of matter as critical to the work of development under the postcolonial capitalist condition.

The chapter begins by situating the Bhopal gas tragedy in its developmentalist frame. The first half of the section below provides an account of the historico-political context for the establishing of the factory, specifically the Green Revolution. The scholarly and testimonial accounts I consider there describe how the factory was made to represent the possibility of human progress through technological intervention and economic growth. As such, the plant stood as a promise of recuperation for the socially and materially deprived population of the state. This promise authorised the hasty, and therefore poor, infrastructural planning that found(ed) the factory as a toxic ticking time-bomb in the heart of life. I use the first-hand account of T.R. Chouhan (1994), an employee at the UCC plant, to further underscore how the treatment of the workers at the plant fell far short of the promise of progress as well. For the transfer of industrial capital was not accompanied by an equivalent transfer of knowledge and skills to the employees. Moreover, their resistance to poor and unsafe working conditions was met with arguments of cultural deficiency and thus was summarily suppressed. These circumstances constitute the scene of the disaster. Indeed, that the extent of the destruction caused by the leak could have been curbed, constitutes the tragedy of the event.

The second half of the section proceeds to outline the aftermath of the leak from a juridical perspective. Here, I describe how survivors of the leak continued to be posited as incompetent subjects whose ability to know and speak a (formally legible) truth was suspect. The dismissal of the possibility of self-representation – of understanding one's own injury – and of thereby achieving a self-determined justice, was attributed to their conditions of existence. In particular, the presumption of cultural deficiency of the litigants – made by both, the government of India, that undertook legal negotiations with UCC under the principle of *parens patriae*, as well as the UCC lawyers – was validated by the appearance of material and 'cultural' backwardness. The UCC lawyers, especially, seized upon the 'abject poverty' of the survivors as a representation of their 'vastly different values, standards and expectations' (Amnesty International 2004, p.51) which produced their existence as incomprehensible to the American (or, more generally, the modern) subject. This characterisation echoes, I suggest, the appearance of degradation as animality. Indeed, the purpose of the first section is to outline the material and

discursive strategies through which the existences associated with the Bhopal gas disaster are made to appear as differentially human and, hence, ethically devalued.

The second section offers a theoretical explication of how differential humanness is objectified in the body. In particular, it describes how the bodies of the poor – i.e. bodies that appear materially deprived – come to be marked for annihilation. Here, I use the work of Mary Douglas (2002) on dirt as the instantiation of disorder to describe how the circumstance of material deprivation comes to be ascribed a negative value. The appearance of poor bodies under such condition confirms their own devaluation. This devaluation, however, is not just an effect of a corruption but also, in fact, of taboo. That is, poor bodies do not merely appear as dirty but are themselves dirt and hence are pollutants. This polluting capacity of the poor poses them as a threat to ‘civilised man’. Bataille (1993) describes civilised man as one who isolates himself from dirt or filth. This, recalling the discussion in the last chapter, is because filth symbolises vulgar, unspeakable origins that must be disavowed in the actualisation of existence as human. In this context, impoverished existences – marked by a proximity to dirt, or filth – are deemed an affront to humanity. This is an effect of the failure to isolate one’s embodied matter from the natural given – a failure, as Bataille notes, to suspend (one’s) animality. The section concludes by introducing Denise da Silva’s description of the logic of obliteration (2007) to demonstrate how the appearance of animality compels termination. Consequently, this section underscores how the bodies of the poor provoke their own annihilation, authorising this as the ethical end of development. The violations of the bodies of the poor, then, are not traces of development carving its truth onto matter but rather are the eruptions of a truth already imprinted upon bodies realised, finally, by development.

Even so, the act of violation itself enables development to affirm the truth of differential humanness that sanctions its (development’s) unfolding. The third section of the chapter addresses the imperative of matter to development in speaking its authority. This section draws inspiration from Elaine Scarry’s (1985) designation of the injured body as the body in pain. The experience of pain, she writes, is the dissolution of the body to pure intensity. This is the capacity of the body realised as/through matter. Thus, in so far as annihilation proceeds through the injury of the body, this is experienced through the matter. According to Scarry, the experience of pain – or of one’s self as matter – is productive of differentiated selfhoods between the one in pain and the one lacking it.

She thus affirms the efficacy of the matter of the body in confirming the differential valuation of one's humanness. This confirmation, of course, is not the truth as such but rather of its power presenting itself as truth. In other words, I suggest that through the process of injury, development seeks to produce the experience of differential humanness in order to preserve itself as truth. I will go on to argue that the effectiveness of this strategy is not merely in the experience of pain but in its spectacle. I will substantiate this argument using the work of Peter Linebaugh (2006) and David McNally (2011) on hanging and dissection, respectively, to demonstrate how the proletarian body has historically been made to perform as a record of the truth of capital by marking it – through experience and as spectacle – as criminal.

The second and third sections of this chapter are thus concerned with what Karen Barad refers to the mattering of bodies where mattering is 'simultaneously a matter of substance and significance' (2007, p.3). That is, they are concerned with how the body matters to (as ethical valuation) and matters for (as substance that authorises) development. The final section returns to the case of Bhopal in order to interrogate its historicity. Here, rather than reading Bhopal as a transition narrative, it reads it as a repetition. I revisit Hortense Spillers' (1987) account of flesh, as matter without signification, in order to demonstrate present injury as the reiteration of the original violence that produces the body of the poor as social text. Following her provocation to read injury through a hieroglyphics of flesh, I trace the lineage of the injury inflicted in Bhopal back to the colonial moment wherein the proletarian body emerged as that marked by excess and hence lacking ethical value. By thus intervening, I demonstrate how value, more specifically negat(ed)(ive) value comes to be congealed in matter, so that the preservation of posit(ed)(ive) value – signified by the human and capital – necessitates a confrontation with degraded matter. I will thus conclude this chapter by arguing that under the postcolonial capitalist condition the securing of bodily integrity is the promise of humanness. This assertion sets up the final chapter of this thesis wherein I demonstrate surrogacy as a moment of annihilation because it causes the depletion of the surrogate body through its productive consumption in the process of procreation. This depletion, which is in fact an injury to the body, is confirmation of the surrogate mother as differentially human.

But let me now begin with Bhopal.

'That night': the tragedy of Bhopal

On December 2nd 1984, at around 11.30 PM, and continuing into the morning after, approximately 42 tonnes of isocyanate (MIC) silently leaked out from the Union Carbide chemical plant over the sleeping city of Bhopal. It is estimated that around half a million people were exposed to this deadly gas that night – a gas that Union Carbide officials insisted caused only superficial damage (Amnesty International 2004, p.12). Apart from the tens of thousands of lives lost since that night, over a 100,000 people continue to endure chronic illnesses in the present, the cures for which are limited or unavailable. The leak is most commonly attributed to the lax safety measures employed at the Bhopal plant, a charge substantiated by a comparative study of a similar plant in West Virginia (2004, p.46). My purpose in this section is not to outline the various technological failures that caused the leak. While the leak itself may be the consequence of technological failure, the crisis – i.e. the magnitude of the immediate damage and the still unfolding aftermath – is an effect of the socio-political context within which the Union Carbide factory stands. In particular, it is emblematic of the negotiations between the state and capital under the aegis of development. Of course, this circumstance is merely the appearance of struggle over the expression of humanness. In other words, the socio-political context manifests the ontophenomenological structure that grounds the human and hence is the scene of the violence entailed in its preservation. The second section of this chapter will address the structure of this violence that preserves the human as the figuration of value. The intent of this section, however, is to outline the historical and political situation in Bhopal that objectifies this structure.

The first half of the section describes Union Carbide's developmentalist stake in India, specifically in Madhya Pradesh, the central Indian state whose capital is Bhopal. I describe how the corporation positioned itself as offering the progressive tools of science and technology to alleviate the social and economic backwardness of the state's population. This promise, of course, was compromised by the maintenance of labour in a subjugated state. I use the first-hand account of T.R. Chouhan (1994), an employee at the chemical plant, to outline how this suppression played out not merely in the form of wages but also in terms of transfer of knowledge and the skilling of labour, as well as in the subdual of health and safety concerns in the operations of the plant. Crucially, the consequences of this suppression continued into the aftermath of the leak.

The second part of the section outlines how the devalorisation of labour at the factory resulted in a lack of information and authority in dealing with the immediate fall-out from the leak. Workers and residents fought death through informal circuits of communication, much of which deprived of any direct knowledge, was based in rumour. The extensive destruction of life caused by the leak was a direct result of this deprivation. The capacity of these bodies to carry and reveal knowledge was further erased by disallowing their testimony as medical and legal record. While in the first instance, UCC mobilised the backwardness of workers to render them as primarily body-machines, this appearance was consolidated by the state which posited them as medical and legal wards – those about whom data could be produced but who could not produce their own. This relationship between state and ward was attributed to the survivors' incapacity for self-knowledge, which ultimately is an effect of their unknowability. That is, the value of the survivors – as both, sources of evidence as well as in evaluating monetary redress – was contingent upon projection of their bodies as bearers of a technical, not subjective, truth. This limit was instituted by their appearance as 'unreliable' – whose subjective truths were fabricated and/or incomprehensible, representing, in both cases, their ethical difference.

Indeed, in a gesture that realises the fundamental truth of development, the UCC lawyers explicitly linked the juridical unknowability of survivors to their material degradation. Thus, even in survival, the workers and inhabitants of Bhopal were disappeared, confirming eradication as the ultimate end of development. I will describe this play between material degradation and disappearance in the second section of the chapter.

Union Carbide: 'a hand in things to come'

1984 marked the golden jubilee of Union Carbide India Limited (UCIL). A subsidiary of the U.S. Union Carbide Corporation (UCC), it was successor to the National Carbon Company which entered India in 1905 as a manufacturer of Eveready battery cells. UCC's acquisition of the National Carbon Company resulted in the re-establishing of the company in India as UCIL and the subsequent diversification of its products from batteries to chemicals, plastics, and, eventually, pesticides. In 1968, UCIL set up its Pesticides and Formulations plant in Bhopal, establishing itself firmly within post-independence India's developmentalist dream.

A commemorative brochure published for the jubilee celebrations – titled ‘A time for nostalgia’ – begins by asserting Union Carbide’s position in India as ‘having shared the country’s dreams and aspirations and contributed to the nation’s growth’ (printed Fortun 2001, p.87) since the start of its operations in the country. The remainder of the brochure weaves the narrative of UCIL’s expansion into that of India’s own historical trajectory, towards independence and national progress. This entwining of Union Carbide’s growth with that of India’s was affirmed through Carbide’s self-presentation, in ads and other publicity materials, as bringing science and technology, and hence progress, to the Indian nation. This was especially pertinent to the provision of electric power, agrichemicals for the cultivation of India’s agrarian economy. Thus, Union Carbide positioned itself as the conduit for science as a crucial building block for the country. One particular advertisement, proclaiming ‘Science helps build a new India’, notes:

Oxen working the fields... the eternal river Ganges... jewelled elephants on parade. Today these symbols of ancient India exist side by side with a new sight – modern industry. India has developed bold new plans to build its economy and bring the promise of a bright future to its more than 400,000,000 people. But India needs the technological knowledge of the western world. For example, working with Indian engineers and technicians, Union Carbide recently made available its vast scientific resources to help build a major plastics plant near Bombay. Throughout the free world, Union Carbide has been actively engaged in building plants for the manufacture of chemicals, plastics, carbons, gases, and metals. The people of Union Carbide welcome the opportunity to use their knowledge and skills in partnership with the citizens of so many great countries. (printed in Fortun 2001, p.97)

The image accompanying this text sets a farmer ploughing a field with oxen – a symbol of ‘ancient India’ – against the backdrop of ‘a new sight – modern industry’. Hovering above farmer and factory – and fully encompassing the extent of both – is a hand, tipping the contents of a test-tube onto the scene. The hand represents Union Carbide, a visual representation of its mid-century ad campaign, ‘A hand in things to come’.

Indeed, the development of the chemical factory in Bhopal was facilitated by this aura of Union Carbide as offering a hand in the progress of India, here with specific reference to the Green Revolution – a global developmental strategy targeted at agricultural production that was intended ‘to increase food production, and to combat hunger and poverty through the introduction of chemical fertilizers to mechanize agricultural production’ (Mukherjee 2010, p.20). In accordance with this vision of a burgeoning national economy, the Indian government approached Union Carbide for their assistance in developing a market for pesticides and other agrichemicals. In 1975, the Ministry of

Industry and Civil Supplies granted UCIL permission for the development of a pesticide formulation unit in Bhopal. The choice of Bhopal as the site of this facility was no doubt deliberate. As a fledgling city and the capital of the relatively 'undeveloped' state of Madhya Pradesh, it required opportunities to expand employment as well as to create a confidence-building precedent that could attract greater foreign investment. This endeavour was propelled by the city's excellent road and rail links to major Indian ports (cf. Mukherjee 2010; Fortun 2001).

The initial lease made by the state government to UCIL entailed a 5-acre plot of land at a pittance of \$40 per acre per year. The area thus scoped was in the most populous part of Bhopal – the old city – and barely 3 kilometers from the railway station (Mukherjee 2010, p.20). In its initial stages of operation, the plant produced a pesticide, brand-named Sevin, whose active ingredient, MIC, had to be imported because of restrictions imposed by India's licensing rules. However, within a few years, UCC had convinced the Indian government of its ability to build a large-scale MIC production and storage plant that would not only supply the needs of its own pesticide manufacture, but could also be sold to other producers of MIC-based pesticides. The seduction of this proposal lay in the claim that MIC-based pesticides were 'environmentally sound' and hence constituted a growth-market in a world taken up by the tenets of the Green Revolution (Fortun 2001, p.133). Consequently, by 1979, UCIL had added an MIC producing facility to its plant that was licensed to produce over 5 thousand tonnes of MIC and, over-time, expanded to seventy acres. This extensive project undertaken by Union Carbide served as 'a clarion call by the Indian government to a corporate giant for participating in the task of nation building' (Mukherjee 2010, p.20).

This industrial expansion, however, was not met with a corresponding effort by the state government to strengthen the infrastructure of the growing city. In his study of the crisis, Paul Shrivastava describes Bhopal as 'a textbook example of a rapidly developing city that sought – and obtained – sophisticated Western-style industrialization without making a commensurate investment in industrial infrastructure or rural development' (Shrivastava 1987, p.57). Indeed, the state's push towards industrial growth through the concomitant devalorisation of traditional methods of agriculture, resulted in an economically untenable rural to urban migration:

The city's population grew three times the overall rate for the state and the nation in the 1970s. This heavy in-migration, coupled with high land and

construction costs, caused a severe housing shortage in the city. For shelter, migrants built makeshift housing, which in turn became slums and shantytowns. By 1984, more than 130,000 people, about 20 percent of the city's population, lived in these slums. Two of these slum colonies were located across the street from the Union Carbide plant. (1987, p.3)

Indeed, the location of the Union Carbide factory violated the city's own zoning codes. But Union Carbide sought to appease these concerns by funding a public park. In return, Municipal Commissioners who sought to move the factory were replaced by those who were more amenable to state and corporate aspirations (Ali 1987, p.175). The promise of economic growth thus seemed to warrant the cheap execution of business deeds with little heed to safety considerations.

Despite the presumed environmental 'soundness' of its agricompounds, MIC itself is a highly unstable compound with an immense explosive potential. Edward Munoz, a project manager for the Bhopal plant and subsequently a managing director of UCIL, himself objected to its location, describing it as 'analogous to planting a bomb near where people live and children play' (Fortun 2001, p.117). Munoz attributes this recklessness on the part of Union Carbide to the overrepresentation of lawyers and MBAs, rather than engineers, in the ranks of its decision-makers, and to the 'mafia'-like attitude of the Engineering Division in West Virginia (the division that exported parts and know-how to Bhopal) made up of 'a very inbred group of buddies, who are very jealous of their prerogatives and do things the way they want' (quoted in Fortun 2001, p.116). These observations refer not merely to the location of the plant but also to its projected capacity – a quantity (5,250 tonnes) proposed not on the basis of experienced calculation but principally as a means of enticing the Indian government into granting them production permits and to shut out prospective competitors from the market. This political calculus had dire, and ultimately morbid, material consequences.

In his account of the conditions that precipitated the leak, T.R. Chouhan, a plant operator, outlines the dismal conditions of the plant from the outset:

During our training we were told in detail about this plant with the help of a model [based on a similar plant in West Virginia]. I was rather awed by the sophistication of technology and attention to safety matters, which this plant was supposed to have. Things turned out to be different when the plant started operating.

In all systems of the plant... modifications were made in design in response to operation problems. ... All these [operational issues] required substantial changes

in order to build up and maintain production volumes. *Safety appeared to be the last consideration. I thus learned the urgency of looking beyond corporate appearances, especially regarding safety.* (Chouhan et al. 1994, p.25; added emphasis)

Chouhan goes on to outline a number of accidents, health issues and fatalities that occurred at the plant, one that resulted in a widely-accepted logic amongst workers that “anything can happen in this factory” (1994, p.27). This was yet 1978, prior to the setting-up of the MIC production and storage units. Indeed, the condition of the Bhopal plant was a perpetuation of the already dismal record of UCIL in other locations, one that was ignored by the national and state governments in favour of their developmentalist dreams. This situation persisted even in the case of major accidents at the Bhopal site, such as factory fires that threatened the city’s populous, which were dealt with, as Chouhan notes, by ‘throwing parties at posh hotels of the city to thank government officials, city corporation officers and journalists for their cooperation in managing the fire’ (1994, p.28).

This circumstance was exacerbated with the introduction of the MIC plant. The MIC-based pesticides produced by UCIL were proposed as being a cost effective and environmentally safe solution for the extermination and prevention of pests. The unconsidered reality of pesticide use, however, was an increasing disillusionment with ‘the cost of chemical inputs [and] increased crop vulnerability to new pests. Nor did Carbide anticipate famine years in which farmers were simply unable to produce the cash necessary for purchase of chemical inputs. And no one expected the spread of small pesticide producers who relied on cheaper components’ (Fortun 2001, p.133). Consequently, even at its peak, the plant was only producing less than 50% capacity. In 1984, it was operating at 25%. By the time Chouhan arrived at the MIC plant in 1982, there was already persistent evidence of mismanagement and malfunction:

... I was transferred to the MIC plant along with two other co-workers. It was rather surprising because to be an operator in the MIC plant, one had to be either a graduate in science or hold a diploma in mechanical or chemical engineering. Among us workers, it was known that the MIC plant was the most dangerous, and yet MIC plant operator jobs were coveted ones yielding higher grades and better salaries. ...

... At the end of five weeks, the plant supervisor asked me to take charge as full-fledged plant operator. I refused to do this, insisting on the promised six-months’ training as I felt quite ill-prepared to handle a plant known for its complexities and dangers. ...

... While working in the Sevin plant, I had on many occasions been told about the advanced technology and efficient crew of operators in the MIC plant. But, after joining, I witnessed a steady decline in the quality of personnel with more and more untrained staff hired in each category. They worked as regular operators but without proper qualifications and training. (1994, pp.31–32)

Additionally, leaks occurred at the plant with ‘frightening regularity. ... [and] were usually record as cases of material loss rather than injuries to workers’ (1994, p.37)

Chouhan attributes the possibility of such extensive mismanagement not merely to operation rationalisation but also to the UCIL’s practice of worker intimidation and union suppression. Union leaders were made redundant in response to their agitation for higher safety standards and better treatment of workers, especially those that suffered injury. Workers who were diagnosed as having work-related health issues were moved out to less toxic environments, without notification or explanation to other employees. This, Chouhan notes, resulted in workers being unable to protect themselves and also hindered any impact they could have on securing the health and well-being of the communities outside the factory (1994, p.24). Noting the apparent indifference of the community itself to incidents such as fires and worker deaths by gas poisoning, he points to UCIL’s expansive strategy of control.

As a consequence of India’s drive towards a Green Revolution, and UCC’s own role in facilitating it, a substantial portion of the communities outside the factory walls were made up of first and second generation immigrants displaced from their rural communities by the imposition of mechanised agriculture (Mukherjee 2010, p.2). These people, who were lured to urban areas for the economic betterment promised by the state’s development visions, settled in colonies outside the factory without “papers”. This precarious situation coerced a silence that they hoped would protect them from evacuation by the city (Chouhan et al. 1994, p.35). Eventually, in order to improve its own image, UCIL handed out land deeds to some in these communities despite the fact that they had failed to establish the necessary safety zones (Guillette 2008). But the residents themselves had little idea that ‘the plant was producing one of the most dangerous compounds ever conceived by the chemical industry’ (2008, p.174).

the unfolding of a tragedy

Describing the initial hours of the gas leak, one survivor, Champa Devi Shukla, recalls:

It felt like somebody had filled our bodies up with red chillies, our eyes tears coming out, noses were watering, we had froth in our mouths. The coughing was so bad that people were writhing in pain. Some people just got up and ran in whatever they were wearing or even if they were wearing nothing at all. Somebody was running this way and somebody was running that way, some people were just running in their underclothes. People were only concerned as to how they would save their lives so they just ran. (International campaign for justice in Bhopal 2009)

As is the wont of mass disasters, rumour and chaos were the primary causes of death in the immediate wake of the gas leak. Local and state health and safety authorities were utterly misinformed and underprepared in dealing with such a calamity. UCIL had done a poor job of conveying pertinent information to health and safety regulators, as well as in informing and skilling their own employees, let alone those outside the factory walls. Writing of Union Carbide's control of information, Syed Ashfaq Ali notes: 'So absolutely rigid is Union Carbide's monopoly on information on this gas, that its employees, at the time of appointment, are bound by a "secret agreement proscribing them from divulging any secret or confidential technical information". They are not even permitted to take the Company's specialized literature and safety manuals outside its premises' (1987, p.174). Under these circumstances, health officials were uninformed about the exact composition of the MIC gas as well as the extent of its toxicity, and were thus vastly unaware of how to deal with the poisoning. Informal circuits of information produced mass fear and panic with more people dying in the stampede than due to the deleterious effects of the gas itself. Tragically, many lives might have been preserved through the simple use of a wet cloth to cover the eyes and nose.

The pain and suffering that constitute the tragedy of the Bhopal gas leak are not a collection of individual experiences of 'that night' but rather are the materialisation of the experience of suffering as 'actively created and distributed by the social order itself' (Das 1995, p.138). For survivors, pain is the instantiation of the truth of development – the inevitable cost of the propagation of (their) humanness. Whether it be the physical pain described by survivors like Champa Devi Shukla or the spectacular representation of pain on the child's body in Bartholomew's image – each iteration is ultimately a 'mark of pain as the price of belonging to a society' (1995, p.137). Recognising the ontological basis of this cost, survivors view justice as premised on a continuing liability for 'the enduring asymmetry of the relationships through which [they may] negotiate for resources, authority and survival' (Fortun 2000, p.8).

Yet, 30 years on, the chemical plant in Bhopal still stands as a toxic rem(a)inder of the events of 1984. Even as its after-effects continue to wreak havoc on the lives of survivors, Union Carbide (now Dow Chemicals) has been excused from formal liability for the leak. As Mukherjee and Fortun note, UCC began to distance itself from UCIL, and hence the circumstances of the leak, immediately after news of the incident broke. Warren Andersen, the CEO of Union Carbide, posited the corporation's responsibility in moral, not legal terms. That is, UCC accepted 'moral responsibility, but no liability' for the leak (Fortun 2001, p.98). This description was premised on the notion that UCC was merely the equivalent of a 'shareholder' since 'it did not have any propriety or ownership interests in the assets of UCIL. At any given time, UCC was only a "contractual provider" of certain technology and knowledge' (Mukherjee 2010, p.35). By thus positioning itself, UCC was able to transfer liability onto UCIL management and the Indian government. UCC did not thus just recuse itself from paying compensation, but did so on purportedly humanitarian grounds. This sentiment is reiterated by Anderson in a statement made commemorating the anniversary of the leak, a year after final settlement of compensation:

We saw Bhopal for what it was – a terrible tragedy involving real people who had either lost family members or had suffered injuries, in some cases serious injuries. They needed medical relief, prompt aid in any form possible, and an early settlement which would help restore their lives and bring long-term relief. They didn't need what they ultimately got – armies of lawyers and politicians who spent years claiming to represent them and deciding what was in their best interests. *We saw Bhopal in moral – not in legal – terms. Although we had good legal defences – the plant wasn't ours and it later was established that the tragedy had been caused by employee sabotage – we didn't want to spend years arguing those issues in court while the victims waited.* We therefore said immediately that Union Carbide Corporation would take any moral responsibility for the disaster. (printed in Fortun 2001, p.99; emphasis added)

In keeping with its stated 'moral' obligation, in the five years leading up to the final settlement, UCC contributed approximately \$130 million to various emergency, health and vocational funds. Yet, during this period, it simultaneously argued against the litigation of any claims against it, and especially so within the U.S. judicial system. This move was substantiated by assertions of an unresolvable 'cultural' difference between India and the U.S.

For instance, arguing for the dismissal of claims filed by survivors of the leak in U.S. courts, the defence for UCC sought to highlight

the practical impossibility for American courts and juries, imbued with US cultural values, living standards and expectations, to determine living standards for people living in the slums or 'hutments' surrounding UCIL, Bhopal, India, [thus] confirm[ing] that the Indian forum is overwhelmingly the most appropriate. *Such abject poverty and the vastly different values, standards and expectations which accompany it are commonplace in India and the third world. They are incomprehensible to Americans living in the United States.* (Amnesty International 2004, p.51; emphasis added)

Indeed, it is precisely this form of contempt that validated UCC's sabotage theory. As Chouhan notes, the basis of the theory was the image of "a typical worker – stupid, vindictive, prone to lying' (Chouhan et al. 1994). So resolved was their disdain towards workers that UCC officials dismissed them as reliable witnesses to the leak, claiming a "reflexive tendency among plant workers everywhere to attempt to divorce themselves from the events surrounding any incident and to distort or omit facts to serve their purpose" (Kalelkar, quoted in Chouhan et al. 1994, p.65). This conjuring of the spectre of a disgruntled worker was no doubt intended to turn attention away from any culpability borne by UCC in the unfolding of the event. However, the attendant imputation of deficient, indeed perverse, moral-cultural 'values' had serious implications for any possibility of justice for the workers and residents of Bhopal.

When the U.S. court, presided over by Judge Keenan, dismissed the over 100 cases filed against UCC under its jurisdiction (Gupta 1991, p.2), it tacitly accepted the proposition that UCC was a separate entity from UCIL. But more significantly, by divesting UCC of culpability, it sought to transfer liability to the Indian state as the proper guarantor of the well-being of the Indian people. Indeed the court advanced its decision as the restoration of the sovereignty of the Indian state in determining its own course of justice. This logic extended to the Indian government's own handling of the case. In 1989, the Indian Supreme Court adjudicated the case between UCC and the Indian government, which had appointed itself as sole representative of survivors of the leak under the principle of *parens patriae*. This positioning was intended to provide cover for the majority of survivors who lacked the resources necessary for their own legal representation. In effect, it prevented any survivors from opting-out of the government's guardianship and undertaking their own legal actions against UCC. While this disabling of juridical autonomy proceeded under the guise of expediency and fairness, it confirmed, in fact, descriptions of survivors as 'incompetent'.

Akin to their positioning as unreliable witness, survivors of the leak were viewed as lacking the capacity for self-knowledge and understanding required to assess their own injury. They had little input in explicating the complex toll of the disaster on their lives. Instead, the government conducted a cursory review of damage to health, property and livelihood in order to generate criteria for the adjudication of the appropriateness and scope of injury. Yet, these calculations, as Mukherjee and Fortun have argued, were based on incomplete information and a flawed understanding of the effects of the leak, and did not account for damages yet unfolding. Consequently, the compensation delivered to survivors – the final settlement amounted to \$470 million, far lower than the Indian government’s initial ask of \$3 billion (Gupta 1991) – barely addressed their immediate concerns⁵². Given that the settlement was reached under *parens patriae*, survivors have been blocked from filing new claims to cover inadequate compensation and future injury. For the survivors of Bhopal, then, the law has become a site of subjugation rather than the space of justice. Recognising this situation, the Supreme Court itself acknowledged the ‘denial of natural justice’ implied in their decision:

By the court’s own admission, the Bhopal Act [whereby the government appointed itself guardian] provided victims access to the law, but not to rights. It denied gas victims the right to represent themselves. And, in effect, it also denied them the chance to “opt out” of representations made by others in their name. In defense of this move, the attorney general argued that while rights are indispensably valuable possessions, they might be theoretically upheld, while the ends of justice are sacrificed. The appropriate response is a curtailment of rights, such that the largest good of the largest number is served. Justice, then, was a utilitarian quantification. (Fortun 2001, pp.39–40)

This utilitarian calculation was not limited to the well-being of survivors but was also intended towards sustaining India’s image as a safe site for foreign investment. Indeed, by acceding to a settlement, the state undertook to negotiate the rights of its people with those of the corporation. Consequently, for multinationals such as UCC, the law became a site for the demonstration of their moral agency and, ultimately, for the authorisation of their mode of engagement in the developing world.

⁵² Compensation per person amounted to no more than \$1000. Besides falling short of paying for a lifetime of chronic illness, it provided no cover whatsoever for unrecognised medical cases. For instance, the most long-term and disastrous effect of the leak has been on the reproductive capacities of women. Thus, the decades after the leak have seen a generation of children carrying the marks of the gas into their own bodies and lifetimes. This situation remains unaddressed, and unredressable, under the terms of the 1989 settlement.

The Bhopal gas leak has appropriately been approached as the consequence of institutional failures. As evidenced in Chouhan's account, not only was there an incomplete transfer of knowledge and skills, but also a general condescension and wariness towards the capacities of workers. This situation of mistrust structured relations between UCC and government officials, as well, so that the people of Bhopal became secondary to securing the interests of the latter two parties. Similarly, the aftermath of the leak witnessed the failings of medical and legal architectures. Here, the inability of survivors to translate injury into scientific/medical language removed their own experiences and understanding from carrying juridical import, thereby subjugating their self-knowledge to institutional claims to scientific and legal expertise. The shroud of misinformation and secrecy that organised relations between UCC and government made it so that the latter was woefully underprepared to undertake any effective action, medical or legal, to safeguard the wellbeing of survivors. Yet, rather than acknowledge this incapacity, the state chose to manufacture proficiency. The outcomes of perfunctory scientific testing and medical reviews undertaken in the aftermath of the leak were consolidated through various 'stylistic devices... to speak with an authoritative voice on matters that did not admit of any certainty' (Das 1995, p.155). This record made it so that survivors were viewed as unreliable sources who produced exaggerated accounts of injury – a circumstance that ultimately justified a paltry settlement. Consequently, as Sheila Jasanoff notes, the tragedy at Bhopal was 'as much about the capacity of powerful institutions to selectively highlight and screen out knowledge as it was about maimed lives and justice denied or delayed' (2007, p.344). These institutional failures, however, are not a mere aberration, but rather are central to the functioning of capital.

Thus, as Tara Jones (1988) has noted, the gas leak at Bhopal is an act of corporate killing. This killing proceeds as a 'balance sheet of death' (1988, p.12) whereby UCC and the state government could 'write off the thousands of corpses [of Bhopal] as the cost of increased food production which has enabled India's 'teeming millions' to survive' (1988, p.276). Indeed, the appearance of the backwardness of the region enabled the mobilisation of toxic capital under the guise of aiding human development. As already indicated, development posits itself as an economic strategy intended towards the propagation of humanness. UCC's role in India was to contribute to its economic advancement through scientific and technological intervention as a means for human progress. UCC, in consort with government officials, thus positioned themselves as redeemers of the underclasses. As noted before, the intervention of science and

technology facilitates the possibility of materialising productive bodies for whom, in Deleuze's description, survival could pertain not merely to biological but also social survival. However, in so far as capital requires subjection in order to reproduce itself, the scope of its materialisation as such is limited. Thus, instead of addressing themselves to the capacities of workers, UCC and the government relied on the appearance of human backwardness in order to make them subject to structures of knowledge and information. By controlling information and curtailing the possibility of autonomous action, institutions became bearers of the 'truth' of development as a recuperative force. Yet it is an alternate truth – that of annihilation – that is writ large on the bodies of the objects of development.

The next section describes how the bodies of the poor come to be marked for annihilation. Here, I will posit annihilation as an effect of animality – of the appearance of existence as excess – that must be destroyed in service of the figure of the human. I begin by using Mary Douglas' (2002) conceptualisation of dirt as a bearer of negative value to describe how existences marked by material deprivation – i.e. by dirt and disorder – are similarly devalued as such. Indeed, this devaluation produces such existences as tabooed, those that must be separated out and isolated from society. This proposition is reflected in Georges Bataille's (1993) description of civilised man as he who is horrified by filth. This horror is activated by the fear of animality – the anxiety associated with recalling one's own filthy origins – so that the appearance of animality anywhere merits its eradication. Indeed, it is precisely this drive towards eradication that is fulfilled by development – initially, through the materialisation of the productive body, as described in the previous chapter, yet, in the final instance, as annihilation. I deploy Denise Ferreira da Silva's (2007) description of the logic of obliteration in order to demonstrate development as its objectification. Consequently, the following section underscores how development appears merely as the fulfilment of the fate of the poor whose bodies always already mark them for eradication. It thus describes the circumstance of those who Animal describes as 'the people of the Apokalis'.

on the matter of excess and the annihilation of Animal(ity)

Animal lives in the Nutcracker, the 'biggest and most desperate' of the city's slums. Its main street, Paradise Alley, is an interesting hub of active life. That is until Animal (re)encounters it through the eyes of a sympathetic American doctor. On hearing her describe the place as 'flung up by an earthquake' (105),

something weird and painful happens in my head. ... [S]uddenly I'm seeing it as she does – a wreckage of baked earth mounds and piles of planks on which hang gunny sacks, plastic dried palm leaves. Like drunks with arms round each other's necks, the houses of the Nutcracker lurch along this lane which, now that I look, isn't really even a road, just a long gap left by chance between the dwellings. Everywhere's covered in shit and plastic. Truly I see how poor and disgusting our lives are. (2008, p.106)

This moment marks the reification of the ethical distance – or, differential humanness – between Animal and the American doctor. As such, it is the fictionalised version of the arguments made by the UCC lawyers as regards the incomprehensibility of 'the vastly different values, standards and expectations' associated with the abject poverty of Bhopal – that which is so 'commonplace' in India. Earlier in this thesis, I have already posited incomprehensibility as an effect of ontological difference. This chapter addresses the role of matter in consolidating this difference. This section, in particular, describes how material degradation – i.e. the appearance of dirt and disorder – comes to represent ethical excess that must be eradicated. Whereas in the previous chapter I described subjection to labour – i.e. the materialisation of the productive body – as a form of partial eradication, this chapter is concerned with absolute eradication – the decisive return of body to matter as achieved through murder. This forced return reveals the differential humanness inscribed in the bodies of the poor. In this section, I posit the materially deprived conditions under which the impoverished appear as the scene of this inscription.

I begin the section with Mary Douglas' (2002) description of dirt as a discarded residue in order to establish it as a space of negat(ed)(ive) value. The institution of dirt as devalued constitutes it as a pollutant so that interaction with dirt occasions the condition of degradation. The mingling, then, of discarded matter with vital matter demands the eradication of the former. This, as Bataille (1993) notes, is the necessary function of civilised man, the imperative condition for the appearance of humanity. The proximity to dirt – or what Bataille terms, filth – represents a failure to negate the debased origin of Man, producing such existences as filth themselves. It is precisely as such that Animal recognises his condition and that of his people. Indeed, the appearance of material degradation transfers its negat(ed)(ive) value on those existence proximate to it, so that existence in filth is the appearance of existence as excess. These existences, that appear as a threat to humanity, must therefore face obliteration as the eradication of excess. The final portion of this section thus engages Denise da Silva's (2007) notion of the logic of

obliteration to describe death as the absolute solution to excess and, as such, the preservation of humanity. The designation of Animal and his people as ‘of the Apokalis’ is a recognition, in fact, of this logic.

In her seminal work on *Purity and danger*, Douglas posits dirt as the epistemic effect of systemic ordering. It is, as her oft-stated aphorism notes, ‘matter out of place’ (2002: 44). If the purpose of ordering is to define rules that ‘force one another [men] into good citizenship’ (2002, p.4), then the institution and upholding of these rules produces precincts of privileged value. Any person, then, that transgresses these rules, whether intentionally or by accident, is seen as a polluting presence and thereby accorded negative value, or de-valued. Indeed, polluting persons are deemed not only (in the) wrong but also dangerous. Here, Douglas makes an interesting observation about dirt and identity. Once dirt is established as such – i.e. as matter offending against order (2002, p.2) – it is regarded as abhorrent and vigorously cast away. At this point, dirt is dangerous because it still clings onto identity: ‘they can be seen to be unwanted bits of whatever it was they came from...’. This is the stage at which they are dangerous; their half-identity still clings to them and the clarity of the scene in which they obtrude is impaired by their presence’ (2002, p.197). Thus, dirt, as a remnant of otherwise positive identity and value, occupies a marginal space. ‘The power inhering in the structure of ideas’, Douglas notes, is the ‘power by which the structure is expected to protect itself’ (2002, p.140). The presence of dirt, precisely because it recalls its lineage (it’s ‘half-identity’), reveals the otherwise occluded structuration of power inherent in the formation of zones of purity. Indeed, it threatens to expose the fictions that ground the very ideas of purity and pollution.

Furthermore, as Douglas’ anthropological study of taboo reveals, the body’s construction, as a boundary or continuity, is contingent upon the epistemology that produces order within a given system. Within the context of modernity, where reason is founded in scientific rationality, the body is produced as the negative limit of humanity. This description echoes Bataille’s description of the body which, due to its organic, sensuous character, marks the boundary at which humanity unfolds into animality. In fact, in Bataille’s reading, Man views the body not merely as contagion but rather as always already filth. He is thus consumed with the constant necessity to discard bodily filth, to remove it from the humanized world created in his image. The person that carries with them the contagion of dirt, then, – i.e. the one considered to be a polluting presence – threatens the privilege, or value, accorded to, the human. This threat opens

up this entity, as the bearer of negat(ed)(ive) value, to the violence unleashed by the onto-phenomenological structure to the human to preserve itself as value.

According to Bataille, 'civilized man' signals his humanity through the art of refinement, i.e. by learning to keep filth at bay. In so doing, he attempts to reaffirm the boundary between humanity (his) and animality (an/others). Indeed, man thus measures his distance (*qua* man) from the primitive through the fullness of his aversion to filth. He does so by upholding his body as a boundary between the humanised world and the natural given – i.e. through the negation of the body as pure, living matter. The material condition of the body – its proximity, symbolic or material, to filth – is man's primary expression of his aversion to filth. The greater his horror of filth, the greater his distance from it, and the greater his claim to human-ness. Indeed, given the value accorded the humanised world, man's anxiousness with regards dirt is directly proportional to his own value. The greater his horror of filth, the more vehement is his upholding of boundaries – the discarding of filth and contaminating presences – and the greater the entrenchment of attendant value(s).

Man's aversion to all that signifies his primordial animal condition is an expression of the principle of negation. Negation, however, can never be (and, perhaps was never intended to be) realised in the absolute. It marks rather a suspension – an abandonment – that restrains animality within strict bounds. It creates order within the totality that puts animality in its place, effecting thereby the reduced condition of humanity. Filth, then, is the abandoned excess of a humanised world, so that proximity to filth marks a failure of humanity. The proximity of life and dirt – as evidenced in the merging of the child's body with earth in Bartholomew's image, in the 'shit and plastic' that constitutes the scene of Animal's existence, in the abjection conjured in the discourse of the UCC lawyers – captures this failure. As noted in the previous chapter, the failure of humanity, represented as excess, is posited as an ontological lack. This lack, objectified through outer determination – i.e. proximity to dirt as unformed nature – identifies the being as always already facing the horizon of death. Silva describes the horizon of death as the ontological limit of the others of Europe, as instituted by the transparency thesis (Silva 2007: 29). That is, it anticipates the inevitable termination of those forms of existence that exceed comprehension. This limit, Silva notes, is actualised through engulfment or annihilation.

Engulfment is the strategy of “partial negation”, the productive violent act of naming, the symbolic appropriation that produces them [the others of Europe], inaugurating a *relationship* [between the *I* and the others] precisely because, in the regimen of representation interiority governs, it institutes unoblatable and irreducible subjects’ (2007, p.29). Thus, engulfment is a mode of imputing differential self-consciousness through a reliance on the exterior signification of reason in the body and land. Indeed, this sublimation of appearance (exteriority) into consciousness, and hence self-determination (interiority), marks the existential violence of representation. This violence reaches fulfilment in the moment of annihilation wherein the relationship between the *I* and the others is decisively (and brutally) severed. This is what Silva refers to as the logic of obliteration. That is, while engulfment may occur primarily on the level of the symbolic – as evidenced in the embodied condition of Animal and his people – obliteration entails a final destruction, or murder. Bartholomew’s image of the burial of the child bears witness to this final obliteration. More significantly, however, the visual assemblage that represents its death inescapably recalls the child’s subjection to, and the inevitable failure of, the strategy of engulfment.

It is necessary here to mark the relation between Bataille’s evaluation of death and the logic of obliteration as just discussed. Death, for Bataille, is the final putrefaction of life. In recalling the natural condition that bore life, it marks the final failure of the original prohibition: ‘I will rejoin abject nature and the purulence of anonymous, infinite life, which stretches forth like the night, which is death. One day this living world will pullulate in my dead mouth’ (Bataille 1993: 81). Yet, precisely because it is opposed to utility⁵³, it is the most luxurious form of life. To wit, since death cannot be subject to the laws of necessity, it is expenditure without (an) end. It expresses, therefore, the exuberance of life. For Bataille, death, in expressing the fullest ‘experience of the possible’ (1993: 1) is the most authentic yet radical form of human-ness.

The horror evoked by death, as the final and irreversible return back to nature, signals the utter disavowal of this radical human-ness. Bataille describes this horror as an effect of desire, wherein man’s institution as such through the original prohibition always already sites him in confrontation with the desire to transgress. Using Silva’s language of engulfment, then, we may suggest that any reference to life in its organic form – i.e. to

⁵³ Mbembe notes that Bataille opposes death to utility because death ‘destroys what was to be, obliterates what was supposed to continue being, and reduces to nothing the individual who takes it’ (Mbembe 2003: 15)

the condition of excess – evokes a fear of engulfment (of the *I*, by the other). It is this fear, or horror, that founds the logic of annihilation. Indeed, annihilation (abjection tending towards death) is the final solution to excess. Of course, under the conditions of global capital, annihilation is not always an effect of direct force. Rather, it is an effect of relegation, or devaluation, in relation to capital. As already noted, the production of economic value by capital proceeds through the depletion of ethical value. This depletion is enacted, and manifest, in the circumstance of material depravation. In the case of Bhopal, as is the case with development in general, (proximity to) filth, while in itself the outcome of economic degradation, becomes the material signification of the debased self. I have argued here that in so far as the appearance of depravation signifies animality it must be eradicated from the space of humanity. Whereas in the context of development, capital presents itself as recuperative, its primacy over matter – i.e. its institution as a positive form against the negative value of un(con)formed matter – guarantees this eradication. In other words, the annihilation of the poor is the *telos* of development as confirmed by the signification of their own bodies as excess.

The following section reveals the indispensability of matter development. The section draws from Elaine Scarry's (1985) explication of the significance of the body in affirming the truth of power. The materialisation of power, according to Elaine Scarry (1985) is an effect of the experience of pain which produces differentiated selfhoods. This differentiation, or differential, is the very truth that power seeks to confirm. In the context of development, then, injury is the confirmation of a differential humanness. This differentiation, however, is not an effect of development. Rather, development is the contemporary apparatus that maintains this differentiation in order to preserve the phenomena of the human and capital as incontrovertible. I substantiate this proposition through the historical accounts of capital punishment as offered by Peter Linebaugh (2006) and David McNally (2011) that demonstrate how such punishment sought to mark the proletarian body as criminal, thereby confirming capital as truth. Through these engagements, the section below aims to reveal how matter matters to development.

on the body and development as an instrument of mattering

On a visit to a clinic to seek treatment for his embodied condition, Animal has an encounter with an aborted foetus. He discovers this 'ugly little monster' (Sinha 2008, p.57) jeering at him through a jar set in a doctor's surgery. Animal and the foetus recognise themselves in each other – each existence reflected in the arrested matter of

the other. The latter seeks its liberation from the jar – from its suspension as unborn, from the place ‘where it is all dark, you open your mouth but there is no air just the black stink of it filling your mouth and eyes and nose’ (2008, p.58) – just as Animal seeks his from his embodied containment within the realm of animality. Yet, Animal, the foetus assures, has a superior fate: “Your back is twisted,” says he with great bitterness, “but at least you are alive. Me, I’m still fucking waiting to be born” (2008, p.58). Yet, Animal is merely an alternate appearance of the same circumstance for, as the doctor notes, ‘half of those who were expecting that night aborted and as for the rest, well let’s just say some things were seen in this town that were never seen before’ (2008, p.58). This sentiment references the vast proportion of injury done by the gas leak to women’s reproductive capacities. Children born of gas-affected parents carry severe physical distortions – markings that hamper not only their economic capabilities but also harm their social existence.

This section will outline how the act of injury – as experienced in and spectacularised through matter – is the practice of differential mattering, where mattering implies significance (worth) and materialisation. The former aspect of mattering will be revealed through Elaine Scarry’s (1985) argument that the pain of violation effects differential selfhoods. In particular, the experience of pain produces a reduced experience of the self in relation, especially, to the one causing the experience. This diminishing of the self is power’s means of enforcing itself as truth, so that matter – as the inheritor of this experience – is crucial to power’s ability to actualise itself. I follow Scarry’s argument with Peter Linebaugh’s (2006) engagement with hanging, and David McNally’s (2011) account of dissection, as capital/ist punishment. Here, each author demonstrates how the injury entailed in hanging and dissection was crucial to the production and maintenance of the proletarian body as a threat to capital and, hence, to social good. Indeed, these forms of punishment were reserved for the proletariat for they also affirmed capital as value and the capitalist class – as represented through the work of the hangman/anatomist – as the protector of this value. This discussion thus reveals how bodies come to be differentially materialised through injury. The purpose of this section, then, is to underscore the indispensability of matter to consolidating development as truth.

In *The body in pain*, Elaine Scarry (1985) describes pain as the experience of the body at its limit. Here, the body is posited as an intensity at whose limit the self undergoes

dissolution, so that pain entails the destruction of ‘a person’s self and world, a destruction experienced spatially either as the contraction of the universe down to the immediate vicinity of the body or as the body swelling up to fill the entire universe’ (1985, p.35). Pain is thus experienced as the reduction, or enlargement, of the body to pure matter. Yet, in as much as pain realises itself in and through matter, the body must be retained as a material form in order to render this pain recognisable. That is, without the appearance of traces carved in its wake, pain remains a remote event, occurring in the interior of the body, ‘belonging to an invisible geography that, however portentous, has no reality because it has not yet manifest itself on the visible surface of the earth’ (1985, p.3). Yet, injury, when made manifest on the body, records the truth of power. Thus, the dual functionality of the body – of actualising experience and facilitating recognition – produces it as an ideal substance through which power can wield itself as ‘incontestable reality’ (1985, p.27).

This duality, according to Scarry, is precisely the structure of torture and war, wherein power authorises itself through the spectacle of injury. Indeed, injury is the elemental purpose of these acts. Yet, she notes, ‘[i]n each, the incontestable reality of the body – the body in pain, the body maimed, the body dead and hard to dispose of – is separated from its source and conferred an ideology or issue or instance of political authority impatient of, or deserted by, benign sources of substantiation’ (1985, p.62). That is, power severs the body from its subjectivity, mobilising its psycho-affective capacity in order to substantiate it as nothing but the appropriate, and necessary, object of juridico-political force. In the case of torture, for instance, the act of interrogation as that which is seeking a ‘truth,’ substantiates the interrogator’s primary goal of inflicting agony upon their subject. Similarly, in the case war, while the actual aim is to injure the body of the enemy, and as many as possible, this practice is given credence by ‘verbal issues (freedom, national sovereignty, the right to disputed ground, the extra-territorial authority of a particular ideology)... that are understood by warring populations as the motive and justification and will again be recognized after the war as the thing substantiated or (if one is on the losing side) not substantiated by war’s activity’ (1985, p.63). Thus, the experience and scars of pain borne by the body evidence power’s schedule to establish itself as such. The imminence of injury, intended to serve as a caution to those that share an embodiment with the injured, enables power to establish itself as historical truth. This truth is consolidated by the differentiated selfhoods produced through the act of injury.

Scarry's text explicates how power's authorisation through injury is accomplished by creating a differential in its experience – i.e. a relative absence from pain versus the limit experience. This separation signifies differentials in being in and of the world, and its recognition as such: 'The absence of pain is a presence of world; the presence of pain is the absence of world. ... Over and over, in each stage and step, the torturer's mime of expanding world-ground depends on a demonstration of the prisoner's absence of world' (1985: 37, 38). The injured body, then, is the material signification of a reduced being, trespassing worlds conceived and populated by power. This is precisely the binary structure that Linebaugh and McNally attribute to public hangings and dissections wherein the performance seeks to reify the bourgeois civil order with the 'hung, drawn and quartered' proletarian body at its core, as substantiating matter, and the executioner/anatomist – in form and in action – as the bearers of the truth of capital.

In his meticulously detailed account of *The London hanged* (2006), Peter Linebaugh commences with a contemplation of the term 'capital'. Capital, he notes, designates both, private property as well as the confiscation of its (putatively) most sacred form – i.e. life – as in death due to capital punishment. These two meanings of capital, according to Linebaugh, although apparently unrelated, in fact contain the very structure of their relation. For capital, 'as the organized death of living labour (capital punishment)[is exactly related to] the oppression of the living by dead labour (the punishment of capital)' (2006, p.xvii). Indeed Linebaugh's text charts the relationship between the expansion of capitalist production and new appearances/descriptions of criminal activity in 18th century England (i.e. during the era of the Industrial Revolution). The premise of Linebaugh's argument is that capitalism and criminality moved dialectically, so that 'the forms of exploitation pertaining to capitalist relations caused or modified the forms of criminal activity, and, second, that the converse was true, namely, that the forms of crime caused major changes in capitalism' (2006, p.xxiii). Whereas the study of capitalism – or specifically, of its workers – may be approached through commodities as 'the 'social hieroglyphs' of its existence' (2006, p.153), the study of criminality necessitates an attention to embodiment as an 'ethical hieroglyph' so as to reveal how the manipulations of embodied matter come of signify ethical de/valuation. Hence Linebaugh reads capital, in both senses, through the stories of the hanged.

Indeed, the hanged are of the proletariat, those whose only identity was that of worker. Etymologically, proletarian means 'those whose value [is] nothing more than the

production of new workers' (2006, p.138). They are those of the 'animal œconomy' for whom subsistence is the only form of survival (2006, p.257). Under the gaze of capital, then, the proletariat was always already suspect, for survival often required its (capital's) misappropriation. Of course, misappropriation – whether as theft or sabotage – also functioned as proletarian resistance to capital's encroachment upon their conditions of life. In either case, being 'caught' was the substantiation of this perceived criminality, so that punishment required the stamping out of its very source – of the proletarian spirit. Capital punishment, then, served not only as the removal of a singular criminal but also to showcase power's annihilatory potential to a suspect population⁵⁴. Hanging also entailed supplementary forms of material manipulation, so that the focus of punishment was living matter. Indeed, living matter was the object of punishment *par excellence* because it instantiated punishment, in fact, as reification. In other words, hanging – or capital punishment – was, first, the restaging of an inscription and, only then, an act of punishment.

Under an emergent capitalist order, the enclosure of embodied life was the originary moment of inscription. As David McNally notes in his text *Monsters of the market* (2011), the unenclosed, popular body as conceived of as 'open, untidy and fluid' – a 'monstrous, unfinished and transgressive,... intrusive, invasive thing 'not separated from the world by clearly defined boundaries'' (2011, p.43; quote from M. Bakhtin (1984) *Rabelais and his world*). This description recalls Bataille's notion of excess – the ontophenomenological condition barred from humanity. This suspension is enacted through the materialisation of the labouring, or productive, body, so that capital is the fundamental tool of inscription that produces the worker. This inscription, of course, occurs through matter. For the labouring body is materialised through a series of reassemblages. In particular, the labouring body emerges through severance from land, the restructuring of social ties, and the mortification of living labour (2011, p.143), i.e. the mutilation of the body as a singularity and the reattachment of its individuated organs to capital. This originary inscription is reiterated in the mortification of matter as entailed in capital punishment. Further to the corporeal intervention that wrought death, the bodies of the condemned were often subject to dissection – either sold for medical study or often appropriated to

⁵⁴ Even where capital punishment was not executed, Linebaugh notes, those found guilty of capital crimes but excused from its mortal punishment were shipped to the colonies as to fulfill the requirement for forced labour (cf. 2006, pp.16–17). This re-routing of capital punishment from absolute to social death makes patent the relation between human, as living being, and property, as dead object, that structures capital.

create the spectacle of a public anatomy. The history of dissection, McNally notes, predates the emergence of capitalism. In the medieval era, this act was reserved for the political elite. Here, dissection served as a symbolic perpetuation of power wherein body parts were buried at several sites in order to receive multiple instances of recognition and prayer (2011, p.24).

The institution of scientific thought as the privileged form of knowledge production, however, transformed dissection from elitist performance into empiricist study. This latter form of dissection detracted from its original religio-political intent so that bodies subjected to study were those that had already been deprived of any moral or religious integrity – i.e. those deemed a social excess. Under a capitalist order, this space was occupied by the proletariat. Their bodies, already fragmented by capital, and their beings, already negated as excess, could be appropriated without moral contradiction. In fact, the act of public dissection, when it followed capital punishment, became a means of (re)enacting social control. The spectacle of public anatomy, writes McNally, entailed ‘literally inscribing the rule of law – of property rights and ‘free trade’ – on the body of an executed member of the lower ranks of society. Such events partook in an aesthetics of domination, a pleasurable (and, for those from the lower classes, masochistic) identification with the victors and their laws’ (2011, p.27)⁵⁵. Dissection, then, whether public or otherwise, was not merely a ritualistic consequence of imputed criminality but

⁵⁵ McNally engages public anatomy as it occurred in continental Europe. In the case of England, he notes that intervention of surgeons who sought corpses for study after hangings or of the dead from poor-houses. Protecting the bodies of the dead from such appropriations, often through sale, was an important form of proletarian resistance to capitalist control by the state. Here, McNally notes, the concern was not so much with preserving the integrity of the body but rather of preserving it from further capitalist encroachments. Making reference of Linebaugh’s study, McNally writes:

Hanging, as Linebaugh reminds us, was a notoriously uncertain means of ending a human life. The noose was meant to cause death by asphyxiation; but tied loosely or inexactly, it often induced loss of consciousness, rather than loss of life. ... In fighting for the bodies of the hanged, therefore, the crowd may in part simply have been trying to save lives... Further-more, the willingness of the crowd to damage Jack Sheppard’s body so long as they kept it from the surgeons, suggests that it was *control* over the plebeian body that was at stake, more than its physical integrity. (2011, p.22)

...

To be sure, the working poor fought this reduction of their labour to just another marketable good among many; but, over the long haul, capital proved largely victorious. At the gallows, however, the plebeian crowd could gather in their thousands to publicly reclaim proletarian bodies from market-forces. In wresting the corpse from the surgeons, the crowd struck a blow – both symbolic and real – against commodification and for the integrity of the proletarian body, male and female, if only in death. In burying it intact, they claimed a moral victory over the dismembering powers of capital. (2011, p.23)

rather functioned as the reification of capital's originary inscription of the proletarian body.

Given, as McNally notes, that the capitalist order posited poverty itself as an offence – 'to be desperately poor was to be insubordinate, to refuse to adapt to the market-economy' (2011, p.52) – the proletariat was marked as always already criminal. Thus, dissection – the literal dismemberment and disorganisation of the body – was the fresh trace made in matter to remind the proletariat of its existence as excess and, hence, disposable. This reminder, although imprinted into un-alive matter, can only function as such if it affects matter that is yet living. The repetition of capital punishment in the act of dissection is, in fact, the repetition of the primordial injury inflicted by capital upon the proletarian body. It is through this spectacle of injury, in and through matter, that power affirms its capacity for the production of pain, thereby asserting its rule. This pertains, of course, even in the absence of an individual agent – like a torturer or an anatomist – for the appearance of injury, as a visible trace of the experience of pain, equally restages the differentiation that confirms a given modality of power as truth. It is as such that matter is crucial to consolidating development as an apparatus of differential mattering.

This imperative of differentiation, which renders incommensurable various experiences of self-hood, produces a definite separation between subjects and objects of truth – e.g. between anatomist and criminal; between torturer and tortured. It is this separation that provokes Saidiya Hartman, as noted in chapter 1, to denounce the ethical potential of a relation of empathy – the assumption of a shared humanity – between the spectator and object of injury. This impossibility pertains as well to the objects of the gas leak as captured in Raghu Rai's image, in Indra Sinha's writing and in the UCC lawyers' speech. Referring, for instance, to the image of the buried child, Rai designates it as 'an icon of grief and greed in the face of industrial disaster' (South Bay Mobilization 2003). This description seeks to impute a sharable experience between the object of the image and its observer – specifically between the father burying his child, whose hand is noticed lingering over her makeshift grave, and those bearing witness to the event/spectacle. However, the injury borne by the child – the fragmentation of its body that makes it appear, once more and finally, as matter – belies this possibility. To wit, the instance of material violation reveals the differential positioning of the father/child and observer with respect to the truth of development. Yet, it is the fact of violation that facilitates a

mutual recognition between Animal and the foetus; that maintains a shared fate between Animal and his people as ‘the people of the Apokalis’; that situates the father’s grief as an invisible injury whose pain is shareable only with those who are the objects of the truth of development.

The next section will suggest that this shareability of pain is an effect of an originary trace buried in flesh; in so far as injury is a visible trace of pain, it is also the revelation of this trace as history inscribed in flesh. Below, I draw upon Hortense Spillers’ (1987) provocation to read violation through a ‘hieroglyphics of flesh’, wherein ‘flesh’ is the undifferentiated matter in which meaning is congealed to form the body as social text. Consequently, every violation of the body is the eruption of the primordial writing on flesh, recalling its ethical lineage. Approaching the violence in Bhopal thus, I suggest that the injury caused by developmentalist projects is heir to colonial violence as originary. Here, I outline aspects of the historical accounts provided by Hamza Alavi (1975) and Jairus Banaji (1975; 2010) that speak to the theft of land instigated by colonial power. This theft, I will suggest, formed the proletarian body as the object of its truth – i.e. that of civilisation. The ontologisation of this appearance as ethical degradation institutes what, adapting Spillers, I will call ‘a post-/colonial grammar’, that now authorises similar appearances – i.e. bodies that are marked by material deprivation – as objects of development. To read the hieroglyphics of flesh in Bhopal then is to read beyond the enforcement of development as truth. Rather, it is to read violation – up to the point of death – as the confirmation of a differential humanness of the poor, inaugurated by coloniality and exposed in repeated eruptions of flesh. I conclude this chapter by noting how these eruptions, as projections of negat(ed)(ive) value, simultaneously assure the bodily integrity of those recognised as human.

on flesh and the rehearsing of a ‘ post-/colonial grammar’ in Bhopal

One night, on his way back home to the Nutcracker, Animal finds himself lured onto the grounds of the ‘KILLER COMPANY’ (Sinha 2008, p.272). He is seduced by the voices of the dead making themselves known on the hair and skin of his body:

The dead are shrieking at me that the good earth has been defiled with blood. In thick clots the blood lies, won’t be washed away by rain. ... Give us justice, screams the blood. It promises years of disaster, years of illness, if I do not take revenge. It warns me that ulcers will eat my flesh with white and weeping sores. ... This is the song of the blood. The dead are rising up in the factory grounds,

they are coming, looking as they did on that night, with eyes dripping blood they are coming, they're coming for me. (2008, pp.274–275)

Flesh, to borrow from Hortense Spillers (1987) is the substance through which the history of the body is congealed. It is the space of ghosts that haunts the body in its signifying form. Animal feels the dead on his skin because they are his own flesh. He carries their deaths in his own distorted body. Avenging their death is his only chance to prevent the dead – his own flesh – from, finally, annihilating him.

I introduced Spillers' notion of flesh in chapter 1 of this thesis, identifying it as matter through which the body emerges as an inscribed form. In this section, I elaborate on her account in order to historicise the injuries of Bhopal. Thereafter, I provide a brief overview of colonial inscription of proletarian bodies to demonstrate how devaluation is congealed in the body of the poor. The preservation of the human and capital – against whose valued form the proletarian body was materialised – necessitates the repetition of the negated value of the body of the poor. This is the work of violation – the reappearance of an originary violence. I will argue in conclusion that this violation, which affirms the poor as differentially human, promises bodily integrity as the sign of humanness.

Flesh, as defined by Spillers, is 'that zero degree of social conceptualization that does not escape concealment under the brush of discourse, or the reflexes of iconography' (1987, p.67). Put differently, flesh is the substance that bears originary markings whose trace is dissimulated in the social inscription, or social construction, of the body. The body, then – as raced, sexed form – is the material appearance of the socio-history of flesh. Highlighting this aspect of the body as appearance, Spillers defines 'ethnicity' as an ethico-material descriptor that

freezes in meaning, takes on constancy, assumes the look and the affects of the Eternal. ... As a signifier that has no movement in the field of signification, the use of "ethnicity" for the living becomes purely appreciative, although one would be unwise not to concede its dangerous and fatal effects.

"Ethnicity" perceived as mythical time enables a writer to perform a variety of conceptual moves all at once. Under its hegemony, the human body becomes a defenceless target for rape and veneration, and the body, in its material and abstract phase, a resource for metaphor. (1987, p.66)

Thus, the body, objectified through 'ethnicity', represents an ontology both, congealed through and authorising of, repetitions of a primordial violence. In the U.S. context, for

instance, Spillers locates the present ‘dangerous and fatal effects’ of ethnicity in the embodied scene of conquest and slavery – in the scene of ‘*actual* mutilation, dismemberment and exile’ (1987, p.67). This scene marks an indelible writing on flesh, one that cannot be erased by the emergence of the body, as a discursive or iconographic construct. Spillers describes this originary writing – the inaugural violation of flesh – as ‘theft of the body’. Besides the actual act of kidnapping that facilitated the accumulation of slaves, ‘theft of the body’, refers to the severing of the captive body from will and desire; and consequently, the becoming of that body into a ‘source of irresistible, destructive sensuality’ (1987, p.67) that exists solely for the captor. ‘Theft of the body’, then, is the violent reduction of personhood, however signified in the body, to unformed matter – to flesh. That this originary violence entails the reduction to flesh, implies that the body, prior to this moment, is not non-existent. Rather, it exists as an effect of indigenous systems of signification. ‘Theft of the body’, then, denotes the destruction of indigenous networks – material as well as symbolic – to institute person as thing – flesh.

Referring to the space allotments aboard slaves ships, for instance, Spillers notes that the use of sexed descriptions – ‘man’, ‘woman’ – highlights, in fact, the gender undissociation of this ‘cargo’. Gendering, she notes, takes place within the context of domesticity, wherein the patronym situates associated persons in their particular and proper order for human and social purposes. The cargo on the ship, on the other hand, in being severed from their African family and proper names, is an ungendered mass. The designation of women as such signals her ‘apparently smaller physical mass [which] occupies “less room” in a directly translatable money economy. But she is, nevertheless, quantifiable by the same rules of accounting as her male counterpart’ (1987, p.72). This severance was further writ through the ‘displacement of the genitalia, the female’s and male’s desire that engenders future’ (1987, p.73). Indeed, the primacy of property relations that intervened at will in any affective or biological ties initiating from the enslaved, in foreclosing the possibility of kinship denied gendering. In the context of the female slave, even where violence explicitly targeted her sexed form – through rape and forced reproduction – the enactment of this violence as the avowal of property relations denied her woman-ness.

Given that the body is always in representation – i.e. it is the surface through which cultural meaning is made and congealed – Spillers argues that the violence of slavery was committed upon flesh – the biological substance that precedes signification. Flesh, in

other words, is that blank surface upon which the slave-driver's/master's tools write 'an American grammar' (1987, p.67). The historicity of the ripped apartness of flesh is sedimented in the black, and particularly, the black female body, so that every act of violence committed upon it reveals the trace of the institution of the socio-political order of the New World. Indeed, in successive acts of injury, the originary inscription of flesh receives iteration on the body. Injury, as the 'reconfiguration of human tissue', reveals what Hortense Spillers calls a 'hieroglyphics of flesh' (1987, p.67) – etchings on a surface that are the ripped apartness of body as cultural text, exposing the primordial narrative of flesh. To approach the injured body, then, is to read the hieroglyph that unleashes itself in the iterative act of injury. Just as the pain of injury produces differentiated selves, the unleashing of flesh therein is the revelation of an always already differentiated humanity. The hieroglyphics of flesh, then, is the history of differential humanity.

To approach value under the postcolonial condition, I propose, is to read the hieroglyphics of flesh. In chapter 2 of this thesis, I demonstrated how under this circumstance value is constituted through the entanglement of the human and capital. Indeed, the reproduction of capital is authorised as the preservation of the figure of the human. As argued in this chapter, such preservation proceeds through injury as the imprint of a truth. In the case of Bhopal, this truth is not only that purported by development but, more critically, the hieroglyph exposed in the eruption of flesh – the telling of an original violence⁵⁶. As noted in chapter 1, with reference to Nandigram, the violence of development is associable with the colonial theft of land. Here, theft does not refer to the unauthorised transfer and use of property but instead to juridical change in the very description of land, from an imperial holding⁵⁷ to bourgeois commodity (cf. Alavi 1975; Banaji 2010, pp.34–40). As Jairus Banaji notes, the *zamindars* of Moghul India – the 'local *rajahs* and regional aristocracies' who were tributary subjects of the Moghul Empire – became instituted as landowners by the British. In so doing, the *zamindars* became revenue collectors for the British through the imposition of land tax and money interest. In as much as the *zamindars* owed the imperial crown tax from the rent of their

⁵⁶ I will describe this original violence primarily in the economic context of colonial India. This, however, is not a complete explanation for economic violence was authorized by, and hence replicated, the social violence of the extant structures of caste. It is beyond my capacity at this juncture to provide more than a cursory analysis of the role of caste, and especially the relevance of the body therein. My analysis will therefore be limited to descriptions of history of production.

⁵⁷ Hamza Ali describes land in pre-colonial India as '*a possession held by virtue of the force at the command of the local lord, rather than property held under bourgeois law. ... [T]he Moghul Emperors made attempts – though not always very effectively – to 'appoint' the local lords, who in turn often benefited from the legitimacy thus conferred on their possession...*' (1975, p.1255).

land, they collected the same from small farmers for the use of their land. The latter circumstance resulted in the proletarianisation of small peasants through their transformation not only into wage-labourers but also into debtors. ‘The expansion of the hold of the market over the peasantry’, notes Banaji:

was the premise of British revenue policy... The market summarised the ‘civilising’ mission of British imperialism. By the 1850s, peasant commodity production had become the solid foundation that sustained the fiscal pressures of the transplanted capitalist state of British imperialism. (1975, p.1889)

The subjection of small peasants to the *global* market required the investment of money capital – to buy seeds and other necessity inputs, plus for the payment of rent. The extraction of surplus value through rent owed the *zamindars*, on the one hand, and interest, owed to money-lender, on the other, maintained small commodity producers in a perpetual state of indebtedness.

Of course, this suppression of small peasants was reified in the violation of their bodies. Conditions of drought, scarcity and famine – which increased the indebtedness of small peasants and workers – no doubt inhabited their bodies not only through decrepitude but also through the direct violence aimed at monetary extraction. This violence was the truth of caste⁵⁸ and capital consolidated in matter. For the work of economic extraction in service of the British crown was primarily performed by two other native collectives – the big peasantry and the bankers/money-lenders – who stood on the positive side of this truth. This economic differentiation, which marked as well the beginnings of a differentiation between modern/ising and pre-modern natives, formed the basis of differentiation in the developmentalist project of independent India⁵⁹. Crucially, as Alavi notes, the contemporary urban proletariat descends from the vast mass of rural

⁵⁸ Predictably, the dispersion of economic conditions proceeded along lines of caste with the small peasants and workers formed from the lower castes, often untouchable, whereas the *zamindars* and monetary capitalists were of higher castes (cf. Banaji 2010, chap.10).

⁵⁹ Describing the continuity between the economy of colonial and independent India, Banaji notes:

Already within the framework of the small-scale merchant-moneylending capitalism of colonial India, rooted in peasant commodity production, a basis had emerged for the evolution of a more entrenched and ramified petit-bourgeois capitalism. ...[T]hose layers of the small peasantry which in the colonial period had already acquired the characteristics of substantial petit-bourgeois households evolved more rapidly into small capitalists; on the other hand, groups that had formerly dominated the peasantry on the basis of its own productive organisation, progressively redeployed their capital in production itself. But bound with both processes has been a deeper entrenchment of money-commodity economy, which reproduces and partially consolidates the more backward forms of capitalist domination on the market of the more impoverished layers of the rural petit-bourgeoisie, which subsist on consumption loans and loans for circulating capital. (1975, p.1892)

proletariat produced under colonialism. The imperative of technologically advanced large-scale agriculture heralded by the Green Revolution benefitted the rural elite while rendering small-scale farmers and share-croppers obsolete. Under these conditions, farmers with small holdings (less than 2 hectares) suffered heavy losses given their minimal market surplus and the relatively high cost of inputs. During this period of intensified agricultural practices, small-holdings constituted about 75% of total agricultural holdings which accounted, however, for a small percentage of the actual land held. Consequently, the proportion of the rural population disadvantaged by the Green Revolution was substantial, leading to their mass pauperisation and displacement (cf. Alavi 1975, pp.1239–1243). It is precisely from this mass of the rural dispossessed that industrial enterprises, like the UCC factory in Bhopal, drew their labour.

The violation of the buried child, of Animal and the foetus; the deferred, yet inevitable, fate of the child's father and of Animal's people – all are eruptions of the trace of colonial violence as originary. This violence – which proceeded through the injury of bodies materialised in indigenous forms – established capital as (its) truth through the pain of manipulating matter. Indeed, colonial violence – whose end was civilisation, the preservation of the figure of the human – reified its truth through matter. That is, not only did it disintegrate the indigenous body but also reassembled the ensuing matter to form the destitute body under capitalism – un(con)formed, erotic, because as yet un-/underproductive, matter; that which appears as, because it exists in proximity to, (symbolic and material) filth. It is as such that the truth established by colonial power reinforces itself through/as development. More specifically, development is the reiteration of an agential cut enacted by colonial power. This cut manifests a 'post-/colonial grammar' conformed by development that materialises 'the people of the Apokalis' as objects of the logic of annihilation.

To wit, colonialism marks the inauguration of the ideological imperative of capital in sustaining the concept of humanity. This inauguration proceeds through matter – in the dematerialisation and rematerialisation of bodies that are differentially located in relation to the figure of the human. As such, flesh is doubly the stuff of value. It is the bearer of economic value as that which is made to participate in circuits of capitalism, wherein the accumulation of wealth proceeds through the accumulation of flesh. And it is also the material through which (a) truth is carved out, objectified in an embodied ethical order. The preservation of this truth is premised upon the promise of bodily integrity, of the

non-exposure of flesh, as the givenness of one's humanness. The violation of the body – the eruption of flesh – then, is precisely the reiteration of negat(ed)(ive) ethical value that instituted, and now preserves the appearance of, an ethical order as truth. In chapter 2 of this thesis, I demonstrated how under the postcolonial condition value is constituted through the entanglement of the human and capital. Indeed, the reproduction of capital is authorised as the preservation of the figure of the human. My discussion in this chapter highlights the indispensibility of matter in objectifying this order.

Under the postcolonial capitalist condition, matter substantiates the entanglement of human and capital to materialise the body as an appearance of value. As such, it enables the *formation* of the body as both, a signifier and the *inheritor* of the truth of each phenomenon – human and capital. In the thesis thus far, I have posited development as the instrument – the apparatus – that, in verifying and mobilising different materialisations as differential ontologies, ratifies both phenomena. This chapter, in particular, has underscored the role of injury in actualising this process. It is as such that development facilitates the mattering of bodies, so that an attention to development as an instrument of mattering exposes the vitality of matter in preserving the human and capital as appearances of value.

In the next chapter, I engage the viability of the surrogacy market in India in order to demonstrate how the poor are interpellated in transactions in the register of flesh. The surrogacy market presents itself as a site for the self-determined recuperation for poor women. Yet, I argue that the surrogacy process is one wherein the surrogate body is depleted through an act of sovereign consumption undertaken by intended parents. This cannibalisation of the surrogate body consolidates her as differentially human while accruing ethical value for the intended parents that confirms their own humanness. As such, I will explicate the surrogacy market as an instantiation of the postcolonial condition *par excellence*.

chapter 4

*'is there a Groupon for it?'*⁶⁰

on surrogacy and the production of value in-difference in India

The documentary, *Made in India* (Haimowitz & Sinha 2010), follows the journey of Texan couple, Lisa and Brian Switzer, to parenthood. Lisa, aged forty, speaks of her seven-year attempt to get pregnant – an endeavour that had to be terminated when she was diagnosed as having a pre-cancerous uterus. In search of an affordable means to have a child, the couple are directed towards Planet Hospital, a medical tourism company that outsources reproduction to India and its ever-expanding surrogacy market⁶¹. The film now turns to Aasia, a young mother of three, who is contracted by a clinic in Mumbai to be a surrogate for the Switzers. Aasia's story, too, concerns a desire to realise maternity. Here, however, maternity is not merely a bioaffective relation but, more crucially, is the exercise of socio-material competence. In other words, Aasia's arrested maternity pertains to her inability to guarantee the emancipation of her children from poverty – that is, to advance for them appropriate conditions of existence that would guarantee their recognition as human. She therefore enters the surrogacy market in order to provide her children a form of life that would accord them social recognition. This story underscores the dynamic of desires that materialises the surrogacy market in India.

Surrogacy is a medico-social relationship wherein a woman, the surrogate, is sought to bear a child for a third-party parent or parents – commonly referred to as intended parents. Here, eggs are fertilized *in vitro* (literal translation: in a glass) and then planted into the surrogate's womb to be carried to term. Surrogacy generally takes two forms: traditional or genetic, and gestational. In the former, the surrogate's own eggs are fertilised by a donor or an intended father's sperm and she, the surrogate, carries the baby to term. Here, the surrogate may be the intended mother or a third-party surrogate. The second form is where the surrogate merely 'rents her womb' to carry *another's* eggs –

⁶⁰ The title derives from a comment made by one of my students in a course on Business Ethics that I teach in London. When discussing the issues at stake in the growing interest in a market for surrogacy, he quipped, "Is there a Groupon for it?" – a cheeky yet, perhaps unwittingly, discerning question – one that points precisely to the entanglements of 'human' and 'commodity', of *being* and *thing* that structure economic transactions under capitalism. This chapter seeks to unpack these implications of his question.

⁶¹ A report from *Al Jazeera America* states that, as of January 2014, Planet Hospital has removed surrogacy from the list of services it provides (Cooper et al. 2014). Indeed, since 2014, Planet Hospital has been under federal investigation for fraud and its founder, Rudy Rupak (interviewed in the film) filed for involuntary bankruptcy. Other than India, Planet Hospital also had surrogacy connections in Thailand and Mexico (Lewin 2014).

whether an intended mother's or a donor's – to term. The surrogacy market in India is of the latter (gestational) kind.

The past few years have witnessed an increasing interest in surrogacy. This is an effect, primarily, of the availability of new reproductive methods, especially gestational surrogacy, that have made possible genetic reproduction through non-sexual means. That is, gestational surrogacy splits the sites of genetic and biological reproduction, so that one need not coincide with the other. In fact, the surrogacy market affirms genetics as a primary register of reproductive desire. As Lisa and Brian note, the actualisation of parental desire entails for them the sharing of a genetic bond with their child. This bond, however, is not easily attainable since procedural complexity and especially the cost of gestational surrogacy in many countries is prohibitively high. In countries like India, on the other hand, the process and the cost are relatively manageable.

The surrogacy market in India is not yet properly regulated. The Indian Parliament has been debating an Assisted Reproductive Technologies (ART) Bill since at least 2008. However, given the relatively recent dispersal and marketisation of these technologies, the ethical issues pertaining to the form and responsibilities of the market still require extensive evaluation. Even so, there are some particularities of the Indian market that have been fixed that make it attractive to potential intended parents. As already noted, the surrogacy market in India is only gestational. That is, even when donor eggs are needed, these cannot be provided by the gestational mother (Ministry of Health and Family Welfare 2010). This is quite explicitly intended to eschew any possibility of a genetic tie between the surrogate mother and the baby. This, as I will argue later in this chapter, consolidates the surrogate's position as a mere service-provider, without any rights, whether biologically naturalized or legally defined, over the baby. Indeed, the splitting off of genetic versus gestational maternity, with genetic maternity being the privileged, legally recognised form, is a particularity of the Indian market that makes it especially popular⁶².

⁶² This separation is not as juridically clear, as for instance, in the US. The competing rights of intended parents and surrogate mothers are adjudicated autonomously by each state. Given public(ised) precedents, wherein surrogate mothers have claimed the children they have borne, U.S. couples are often wary of entering surrogacy contracts at home. Much of this legal ambiguity around surrogacy contracts resides in the distinction between genetic and gestational ties and debate around which tie is foundational to the determination of maternity. In the United Kingdom, on the other hand, the gestational mother is considered legal mother of the child she has given birth to. Intended parents are required to file a Parental Order (PO) in order to gain custody of the child. However, a PO cannot be

Moreover, the costs associated with surrogacy in India are substantially lower. For example, surrogacy in the U.S. can cost between \$60,000 to \$150,000⁶³. By comparison, in India the process costs about \$25,000-30,000. A primary reason for this cost differential is the difference in surrogate pay. Whereas in India a surrogate may be paid between \$6,000-\$9,000, surrogates in the U.S. are paid at a significantly higher rate of \$25,000-\$35,000. Moreover, surrogates in India are paid in five instalments, with a substantial portion, about 75%, made after delivery of the child (Deonandan & Bente 2012). In the case of a miscarriage or an otherwise necessary termination the surrogate is not owed the full payment promised her. This minimises the financial risk of the intended parents while increasing that of the surrogate mother. Even so, the surrogate pay is considered relatively high where, on an average, surrogates can make over 9 months what would normally take them 9 years (Markens 2012; Vora 2009a). This is a significant motivating factor in Indian women volunteering to be surrogates.

Predictably, surrogate mothers in India tend to be recruited from poor or working class circumstances. While in some cases clinics advertise through local newspapers, given the limited literacy and access of the target audience, word-of-mouth recruitment proves to be a more effective practice. Here, 'brokers' – former surrogates, women who are unable to be surrogates, and midwives – are crucial to recruiting new surrogates. For, in addition to dispensing information regarding the market, brokers are able to address the misinformation and any prevailing stigma associated with surrogacy (Pande 2010). This is the strategy that introduced Aasia (in)to the market as well – particularly because, as she notes, the intervention of a former surrogate helped allay her husband's anxieties about her sexual integrity. Indeed, the nature of the surrogate relation recalls anxieties surrounding the 'selling' of the body so that surrogacy comes to be mis/understood as a version of prostitution, albeit in a more 'respectable' form. This respectability is associated with the 'altruistic' sharing of maternity that the practice is deemed to imply (Pande 2010).

filed within 6 weeks after the birth and should a surrogate mother decide to keep the child, she has the legal right to do so (Norton et al. 2013, p.273). Consequently, surrogacy contracts in the US or UK are always open to future litigation.

In many European countries, including France, German, Italy and Spain, surrogacy remains illegal. (An overview of surrogacy laws of EU Member States is available at: <http://bookshop.europa.eu/en/a-comparative-study-on-the-regime-of-surrogacy-in-eu-member-states-pbBA0313138/>).

⁶³ This includes the payment to the surrogate mother, the cost of the medical treatment – including IVF and the medical care of the surrogate during gestation – as well as any legal and other administrative costs.

The purpose of the preceding overview is to establish the surrogacy market in India as an instantiation, *par excellence*, of the postcolonial condition. I have defined the postcolonial condition as the circumstance wherein the reproduction of capital proceeds as the eradication of excess authorised by the figure of the human. As previously stated, those existences that appear as materially deprived are posited as excess. The eradication of this excess proceeds through the intervention of capital which presents itself as recuperative in the materialisation of the body of the poor – imagined as un-/underproductive – as productive. This, I have suggested, is the circumstance of all objects of development. This chapter takes as its point of departure the surrogate body as a productive body. Indeed, I will demonstrate the appearance of excess as the condition of possibility for the emergence of the surrogate mother. This excess pertains not only to the appearance of the surrogate as materially deprived but also to her body as hyper-reproductive. I will therefore consider India's history of sterilisation in order to reveal this practice as the lineage of surrogate mothers. The surrogacy market thereby reveals itself as a biopolitical mechanism intended toward the disciplining and control of excess, specifically that objectified in the female body dispossessed of all but its reproductive capacities. More crucially, this power is manifest not through the subjection of labour to an alienated means of production but through the instantiation of the surrogate body itself as the means of production – as both labour and raw material. In other words, I will explicate the surrogate body as the complete(d) capitalisation of the bodies of poor women. This, in turn, renders the surrogate as a *thing*⁶⁴.

In making this argument, I write against accounts of 'choice' and 'agency' that posit the market as an opportunity for recuperation (Teman 2008; Teman 2010; also cf. Markens 2012). Given that the surrogacy market is organised through contractual relationships, the formation of the surrogate body is considered as motivated by choice. Indeed, the ethical viability of the surrogacy market is affirmed as an effect of its advancement as a site produced through, and productive of, the mobilisation of subjecthood. Instead, my argument in this chapter will proceed from critiques of the contract (Pateman 1988; Williams 1991; Wiegman 2003) to establish the falsity of this presentation. Here, I will explicate surrogate labour as that tenuous expression of subjecthood that defers, albeit imperfectly, its being tipped over, or subsumed as, the *thing*. As such, I argue that the formation of a body as surrogate, regardless of the (putative) exercise of choice, is in fact

⁶⁴ Refer fn. 7 in the introduction for an explanation of the distinction between Silva's use of Thing and my use of *thing* in our encounters with the racial and sexual subaltern.

a moment of annihilation. Here, annihilation refers not to the destruction of living matter – i.e. to corporeal death – but rather to the destruction of subjecthood. To be certain, akin to the circumstance of Nandigram and Bhopal already discussed, this annihilation also proceeds through matter.

In this chapter I suggest that the depletion of the surrogate body – of its vital matter and energies – during gestation is the material trace of the annihilation of subjecthood. I will reveal depletion as productive consumption in so far as it facilitates the production of value. Although the surrogacy market entails the reproduction of capital – i.e. the accumulation of economic value for the owners of clinics and associated medical agencies – I am concerned in particular with the reproduction of ethical value. That is, building on critiques of the family as a bourgeois institution (Donzelot 1979; Foucault 1990), I will demonstrate how the surrogacy market fulfils for the intended parents the heteropatriarchal imperative of genetic procreation. This implies the accumulation of ethical value for the intended parents – a confirmation, I suggest, of their humanness. Moreover, the surrogacy contract demands the alienation of affect from the surrogate mother (Vora 2009b; Pande 2010). I posit this as a form of injury – the experience of pain – that confirms the differentiated, indeed negated, selfhood of the surrogate while simultaneously affirming the desires of the intended parents as the only pertinent truth⁶⁵.

This chapter thus attests to the foundation of the surrogacy market on the transaction of ethical value – i.e. between the human and differentially human that is contingent upon the final reduction of the latter to a *thing*. This transaction establishes the surrogacy market as concerned with the preservation of value as objectified in both, the human and capital. Furthermore, the exchange of ethical value – which is in fact the preservation of value – proceeds through matter wherein the materialisation of the surrogate body is itself a violation – through depletion and the experience of pain – in contradistinction to the integrity of the bodies of the intended parents. Consequently, this chapter affirms the surrogacy contract as the instantiation of the differential mattering of bodies under the postcolonial capitalist condition.

⁶⁵ I think it necessary, at this juncture, to highlight that my critique in this chapter is emphatically not a value or ethical judgment of the intended parents as agents. The issue of reproductive desire is profoundly complex on a subjective level and I do not think it possible, or necessary, to evaluate pertinent decisions of individuals. Rather, the critique that is being offered is systemic, one that proceeds from a recognition of the differentiated interpellation of intended parents and surrogate mothers.

The chapter begins with a brief overview of the discourses that structure the surrogacy market. The first half of the section focuses on the production of surrogate mothers as ‘mother-workers’ (Vora 2009a; Pande 2010). That is, it highlights the mobilisation of maternal affect in the production of surrogate mothers as workers. I outline, on the one hand, the affective and economic descriptions that surrogate mothers use to affirm their participation in the market. Here, surrogate mothers approach their labour as an effect of their own maternal imperative – providing for the wellbeing of their own children – as well as an act of womanhood – sharing the gift of maternal/parental joy with intended mothers/parents. This maternal womanhood can be enlisted in the market only so long as it does not extend to the product (the child) at stake. That is, even as surrogacy clinics recruit women by appealing to their motherhood, once recruited their maternal affect must be curbed, so that it is detached from the child they produce. In this, surrogacy clinics attempt to produce the mother-(as)-worker. The next half of the section turns its attention to the affective desire of intended parents. Here, I provide an overview of the ethical and economic negotiations that intended parents undertake in order to participate in the surrogacy market (Norton et al. 2013; Inhorn & Patrizio 2009; Inhorn & Birenbaum-Carmeli 2008; Lewin 1995). In so doing, I seek to highlight how intended parents approach surrogacy as a means of self-actualisation. The section thus emphasises the role of choice and agency in relation to both, surrogate mothers and intended parents, in mobilising the market.

The second section approaches the differential ethical stakes that enable the activation of choice in the market. The argument recognises the enactment of choice, from both perspectives, as a self-recuperating gesture. However, in the case of surrogate mothers, this recuperation is a function of their institution, in the first instance, as excess. The first half of the section substantiates this argument through an engagement with history of stratified reproduction – i.e. the differential value of women’s reproductive capacities (Solinger 2007). In particular, it looks at the history of sterilisation in India as a strategy of controlling (reproductive) excess (Chatterjee & Riley 2001). Developmental logic, however, transforms the imperative of eradication into that of recuperation, producing surrogacy as the newer manifestation of the biopolitical control of excess. This contention is developed in the latter half of the section through the concepts of bioavailability and operability that, by positing biological matter as property, enable its transfer (Cohen 2008). Indeed, the accrual of property relations with one’s body, and the ability to fragment and alienate the same as a means of economic value production (i.e.

through sale) is posited as a means towards gaining ethico-economic subjectivity. In this light, the ability of the surrogate mothers to harnesses their biological matter and capacities (heretofore descriptors of their ethical excess) in order to convert them into a means of economic production, institutes the surrogacy market as the site of their ethico-economic recuperation. The section contests this proposition, however, through a critique of the contract relationship that structures the surrogacy relation (Pateman 1988; Rao 2000; Wiegman 2003). That is, I demonstrate the contract – as the formalisation of bioavailability – as a replication of sexual and economic subjugation. I thereby highlight objectification, rather than recuperation, as the condition that actualises the surrogacy contract. Through this objectification, instantiated in the commodification of excess, the surrogacy market restages the ethical degradation of surrogate mothers instead of recovering their ethical value.

In the final section of this chapter, I suggest that the objectification of the surrogate mother through the commodification of her excess represents in fact the consumption of her ethical possibility. The production of value in the surrogacy market is contingent on the ethical depletion of the surrogate mother. This depletion, however, accrues as ethical value, as objectified in the child, to the intended parents. This accrual signifies the consumption of the surrogate mother by the intended parents. I make the first part of the argument – i.e. that the attainment of the child reifies the ethical value of intended parents – by presenting a political genealogy of the family as a juridico-economic unit (Foucault 1990; Donzelot 1979; Jordanova 1995). The second part of the argument unfolds through a discussion of surrogate labour as a form of accumulation by dispossession (Federici 2004; Harvey 2005). Dispossession, in this context, pertains not merely to economic deprivation but, more significantly, to the ethical denial instantiated in the capitalisation of the surrogate mother's reproductive capacity. This capitalisation situates her not merely as labour power but as a means of production. The child born of surrogacy, then, is the product of the depletion of the surrogate mother. Or, more pertinently, the reification of intended parents as ethical *beings* is an effect of the productive consumption of the surrogate mother as *thing* (Marx 1956; Baudrillard 1998). This relationship of accumulation-via-consumption is an instantiation of the relationship between the sovereign and the servile.

This chapter thus establishes the surrogacy market as the scene of ob/ab/jectification intended towards the preservation of the 'hetero-class' subject *qua* human. Given that

this preservation proceeds through the capitalisation of matter, it confirms the differential mattering of bodies under the postcolonial capitalist condition.

on the surrogacy market and its viability as a ‘win-win’ situation

Given the growing interest in the U.S. in the practice of international surrogacy, Lisa and Brian Switzer were invited onto *The Today Show* to discuss their experience with surrogacy in India. Following this televised interview, their story was featured on the show’s website. The filmmakers follow Brian as he browses through the comments on the story. The exchange there spanned the spectrum of interested support to vehement condemnation. Defending their decision against those that question the ethicality of ‘farming out’ reproduction and creating ‘a baby mill’ in ‘third world countries’, Brian writes: ‘I have seen poverty unlike anything I could’ve imagined and knowing what this process is going to do for the surrogate and her family in the long-run makes me realise that this is a very good thing for all parties involved’ (Haimowitz & Sinha 2010, min.47:51). This is, in fact, true of Aasia. At the end of the film, upon receipt of final payment, she explains her plan to put this money into savings accounts for her child. She intends to save a larger proportion for her daughter, for her marriage. Moreover, despite the pain she expressed of being away from her own children as well as the medical complications of her pregnancy, she admits that she is considering being a surrogate sometime in the future.

Narratives such as these legitimise the surrogacy market as a ‘win-win’ situation (Markens 2012) wherein the arrested maternal/parental desires of intended mothers/parents find resolution in the benevolence of the (Indian) surrogate mother who ‘pays forward’ the joys of her own maternity while being provided the means to realise her socio-material responsibilities as mother. The viability of the surrogacy market as such is premised on the notion of the market as a site of economic activity premised on the idea of free and equal exchange. That is, it imagines intended parents and surrogate mothers alike as ‘divinely-willed, rationally inspired, invisibly handed economic actor[s]’ (Williams 1991) concerned with the shared end of self-actualisation. The stated desires that drive both parties into the surrogate market seem, no doubt, to validate this end. Yet, the question I am concerned with in this section is the possibility of positing the surrogacy contract as a free and equal – in fact, a ‘win-win’ – exchange.

Susan Marken's (2012) investigation of U.S. media stories on surrogacy, conducted between 2006 and 2010, reveal that reactions to the 'outsourcing' of surrogacy mainly fall along two frames: exploitation/inequality v/s opportunity/choice. In the case of the former, critiques revolve around the persistence of global income inequalities that enable the commodification of women and children. The latter, however, adopt a 'half-glass full narrative', that, even while acknowledging inequality, dismisses the charge of exploitation and replaces it with a discourse on opportunity and agency – 'You have plenty of money. They don't. It's their call how to use their bodies' (quoted in Markens 2012). Indeed, as I will demonstrate below, the stated motive for undertaking surrogacy, in most cases, is the social and economic betterment of one's own family, especially one's children. A surrogate's decision, then, to enter the contract becomes read as a moment of gender empowerment, enacted, in particular, through the exercise of reproductive autonomy. As such, the surrogate is posited as self-determined, 'enterprising' subject. This characterisation, of course, applies to intended parents as well.

For instance, remarking upon the financial challenges associated with choosing surrogacy, Lisa Switzer states:

I'll work two jobs, three jobs. I don't care. I [may]⁶⁶ get tired but I'm not scared of a lot of work, 'coz I know what the reward is. We've put up our house, we sold it, we took the equity out and we're gonna gamble it on a baby. And we may end up with nothing to show for it. Even though you don't see me as heartfelt, I am. I'm determined. I *won't* give this up. I *can't* give this up. It's... it is *my* dream. This what I need to be whole. (Haimowitz & Sinha 2010, min.15:10)

Thus, as Marilyn Strathern (1992) notes, assisted reproductive technologies interpellate intended parents as subjects who not only seize these technologies as a means to self-actualisation but also as those for whom 'there is, in a sense, no choice *not* to consume' (1992, p.37; original emphasis).

In this section, I juxtapose the conditions under which surrogate mothers and intended parents can emerge as enterprising subjects. In particular, I read how 'choice' and 'agency' manifest in their participation in the market. In so doing, in the first half of this section I provide an overview of ethnographic accounts that describe the motives and experiences of surrogate mothers in India (Pande 2010; Vora 2009a; Vora 2009b; Wadekar 2011). I do so with particular reference to surrogate hostels where surrogates are housed by clinics during the entirety of the gestational process. Using the research

⁶⁶ words unclear.

conducted therein, I will argue that these houses serve as a space of discipline – i.e. of producing surrogate mothers as docile subjects, or what Pande calls ‘good mother-workers’. Consequently, the first half of the section will reveal the surrogacy market as exercising a coercive force on the bodies of poor women materialised as surrogates.

In the second half of the section, I shift my gaze to forces that drive intended parents into the market. Drawing especially from feminist and queer scholarship (Strathern 1992; Lewin 1995; Mamo 2007), I outline how intended parents view ‘having a child’ – i.e. the birthing of themselves as parents – as a moment of self-actualisation. For those who cannot reproduce biologically, ART comes to represent the possibility for such actualisation. Consequently, the second sub-section aligns itself with accounts that propose participation in the surrogacy market as the expression of a rational and moral subjectivity.

Overall, my purpose in this section is neither to affirm nor challenge the motivations articulated by either party. Instead, I seek to illustrate how participation in the market is (made to appear as) the assertion of ethical subjectivity.

surrogate mothers

Surrogacy India is a leading reproductive services agency that describes itself as the first in India to provide comprehensive surrogacy services. Its website offers detailed information to potential intended parents and surrogate mothers about what they can expect during the surrogacy process. A page on the website directed at recruiting surrogates list the criteria that a potential surrogate mother must fit thus: She must be

- between the ages of 21-35 years. At SI, we usually limit them to below **30 years**.
- having a sincere desire to help infertile couple achieve parenthood. At SI, we do SM **psychological evaluation**
- has experienced the joy of having her own child. At SI, we limit Surrogates who have less than **3 previous children**.
- takes care of herself and her family's health and is willing to undergo physical evaluation and tests. At SI, we **repeat all tests** for both SM and her husband, including hysteroscopy.
- is aware of the hazards of addiction (smoking / tobacco / alcohol) on pregnancy and the baby. At SI, we do **dental evaluation** to confirm any drug / tobacco abuse

- did not experience any major pregnancy complication. At SI, we request for **past delivery records**.
- believes in families and has **full emotional support** from your husband / partner, who also understands the implications of the surrogacy program and is willing to participate in any which way required
- Compliant to sign all documents pertaining to relinquishing her rights over the child. At SI, we ask our **Lawyer to counsel SM** in the language she understands and only then get documents signed. (Surrogacy India 2010a)

This list a curious mixture of biographical, physiological, psychological, affective and intellectual requirements. As such, it explicates the complexities of the surrogacy process from the point of recruitment to its culmination in the handing over of the child. In the first half of this section, I will attempt to address each of these requirements highlighting their role in the production of poor women as surrogates. In so doing, I seek to underscore the disciplinary aspects of the surrogacy process. Let me begin with the moment of recruitment.

In her ethnographic study of the Indian surrogacy market, Amrita Pande (2010) discusses the strategies deployed by clinics in attracting potential surrogates. She notes in particular the discursive techniques directed at poor women that tap into anxieties about being a ‘bad mother’ – one who is unable to provide for her children, not just materially, but also according to cultural and social norms (e.g. procuring a suitable mate for her child). This strategy is evidenced on the *Surrogacy India* website where it addresses the ‘win-win’ possibility promised by the market. It notes: ‘This surrogacy process for you and your surrogate is about children. You use services of a Surrogate Mother (SM) to have your own child(ren), the surrogate provides these services to give a better future to her child(ren)’ (Surrogacy India 2010b). Indeed, as Pande notes, it is precisely the anxiety of being a bad mother that is the condition of possibility for producing a ‘good surrogate’. A good surrogate is one who, in enacting her own maternal love and duties – i.e. the social and economic betterment of her own children – simultaneously resolves the maternal/parental desires of intended mothers/parents, therein ‘paying forward’ the joys of her own maternity.

But, the production of a ‘good’ surrogate necessitates the deployment of a disciplinary project. Based on an analysis of the discourses used to train and counsel surrogates, Pande demonstrates that ‘[t]he perfect surrogate is one who is constantly aware of her

disposability and the transience of her identity as a worker and yet loves the product of her transient labour (the foetus) as her own'(2010, p.978). As one of the doctors interviewed by Pande notes:

I tell them, "You have to do nothing. It's not your baby. You are just providing it a home in your womb for nine months because it doesn't have a house of its own. If some child comes to stay with you for just nine months, what will you do? You will take care of it even more, love it even more than you love your own, because it is someone else's. This is the same thing. You will take care of the baby for nine months and then give it to its mother. And for that you will be paid." I think, finally, how you train them – that is what makes surrogacy work. (2010, p.978)

This discourse is reflective of a general form of surrogacy training in India where, as Kalindi Vora notes, 'women who want to be surrogates are encouraged by doctors to think of their bodies through the western medical model, where the body operates like a machine composed of parts and exists largely separate from the self' (2009a, p.271). Consequently, any trace of affective attachment that the surrogate might experience towards the child she carries is pre-emptively counselled away to guarantee the realisation of her responsibility towards the intended parents helping them fulfil their dreams. As one surrogate quoted in Pande's study states, 'I think the legal contract says that we will have to give up the child immediately after the delivery – we won't even look at it. Black or white, normal or deformed, we have to give it away' (2010, p.977). This is one half of the disciplinary process of constituting the surrogate as, what Pande calls, the 'mother-worker subject.'

Once a woman has been accepted into the surrogacy program and contracted as such, she is subject to various medical procedures that prepare her body for pregnancy. These include, suppressing the surrogate's own ovulatory cycle, through birth control pills and hormone shots, to match that of the intended mother; and the provision of oestrogen shots to build the surrogates uterine lining. After impregnation, the surrogate is administered daily injections of progesterone until her body realises it is pregnant. Once pregnant, most clinics encourage surrogates to live in 'hostels' where their medication, diet and other daily routines can be closely monitored. Pande describes one of the hostels from her field visits thus:

Surrogates typically have two kinds of living arrangements during their nine months of pregnancy: living in the rooms above the clinic under Khanderia's care or living in the hostels financed by the clinic.

In the clinic the surrogates live in groups of eight to a room. The rooms are lined with single iron beds with barely enough space to walk in between. One end of each bed is kept raised with a wooden block so that the surrogate can have her legs up after the embryo transfer. The women have nothing to do the whole day except pace back and forth on the same floor (they are not allowed to climb the stairs and have to wait for the nurses to operate the elevator), share their woes and experiences with the other surrogates, and wait for the next injection. The surrogacy hostels located in towns close to the clinic are less sterile: the surrogates have fewer restrictions on their movement and have a kitchen (along with a cook), a television, and a prayer room at their disposal. Husbands are allowed to visit but are encouraged not to stay the night, to emphasise the requirement that the surrogate not have any sexual relations during the nine months of pregnancy. (2010, p.981)

These hostels, and the associated regimented lives, are legitimised through the positioning of surrogates as unfamiliar with, and thus unqualified in, modern ways of being a 'good mother'. The afore cited clinic doctor affirms as much:

In a way it's also very good for all the mothers to stay together, laugh, play, and stay happy. It's a good way of passing time for them. And it prevents them from always wanting to go home. If we send her home, she is bound to start doing housework. *She doesn't know any better*. But here we can ensure that she gets complete rest. When the surrogate has her own children, she has them without even realising what happened – in fun and games. But in this pregnancy a lot depends on her actions. And we want nothing to go wrong. In the other hostel, we've also started English and computer lessons for them. We want them to learn something, some skills to face the world better after staying with us. *We can't take care of them forever!* (2010, p.283; emphasis added in original text)

Thus, the hostel, as a disciplinary space, serves not only to produce the surrogate as a 'good mother-worker', but it is also posited as a space for the institution of a modern worker subjectivity, in general. This worker subjectivity, however, is not one that the surrogates themselves relate to easily.

In her critique of the surrogacy market in India, Vora suggests that, among the surrogates she interviewed, most believed that their undertaking exceeded the bounds of mere work. Many used religious discourse to describe their actions – 'of being able to give a gift to an infertile couple that is a gift usually given only by god' (2009a, p.273). Such affirmations, of course, are not so much a denial of the financial motivations of their undertakings, as a subsumption of the economic under the altruistic. That is, while the women do not characterise their decision in terms of choice – one surrogate mother is quoted as calling it 'majboori' (a compulsion) (Pande 2010, p.988) – they, concurrently, shun describing the contract in terms of a business transaction. On the one hand, then, surrogates view their work, coerced though it may be, as 'god's gift'; on the other, they

recognise it as, ultimately, a function of mothering. Thus, the reality of the surrogate activity, Pande argues, lies ‘somewhere between contractual labour and motherly altruism’ (978). As one mother interviewed by Vora noted, she had decided to be a surrogate precisely so that her own children ‘could become educated and wouldn’t have to do such things’. She said that she ‘would not want her daughters to experience that pain’ (2009a, p.274). This pain, as Vora notes, can be assumed to be more than simply physical.

With reference to the counselling received by surrogates, to mitigate any affective bonds forged during pregnancy, another doctor interviewed by Pande asserts:

It’s because of this counseling that we have had no problem with the surrogate not wanting to give the baby up. Our surrogates are not like the surrogates you find in the U.S., who feign attachment just to make some extra bucks. That is one of the big reasons why we get so many international clients. (2010, p.977)

Indeed, this denial of affective subjectivity – i.e. the insistence on constructing surrogates as ‘empty-wombed’ service providers – is designed, also, to impress upon them the importance of eschewing greed (i.e. of cautioning them against negotiating higher pay). However, the (inevitable) failure of attempting to train desire thus is captured in a poignant example provided by Vora. Writing of the interaction between an intended father, David, and a surrogate, Puja, (the child was to be conceived through egg donation), she describes the negotiation of business and affect in their relationship.

During their first meeting, the well-trained Puja responds to David’s questions regarding herself as surrogate in a ‘self-possessed’ and ‘business-like manner’. However, when David attempts to construct the relationship as more than just a business transaction – he invites Puja to come visit them in the U.S. – this affective pretence reveals itself as such. For, when Puja asks whether he would be willing to find her and her husband jobs in the U.S., he deflects the question back to her role as surrogate. Further, David later intimates that, during a moment alone, Puja had asked him, in English (Vora had been translating much of their conversation), for additional money, in response to which he had pretended not to understand her. Nine months later, David and his wife return to India to pick-up their child. When they spoke with Puja over the phone, once they had returned to the States, she told them that she cried every night at the thought of not seeing the child again. David also mentioned to Vora that while they were hoping to have

siblings for their new-born daughter, they were not sure if they could ‘put another surrogate through the process’. Vora concludes this account, stating:

David did not mention whether he intends to fulfill the wish he expressed to bring Puja and her family to the United States someday, though they clearly do not intend to work with Puja if they have another child. However, David is clearly still sorting out his ongoing relationship to her and is wary of the affective impact of surrogacy on the surrogate’s life. (2009a, p.275)

Vora’s account is instructive because it highlights how tensions between the economic and the affective, between business transactions and personal relations, need negotiation on both sides of the surrogacy contract. Indeed, as will be outlined in a later section, the heteronormative underpinnings of ethico-political subject formation give credence to the materiality of the desires of intended parents as much as they recognise the financial compulsions and ‘altruistic’ wishes of the surrogate mothers.

Certainly, notions of ‘choice’ and ‘agency’ are just as significant, if far less contested, to the circumstance of intended parents. The possibility of exercising these through the consumption of ART is not universally available and is, in the first instance, dependent upon one’s socioeconomic capacities. Yet, even where the possibility of using surrogacy exists, the exercise of choice is not without material and emotional cost, and significant enough to require various forms of deliberated sacrifice on the part of intended parents. The next half of this section thus addresses the structure of participation of intended parents in the surrogacy market. By positing ART as a site for the mobilisation of reproductive choice (in this case, the choice to *have* children), I describe the figurations of choice and agency from the perspective of the intended parents⁶⁷.

intended parents

In her analysis of ‘Motherhood under capitalism’, Barbara Rothman (2004) suggests that the desire to ‘become a parent’ has varied meaning. For some, it is purely an affective desire – to care for and raise another life. This may or may not include a desire of the embodied experience of birth. In other cases, the embodied experience – for the mother, to carry the foetus to term, and for the father, to share in the experience of pregnancy –

⁶⁷ I must emphasise at this point, that my research looks solely at the issue of commercial surrogacy as structured through the market. It does not address the dynamics of ‘altruistic’ or unpaid surrogacy. To wit, this research is guided by an interest in comprehending surrogacy as a particular capitalist formation that is enabled by and sustains postcolonial difference. Thus, this research is not merely interested in the question of commodification as posed by the surrogacy market, but also how markets, in general, and the surrogacy market, in particular, affect a ‘recuperative’ role in the production of postcolonial modernity. I take this up in the latter half of this chapter.

is a crucial aspect of the desire. Finally, the desire to reproduce may be related specifically to a desire for reproducing one's self – i.e. the genetic tie is the central aspect of reproductive desire. This proliferation of meaning with respect to 'having children' has facilitated, as Rothman notes, the emergence of various reproductive markets that cater to the multiplicity of desires. Surrogacy, then, represents the possibility of fulfilling the genetic aspect of reproductive desire.

Studies on the emergence of assisted reproductive technologies (ART) remark upon how these technologies, in facilitating a denaturalisation of reproduction (although not necessarily of reproductive desire), (re-)move reproduction from the realm of biological fact and function to that of individual agency (Mamo 2007; Strathern 1992). The implications of this dearticulation of reproduction as biological are especially crucial to the recognition of same-sex couples and single individuals as ethically viable parents. Indeed, gay couples, in particular, form a growing share of intended parents in the surrogacy market in India. Reflecting, for instance, on her ethnographic study of surrogate and intended mothers, Elly Teman notes:

Contrary to one popular assumption that women hire surrogates as a luxury, to avoid pregnancy and birth, the intended mothers in my study arrived at the decision to pursue surrogacy only after they had explored every other option possible to become pregnant and give birth themselves. (2010, p.107)

Along similar lines, Nicky Hudson and Lorraine Culley (2011) critique scholarly and media portrayals of intended parents as 'a cohesive group, marked by their desperation and/or selfishness and propensity towards morally questionable behavior' (2011, p.573). Contrary to these representations, then, it is imperative to acknowledge that infertility and involuntary childlessness can be emotionally and socially taxing for intended parents. It is for this reason that the exploitation/inequality framework is often rejected as overly reductive and unable to account for the complex deliberations that intended parents go through before opting for surrogacy.

Writing about infertility travel in general, Marcia Inhorn and Pasquale Patrizio (2009) take issue with the description of participant flows as 'reproductive tourism'. Such terminology, they argue, creates the image of a leisurely holiday – one that is in stark contrast to the realities that constitute reproductive travel. Instead, they propose the use of the term 'exile' as it better captures the stress and desperation that provoke such travel:

The term exile has two meanings: either forced removal from one's native country or a voluntary absence. Both meanings are accurate to describe how they feel "forced" to leave their home countries to access safe, effective, affordable, and legal infertility care. Their choice to use ARTs to produce a child is voluntary, but their travel abroad is not. (2009, p.905)

Indeed, cost is not the only consideration in the decision of intended parents to travel abroad. Even where commercial surrogacy is legal, there are numerous ambiguities in the law that deter intended parents from undertaking the process in their home countries⁶⁸.

Besides the economic and legal reasons that drive reproductive travel, the notion of 'reproductive exile' also underscores the force of pronatalist norms that undergird constructions of ethico-political order. I will address the ethico-social implications of childlessness and reproduction later in this chapter. However, at this point, it is necessary to acknowledge how these stresses, (bio)politically effected though they may be, manifest in the individuated lives of those who are involuntarily childless.

In her study of lesbian motherhood, Ellen Lewin notes that motherhood is often 'the foundation from which women [can] construct a position in the wider social world' (1995, p.103). Given the normalised equation of 'womanhood' and 'motherhood', and the 'non-natural' (non-procreative) nature of lesbian sex, Lewin describes how lesbian women have historically been barred from the ethico-social category of 'woman'. Consequently, for lesbian women in particular, the aspiration towards motherhood can represent a powerful claim towards ethical recognition. For many of the women interviewed by Lewin, motherhood provided 'access to sources of goodness, enabling them to construct satisfying identities for themselves' (1995, p.110). Similarly, writing of the choice to be a mother as a means of self-fulfilment, Lauro Mamo (2007) notes: '[human reproduction] is not only about making persons, parents, and social relations; it is also about making oneself *recognisable* as a person or parent, then demanding recognition of *one's inclusion*' (2007, p.94; added emphasis)

This conditioning, however, extends beyond the desire for motherhood. In a study of gay men who choose to become fathers, Wendy Norton et al. (2013) describe a story similar to that of lesbian women. The notion of 'gay father' is perceived as oxymoronic, and has been consigned to deviancy – '[g]ay men wishing to become fathers were perceived as deviant or paedophiles, or as wishing to reproduce homosexuality' (2013,

⁶⁸ See fn. 2.

p.272). Thus, while research on gay parents is relatively limited, it might be argued that the decision of gay men to enter parenthood parallels the claims to subjecthood made by lesbian mothers. The legal complications surrounding surrogacy contracts, as well as the persistent prejudice against same-sex couples and queer-identifying individuals, intensifies the emotional and economic risks for lesbian and gay intended parents undertaking surrogacy contracts in their home countries⁶⁹.

The ethical overtures evident in decisions taken by lesbian and gay parents also run through the decision-making processes of heterosexual couples and non-partnered individuals. It is estimated that, globally, infertility affects more than 15% of all reproductively-aged couples, or approximately 80 million people (Inhorn & Birenbaum-Carmeli 2008, p.179). Infertility rates are generally thought to be highest in the developing world owing to issues such as sexually transmitted and other untreated infections, hormonal and nutritional imbalances, and complications arising from previous pregnancies (Wadekar 2011). The concern with infertility, then, is not isolated, and while anxieties surrounding it might be differently manifest, they are pervasive across communities and cultures. The introduction of ART has opened up the possibility for individuals confronted by this issue to take control of their reproductive capacities. Of course, this possibility is neither universally nor uniformly available. I will take up the question of this differential shortly. Even so, the marketisation of ART marks a significant transformation in how individuals can manage their reproductive possibilities.

Despite the socio-ethical coercions described thus far, the exercise of choice and agency is a crucial aspect of the decisions undertaken by intended parents. For instance, referring to the decision-making process of lesbian mothers Lewin remarks upon ‘the powers of the individual, on the importance of achieving goals through action on one’s behalf as a central aspect of American socialisation. Furthermore, the exercise of individuality is grounded in the drive to “find oneself,” a quest that rests on self-reliance, on leaving home and earning one’s way in order to “make something of yourself through work” (1995, p.110). Given, then, that the achievement of motherhood is posited, and experienced, as the actualisation of the female self – and this structure of actualisation

⁶⁹ It must be noted here that India does not issue medical visas for the purpose of surrogacy to gay and lesbian couples. However, in May 2013, the government announced that, while this ban would continue, it would now allow single people to access surrogacy services in the country. An ingenious solution, no doubt, to maintaining an official prejudicial stand on same-sex relationships, while enabling its circumvention for economic reasons (Tripathi 2013).

may be extended in a gender non-specific way to parenthood – engagement with ART represents the exercise of a rational self-determination.

As noted above, Marilyn Strathern (1992) suggests that the enabling of reproductive choice by ART interpellates the enterprising self, i.e. the one who is not just ‘able to choose between alternative ways, but one who implements that choice through consumption (self-enhancement) and for whom there is, in a sense, no choice *not* to consume’ (Strathern 1992, p.37; original emphasis). Strathern borrows this notion of the ‘enterprising self’ from Russell Keat’s discussion on ‘enterprise culture’ (1991), a discourse that emerged in the 1980s, effected by British government’s project of economic and institutional reform that ‘encouraged or required the reconstruction of the institutions concerned along the lines suggested by the model of ‘the commercial enterprise’ – the privately owned firm or company operating in a free market’ (1991, p.2). The concurrent positing of enterprising individuals as self-reliant, non-dependent, goal-oriented, and optimistic, engenders discerning consumers and producers, keenly attuned to the market. To be sure, the geohistorical specificity of this term aside, the enterprising self merely refers to the ideal subject of the market, one who is a ‘divinely-willed, rationally inspired, invisibly handed economic actor’ (Williams 1991, p.220)

The preceding discussion confirms intended parents as enterprising individuals – those who, as Strathern notes, seize the possibilities opened up by ART since ‘[t]o imagine an absence of desire would be an affront to the means that exist to satisfy it’ (1992, p.37). Similarly, the participation of surrogate mothers in the market installs them as enterprising as well. As illustrated above, the participation of surrogate mothers in the market is, in the first instance, an effect of the responsibility of motherhood as an affective and socio-economic project. That is, the intention towards the well-being and betterment of their children is not merely a private investment but also signals the performance of ethico-economic duty towards one’s polity. By entering the market, surrogate mothers submit the means of production available to them – the body and its capacities – to ART thereby extracting the economic benefits available therein. Moreover, by fulfilling an ethical duty towards the intended parents, through the performance of a mother-worker subjectivity, they install themselves as desirable subjects in/of the modern polity. Thus, the decision of surrogate mothers to “construct’ and [make] what they will ‘out of’ the givens of existence and environmental constraints’ (1992, p.39) marks them as enterprising individuals.

To wit, the notion of enterprise is intended to underscore choice and agency as drivers of market participation. Yet, as should be evident from the above discussion, these do not exist apart from coercion or compulsion. The ‘magic’ of the market lies in its ability to rewrite control from an effect to direct, or sovereign, power, into that of the rationalised powers of responsibility and obligation. Consequently, as I will explicate in the following section, the surrogacy market is a site of biopolitical control. Recalling Foucault, biopolitics is concerned with the well-being of populations conceptualised as a collectivity formed of members of the human species (Foucault 2007). In order to explicate the surrogacy market as such, in the section below I will focus on the poor women who are incorporated into the market as a means of controlling their excess.

The first half of the section seeks to describe how poor women have been described as excess as an effect of their sexuality. I begin by employing the work of Rickie Solinger (2007) to outline the historio-politics of stratified reproduction – that is, the differential valuation of reproductive capacities – in order to underscore how the well-being of a population is secured through the differentially mattering of bodies. Thereafter, I apply this argument specifically to case of India where I identify the country’s sterilisation policies as a biopolitical technique aimed especially at controlling the reproductive capacities of poor women. These policies, in fact, were officially authorised as a developmentalist strategy for the country’s population (Chatterjee & Riley 2001).

The second half of the section seeks to demonstrate surrogacy as the other side of the reproductive coin. That is, I describe how the appropriation of excess by the market serves a biopolitical function similar to sterilisation. To make this argument, I introduce Lawrence Cohen’s (2008) idea of bioavailability – i.e. the circumstance wherein the fragmentation of one body is appropriated for use in another – to demonstrate how excess becomes a resource for the preservation of value in both, its ethical and economic registers. Cohen presents bioavailability as biopower that tends towards exercise as sovereign power intended towards the installation of the poor as ‘modern subjects’. As such, bioavailability confirms the ethical devaluation of the bodies of the poor. In the case of the surrogacy market, in particular, bioavailability is in fact the scene of annihilation. I will substantiate this proposition by showing how poor women *offer* themselves as bioavailable to the market on the pr(e)/(o)mise of personhood. To wit, the surrogacy contract authorises the subjection of the surrogate mother as voluntary. This, I will explain, is an effect of her (own) recognition as differentially human and her self-

determined choice to exercise her property rights in her own body to actualise herself as human (Rao 2000; Wiegman 2003). However, using critiques of the employment and marriage contract (Pateman 1988; Williams 1991) – of which the surrogacy contract is a special type – I will argue that these, by their very structure, are not only a form of subjection but more precisely of alienation such that they are destructive of even the possibility of personhood. This, as I will show, is especially intensified in the case of the surrogacy contract wherein, the putative exercise of property relations and personhood effects a reduction of the self – an almost complete emptying out of the self. In other words, the surrogacy contract is the scene of the production of the surrogate mother as a ‘becoming *being for*’ (Spillers 1987, p.67), the installation of her as *thing*.

Consequently, the purpose of the following section is to outline how the appropriation of excess as a resource by the surrogacy market is in fact the annihilation of (the subjecthood of) poor women. It is only as such that the surrogacy market can preserve value in the form of capital (wealth for practioners) and humanness (family/parenthood for intended parents).

on ‘the poor woman of the south’ and the annihilation of personhood

Lisa Switzer, as noted earlier, is ‘determined’ to have a baby. And so is Aasia. Yet, in the film it appears as though Aasia’s husband is not particularly supportive of her plan to be a surrogate mother. This is attributed to his lack of understanding of what the process entails. This, according to a doctor interviewed, is a common occurrence. She notes that husbands are especially concerned with how and whose sperm is to be injected into the surrogate. These concerns however are alleviated when she ‘educate[s] them and inform[s] them, look even the eggs are not hers. The baby is not hers. I’m just going to prepare a baby outside and just put it into her uterus... I only need her uterus. That’s when they are able to understand’ (Haimowitz & Sinha 2010, min.22:11). This explanation, however, may not have worked on Aasia’s husband for she had to trick him into signing the contract⁷⁰. This fragment reveals the fundamental terms upon which the work of the surrogate mother is ethically viable – i.e. property and personhood. While Aasia, emphatically, does not hold property in the genetic material she is injected with nor the baby that culminates from it, she is deemed to hold property in her body⁷¹. It is

⁷⁰ Clinics require husbands to sign a contract as well in order to indicate consent to and compliance with the surrogate’s duties and responsibilities.

⁷¹ This is, of course, debatable given the patriarchal power of a husband over his wife’s body and its products. Indeed, this is evident in the form of resistance of Aasia’s husband to her participation in the

only as such that she is able to ‘rent out’ her womb and her labour thereby materialising herself as surrogate. By thus exercising her property rights as a means to self-advancement she is seen to express an ethical subjectivity, or personhood. In Aasia’s case this is all the more apparent in her ‘rational’, ‘self-determined’ act of trickery whereby she circumvented her husband’s power in the affirmation and exercise of her property rights.

The surrogacy contract represents a viable exchange in so far as it acknowledges the personhood and property rights of both parties (Wiegman 2003) – the surrogate mother as well as the intended parents. But this contract is in essence an employment contract. The employment contract represents a relationship wherein a worker alienates her labour power in exchange for wages. The contracting out of labour power implies that the worker holds a property relationship with his bodily capacities that are, in fact, distinct from his person. Or more precisely, the self-determined separability and exchangeability of labour power from the social entity whence it emanates, establishes (the possibility of) personhood, and that of the subject as worker rather than a slave (Pateman 1988). However, the possibility of this separation, Pateman notes, is a dominating (as in both, primary and subjugating) fiction of capital. This is because labour power is an effect of the worker’s ‘will, his understanding and experience’ and is thus ‘an integral part of his self and self-identity’ (1988, p.150). Consequently, the employment relationship implies a dispossessed particularisation of the worker’s subjectivity as well as the alienation of the body and its capacities, voluntary and non-absolute though it might be.

This is especially true of the surrogacy relationship wherein the surrogate is not merely dispossessed of her labour power, but also of her body as vital matter. Indeed, the surrogate’s body, as vital matter, and its functions, serve as the raw material and instrument of labour, respectively. Consequently, the surrogate’s body – as matter and capacity – is the primary means of (re)production. By alienating (‘renting out’) her body as the means of production, the (possibility of) ethical subjectivity of the surrogate mother is held in suspension while she functions as biological object intended towards another’s will. In the second half of this section, I will juxtapose these critiques of the employment contract – i.e. critiques of free labour – with Spillers’ (1987) engagement with slave labour, in order to explicate the surrogacy contract as the scene of ethical destruction. However, in order for this circumstance to be ethically viable, the surrogate

surrogacy market. In general, however, this patriarchal relationship is both acknowledged (in the signing of the contract) and put under erasure (in positing the surrogate as a self-determined market actor) by the structure of the Indian surrogacy market.

mother must first be posited as ethical excess herself. Below I outline how this excess comes to be described through discourses of stratified reproduction and the practice of sterilisation.

stratified reproduction

In order to approach the attribution of excess through reproduction as a site of biocontrol, I suggest to undertake an engagement with the discourse of reproductive rights. Rickie Solinger describes reproductive politics as the question of '[w]ho has power over matters of pregnancy and its consequences' (2007, p.3). Eschewing the history of patriarchal/state control over women's bodies, (western) feminist discourse has asserted the self-determination and autonomy of women with reference to their own bodies, its functions and its intensities. This is especially significant given that, historically, policies governing reproduction have attempted to distribute reproductive capacities – through the moralisation of reproductive responsibilities, prohibition and criminalisation of abortion, mandatory/forced sterilisations, etc. – along race and class lines, so as fulfil the state's socio-economic and ideological purposes. This, remarks Solinger, is an effect of the construction of women's reproductive capacities as a 'social resource' (2007, p.9) – something to be managed in the service of a healthy nation. The feminist response, therefore, has been to reclaim one's reproductive capacities from the social/public sphere into that of the individual/private through a discourse of 'rights'.

Of course, this notional ability to privatise one's fertility – i.e. to appeal to ideas of 'ownership' and a 'right to privacy' – is denied, or at least severely restricted, among those deemed incapable of achieving personhood. For instance, with respect to the *Roe v Wade* decision in the U.S., Solinger notes:

In retrospect, it seems paradoxical that seven justices in the majority could have, at that historical moment, imagined a woman's reproductive decisions as private at all. On the one hand, in the waning years of the civil rights movement, granting women reproductive privacy was a way of acknowledging the human dignity of women and of defining their self-ownership. But on the other hand, women's fertile, reproducing bodies had never been so visible or publicly consequential in American society as in this era: the reproducing body had become everybody's business. (2007, p.186)

Indeed, the granting of 'human dignity' through this decision was coupled with, and contingent upon, an ascription of the ability to make good choices. That is, in the context of the civil rights movement and consequent debates on desegregation, welfare

and citizenship, the ‘reproducing body’ was differentially produced with respect to the exercise of personhood as defined through economic capacity. Whereas middle class, predominantly white, women were favourably viewed as consumer citizens, poor women and women of colour were portrayed not only as economic burdens but also as ‘poor choice makers because they became mothers without being able to afford children, economically’. Thus, Solinger notes:

Giving birth while poor became a sign of failure to benefit from women’s new economic opportunities. Middle-class women were supposed to achieve personal liberation by achieving economic self-sufficiency. Any women who didn’t achieve economic self-sufficiency had only herself (and her contraceptive ineptitude) to blame.

In this way, the escalating rates of women’s workforce participation became a reason to disqualify poor women from proper status as mothers. Women who earned enough at work (or who had husbands who did) were the ones who *earned the right to choose motherhood*. Even though women of color as a group had always had higher rates of workforce participation than white women, those who didn’t work – or who didn’t “earn enough” – did not merit the right to choose motherhood. ...

In a society especially worried in the 1960s and 1970s about the relationship between rights, individuality, selfishness, and depravity, poor mothers became the emblem of what could happen when wrong people got rights. (2007, pp.189–190; original emphasis)

In drawing a connection between the *possibility* of rights (to choice, to motherhood, etc.) and economic capacity, Solinger’s observations underscore how personhood – the descriptor of legitimate(d) ethico-political existence – is inextricably tied to issues of ‘property’ and ‘ownership’. While access to these in the realm of the economic liberates the possibility of a similar exercise in the realm of the psycho-corporal, those that lie outside of, or in excess of, this order are deemed incapable, and thus unworthy, of the rights and privileges associated with such ownership. I will elaborate on this point further on in this chapter in my discussion of Donzelot’s account of the family as an ethical formation. However, what is of note here, is that the discourse of ‘rights’ and ‘choice’ has limited pertinence to the question of reproductive politics – i.e. the question of power.

This is especially evident in concurrence with the history of sterilisation policies worldwide. The recent history of sterilisation reveals how the evocative rhetoric of ‘population bomb’ and ‘population explosion’ has been deployed, especially with reference to the global south, to justify the sterilisation of poor populations whose sexual

practices and fertility rates are deemed unedified in their excess(iveness) – a subsequent drain, therefore, on natural resources, the cause of their lasting impoverishment, and ultimately, a hindrance to economic growth (Hartmann 1987). Sterilisation is one of, if not *the*, most popular forms of birth control globally. However, as Hartmann argues, this practice is relevant to the issue of population control only where it is performed coercively. Indeed, while government-funded sterilisation programs, supported by international aid agencies, are nominally run on a voluntary basis, the forms of compensation offered (cash, clothes, food, etc.) and penalties levied (docking pay, restricting access to food rations, etc.) render the process involuntary. Sterilisation policies, then, mark not a disavowal of the possibility of choice (and hence, personhood), but instead a definite denial of it. Moreover, while the eugenicist underpinnings of contemporary sterilisation policies are perhaps less palpable, the association between economic capacity and reproductive choice is made blatant.

Contemplating the case of India, in particular, Nilanjana Chatterjee and Nancy E. Riley (2001), posit the state's fertility control programs as a tool for the domestication or 'selective indigenization' of modernity (2001, p.811) – i.e. the negotiation of a modernity that balanced Enlightenment ideals of scientific rationality with values instituted as 'traditional'. Here, even while the ideal(ised) female subject abided by the imperative of motherhood (and thereby, the guardian of culture), the modernisation of this subject entailed the cultivation of a 'rational preference for child "quality" over child "quantity"' (2001, p.820). Thus, while pre-independence debates on birth-control considered its compatibility with religious or other traditional values, in post-independence India, the equation of population control to the promise of social prosperity and national progress, produced fertility as a legitimate site for developmentalist intervention by the postcolonial state.

In 1952, India became the first country in the world to institute an official population control program (2001, p.811). In its early years, the program focused on the dissemination of information about and means for contraception. However, given the limited effectiveness of these policies, combined with the financial crisis of 1966, the family planning program was transformed from 'one providing voluntary services into an incentive- and target-driven population reduction program', including sterilisation practices, and in particular, compulsory sterilisation for men (2001, p.824). The political fallout from these policies resulted in a recommitment to an educational and voluntary

family planning policy. Even so, as Chatterjee and Riles note, ‘the family planning program continues to use “compensation” payments to acceptor for lost wages and medical costs and for community incentive packages (offering funding for community improvements if a certain percentage of residents accept contraception)’ (2001, p.825). Furthermore, the rearticulation of these policies, from family planning to family welfare, has enabled focus on adolescent girls who are “targeted for special attention... so that they grow up as better young women, and are able to make informed decisions in their roles as mothers and individuals” (ICPD Country Report 1995, 18; quoted in 2001, p.827).

In fact, as the authors note, this ‘training’ directed towards girls and young women is a distinctly modernising strategy:

Planning is a hallmark of modernity: if you plan you are modern; if you are modern you plan. This approach emphasizes the importance of rational thinking, of individual agency, and setting goals. [...] Having identified the fertility of the underprivileged as a dangerous result of “poverty, ignorance and cultural inhibitions”, the government directs its efforts at them to teach them the benefits of planning and rational thinking. Its goal is to transform people’s behavior for their own good and for the good of the nation. (2001, p.832)

The benefit of such planning, as advertised in state-produced literature, entails the achievement of an Indian middle-class life-style, represented by access to ‘electricity, piped water, glasses of milk, sewing machines, bicycles, tractors, and televisions’ (2001, p.831). Furthermore, even as family planning is described within the constraints of Indian traditionalism and patriarchal norms, women are summoned to become empowered agents, choosing to have fewer, i.e. one to two children, overriding traditionalist demands to bear more.

The preceding outline of fertility control practices in India reveals how state intervention occurs at the intersection of the economic and the ethical – i.e. where the ethical excess(es) of the dispossessed is disciplined within ethical bounds. This is, also, precisely the point at which the surrogacy market becomes possible. For, the confluence between economic capacity and ethical value structures, albeit differentially, both sides of the surrogacy contract. The final section of this chapter will reveal how the production of value in the surrogacy market unfolds through the consumption of the bodies of power as excess. In fact, it is only by assenting to this consumption that poor women can materialise themselves as surrogates. Consequently, it will be suggested that the

differential humanness of poor women bears use and exchange value which is actualised only by its consumption in the (re)production of ethical value for intended parents. In order to set-up this argument, the next sub-section addresses how the consumption of excess as commodity is authorised through the notion of bioavailability as presented by Cohen (2008). Here, I use the critique of contracts (Pateman 1988; Williams 1991; Wiegman 2003) to describe how the mobilisation of abstract liberty and equality through the affirmation of self-possessed subjects puts under erasure the ethically reductive tendency of this mode of biopower. The discussion below thus aims to move towards an articulation of the surrogacy market as the transfer of ethical value from surrogate mothers to intended parents. There, returning once more to Spillers (1987), I will explicate this transfer, which institutes the surrogate mother as *thing*, as the annihilation achieved by capital in the preservation of value under the postcolonial condition.

bioavailability

In his article on ‘Operability, bioavailability and exception’, Lawrence Cohen (2008) defines bioavailability as the condition of being ‘available for the selective disaggregation of one’s cells or tissues and their reincorporation into another body (or machine)’ (2008, p.83). Using it to describe the circumstance of the global market for human organs, he posits bioavailability as a form of ‘exceptional life’ wherein the valu(e)/ation of biological life determines not only its control, but also its (re)distribution. Cohen’s account of exceptionality differs from the state of exception as proposed by Giorgio Agamben, in that the situation of bioavailability ‘is less one’s reduction to a zone of indistinction in which political life and bare life collapse together, but a more articulated zone in which one trades in one’s bare life... in order to remain a political subject of sacrifice and love’ (2008, p.83). Cohen’s reference here is to the ‘gift economy’ that underlies the organ market in India, where ‘donors’, although paid, are positing as sacrificial subjects impelled by love rather than financial need. Even so, as Cohen asserts, bioavailability, in its contemporary articulation, is an effect of an ethico-political sensibility wherein the political subjectivity of donors (sellers) is contingent upon market participation, activated here by the exercise of property relations with one’s body. I will elaborate on this situation of holding property in one’s body later as well. What precedes this neoliberal institution of such property relations, however, is a redescription of life itself.

The circumstance of bioavailability emerged through advancements in medical practice and technology – such as extracting and grafting tissue, transfusion and immunology

techniques, drug development, etc. – as a means of dividing, detaching and exchanging parts of the body. The safe exchange of parts, however, relied on finding suitable matches. This necessitated the availability of a substantial population whose bodies could be sourced for likely matches. The refinement of transfusion and immunological techniques around the period of World War II signalled an opportunity for the creation of just this circumstance through the presence of the ‘almost dead, bodies still yet barely alive’ (Cohen 2008). Yet, given that transplantation required the availability of ‘living’ organs, a definition of death was required that did not rely upon the ceasing of the body’s respiratory functions and heartbeat. The in(ter)vention of the category of ‘brain-dead’ named the dissociation of biological life from ethical life, thereby producing the extraction and redistribution of organs from breathing, beating bodies as ethically viable. Although, the primacy of brain death in determining bioavailability, notes Cohen, created a new moral economy of the waiting list.

The problem of scarcity, as signified by the waiting list, is addressed through a neoliberal logic materialised in the development of an organ market. Nancy Scheper-Hughes thus locates the contemporary valence of bioavailability in the institution of patients as

medical consumers [who] have begun to challenge the old battlefield triage and are demanding an end to “war-time” rationing based on scarcities that could be addressed by applying neo-liberal market principles to organs harvesting and thereby legally tapping into the bodies of the *living*. (2008, p.15)

The refusal of the logic of scarcity authorises a market for human organs premised on a ‘democratisation of life’. Indeed, as both Cohen and Scheper-Hughes note, this democratisation becomes substantiated through an ethics that find currency in the ‘juridical concepts of the autonomous individual subject, equality (at least, equality of opportunity), radical freedom, accumulation, and universalism, expressed in the expansion of medical rights and medical citizenship’(2008, pp.17–18).

I suggest in this section that the concept of bioavailability signals the possibility of dealing with excess through the intervention of property relations. Property designates an object that is external to, yet stands in possessive relation with, another entity, animate or non. Within a social context, property is that which is held in custody by an individual. An individual holds an object as property insofar as he can exclude others from it, use it at will and exchange it for another commensurate object. Despite the notion of *belonging to*, property is not constitutive of its holder – indeed, this comprises the alienability of

property. To hold property in one's body, then, implies the separability of the body from the individual without any violation of its ethical subjectivity. This separability, as material and ethical possibility, is a pre-condition for bioavailability. As Radhika Rao notes in her article on 'Property, Privacy and the human body', what follows from this institution of body as property is the ability to 'disaggregate rights in the body and assign them to different parties... [thereby] allocating rights and responsibilities among all of those who share an interest in a precious resource' (2000, p.364). This disaggregation and redistribution of the body is not considered to impact the ethico-political subjectivity, or personhood, of the associated entity. In fact, as I will demonstrate later, the ability to alienate the body as property signals an intention towards, and reification of, personhood.

Property relations with the body function differently in relation to the living and dead. As Rao remarks, '[d]eath marks the ultimate boundary between persons and things' (2000, p.446). In the case of the dead body, property rights cannot accrue to the associated person, precisely because death signifies a dissolution of personhood, and the body is rendered an absolute thing. This reduction to thing extinguishes any right to personal privacy in relation to the body. Under the privacy framework, the body is conceived as 'integrally connected to the person such that invasions of the physical being endanger its essential personhood' (2000, p.428). Consequently, the right of personal privacy with regards the body implies 'the right to resist forced invasions of one's body and the right to prevent its physical alteration' (2000, p.389). Any intervention by an external force becomes a violation of personhood. Since death signifies the termination of personhood, privacy rights over the body no longer hold. Indeed, the body, as no longer fundamental to personhood, is rendered an object.

The productivity of the category of 'brain dead' lies in an expedited rendering of this objectification, one that facilitates the external mediation of bodily matter. The circumstance of bioavailability is created by assuming property rights in a (brain-)dead body as held in common⁷², so that the possibility of 'saving a life' not only helps alleviate

⁷² Bodily mediation for medical purposes is not without its challenges. As Rao demonstrates in her overview of U.S. case law, wherein organs were extricated from dead bodies without the consent of family, the property rights that a family has over their kin's dead body could prevent intervention or at least require consent. Even so, in certain instances, the dead body is posited as being held in common, so that it falls within the purview of the state, especially where the interest of the state trumps individual interest.

any moral discomfort with bodily intrusion but, more significantly, assists in creating a moral imperative in contributing to this possibility. Thus, in the first instance, the ethical possibility and imperative signified by bioavailability addresses itself to pure biological life as excess. However, as Cohen suggests, in its contemporary articulation, bioavailability is the ‘voluntary’ reduction to pure biological life in order to manifest an ethico-political subjectivity. The deployment of property as a means of capitalist accumulation and exchange is a hallmark neoliberal ethics. Under this logic, the body, as that which is held in property by the individual, is a legitimate object for commoditised exchange. Moreover, the exercise of embodied property relations for economic gain is viewed as an ethical act of ‘love and sacrifice’ intended towards not only one’s kin, but also towards the patient-customer.

Writing, for instance, on organ transplants in India, Cohen notes that the regulations require that the ‘donor’ be family or a close friend – one whose ties with the recipient qualify the organ – indeed, the act of giving itself – as a gift. Potential donors and patients then become positioned within new forms of biosociality that cloak the essentially financial nature of the transaction. In fact, despite the ‘bio-technological optimism and biomedical triumphalism’ (Cohen 2008) of the market – i.e. allusions to/of its ‘enterprising’ nature – the market remains a complex mix of the affective and the political. As Cohen’s work reveals, even where an organ match exists among family and friends, patients often choose to go with a ‘donor’ so as to avoid jeopardising the well-being of their loved ones. However, in refusing this ‘sacrifice of love’, a new affective relationship is to be conjured up with the ‘donor’ – the giver of the gift of life – one who’s bio-ethical sacrifice can be compensated but never be recognised as such. Indeed, while from the perspective of the patient, the exchange of payment for an organ is the expression of a will to life, the transaction offers no such subjective position to the seller: ‘the seller is not only taken out of the relational frame of being a person, but he or she is denied the recognition of sacrifice’ (Cohen 2008). Even more profoundly, what the assumption of autonomy and freedom elides is the violation of one’s personal integrity as an abjected gesture towards an otherwise deprived personhood. Indeed, what such an exchange effectively entails is the violation of one’s own right to personal privacy.

Privacy rights are intended towards the exclusion of external interference, but they do not grant the individual the right to use and transfer at will; that is privacy rights do not include ‘the affirmative exercise of power over the body’ (Rao 2000, p.389). The exercise

of property relations with one's body may then represent the violation of privacy, and thus of one's bodily integrity. Indeed, the material transaction undertaken in the organ market – organ for cash – is simultaneous with an ethical one – the suspension of bodily integrity in one location for the consolidation of bio-political life elsewhere. As Cohen remarks

...bioavailability has a distinctly modern provenance overdetermined by the longue durée of its imaginary double – the vampiric and usurious extractions and transposed parts that have constituted and been constituted by the body of value and the value of body. (2008, p.83)

We can better comprehend the connection between excess and bioavailability as a 'vampiric transaction' through Cohen's description of operability. He describes operability as 'the degree to which one's belonging to and legitimate demands of the state are mediated through invasive medical commitment' (2008, p.86). Using the examples of sterilisation, ungendering surgery and cataract operations, in addition to transplants, Cohen suggests that operability marks a putative recuperation enacted by the state to rescue its pre-modern subjects into developed modernity. In the case of sterilisation, for example, the violation of bodily integrity undertaken by the state is enacted as an effect of necessity – an eradication of those modes of existences that lie in excess of, and hence pose a threat to, the modern ethical order. Thus Cohen writes:

...the operation [sterilisation] works within (among other things) a discursive field that presumes that the proper subjects of development are peasants or slum-dwellers marked by the excessive passion and limited reason, prone to pathology rather than discipline of the will. From nationalist debates over mass will to the past five decades of Indian family planning, the operations as a proxy for a presumptively failed project of reason and will has continually been asserted. ... The operation is thus necessary to remake one's mindful body in accordance with the demands of developmental modernity, to remake one *as if* one were modern. (2008, p.87)

With respect to sterilisation, then, the operable body may be brought under relations of force with the state to amend its functionality in accordance with an imposed morality. However, when operability is mediated by a commercialised bioavailability, as with organ transplants, the state merely abides by its ideological (market) imperative, allowing for the harnessing of ethical excess into modes of production and consumption compatible with economic (capitalist) modernity – i.e. the unfolding subjects of modernity.

The concepts of operability and bioavailability provide a potent ethical critique of the surrogacy market in India. Bioavailability in the market is contingent on the fertility of

young poor mothers, who are posited as operable precisely because of a presumed, and heretofore undesirable, prolificacy. Sterilisation and surrogacy are thus two sides of the same bio-ethical coin – whereas in the former, fertility is banished, in the latter, it is harnessed, but both intended towards the eradication of excess. The eradication of excess is the condition of possibility for the institution of an ethical existence. As asserted in previous chapters, this eradication is achieved through biopolitical control tending towards outright violence. While coerced sterilisations typify the latter manifestation of force, the surrogacy market is an instantiation of the former. The violence of the surrogacy market, however, is elided by the translation of the rule of force into that of property (as freedom), so that the repudiation of excess becomes the exercise of ethical subjectivity. Indeed, as Cohen notes, bioavailability is the exchange of biological life for recognition as a subject of sacrifice and love. In the case of surrogacy, this exchange is authorised through the surrogacy contract, which outlines the financial rather than affective contours of the transaction. The primacy of affect – the mother who sacrifices for the sake of her children as well as to share her maternal joy – is maintained, despite the transactional obligations of the contract, by the activation of property relations incumbent therein. That is, the valorisation of the alienation of property held in one's body as an effect of love and sacrifice elides the contract as a dominating force. Yet, the force of obligation imminent in the contract renders it a disciplinary tool against subjectivities marked by excess and hence always already suspect. I develop this argument in the remainder of this section through an elaboration of the contract as a mechanism of ob/ab/jectification.

Carole Pateman describes the contract as 'a principle of social association and one of the most important means of creating social relationships...' (Pateman 1988, p.5). This description of the contract originates from the account of the social contract as the founding fiction of modern society. Here, man in the state of nature is assumed to be born free and subject only to himself. The insecurity that accrues from this absolute freedom compels man to *freely* subordinate himself to the law of the state or to collective political participation. Freedom, thus described as the condition of *voluntary subordination*, is the condition of possibility for political subjectivity. The primary condition for being instituted as a political subject – i.e. from being subject to oneself alone to being subject to another – is that of holding property, in the first instance, in one's own person. This condition extends itself to the contract, in general, as a determinant of juridico-social relationships. Indeed, the contract entails the recognition of each entity party to the

contract as a person. That is, each contracting entity must be recognised as the holder of property relations, first in themselves, and there-after/by, in other objects external to themselves. This is the recognition of personhood. Furthermore, the possibility of such property relationships implies a universal circumstance whereby parties can contract with each other for the free and equitable exchange of property.

The situation of exchange objectified in the surrogacy contract recognises the surrogate as holding property in her own body. She owns the means of production by having property in her body. This authorises her to use, exclude, and exchange parts of her body and its capacities without any ethical dissonance. Indeed, the prospect of a woman appropriating, in order to alienate ('rent out'), her body as the means of production becomes thus posited as ethically viable. The surrogacy contract thus materialises the circumstance of bioavailability. Yet, as outlined earlier in reference to the right of privacy, the surrogacy contract merely puts under erasure relations of domination and subjection inherent in it. The relations reveal themselves as such particularly when the contract, approached as a relationship of mutual and voluntary exchange, is breached.

In 'Intimate publics: Race, property and personhood', Robyn Wiegman (2003) addresses the case of Anna Johnson, a black woman who was contracted to be a gestational surrogate for Crispina and Mark Calvert, a Filipina and white couple. Johnson sued the Calverts for custody of the child and lost because of the invocation of her contractual obligations to the Calverts. Analysing the discourse around the case, Wiegman highlights how Anna Johnson's subject position was dichotomised between her construction as a 'slave mother' and a 'welfare cheat'. The latter description, deployed to assert her incapacity for good citizenship, was intended towards substantiating her inevitable failure at upholding her contractual obligations. This failure revoked the possibility of ethical personhood signified by Johnson's inclusion in the contract, casting her outside its bounds. This is of particular significance given the ethical difference always already presumed by Johnson's blackness. The surrogacy contract, as already indicated, recognises property held in one's own body and its capacities. For Johnson, this recognition marks a restoration of property relations denied under slavery through the institution of the black female body as depersonalised (re)productive property. The surrogacy contract thus comes to represent the possibility of reclaiming black personhood. The breach of contractual obligations, however, signals an incapacity for its proper performance. Indeed, while the accrual of property relations as objectified in

the contract announces personhood, its fulfilment is contingent upon the conclusion of its obligations. The contract thus reveals itself as an instrument for the control and distribution of ethical subjectivity.

Consequently, in her own critique, Patricia Williams likens the surrogacy contract to a form of enslavement. Contract law, she notes

reduces life to fairy tale. The four corners of the agreement become parent. Performance is the equivalent of possessive obedience to the parent. Passivity is valued as good contract-socialized behaviour; activity is caged in retrospective hypotheses about states of mind at the magic moment of contracting. Individuals are judged by the contract unfolding rather than by actors acting autonomously. Nonperformance is disobedience; disobedience is active; activity becomes evil in contrast to the childlike passivity of contract conformity. (1991, p.224)

The imperative of conformity eminent in a surrogacy contract is an effect of the bio-objectification of the surrogate mother, that is, of the *conceptual* yet obligatory separability of the surrogate mother, as a psycho-affective entity, from her labour power. Here, obligation functions as a check on her autonomy, frozen precisely in the moment of activity that implies alienation. This is patent in the case of Anna Johnson, whose attempt at asserting property relations over the object of her means of production contravened the limit to property posed by the surrogacy contract. The violation of contract, even within the exercise of autonomy, was thus deemed to confirm her ethical deficiency – i.e. her determined refusal to subject herself to, and for, social order. This severance of autonomy and the suspension of property relations⁷³ restages the theft of the body eminent in reproduction under slavery.

⁷³ The surrogacy contract represents, in fact, the encounter of two conflicting sets of property relations. Wiegman, for instance, describes a custody battle between the Fasanos and Rogerses, a white and black couple, respectively, over a child, Joseph/Akiel, born through IVF. The battle was the consequence of an error by a fertility clinic where both women, Donna Fasano and Deborah Rogers, were to be artificially inseminated. Both women had had their eggs fertilised, using their partners' sperm, through an IVF procedure; however, Fasano was mistakenly inseminated with both women's eggs. Consequently, Donna Fasano gave birth to 'twins', one of whom was genetically related to the Rogerses. The two couples initially agreed that Rogerses would have primary custody over the child that was genetically related to them – Joseph, who the Rogerses re-named Akiel – so long as both children borne of Fasano could be raised as brothers. However, claiming a breach of trust, the Fasanos filed for custody soon after. The dispute was settled when the courts decided in favour of the Rogerses, positing Deborah Rogers as the biological, and therefore legal, mother.

Given that biology epistemologically naturalises reproduction, the law generally recognises the rights of gestational mother as primary. In the Rogers-Fasano case, however, this primacy was disrupted because of the complementary notion of genetic material as property. Thus, Wiegman notes, "The understanding of the racial complications of the Rogers-Fasano case, where genetics replaces gestation as the foundational language of property-as-life, and maternal affect is rerouted in the language of the law from the discourse of the body to the property life of the gene" (Wiegman 2003, p.304). The Rogers'

Recall that Hortense Spillers describes the theft of the body as ‘a wilful and violent (and unimaginable from this distance) severing of the captive body from its motive will, its active desire’ (1987, p.67). Under these conditions,

1) the captive body becomes the source of irresistible, destructive sensuality; 2) at the same time – in stunning contradiction – the captive body reduces to a thing, a becoming *being for* the captor; 3) in this absence *from* a subject position, the captured sexualities provide a physical and biological expression of “otherness”; 4) as a category of “otherness,” the captive body translates into a potential for pornotroping and embodies sheer physical powerlessness that slides into a more general “powerlessness,” resonating through various centers of human and social meaning. (1987, p.67)

While the surrogacy contract cannot be made to comprehend the severing of motive will, at least in the first instance, precisely because of the notion of personhood that authorizes it, what it does manifest is the ‘becoming *being for*’, here, in relation to the intended parents. It is precisely this form of subjection – the primacy of the will of the intended parents and the suspended will of the surrogate – that is the core of Pateman’s critique of the contract, in general. In the Indian context, in particular, where surrogate homes serve as spaces of discipline and surveillance, the subject position of the surrogate is effectively one of powerlessness. The autonomy of the surrogate mother over her own body – that which she premised to hold property in – is largely suspended. Moreover, the suspension of maternal affect and kinship ties that a surrogate must commit to in order to be a ‘mother-worker’ signifies a dissolution, voluntary and temporary though it may be, of her intimate subjectivities and its consequent rearticulation for intended parents. Indeed, the form of training and counselling surrogates receive as regards proper meanings and manifestations of health and sexuality, as well as the very fact that they are viewed as appropriate sources of surrogate labour, implies an othering of their bio-affective selves.

contract with the fertility clinic ensured the extension of property relations to the genetic level, enabling them to claim Fasano’s gestational labour, despite the lack of a contract between them.

The significance of this case also lies in how it recodes the relationship between blackness and property. The cancellation of gestational labour and maternal affect affirms the Rogerses as property-owners of their genetic material. Here, even though the child, Akiel, and the Rogerses themselves, are returned to the logic of property relations, this return is an affirmation, rather than a negation, of their personhood: ‘In this new economy of the body... this differentiation... functions to place liberal personhood within the progress narrative of modernity, transforming the violence of “bodily theft” under slavery into the seemingly benign social relations of autonomy and choice that the contract is made to speak’ (2003, p.304).

Market theory, notes Patricia Williams,

takes attention away from the full range of human potential in its pursuit of a divinely willed, rationally inspired, invisibly handed economic actor. Master-slave relations... took attention away from the full range of black human potential in a somewhat different way: it pursued a vision of blacks as simple-minded, strong-bodied economic “actants.” Thus, while blacks had an indisputable generative force in the market-place, their presence could not be called activity; they had no active role in the market. ...[b]oth bourgeois and slave systems regarded certain attributes as important and disregarded certain others, and that such regard and disregard can occur in the same glance, like the wearing of horse blinders to focus attention simultaneously toward and away from. The experiential blinders of market actor and slaver go in different directions, yet the particularizing ideologies of each makes the act of not-seeing an unsocializing, if unconscious, component of seeing. (1991, p.220)

Thus, Williams posits the market as a liberal instantiation of human particularisation as deployed under slavery. Indeed, as has been stated before, the market conjures the pr(e)/(o)mise of liberty and equality. To wit, by putting relations of domination and subjection under erasure, the market is in fact the site of objectification tending towards abjection. The theft of the body enacted in the surrogacy contract epitomises this circumstance. Indeed, if the body, as articulated by Spillers and as asserted before, is the substance of ethical subjectivity, then the theft of the body implies the severance of ethical existence. The body of the surrogate is instituted through the theft of the body of the poor woman. Indeed, the body of the surrogate mother is merely bioavailable matter, raw material without ethical implication. As such, it is itself the revelation of the hieroglyphics of flesh imprinted in the originary materialisation of the bodies of the poor as ethical excess.

In the following section I will argue that the ethical destruction of the bodies of poor women is the condition of possibility for the production of value. In particular, I will focus on the production of ethical value for intended parents. In keeping with my description of the surrogacy market as a space of biopolitical control, the first half of the section will describe how biopower interpellates intended parents. That is, in so far as the market mobilises participation in it, it is through the promise of providing some form of value – whether use or exchange. In the case of the surrogacy market, this value is objectified in the child. However, given that the child cannot be approached as a commodity, I argue below that the value accrued to intended parents is an ethical value objectified in the formation of kinship. That is, using the work of Michel Foucault (1990), Ludmilla Jordanova (1995) and Jacques Donzelot (1979), I demonstrate how the

family emerges in modernity as a space of discipline intended towards the production of the bourgeois subject. As such, participation in the rituals of kinship signifies the ethical value – indeed, the humanness – of the individual. The incapacity to create kinship ties, then, signals a failure to actualise one’s ethical value. Following from the discussion of stratified reproduction, it is evident that this experience/presumption of failure is especially true of subjects otherwise recognised as human as an effect of their economic and consumptive capacities. Consequently, in the first half of the section below I show how the surrogacy market exerts biopolitical control on non-reproductive bourgeois subjects by materialising them as intended parents.

The second half of the section demonstrates how this materialisation – and indeed the ensuing accrual of ethical value – is an effect of the productive consumption of the bodies of poor women by intended parents as sovereign subjects. Recall that according to Bataille, the sovereign is she who consumes the products of another’s labour. More crucially, the sovereign affirms herself through a luxurious existence effected by participating in exuberant consumption (i.e. consumption without regard to utility). I explain how the possibility of such sovereign consumption relies on the symbolic and material dispossession of poor women. I make this argument using Silvia Federici’s (2004) discussion on the primitive accumulation of women’s reproductive capacities by capital and David Harvey’s (2005) concept of accumulation by dispossession. This engagement with dispossession makes patent the transfer of ethical value – the emptying out in one location for accumulation in another – that structures the surrogacy market.

The chapter concludes with reference to Jean Baudrillard’s (1998) description of consumption as a miracle in order to demonstrate how the objective relations that effect the transfer of value, are put under erasure through the figure of the child that culminates the process. This marks the final disappearance – annihilation – of the poor woman (as) surrogate.

on matters of value in the surrogacy market

As a few weeks prior to her due date, Aasia starts bleeding and has to be rushed to the hospital for an emergency C-section. There, all alone, she delivers the Switzers’ twins. Upon being notified of the emergency, Lisa travels back to India by herself to meet her babies. It is then that she, for the first time, and accidentally, meets Aasia. The film provides both Aasia’s and Lisa’s narrative accounts of this encounter. What becomes

apparent here is that the meeting – occurring in a moment of happiness represented by the birth of babies – is marred by the uncomfortable talk about payment. Aasia, it seems, has not been paid the full amount promised by the clinic. And, moreover, she hopes that the doubled happiness she provided to the Switzers at serious cost to her own well-being will merit additional compensation ‘out of happiness’. Speaking to this issue, Lisa notes, ‘I don’t know how I got brought into the middle of her payment history... but now I’m in the middle of it. So now I have to go be an advocate for Aasia because I certainly don’t want to be a non-advocate for Aasia. ... I want to give her a little extra money. I think what she has done is admirable. ... I don’t mind giving a little extra. I just can’t give this huge amount of money.’ Lisa’s sentiments, here, underscore the internal conflict of the surrogacy relation – wherein the product (the child) is invaluable but the labour that produces the child must have a restricted price. For Aasia, on the hand, there is nothing but her labour. This, to her, is invaluable because it produced an invaluable product. The money she receives is not a measure of her service but a tangible return for the happiness she provided. This character of the transaction, I suggest, can be attributed to its basis in immaterial labour.

In their seminal work, *Empire*, Hardt and Negri describe the current economic paradigm as postmodern wherein ‘providing services and manipulating information are at the heart of economic production’ (2001, p.280). This moment of postmodernisation is defined by the ascension of immaterial labour as the primary mode of the production of economic value. Immaterial labour is that which produces an immaterial, or intangible, object such as ‘a service, a cultural product, knowledge or communication’ (2001, p.290). Hardt and Negri pose two distinct instantiations of the objects of immaterial labour – information and affect. The former, which I will assume as mostly self-explanatory, is an effect of the technologisation of labour. While this is of interest to surrogacy as a bio-medical practice, affective labour bears greater significance when considering the possibility of the market. Affective labour is that which demands ‘human contact and interaction’ (2001, p.292) in the process of creating ‘a feeling of ease, well-being, satisfaction, excitement or passion – even a sense of connectedness and community’ (Hardt 1999, p.97). Indeed, affective labour entails, primarily, the work of social reproduction.

Consequently, surrogate labour may be described as affective (cf. Vora 2009) precisely because of its description as being motivated by, and enabling the creation of, relationships founded in love and desire. Of course, this labour exceeds the affective for

it involves the actual consumption of the surrogate body – as matter and signification. I will address this ‘productive consumption’ aspect of social reproduction, in general, and surrogacy, in particular, in the second half of this section. There I will argue that the surrogate market involves, in fact, through the conduit of the child, a transfer of ethical value. It is the possibility of this transfer that engenders the market as an economic transaction. More significantly, contrary to Hardt and Negri’s determination of affective labour as a form of immaterial labour, surrogate labour is not immaterial. The ‘creation and manipulation of affects’ (Hardt & Negri 2001, p.293) is mediated through a material product – the child. The child is the materialisation of labour, affective and physiological, and itself materialises affect. Moreover, the value of the child exceeds its affective power and signifies an ethical value for the intended parents.

I begin this section, therefore, by outlining the emergence of this value through an engagement with the family, and thus reproduction, as the locus of the exercise of biopower in the establishment of the bourgeois state. In particular, I demonstrate how reproductive markets signify the naturalisation of the ethical and economic imperatives of the state as reproductive desire. The specificity of the gestational surrogacy market, such as that in India, lies in the possibility of manifesting (biogenetically) ‘natural’, and hence ‘authentic’, kinship through the securing of the genetic tie. By thus enabling the restoration of a certain property right to (intended) parents, the surrogacy market reifies the ethical value of economic subjects.

owning

In his exegesis on sexuality, Foucault notes that prior to the question of family and reproduction, lies the question of sex:

In the space of a few centuries, a certain inclination has led us to direct the question of what we are, to sex. Not so much to sex as representing nature, but to sex as a history, as signification and discourse. We have placed ourselves under the sign of sex, but in the form of a *Logic of Sex*, rather than a *Physics*. ... Whenever it is a question of knowing who we are, it is this logic that henceforth serves as our master key. (1990, p.78)

Indeed, the priority of sex in interrogations of ethico-political subjectivity lies in its transformation from a bio-mechanics of generation (a *Physics*) into a political, economic and moral site and signifier (a *Logic*) that has effected the institution of ‘the family organisation’ – ‘a system of marriage, of fixation and development of kinship ties, of

transmission of names and possessions' (1990, p.106) – as the distinguishing feature of *human* existence (life and living). Thus, as Ludmilla Jordanova's (1995) account of reproduction in eighteenth century Europe explicates, from the enlightenment onwards, 'reproduction' no longer merely represents a concern with the propagation of the human species but more so with questions of production (i.e. of 'making', of labour and technology) and *re*production, (i.e. the harnessing of the mimetic potential of living things). Indeed, the connection between labour and mimesis that lies at the heart of reproduction is not only generative of the modern moral and political order, but, as I will later argue, also constitutes the scene of reproductive desire.

The *activation* of reproduction, then, and more broadly, of sex, marks the emergence of biopower as the most penetrating and coercive technology of power in the modern (capitalist-colonial) state. As Foucault notes, that 'population' represented wealth as labour capacity, and hence the prosperity of society necessitated control in the balancing of population growth versus consumption, was not an idea unique to the biopolitical era. Rather, what was new was the intervention of the state in the question of sex: '...it [became] essential that the state know what was happening with its citizens' sex, and the use they made of it, but also that each individual be capable of controlling the use he made of it' (Foucault, 1990: 26). This was achieved not merely via the policing of sexuality (through education, medicine and religion), but also of the family itself.

'The family', writes Donzelot, 'is an agency whose incongruity with respect to social requirements can be reduced, or made functional, through the establishment of a procedure that brings about a "floating" of social norms and family values, just as there is established, concurrently, a functional circularity between the social and economic' (1979, p.8). Thus, in the anti-monarchist/theist turn of the enlightenment era, the concept of 'family' was made to intervene in the formation and regulation of the moral order through the demarcation of legitimate versus illegitimate sex and reproduction. Indeed, the concern with the form and function of kinship relations established through reproduction was intimately tied to the establishment of the modern European state.

By the late seventeenth century, according to Jordanova, the link between reproduction and inheritance was at the heart of Western political thinking:

For patriarchalists inheritance mattered because the *right to rule* was transmitted from father to son. For liberals it was the mechanism through which property was transferred, and property was the basis of *political rights*. The kind of material

continuity that existed between generations was thus a matter of some importance. (1995, p.375)

As the phrases highlighted above suggest, questions regarding family ties, and, in particular, those related to the position of the child, were rooted not merely in concerns with the inheritance of wealth but, more significantly, with the inheritance of ‘rights’. For the patriarchalists, this right was that of rule (within whichever pertinent politico-economic configuration); for liberals it was the right to political participation in the state (i.e. the inheritance of the social contract). In either case, the child was posited as the bearer either of latent rights or of ‘a complex potentiality that needs to be educated into responsible citizenship’ (1995, p.375)⁷⁴.

Yet, as Donzelot’s work demonstrates (as well as that of Foucault), these concerns were, in the first instance, limited to the aristocratic and bourgeois classes. That is, the patriarchal logic of the feudal state was (pseudo-)democratised in the modern (capitalist) state through the intervention of property/capital. Concerns regarding material inheritance and, indeed, that of rights – and consequently that of ‘proper’ sex, reproduction and kinship – were deemed of little pertinence to the working classes and the poor. This, of course, does not imply that the latter were not subject to state intervention, or objects of biopolitical control. Rather, what differed was the form that this took. While the state intervened among the wealthy through the *medicine* of sex and family, the working and poorer classes, especially children, were subject to philanthropic projects or made wards of the state. Indeed the projects aimed at the working classes were intended to transform ‘social ills’ into economic gains for the state.

Describing this process in the context of eighteenth century France, Donzelot writes:

What troubled families was adulterine children, rebellious adolescents, women of ill repute... By contrast, what worried the state was the squandering of vital forces, the unused or useless individuals. So, between these two types of objectives there was indeed a temporary convergence on the principle of the concentration of the family’s undesirable members; ... Functioning as a surface of absorption for the undesirables of the family order, the general hospitals, convents, and foundling hospitals served at the same time as a strategic base for a whole series of corrective interventions in family life. These assembly points for

⁷⁴ It is important to note here that questions of ‘inheritance’ and ‘rights’ were pertinent only to male children. While these passed from father to son due to *political* association, mother, due to their *natural* association were deemed the teachers of citizenship, albeit within the confines of the home. To the extent that girl children had any possibility of inheritance, it was of this *domestic(ised)* role, passed from mother to daughter. (cf. Pateman 1988)

society's misfortunes, miseries, and failures facilitated the mobilisation of philanthropic energies, providing it with a point of support, serving as a laboratory for working class behaviour, as a launching ramp for tactics designed to counter the socially negative effects of this behaviour and to reorganise the working-class family in terms of socio-economic urgencies. (1979, pp.25–26)

Such efforts, however, at regularising working class families and harnessing their vitalities came at a large financial cost to the state. Consequently, it became necessary to re-affirm the propriety of marriage and legitimate kinship among the working classes as well – a project aimed primarily at ‘preserving children’ (from ill health, vagrancy and early death). Thus, just as with the bourgeoisie, albeit in differential registers, marriage and family among the working classes became sites for educational intervention in the realm of hygiene, self-care and social (class and gender) subjectivity. In each case, however, the regulation of marriage, procreation and family was intended, ultimately, towards (the preservation of) the child – the bearer of (future) political and economic interests of the state.

Consequently, Foucault argues, the questions of procreation and family were transformed from ‘deployments of alliance’ to ‘deployments of sexuality’. Contrasting these two distinct, yet overlapping, apparatuses of control, he writes:

For the first, what is pertinent is the link between partners and definite statutes; the second is concerned with the sensations of the body, the quality of pleasures... . [If] the deployment of alliance is firmly tied to the economy due to the role it can play in the transmission or circulation of wealth, the deployment of sexuality is linked to the economy through numerous and subtle relays, the main one of which, however, is the body – the body that produces and consumes. In a word, the deployment of alliance is attuned to a homeostasis of the social body, which it has the function of maintaining; whence its privileged link with the law; whence too the fact that the important phase for it is “reproduction.” The deployment of sexuality has its reason for being, not in reproducing itself, but in proliferating, innovating, annexing, creating, and penetrating bodies in an increasingly detailed way, and in controlling populations in an increasingly comprehensive way. (1990, pp.106–107)

The deployment of sexuality, then, was key to the expansion of social norms and ‘family values’ amongst the working classes without an overinvestment of economic and political resources by the state. Indeed, the productivity of the deployment of sexuality, rather than the authority of alliance, lay in the illusion of autonomy that it granted the family – a key cause, argues Donzelot, for the adoption of this (conservative) organisation by classes traditionally antagonistic to the established political order. Furthermore, it enabled

the pretext of a democratisation of wealth and rights – an overriding of the juridical guarantees of alliance.

More importantly, however, in interpellating the body – its functions and intensities – as the fundamental and ultimate site of control, the deployment of sexuality re-constituted the family, from a juridico-economic unit, into the ‘obligatory locus of affect, feelings and love’ (*ibid.*: 108). This is evidenced not only in the domesticisation of family through education but also in the increasing psychoanalysis of kinship relations (as well as the relationship with one’s own body) and the eventual valorisation of desire and recognition therein. Thus, the displacing, but not disavowal, of the juridico-economic by the sexual and affective, enables a (re-)imagination of reproduction, or merely of ‘having children,’ as an autonomised act, even while it remains squarely within the purview of the state. Indeed, as Foucault and Donzelot demonstrate, while biological reproduction might initially have become naturalised, the family, as materialised by reproduction, remains within the purview of the ethical and economic concerns of the state. The family is instituted first as a juridico-economic entity and hence of concern only to those ascribed political subjectivity. The emergence of a capitalist order, however, transforms the family into a site of political and economic control, and, hence, of ethical concern. While the family might thus have been normativised, it is only through the deployment of sexuality and its various techniques – medicine and psychoanalysis, in particular – that the idea of family acquires its sheen of naturalness. It is in this context that reproductive desire, as pertinent to the surrogacy market, may be comprehended as an intention towards ethical subjectivity.

The desire to have a child is not merely affective – i.e. to care for and be cared for by another being – but, more so, the politico-psychic desire of subjectivation, for socio-political recognition, through kinship. As David Eng notes with reference to adoption, ‘the possession of a child, whether biological or adopted, has today become the sign of guarantee not only for family but also for full and robust citizenship – for being a fully realized political, economic, and social subject...’ (2003, p.7). This marks the transmutation of biopower into individuated desire that mobilises, and is mobilised in, the reproductive market. To be certain, then, the ‘product’ of the market bears, in the first instance, ethical value. Without this, it could not project economic value, sublated though it might be from itself to ART and its practitioner labour. This is of even greater significance in a gestational surrogacy market wherein the ethico-economic subjectivity

of the intended parents is reified through ‘owning’ – i.e. intended parents actualise themselves through the activation of property in both, genetic material and financial wealth. Of course, this manifestation is an effect not of the investment of (re)productive labour but rather of capital. That is, intended parents supply their accumulated financial and genetic property in order that they (the property) be transformed into an object of value that accrues to them. The accrual of this value, of course, is contingent upon the actualisation of capital through the expenditure of another’s labour power. Yet, as already noted, the surrogate mother is not merely a labourer but also a raw material, herself. Thus, the production of value in the surrogacy market, as objectified in the child, follows from the depletion of her body as such.

Under a capitalist description, the positing of the surrogate mother as a means of production implies capitalisation of the bodies of poor women. In the next section, I will demonstrate how this circumstance is an effect of primitive accumulation (Federici 2004) and accumulation by dispossession (Harvey 2005). Indeed, capitalisation is the condition of possibility for the production of value – not, however, for poor women as owners of this capital but for the clinics (economic) and the intended parents (ethical). Production, as Marx notes, proceeds through the consumption of the means of production – i.e. the depletion of labour power, the ingesting of raw materials, and the wearing down of the instruments. Consequently, I will argue that the production of value in the market is an effect of the consumption – material and symbolic – of the surrogate mother. In particular, continuing with my focus on the production of ethical value for intended parents, I will suggest that the depletion of the surrogate mother – both, subjective and objective – is the materialisation of sovereign consumption by the intended parents.

mattering

In a feminist rearticulation of Marx’s description, Silvia Federici posits primitive accumulation as a

set of historical phenomena that are absent in Marx, and yet have been extremely important for capitalist accumulation. They include (i) the development of a new sexual division of labor subjugating women’s labor and women’s reproductive function to the reproduction of the work-force; (ii) the construction of a new patriarchal order, based upon the exclusion of women from waged work and their subordination to men; (iii) the mechanization of the proletarian body and its transformation, in the case of women, into a machine for the production of new workers. (2004: 12)

Federici thus seeks to illustrate how capitalism's original sin – the forced separation of workers from their means of production – incorporated, and proceeded through, the dispossession and devaluation of women's reproductive labour. Indeed, the proletarianisation of labour through primitive accumulation necessitated the management and control of labour reserves so as to maintain them in a relationship of subjection to capital. Given that reproduction is the primary source of labour power, it was imperative for capital that women be divested of control over this capacity. This dispossession, as Federici illustrates, operated through a gendered division of labour that relegated women's labour to the domestic (non-economic).

In the context of Europe, proletarianisation created a struggle over the absorption of labour. In the ensuing competition for inclusion, patriarchy and misogyny effected the pushing out of women from the labour force in favour of the mass of newly 'freed' male labour. Moreover, the transformation, or co-option, of subsistence labour into wage-labour implied that women became limited primarily to activities intended towards reproducing life – i.e. to the labour of social reproduction. The institution of a commodity-driven market necessitated the valorisation of labour, i.e. it required that labour be value-producing. The non-'value-producing' nature of socially reproductive labour implied, then, that women's work was devalued. Indeed, as Federici highlights:

In the new monetary regime, only production-for-market was defined as a value-creating activity, whereas the reproduction of the worker began to be considered as valueless from an economic viewpoint and even ceased to be considered as work. ... [T]he importance of the reproduction of labor-power carried out in the home, and its function in the accumulation of capital became invisible, being mystified as a natural vocation labelled "women's labor." (2004, p.75)

As already noted, the degradation of women's work, and especially their reproductive labour, did not imply that women's capacities were exempt from capitalist-state intervention. Instead, women's bodies and their capacities came under intensified regimes of discipline and control.

The thesis of Federici's text is built, in fact, upon the history of the witch-hunts in Europe. Indeed, she seeks to demonstrate the witch-hunt as a strategy of capital in controlling those bodies that were a threat to its functioning. This is borne out, as well, in the title of her work, *Caliban and the witch*, wherein Caliban stands as the 'embodiment of a world of female subjects that capitalism had to destroy: the heretic, the healer, the disobedient wife, the woman who dared to live alone, the obeah woman who poisoned

the master's food and inspired the slaves to revolt' (2004, p.11). Caliban is thus the figuration of women yet untamed by capital. But where capital succeeds at disciplining women, it does so, Federici notes, through the socio-sexual contract. This suggestion follows from Carol Pateman's work in *The Sexual Contract* (1988). As noted above, Pateman's work seeks to establish the contract as a coercive and unequal relationship. Yet, the substance of her text is concerned primarily with illustrating the social contract as fundamentally structured through men's sexual right over women.

Pateman outlines how the ontoepistemological description of women in the state of nature as outside the realm of freedom and equality conceives a natural right of men over women. The social contract transforms this natural right into a civil patriarchal right through the inauguration of a sexual contract. The sexual contract is an agreement among men wherein, as subjects party to the social contract, they undertake to protect women in exchange for sexual and domestic propagation. Given this circumstance, Pateman posits the marriage contract as a form of an employment contract founded on women's sexual and domestic work (1988, pp.135–136). Yet, far from indicating the privatisation of women's work, that this labour is effected through the socio-sexual contract, signals, according to Federici, its communalisation:

According to this new social-sexual contract, proletarian women became for male workers the substitute for the land lost to the enclosures their most basic means of reproduction and a communal good anyone could appropriate and use at will. ... [I]n the new organization of workers *every woman (other than those privatized by the bourgeois men) became a communal good*, for once women's activities were defined as non-work, women's labor began to appear as a natural resource, available to all, no less than the air we breathe or the water we drink. (2004, p.97)

Thus, the primitive accumulation of women's reproductive labour marks their subjugation to patriarchal capitalism, or a capitalist patriarchy. Within this context, the valorisation of women's reproductive labour in the surrogacy might appear as a moment of liberation. Yet, as Federici notes with regards the privatisation of land and the production of 'free labour', it is not the worker who is liberated, but rather the land itself, which is now "'free" to function as a means of accumulation and exploitation, rather than as a means of subsistence' (2004, p.75). Similarly, what is liberated by the surrogacy market is not the (poor) woman as subject but rather her reproductive matter as a site of accumulation and exploitation rather than autonomous action. Indeed, the surrogacy market is an instantiation of what David Harvey designates 'accumulation by dispossession' (2005).

Capitalist expansion, or the growth of capitalist accumulation, is enabled through the creation of new markets and access to cheaper inputs. Global capitalism names the process whereby these opportunities are manufactured in regions of the world that have not yet been totally subsumed by, and thus mark the outside of, capital. Indeed, as indicated in the previous chapter, the deliberate suppression of capital in the colonies is the condition of possibility for contemporary capitalist expansion. This process of accumulation is not equivalent to primitive accumulation as the primordial act of capitalist violence. Rather, as Harvey notes, the unfolding of capitalism through an ‘inside-outside dialectic’, and hence the maintenance, or *manufacture*, of particular zones (peoples and places) *as* the outside, constitutes the process of accumulation by dispossession. Thus, citing Hannah Arendt’s work in *Imperialism*, he notes:

The processes that Marx, following Adam Smith, referred to as ‘primitive’ or ‘original’ accumulation constitute, in Arendt’s view, an important and continuing force in the historical geography of capital accumulation through imperialism. As in the case of labour supply, capitalism always requires a fund of assets outside of itself if it is to confront and circumvent pressures of overaccumulation. If those assets, such as empty land or new raw materials, do not lie to hand, then capitalism must somehow produce them. (2005, p.143)

Further,

The disadvantage of [Marx’s] assumptions [as regards primitive accumulation] is that they relegate accumulation based upon predation, fraud, and violence to an ‘original stage’ that is considered no longer relevant or, as with [Rosa] Luxemburg, as being somehow ‘outside of’ capitalism as a closed system. A general re-evaluation of the continuous role and persistence of the predatory practices of ‘primitive’ or ‘original’ accumulation within the long historical geography of capital accumulation is, therefore, very much in order... (2005, p.144)

Thus, the theory of accumulation by dispossession as proposed by Harvey seeks to identify the practice whereby capital, first, removes itself from circulation so as to, next, bring the now dispossessed into a relationship of bondage with it. The examples that Harvey provides range from the institution of predatory lending and debt markets, the use of patents and intellectual property to monopolise food production to the commodification of cultural forms and histories (2005, pp.147–148). But this theory may be applied, as well, to the development of the surrogacy market.

The primitive accumulation and concurrent devaluation of reproductive labour under capitalism, dispossessed women of their economic and political capacities (Federici

2004). This subjugation, reproduced by the persistence of patriarchal capitalism, is intensified by the increased proletarianisation and subsequent impoverishment of communities now confronted by capitalist subsumption. The dispossessed circumstance of women provides capital the opportunity to create both, a new market and access cheap labour, using women's essential productivity, i.e. their reproductive capacities. Thus, while primitive accumulation instituted, as Federici notes, the woman's uterus as a reproductive machine, the surrogacy market actualises this machine, finally, as capital. Of course, the valorisation of reproductive labour does not imply a re-valuation of the surrogate mother as woman. Rather, as I have been arguing, the capitalisation of her reproductive capacities indicates, in fact, an ethical devaluation manifest, I suggest, in her circumstance as the object of sovereign consumption by the intended parents.

Production, as Marx notes, is essentially an act of

dual consumption – subjective and objective consumption. Firstly, the individual, who develops his abilities while producing, expends them as well, using them up in the act of production, just as innatural procreation vital energy is consumed as a consumption of life forces. Secondly, it is consumption of the means of production, which re used and used up and in part (as for instance fuel) are broken down into simpler components. *It similarly involves consumption of raw material which is absorbed and does not retain its original shape and quality.* The act of production itself is thus in all its phases also an act of consumption. (1970, p.130; added emphasis)

Marx's reference to the consumption of vital energy in the process of procreation includes, in fact, the consumption of the instrument of production and raw material. In the context of 'natural procreation' – i.e. where the genetic, gestational and pastoral mother are the same – this consumption might appear as predominantly subjective – the creation of woman as mother. Indeed, objective consumption – i.e. the consumption of the body as biological matter and capacities – appears simultaneous with the subjective. This simultaneity persists in the context of surrogacy; here, however, through the priority of objective consumption. In the surrogacy market, the labour power of the surrogate mother is directed at her own body as raw material and instrument of production. However, the object of her production, the child, is alienated, and so is her subjective creation – i.e. the creation of the mother. Indeed, the subjective product of the surrogate mother's reproductive labour is the creation of intended parents *qua* parents and it is contingent upon the consumption of her body as capital. More pointedly, the capitalisation of the surrogate mother is fulfilled through the diminishing of her subjectivity (as evidenced through the theft of the body described above). Consequently,

I affirm that objective consumption in the surrogacy market includes the productive consumption of (the possibility of) ethical existence.

Following the argument in this section it may be suggested that the ethical devaluation of the bodies of poor women – the fact of their *non*-mattering – is the circumstance wherein their (raw biological) matter matters. Indeed, this circumstance is the condition of possibility for the valorisation of intended parents as subjects, and bodies, who *do* matter. This mattering of intended parents – i.e. both their appearance and value as human – is confirmed by the end of consumption in the surrogacy market. Consumption, according to Baudrillard, is an act that gives meaning to, and a process that gives order to, social life. It does so by facilitating the accumulation of ‘signs of happiness’ as the projection of affluence (Baudrillard 1998: 31); and that which, by producing new needs fulfilled by new objects, maintains a structure of social ‘distinction and differentiation’ (1998, p.5). Echoing Marx’s critique of commodity fetishism, Baudrillard suggests that, in thus realising social order, consumption appears not as an effect of social relations, but rather as a miracle: ‘In everyday practice, the blessings of consumption are not experienced as resulting from work or from a production process; they are experienced as a *miracle*. ... And, more generally, once severed from its objective determinations, the profusion of goods is felt as a *blessing of nature*, as a manna, a gift from heaven’ (1998, pp.31–32).

In the context of surrogacy, the child appears as this miracle, as manna. In the final instance, the accrual of this sign of happiness does not present itself as a relation of production, or indeed, consumption. This is the final and absolute erasure of the body of the poor woman as surrogate, confirming, once more, this annihilation as the condition of possibility for the preservation of value under the postcolonial condition.

conclusion

I would like to end this thesis with two anecdotes.

story 1

A few years ago, I found myself in a seminar being lead by a prominent Marxist feminist scholar. This was one of many seminars I had been attending as part of a critical social theory summer school. As is often the case, I was one of about 5 (not-so-)brown faces (none at all black) in a sea of whiteness. I use the word whiteness, rather than white faces, deliberately and provocatively, to underscore the epistemological righteousness that constituted the room. I also use it to highlight that in a summer school on *critical* social theory, the only seminar leader who addressed anything approaching a racial/postcolonial critique was self-righteously and gracelessly disparaged as lacking any political content or urgency – and most vehemently so by one voice from the south. As I sat through these seminars, I found myself wondering out loud why some in the class seemed to experience a castration anxiety with regards postcolonial thinking while having an orgasmic response to run-on seminars on the etymology of ‘democracy’. It was in this context – of feeling angst, perhaps anger, on my skin – that I had this encounter with the white Marxist feminist.

I do not recall the set-up to it, nor the specific content or extent of the words exchanged. All I recall is her insistence that *the subaltern can speak – I see them speaking everywhere* and my violent response in a notebook, underlined and screaming, over again, *stop trying to make the subaltern speak.*

story 2

Quite a few years prior to story 1, I was at the airport in Kuwait, awaiting a transfer on my flight from Bombay to London. While seated in the waiting area, I observed a young woman who appeared to be my age hesitantly trying to approach me. When I looked over and smiled with curiosity, she walked over and asked if she could use my phone to text her mother in the Philippines. As we struggled over figuring out how to feed in the number and type in a message, she told me that she was on her way to Oman (if I recall correctly) to work for a business family as a live-in domestic. She was hopeful, she said, because she was expecting to save enough money over the next few years so as to go

back home and attend college. As she waited to board her own flight, she wanted to let her mother know that she was OK.

This encounter – this young woman – has stayed with me, because she is me, and yet not. More painfully still, her mother is mine, and yet not. During my brief conversation with her, I imagined her in all the tropes about women and migration that I, as an ethnic studies scholar, was familiar with. Every time I think back to her, I wonder about her under precisely the same rules – I wonder about her safety, whether she ever made it back home; but most of all, I think about her mother in the language of pain and resilience.

The subaltern cannot speak.

In that brief and strangely intimate encounter for two people who had just met, I could not hear her because I had already heard about her, indeed spoken about her too. And I still cannot hear her because I have already chosen to designate her as subaltern.

I met this young woman years ago just as I was beginning to consider my research for this degree. To suggest that my encounter with her was my opening into this project would be giving too much significance retroactively to what is in fact a return. She came back to me, in fact, only as I was contemplating the conclusion to this project. And, yet, because of this return, I am compelled to ask whether she had been there all along.

I do not know if my instinct – my plea against the white Marxist feminist – to stop trying to make the subaltern speak is correct. In fact, as Spivak notes, to try to get a speaking subaltern to not speak is just as problematic as trying to make the subaltern speak (Spivak 1999).

And so I do not know what to do with the young woman. Perhaps, therefore, I have chosen in these pages to speak of that which separates us – to write of that which makes me, *not*. I have named it capital under the sign of development; I designated us as separable in our differential humanness. I have already marked her for destruction – in fact, did I not already think it, even before I wrote this thesis? – in the service of my preservation. But now I wonder if that is all too easy; a simple ‘self-implicating’ (guilt ridden?) method of analysis that is just that... and even then perhaps wrong.

The truth is, after months of thinking and writing – after the demonstration, hopefully, of some sort of proficiency – I still do not know what to do with the subaltern. May be that is why all I have left to give here is a weak effort at some form of poetics.

I conclude, then, with a final attempt to comprehend the subaltern as she constitutes our conditions of living. Borrowing the words of Offred, the protagonist of Margaret Atwood's *A handmaid's tale* (1986), perhaps contemporary questions of differentiation, violence and ethics are

no longer about control. Maybe it isn't really about who can own whom, who can do what to whom and get away with it, even as far as death. Maybe it isn't about who can sit and who has to kneel or stand or lie down, legs spread open. *Maybe it's about who can do what to whom and be forgiven for it*⁷⁵.

⁷⁵ Atwood 1986, p.144 added emphasis

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