

The Role of Waste in Modern Political Philosophy

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Introduction

In his Lectures on *Psychiatric Power*, Michel Foucault says,

There is an entire tradition that would have it so that we only speak of excrement and waste matter as the symbol of money. Still, a very serious political history could be done of excrement and waste matter, both a political and medical history of the way in which excrement and waste matter could be a problem in themselves, and without any kind of symbolization: they could become an economic problem, and a medical problem, of course, but they could also be the stake of a political struggle, which is very clear in the seventeenth century and especially the eighteenth century. And this profaning gesture of throwing mud, refuse, and excrement over the carriages, silk, and ermine of the great, well, King George III, having been its victim, knew full well what it meant.” (Foucault 2003 25)

In my dissertation, I engage in a political history of waste; in particular, I look at modern philosophers from the late seventeenth and early eighteenth centuries and the way that waste functions alongside narratives of civilization, progress, and perfection. I analyze the political, pedagogical, and other theories of John Locke, Jean Jacques Rousseau, and Immanuel Kant. I use Julia Kristeva’s concept of abjection to trace the legacies of modern philosophers to the continued and continuing practices of wasting life their work supports and maintains. Social contract theory—the creation of these modern thinkers I study—and still today, a way to interpret political life, must have its others, those wasted and abjected to limn the boundary (along with the lions and tygers) of the ‘clean and proper’ civilized order.

In a way, social contract theory operates in search of origins—trying to define natural pre-civil man and his “ascendance” to economic, political, moral civilized man—man in society who was bound by contract to give some of his power over to government or the sovereign in exchange for safety and security. In the state of nature, man is characterized as lacking a common judge to adjudicate between men in their conflict. So society begins; always born of conflict.

I find a question of Adrienne Rich to be generative in this context: “perhaps it is possible to be less fixed on the discovery of ‘original causes’. It might be more useful to ask, how do these values and behaviors get repeated generation after generation?” (Rich 1984 224-225) Why theorize about a state that perhaps never was? Why spin mythical origin stories? More importantly, I argue, we should be interrogating how the wasting of life and of lives is committed by contemporary structures and institutions and how that wastemaking has been influenced by the thought that is entangled with these structures’ legacies.

The ultimate fear in these works is that which threatens man’s self preservation—this seems to be the focal point of much of this political thought—that, and the subsidiary guarantee of property rights. I call this subsidiary because in each thinker’s work human beings are the property of God. This is evidenced in each thinker’s arguments about suicide. Suicide is against natural law, something to be punished, as if the person who dies by suicide is committing a crime against nature, against God. To base a political theory around the idea of self preservation is to eschew any notion of *thriving* and is sure to make the human subject into one who is rigidly sovereign, subject to paranoia, with many enemies, and almost always at war.

How do the values and behaviors of white supremacist, misogynist, and ableist structures get repeated generation after generation? They might not look the same or use the same methods from one generation to the next, but there is no doubt that the logic of those values and behaviors continue on in different forms. How do we interrupt these logics of oppression and the wasting of life that accompanies them? How are these oppressive configurations a consequence of these Enlightenment thinkers? We see in these thinkers' works and sometimes in their deeds (or their notes) that no one who purported to be *so very down with freedom* actually opposed the colonization and slavery contemporaneous to their work.¹

In this dissertation I argue that rather than disavowing, exiling, or redeeming waste, an attunement to it can help us build ethical institutions and practices oriented towards not making waste of life or lives. I thematize the role of waste in three canonical modern philosophers: John Locke, Jean Jacques Rousseau, and Immanuel Kant. I don't intend to throw excrement, refuse, or mud at them to dirty their names. I simply refuse to hide their "uglier" parts, or pass over them—as is often done. I intend, rather, as an heir to their ideas and arguments,² to learn what I can about the present day from drawing out their legacies, and seeing how we've been making the same 'mistakes'—brutal and violent ones—from one generation to the next.

Waste is a subject undertheorized in philosophy, though the few who do write on it charge modernity with being eminently productive of it. John Scanlan writes that his book *On Garbage* "might be read as a shadow history of Western Culture as a history of disposal,

¹ Rousseau mentions slavery in his *Social Contract*, yet says he will say nothing of it because it is contrary to nature. The late Kant, as is argued by some people (see Held), to be on the sides of the colonized and against colonial policy.

² See Huseyinzadegan, Dilek. 2018.

of garbaging” (Scanlan 2005 9). Zygmunt Bauman goes further to say “the production of ‘human waste,’ or more correctly, wasted humans (the ‘excessive’ and ‘redundant’, that is the population of those who either could not or were not wished to be recognized or allowed to stay), is an inevitable outcome of modernization, and an inseparable accompaniment of modernity” (Bauman 2004 5). Modernity has a waste problem and not just in terms of the amount of garbage it produces. It is wasteful of human lives as well. I aim to look to these modern philosophers to see in what ways waste is produced, used, managed, controlled, redeemed, and disavowed. I conclude that whereas Locke abjects waste, Rousseau ambivalently embraces it; and Kant redeems nearly all waste. I use ‘waste’ in three senses: (1) as a natural (yet also always cultural) product of life processes (2) life not allowed to fill its potential according to its aims and (3) waste as purposivelessness,

Waste troubles boundaries and borders, it narrates lost potential, it falls away to the side, forgotten, it is the remainder when everything of value has been extracted. A notable challenge when speaking about waste is that it is not easily conceptualized. It is messy. Waste is indexed to a whole and can tell us a story about what that whole values and doesn’t value. Moreover, anything can become waste and nothing is waste inherently. Waste evinces a relation—between people, between people and things, between power and people (or people and power), between a person and herself, between humans and nonhuman animals. My relationship with my cat is in part a relationship with her waste. I am the master of her litterbox, and she, master of me. Sometimes the relationship is one that is soon to come to an end or is deemed already over. We throw away the skin of the onion, flush our toilets dutifully, “dump” someone not quite right for us, dump on ourselves

for wasting time, money, or potential, and we bury or burn the leftovers of our loved ones who've died.

What the project argues for is the ethical dimension opened up by thinking critically about narratives of the civilization, progress, and perfection of humanity and an attunement to the way that waste functions alongside those ideas. Thinking about waste helps us respond to the 'mistakes' and consequences of the past, it may assist those who find themselves being made waste of to speak out, and on the social and political levels, it allows us to develop ethical practices and build ethical institutions that are oriented towards not making waste of life or lives.

Importantly, I do not naively presume or aim to eradicate, sanitize, or redeem waste. What I argue for is a nimble way of thinking waste that is critical, responsive, and above all ethical. As our forms of life change with new powers, events, and technologies, I am certain there will be new kinds of waste, new means for waste-making, new human targets made waste of. Rather than banishing waste, we must change our attitudes towards it, try not to fear it in principle, listen to the claim it makes on us, learn from it, be accountable to it, and in some cases laugh at it, perhaps. Through my analysis of waste I aim to demystify some of the problems passed onto to us from modernity: the attachment to an image of a pure, perfected, complete, 'clean and proper' sovereign self, a fanatical enthusiasm for neat and tidy origin stories, and, most importantly, the hatred, prejudice, and exclusion that is nourished by some of these cultural myths.

Sylvia Winter teaches us "that the struggle of our new millennium will be one between the ongoing imperative of securing the well-being of our present ethnoclass (i.e., Western bourgeois) conception of the human, Man, which overrepresents itself as if it were

the human itself, and that of securing the well-being, and therefore the full cognitive and behavioral autonomy of the human species itself/ourselves.” (Wynter 2003 260) This Western bourgeois necessarily European Man—now globally hegemonized—of which she speaks is a construction of the moderns. Man overrepresents himself as human, Man stands in for humanity; indeed, in all of the texts I analyze Man is the key for accessing and promoting civilization, power, perfection, and progress. Wynter continues, “the struggle of our times, one that has hitherto had no name, is the struggle against this overrepresentation.” (Wynter 2003 262) We need to abandon this loaded concept of Man; this is what Wynter refers to in her title: *Unsettling the Coloniality of Being/Power/Truth/Freedom*.

“Unsettling” those concepts and others might involve a reconfiguration or perhaps simply garbaging them for new ones, ones that value life and the living over man. Charles Mills says “If nonwhite ‘savagery’ is the negative antipode against which civilized (white) humanity is going to define itself, then obviously the interlocking conceptual relationships are likely to shape how these concepts of ‘civilization,’ and what it is to rise above nature, develop.” (Mills 2005 190) Mills notes that white civilization was set up against nonwhite ‘savagery’ and that the social, political, and philosophical concepts and the relationships between them are imbued with that antagonism. Some of these concepts that need to be reevaluated are, as Wynter says, Being, Truth, Power and Freedom—some big ones.

But other concepts, as well. For example Mills goes on to ask, “How is ‘respect’ to be cashed out ... for a population that has historically been seen as less than persons?” (Mills 2005 190) How ought we cognize respect when it never had to be earned for the white person and it must always be granted from the person of color? Mills notes that not only

are the world and its institutions antagonistic, but the *concepts* of civilization and the relationship of human beings to nature contain antagonism, too.

It was seventeenth century philosopher Francis Bacon who said first that man is to become master over nature; Descartes, the oft-proclaimed ‘father of modern philosophy’ in his *Discourse*, book IV names the same goal. Modernity is marred by this belief and the state of the natural world today—not separate from culture, but mutually influencing—is testament to the damage that results from man’s supposed sovereignty over nature. Even Mills in the quote above talks of ‘rising over nature,’ it is in keeping with his commitment to contract theory, which relies heavily on the conceptual distinctness of nature and culture. I intend to show how contract theory is a contract among men about the land (property), women, and people of color. The domination over nature is inextricably linked to the domination of human beings.

Laura Pulido argues “land is thoroughly saturated with racism.” (Pulido 2017 528) She says there are two land processes of note; the first is appropriation and the second is access. I describe appropriation in chapter two on Locke, when Anglo-American man, driven by the doctrines of discovery and manifest destiny, laid waste to the indigenous people of the US through violent appropriation of the land and the implantation of disease. The second process, access, arises after the land has been commodified and it is deeply racialized, Pulido says. Myriad laws and practices made property the boon of white men only. I argue that land access is also gendered and able-normative, as property was long inaccessible to white women, society’s junior partners; still in many cases is inaccessible to women of color; and the built environment is not suited for unique forms of bodymindedness—resulting in literal inaccessibility. (Wilderson, III 2003 18) Ableism,

misogyny, and racism are all forms of domination and they are linked together through the idea that man can become master of nature, which requires the conceptual distinction between nature and culture.

In chapter one, I discuss Julia Kristeva's work on abjection and the abject. I intend this analysis of her work to frame the discussions of waste in the rest of the dissertation. I argue that by paying attention to the abject, we learn about our processes of exclusion and our fears. We learn something transformative in the midst of this near-dissolution. This knowledge of the process of exclusion and fear is of epistemological and political value.

In chapter two I argue that the waste proviso is crucial to Locke's conception of property because not all goods are fully fungible with money for Locke. I also argue that in his political philosophy, waste is used to justify colonial logics of appropriation. I take a long look at the role of the fence and its relationship to civilization and then at the modern legacy of his concept of the wasteland.

In chapter three I argue through looking at Jean Jacques Rousseau's political and pedagogical works that civilization brings about the waste of mankind and that Emile's socialization is well on the way to building a culture that's conducive to violence against women. I also take note of Rousseau's ableism in this chapter, as Emile must be a robust and healthy boy in order to be taken under the wing of Rousseau.

In chapter four I discuss Immanuel Kant's teleological, pedagogical, anthropological, and political writings. I argue that waste is an everpresent possibility for man in Kant's philosophy. Then I articulate his views on race, analyzing race and waste together. Last, I discuss the fate of the nonwhite races according to Kant; it's a harrowing demise which births an even-worse legacy of domination and oppression.

Last, in the conclusion I discuss Kristeva's views on disability and argue against her new humanism in favor of a politics that is oriented towards not making waste of life or lives. I engage with Nancy Tuana's concept of viscous porosity, a feminist materialism that reveals the complexity of certain socionatural phenomena. Then I argue that waste is the political concept, using LaClau's notion of the empty or floating signifier to demonstrate its aptness for an ethical politics that is responsive to our current "apocalypses," as Kristeva would call them. Last, I turn to Myra Hird for an inhuman epistemology over and against Kristeva's new humanism because though she adds vulnerability to the political pact, it is still social contract theory, which makes waste of life and of lives.

Chapter 1 Kristeva and Waste

All action requires forgetting, just as the existence of all organic things requires not only light, but darkness as well. –Friedrich Nietzsche

Julia Kristeva, one of few philosophers who writes on waste, theorizes the process of abjection, as ways of responding to, or, treating waste. In this chapter I will be focused both on explaining the process of abjection and positing a reading of the abject, something that results from the process of abjection—which is less Kristeva’s focus than the process itself is. I argue that by paying attention to the abject, we can learn something about ourselves, our practices of exclusion; we learn something transformative in the midst of that near-destruction. I will discuss the role of abjection in the Oedipal trilogy. I will also discuss the interpretations of abjection from Kelly Oliver, Sarah Beardsworth, and Judith Butler. I will settle on a reading of the abject that considers it something of epistemological and political value, despite Kristeva’s claims to the contrary.

‘I,’ Infant

Abjection is a process that results in a double movement: that of fascination and repulsion. Kristeva says the abject has only one property in common with the object “that of being opposed to *I*.” (Kristeva 1982 1) The abject is the not-I, yet it is more complicated than that. The abject is “ejected beyond the scope of the possible, the tolerable, the thinkable.” (Kristeva 1982 1) It is something that arouses the affects deeply—so deeply in fact that we have trouble thinking of the abject, we fall into a faint. (Kristeva 1982 4) She says that it is inassimilable. It is a “weight of meaninglessness, about which there is nothing

insignificant, and which crushes me. On the edge of nonexistence and hallucination, of a reality that, if I acknowledge it, annihilates me. There, abject and abjection are my safeguards, the primers of my culture.” (Kristeva 1982 2) A meaningful meaninglessness that tests the boundaries of the self; abjection and the abject keep dissolution at bay and teach me culture. How can we talk about abjection and the abject, then? I will attempt to explain why and how I think that the abject is a (non-object) of epistemological and political value.

First and foremost, abjection is the beginning of the process of becoming a subject. Kristeva says that the most archaic form of abjection consists in food-loathing. She describes the skin on the top of milk something that is given to the infant who reacts: “... that milk cream, separates me from the mother and father who proffer it. ‘I’ want none of that element, sign of their desire; ‘I’ do not want to listen, ‘I’ do not assimilate it, ‘I’ expel it.” (Kristeva 1982 3) The infant refuses the milk with the skin on top of it, retching at its sight. Though it is a sign of the parent’s desire, the infant nonetheless rejects, beginning to establish an ‘I’ through that rejection of parental desire. It says “But since the food is not an ‘other’ for ‘me,’ who am only in their desire, I expel *myself*, I spit *myself* out, I abject *myself* within the same motion through which ‘I’ claim to establish *myself*.” (Kristeva 1982 3) Food is not an ‘other’ for the infant because it has not yet established the separation for subject and object to have relations. ‘I,’ infant, *am* only through the desire of the parents and this act of rejecting, spitting up, abjection—is the first stage of becoming a subject, splitting.

Kristeva continues “That detail, perhaps an insignificant one, but one that they ferret out, emphasize, evaluate, that trifle turns me inside out, guts sprawling; it is thus that *they* see that ‘I’ am in the process of becoming an other at the expense of my own death.

During that course in which 'I' become, I give birth to myself amid the violence of sobs, of vomit." (Kristeva 1982 3) I have been given birth already, yet I must also birth myself, in the midst of my evacuations, my waste, in front of *them*. The parents that 'ferret out, emphasize, evaluate' me in my becoming amidst my violent quakes and my near-death experience have until now defined me via their own desire. The drama of subjectivity is unfolding in front of the parents' eyes. 'I,' infant, mark out a space for myself in abjection: a space separate from the maternal or paternal space of desire, love, and meaning.

In "Hatred and Forgiveness; or, from Abjection to Paranoia," Kristeva calls abjection the 'degree zero' of hatred. (Kristeva 2010a 185) What is degree zero? It seems to be a reference to Roland Barthes' work. I will relay some observations on the degree zero after a reading of the salient parts of his works *Writing Degree Zero* and *Elements of Semiology*. In *Writing Degree Zero*, both mentions of the titular topic arrive on the scene amongst references to Orpheus³ who "can save what he loves only by renouncing it, and who, just the same, cannot resist glancing around a little bit." (Barthes 1967 76) Degree zero is absence, but as he clarifies later in *Elements of Semiology*, "The zero degree is not a total absence ... *it is a significant absence.*" (Barthes 1968 76) An absence that has meaning, a self that is just in the process of becoming self, spitting itself out of itself. Split from its family through this abjection. Barthes says "We have here a pure differential state; the zero degree testifies to the power of any system of signs, of creating meaning 'out of nothing.'" (Barthes 1968 77) The infant's 'I' is in this process of becoming something 'from nothing'. Barthes characterizes the zero degree of writing as having a negative momentum, like the rejection of the milk skin that helps begin to establish the infant as an 'I.'

³ Orpheus, or, 'the orphan.'

Indeed, Kristeva says, “Essentially different from ‘unsettling strangeness,’ and also more violent, abjection is constructed on the impulse of revolting against one’s family in order to posit them as such: it is the psychosomatic avant-garde of the future oedipal revolt. I am driven to expel my progenitors and in this way I begin to create my own territory, bordered by the abject.” (Kristeva 2010a 186) Abjection is not the uncanny, it is more violent, stricken by the drive to throw away or garbage one’s family in order to establish them as such. Cruel beginnings, the infant starts to establish its own space, bordered by the abject. ‘Avant-garde’ and ‘revolt’ radically contest norms and culture. This prefigures the oedipal revolt that the child will experience later on in their development.

Primal Repression and Chora

Abjection is said to be the most fragile and the most archaic sublimation of an ‘object’ that is still fused with the drives. Fragility comes from a synchronic point of view, the now that does not take history into account; the most archaic is from a diachronic point of view, that takes account of the history or development through time. It is in the longest most past past of the ‘subject’ that the abject is sublimated, and turned into something purified—culturally appropriate. ‘Archaic’ is also a term related to archaeology and paleoanthropology, signaling an earlier or formative period of culture. She says “*the abject would thus be the ‘object’ of primal repression.*” (Kristeva 1982 12) The abject: excrement, corpse, milk-film, nail clippings are the pseudo-objects of division, rejection, and repetition of that division and rejection that primal repression—an ability of the speaking being “always already haunted by the Other” to make those divisions without or before the constitution of an object or subject. (Kristeva 1982 12) We are always already social

beings, though we may be doomed, as infants, to be incapable of signifying meaning; we are initiated as cultural beings before we can speak. Repression is part of the basic economy of the drives, when something is banished from consciousness and relegated to the unconscious. Primal repression constitutes the unconscious—it is a response to the primary lack in being.

Primal repression is a stage in the development of a child and it happens before the formation of ego and objects. The abject, Kristeva says, “confronts us ... within our personal archaeology, with our earliest attempts to release the hold of the *maternal* entity even before ex-isting outside of her, thanks to the autonomy of language. It is a violent, clumsy breaking away, with the constant risk of falling back under the sway of a power as securing as it is stifling.” (Kristeva 1982 13) Rejection is a form of negativity that repeats, and through it the infant attempts to separate itself from the maternal body. The power of the mother is securing (the good breast) and is at the same time stifling in the infant’s struggle to demarcate a space for its ‘I’ to develop. She says, in this struggle “which fashions the human being, the *mimesis*, by means of which he becomes homologous to another in order to become himself, is in short logically and chronologically secondary. Even before being *like*, ‘I am not but do *separate, reject, ab-ject*.” (Kristeva 1982 13) Therefore, abjection is “*a precondition of narcissism*. It is coexistent with it and causes it to be permanently brittle.” (Kristeva 1982 13) This early form of narcissism is ‘brittle,’ ‘fragile,’ because it is separation prior to the separation of ego from object. Before being the same, ‘I am in the process of breaking off, separating. The mimetic happens after this differentiation both logically, and chronologically; the separation happens temporally before mimesis and is logically prior to

it. There's nothing that tethers the infant to the world—no other object—to give it some stability as an 'I.' This is why the infant is in a narcissistic 'crisis.'

Within primal repression—Freud's terminology—Kristeva says "let us therefore not speak of primacy but of the instability of the symbolic function in its most significant aspect—the prohibition based on the maternal body..." (Kristeva 1982 14) This prohibition based on the maternal body secures against autoeroticism and the incest taboo. "Here, the drives hold sway," she says, and they establish a "strange space" that Kristeva names *chora*. (Kristeva 1982 14) A *chora* is a 'receptacle' and is taken from Plato's *Timaeus*; it is the place where the universe begins, as he says, "and in a manner the nurse, of all civilization." (Plato 360 BCE) Plato also describes "Wherefore, the mother and receptacle of all created and visible and in any way sensible things ... is an invisible and formless being which receives all things and in some mysterious way partakes of the intelligible, and is most incomprehensible." (Plato 360 BCE) Intelligible, yet incomprehensible. The *chora* is the space of the semiotic, for Kristeva, where the drives are subject to an *ordering* dictated by biology or socio-historic constraints that are not law, because that is the purview of the symbolic. (Kristeva 1984 25, 27)

The drives now are pre-Oedipal and orient the body to the mother, but drives are ambivalent—simultaneously assimilating and destructive. She says "the mother's body is therefore what mediates the symbolic law organizing social relations and becomes the ordering principle of the semiotic *chora*." (Kristeva 1984 27) This ordering articulates a continuum "the connection between the (glottal and anal) sphincters in (rhythmic and intonational) vocal modulations, or those between the sphincters and family protagonists, for example." (Kristeva 1984 28-29) The body, formerly fragmented by the drives and their

furious movement/stasis/movement, finds some organization; it also connects the body to 'subjects' and 'objects' not yet constituted as such, but in order to establish them. (Kristeva 1984 28) This process of establishing ego/object is both dichotomous, (inside/outside, ego/not ego) but also she says "centripetal," that is, its movement is something that gathers the objects in and aims to "settle the ego as center of a solar system of objects." (Kristeva 1982 14) This calls back to Plato's notion of chora as the receptacle where the universe began. If the action of the drives becomes 'centrifugal,' latches onto an Other and comes into being as sign—producing meaning—the economy changes. The chora is repressed by the sign and after that, only desire will experience its "primary pulsation." (Kristeva 1982 14)

The frangible 'I' is held up by the object in the face of "*Too much strictness on the part of the Other*, confused with the One and the Law. The *lapse of the Other*, which shows through the breakdown of objects of desire." (Kristeva 1982 15) In both cases, the narcissistic crisis relies on abjection to hold up the 'I' before the Other. The object is "the violence of mourning for an 'object' that has always already been lost" the lack or want of being upon which being is based—the fragility of the 'I' and its brittleness, or as Barthes might put it, the emergence of something from nothing.

Further, "It takes the ego back to its source on the abominable limits from which, in order to be, the ego has broken away—it assigns it a source in the non-ego, drive, and death. Abjection is a resurrection that has gone through death (of the ego). It is an alchemy that transforms death drive into a start of new life, of new signification." (Kristeva 1982 15) The ego dies before it becomes ego—this is the strange alchemy that creates the ego in and through the death drive. Splitting, rejecting, separation and repetition is the work of the

symbolic. A new life has begun, a new ego emerges. New signifi-ance is new meaning, a new meaning-making being.

This Shit, Corpse

Abjection is not solely a psychosomatic mechanism of individuation of the 'I,' infant. It is also the improper/unclean: "the repugnance, the retching that thrusts me to the side and turns me away from the defilement, sewage, muck. The shame of compromise, of being in the middle of treachery. The fascinated start that leads me toward and separates me from them." (Kristeva 1982 2) For, "A certainty protects it from the shameful—a certainty of which it is proud holds onto it." (Kristeva 1982 1) Certainty protects this subject from abjection and its terrors and it is proud of that lack of doubt, it has gathered itself together, though only artificially, temporarily. Compromise is considered to be shameful because it shows that the subject has relinquished some of its sovereignty—it has given way to the other. 'Treachery' registers on multiple valences, on the level of the individual, betrayal of trust; on the level of the religious, a lack of faith; and on the level of the state: treason. The subject oscillates between being drawn towards the abject and being repulsed by it like being "haunted" by an "inescapable boomerang." (Kristeva 1982 1)

The abject is a corpse. Kristeva contrasts a pus-filled wound and the smell of decay with death, signified. Signified death is a flat EKG line, one can cognize that as death. Abject death is stinky, messy, unruly:

as in true theater, without makeup or masks, refuse and corpses *show me* what I must thrust aside in order to live. These body fluids, this defilement, this shit, are what life withstands, hardly and with difficulty, on the part of death. There, I am

at the border of my condition as a living being. My body extricates itself, as being alive, from that border. Such wastes drop so that I might live, from loss to loss, nothing remains in me and my entire body falls beyond the limit—*cadere*, cadaver. If dung signifies the other side of the border, the place where I am not and which permits me to be, the corpse, the most sickening of wastes, is a border that has encroached upon everything. It is no longer I who expel, 'I' is expelled. The border has become an object. How can I be without border? (Kristeva 1982 3-4)

This shit is the other side of the border, what the embodied subject must slough off in order to continue as life. Abjection is not just something the subject does in order to be, it is also something that the subject *is subject to*; the corpse infects life and 'I' is expelled. The border between life/death becomes an object and the subject is without border. What is it to be a subject without border? No inner or outer, the unsignified corpse brings death into me and puts me beside myself.

The abject is expanded past the matter of excretions or rotting lifeless flesh; Kristeva says, "It is thus not lack of cleanliness or health that causes abjection, but what disturbs identity, systems, order. What does not respect borders, positions, rules. The in-between, the ambiguous, the composite." (Kristeva 1982 4) The abject is not just the dirty or unclean. It is whatever puts categories into question and shows the precarity of borders and laws. Crime shows us the abject because it demonstrates the fragility of the law. Crime has radical potential; it can use that fragility of the law against itself to change it, though I'm not sure Kristeva would agree with me.

There are some crimes, though, that are especially abject: "Nazi crime reaches its apex when death, which, in any case, kills me, interferes with what, in my living universe, is

supposed to save me from death: childhood, science, among other things.” (Kristeva 1982 4) Childhood and science are things with a mythical purity, the child is innocent, free of sin, etc. and science claims to have the purity of objectivity. Perhaps this mythical purity comes from what they represent to us. Childhood and science are supposed to rescue the subject from death; childhood is supposed to be about the joy and vibrancy of life and science treats those things that cause death, extending life—among other things.

The one by whom the abject exists is a ‘deject,’ a ‘stray,’ and ‘an exile who asks ‘where?’” (Kristeva 1982 8) Rather than inquiring into their own being, they inquire into their place. Kristeva calls this deject “a deviser of territories, languages, works” and a “tireless builder.”(Kristeva 1982 8) By constantly splitting and demarcating his space, he creates. She says “He has a sense of the danger, of the loss that the pseudo-object attracting him represents for him, but he cannot help taking the risk at the very moment he sets himself apart. And the more he strays, the more he is saved.” (Kristeva 1982 8) It is through straying that he “draws his jouissance” through which he accesses the “abominable real,” chaotic state where we are closest to materiality, feeling the material both outside and inside without distinction—closest to our state as newborn infant, long before they enter the symbolic. (Kristeva 1982 8-9) Jouissance is not something one can understand or desire. It is something “one joys in. Violently and painfully. A passion.” (Kristeva 1982 9) One suffers it, in the sense of undergoing something, rather than experiencing it.

Yet “we may call it a border; abjection is above all ambiguity. Because, while releasing a hold, it does not radically cut off the subject from that which threatens [sic] it—on the contrary, abjection acknowledges it to be in perpetual danger. But also because abjection itself is a composite of judgment and affect, of condemnation and yearning, of

signs and drives.” (Kristeva 1982 9) Abjection is ambiguous because it occurs through this dichotomous interchange. It is in perpetual danger because the subject may be swallowed up by the symptom but it may also be sublimated: “in the symptom, the abject permeates me, I become abject. Through sublimation I keep it under control.”⁴ (Kristeva 1982 11) She says that the abject is lined with the sublime; it is not the sublime but it shares with the sublime a lack of object—the abject can be on-the-way to sublimity.

The sublime is “*something added* that expands us, overstrains us, and causes us both to be *here*, as dejects, and *there*, as others and sparkling;” it is “the refulgent point of the dazzlement in which I stray in order to be.” (Kristeva 1982 12) As on-the-way to sublimity—or edged with it—the abject confounds judgment; Kristeva, in fact, says that it “shatters the walls of repression and judgments.” (Kristeva 1982 15) The abject dangerous as it can be, can be transformative. It itself is compound of judgment and affect. That is why, it seems, Kristeva describes the process of abjection above as avant-garde. Avant-garde has a double meaning. As a term of art, it expresses something innovative, experimental, the introduction of new forms and new subject matter; it was originally associated with socialist art of the mid-to-late 1800’s. (avant-garde) But it also has a meaning associated with combat. The avant-garde is the advance guard: the troops that go first into battle. (avant-garde) It is here that I see the transformative powers of the abject through the destruction or “shattering” of repression and judgments. It can only shatter repression and judgment by arousing the affects; this is why I argue it has epistemological value. A value that, through its convulsions dislodges certain judgments.

⁴ Is the symptom absolute? What about coping or learning to cope with symptoms that linger and do not take us over? We can gain this ability. I think it is the work of living.

So the Sacred

Abjection and the abject are “my guardrails, the beginning of my culture, my beginning of culture.” (Kristeva 2010a 187) As the beginning of culture, and the initiation of culture in a being, the abject has a relationship to animality. Kristeva says “The abject confronts us, on the one hand, with those fragile states where man strays on the territory of *animal*. Thus, by way of abjection, primitive societies have marked out a precise area of their culture in order to remove it from the threatening worlds of animals or animalism, which were imagined as representatives of sex and murder.” (Kristeva 1982 12-13) The deject who strays, strays towards the animal, animality. “Primitive” societies use abjection to separate themselves from the dangerous territory of animality where sex and murder are said to be located. The superego is the instrument of culture, prohibiting such ‘animal’ behavior.

Kristeva outlines several ways that abjection is structured and says that each configuration determines a specific form of the sacred; these are each a part of culture. First, in cultures with a matrilinear character, abjection appears as a “rite of defilement and pollution.” (Kristeva 1982 17) In this first configuration, “it takes on the form of the *exclusion* of a substance (usually nutritive or linked to sexuality), the execution of which coincides with the sacred since it sets it up.” (Kristeva 1982 17) So the first configuration is a process of exclusion that sets up the sacred in and through the exclusion of the defiled or polluted pseudo-object. It persists as exclusion in monotheistic religions, as dietary taboo. The second configuration of abjection takes the form of *transgression* of the Law—this also exists in the economies of monotheistic religions—which typically (though she does not

say as much) results in punishment. The third configuration of abjection “encounters, within Christian sin, a dialectic elaboration, as it becomes integrated in the Christian Word as a threatening otherness—but always nameable, always totalizable.” As always nameable and totalizable (via confession?), the abject loses some of its character; it used to produce the remainder, the abject, but it seems here abjection produces something more tame... evil or the devil or just sin?⁵ I’m not sure. In any case, these are each ways of purifying the abject through catharsis; the purview of religion and of art.

She argues that in contemporary Western culture, “owing to the crisis in Christianity,” abjection evokes more “archaic resonances.” (Kristeva 1982 17) She says

in a world in which the Other has collapsed, the aesthetic task—a descent into the symbolic construct—amounts to retracing the fragile limits of the speaking being, closest to its dawn, to the bottomless ‘primacy’ constituted by primary repression. Through that experience, which is nevertheless managed by the Other, “subject” and “object” push each other away, confront each other, collapse and start again—inseparable, contaminated, condemned, at the boundary of what is assimilable, thinkable: abject. (Kristeva 1982 17-18)

Some modern literature does this, she notes. But does what? It seems that limits of the speaking (and mortal) being are articulated through this journey to the “dawn.” Subject and object conflict but are undone and both start over contaminated, both impure, both abject. (Kristeva 1982 18) This seems to constitute a new relationship with the abject, bringing us closer to the semiotic, the chora, perhaps recouping the importance of the maternal body.

⁵ I guess these things aren’t ‘tame’ to those who believe in them.

This was the position of the avant-garde, the combative/creative, death/life status of abjection and its role in “primal” repression.

The Gouged-Out Eye

In *Powers of Horror* Kristeva discusses *Oedipus the King* and *Oedipus at Colonus* showing how abjection functions within each story. She muses over the fact that Freud was not interested in—or at least he never wrote on—*Oedipus at Colonus*. She says “Oedipus the King handed over to Freud and his posterity the strength of (incestuous) desire and the desire for (the father’s) death. However abject these desires may be, which threaten the integrity of individual and society, they are nonetheless sovereign. Such is the blinding light cast by Freud, following Oedipus, on abjection, as he invites us to recognize ourselves in it without gouging out our eyes.” (Kristeva 1982 88) She continues, asking: “but after all, what saves us from performing that decisive gesture?” (Kristeva 1982 88) In other words, how can we see the abject in ourselves without violently scooping out our own eyes? What is it that can stop us from being overcome by the death drive, what can prevent us from self-inflicting wounds out of shame or self-hatred? She finds the answer to this question in *Oedipus at Colonus*, with the generation of signification through the symbolic pact that Oedipus makes with Theseus upon his (Oedipus’) death.

Oedipus at Colonus is doubly important because in the transition from one story to the next “the tragic and sublime fate of Oedipus sums up and displaces the mythical defilement that situates impurity on the untouchable ‘other side’ constituted by the other sex, within the corporeal border—the thin sheet of desire...” (Kristeva 1982 83) Rather

than locating abjection within woman, as we see it in *Oedipus the King*, *Oedipus at Colonus* locates abjection within the individual in his or her or their own particularity, which as I see it is another effect of the signifiante that that work seems to generate.

In order to develop this reading, I will first discuss signifiante, its structure and what it entails. I will discuss how abjection functions within each story, paying particular attention to the issues of how abjection is purified and how that relates to gender. Then I will argue that what Kristeva finds in *Oedipus at Colonus* is an instance of how abjection can be generative of signifiante, that, through sharing with another and making a symbolic bond one can generate transformations that exceed both subjects.

Signifiante is found in Kristeva's early work, *Revolution and Poetic Language*. It is, she says, heterogeneous—so, both social and material—and it takes place in a text “indicating on the one hand, that biological urges are socially controlled, directed, and organized, producing an excess with regard to social apparatuses; and, on the other, that this instinctual operation becomes a practice—a transformation of natural and social resistances, limitations, and stagnations—if and only if it enters into the code of linguistic and social communication.” (Kristeva 1984 17) Signifiante expresses the drives in their excess of social structures and control, and—through becoming socially shared, as practice—it may begin a transformation within the subject and the social.

Signifiante can transform or reconfigure individual and social conditions, it generates new beginnings: “this unlimited and unbounded generating process, this unceasing operation of the drives toward, in, and through language; toward in and through the exchange system and its protagonists—the subject and his institutions. This heterogeneous process . . . is a structuring and de-structuring practice, a passage to the

outer boundaries of the subject and society. Then—and only then—can it be jouissance and revolution.” (Kristeva 1984 17) Signifiante can be jouissance, in subjects, and revolution, in social conditions, when the semiotic is conveyed through the symbolic, transforming the law, boundaries, and constraints that it expresses through a practice—which is its becoming-social. Language says what cannot be said, the semiotic shimmers through the symbolic and is shared, and that is how it generates this movement of signifiante. I will show later how this is evident in *Oedipus at Colonus*, but first, I’d like to talk about how abjection functions within each of these Oedipal myths.

In *Oedipus the King*, Oedipus is the sovereign knower on account of being the only person able to answer the Sphinx’s riddle to gain entry into Thebes; and subsequently, as a result, he is given the rule of Thebes as its King. Of course, he does not know everything, and that is the sticking point. Kristeva says “abjection breaks out only when, driven to distraction by a desire to know, Oedipus discovers desire and death in his sovereign being; when he assigns them to the same, full, knowing and responsible sovereignty.” (Kristeva 1982 84) The prophecy that he would kill his father (Laius) and marry his mother (Jocasta) did become true, and in light of the revelation of that truth, Oedipus takes on full responsibility for that incestuous desire, that patricidal death, and the ensuing epidemic of infertility that set upon Thebes after he took the throne. He cannot yet admit that he did not know what he was doing when he fulfilled the prophecy; he is, after all, the sovereign knower in the story, who solves the Sphinx’s logical enigmas.

The resolution of this abjection is as it is in the rest of *Powers of Horror* up until then, it happens by exclusion as it does in other mythical systems. There are two exclusions that take place before Oedipus’ purification. First, there is a spatial exclusion which comes

with his exile. He must leave Thebes. Second, Oedipus blinds himself in order to exclude objects of his love and desire from his vision, so he does not have to see Jocasta his mother/wife and their four children. Blinding, Kristeva says, “is an image of splitting; it marks, on the very body, the alteration of the self and clean into the defiled—the scar taking the place of a revealed and yet invisible abjection.” (Kristeva 1982 84) Oedipus’ abjection was a result of desire to know, but not-knowing, he—and his face—have been split by this ambiguity of the parts he plays. He splits himself, making his body bear a visible mark of defilement, revealing an invisible abjection visibly.

Oedipus is *agos*, defilement and *katharmos*, purification—he is *pharmakos*, too, the scapegoat, the one excluded in two ways and split open, who still can purify. Oedipus’ role differs from Jocasta’s. They are both *miasma* (pollution) and *agos*, but only Oedipus is *pharmakos*. This is because “At the limit, if someone personifies abjection without assurance of purification it is a woman, ‘any woman,’ ‘the woman as a whole’; as far as he is concerned, man exposes abjection by knowing it, and through that very act purifies it.” (Kristeva 1982 85) Woman is other, impure and without capacity to purify abjection. Jocasta dies by suicide.

Oedipus alone is *pharmakos katharmos*. He is defiled and yet, through knowledge of his defilement, he can purify by becoming scapegoat—the one who leaves the city in order to restore to it its fecundity. Woman is abjection without assurance of purification; only man is capable of becoming scapegoat for the city. Later we will see that, through his actions, Oedipus relocates the distinctions reproduction/production and feminine/masculine into the particular individual, but we must first arrive at Colonus to come upon how this happens.

In *Oedipus at Colonus*, Oedipus finds himself upon the place it was prophesied he would die, a ground sacred to the Furies. Exiled, he is no longer sovereign king, and is rather a subject before the law. Oedipus does not confess his guilt before the law—his disposition towards his defilements has changed. Rather, he says “. . . mine acts, at least, have been in suffering rather than doing” and “stainless before the law, void of malice have I come unto this pass!” (quoted in Kristeva 1982 86) He did not know that it was his mother he helped make a family with nor did he know it was his father he killed, he stands, scarred, before the law and says, as subject, that he is innocent.

This proclamation of his innocence before the law introduces “a first estrangement . . . between knowledge and the Law, one that unbalances the sovereign. If the Law is in the Other, my fate is neither power nor desire, it is the fate of an estranged person: my fate is death.” (Kristeva 1982 87) No longer sovereign (in name, in knowledge, in desire, nor in relation to the law) Oedipus is in a state of alienation. The Law is in the other, and Oedipus’ faces his fate which is now death.

Here we can begin to see the difference in Oedipus’ relationship to abjection in each work. In *Oedipus the King*, abjection was what is irreconcilable in knowledge and desire, both of them sovereign in man’s being. The abjection of *Oedipus at Colonus*, Kristeva says, “is the not known of the speaking being who is subject to death at the same time as to symbolic union.” (Kristeva 1982 87) Rather than placing abjection within the other sex, as we see in *Oedipus the King*, it is acknowledged as being interior to the individual; the individual bears the wound and the individual has the capacity to reach out from suffering and alienation to create symbolic union.

Theseus, King of Athens sympathizes with Oedipus after hearing about what he suffered and offers him unconditional aid, protection, and citizenship to Athens. Oedipus asks for a burial site there, knowing that it is ensured that Athens will win against Thebes in any conflict, according to prophesy. Just before he is to die, he has Theseus accompany him to his burial site. As long as Theseus keeps this secret, peace for Athens and victory over Thebes is ensured in perpetuity. In *Oedipus at Colonus*, that symbolic union is more than one simply between Oedipus and Theseus, it is a union that links Oedipus transgenerationally to the people of Athens, for whom his death becomes a gift.

It is in the symbolic pact with Theseus and the future it holds for the Athenians that the abjection becomes generative of signification. She says “exile, first desired, then refused by his sons, has become rejection before being transformed, for Oedipus, into choice and symbolic handing down. For it is on foreign soil, and to a foreign hero, Theseus, a symbolic son, that he bequeaths . . . the secret of his death.” (Kristeva 1984 87) Oedipus, innocent before the law is wounded, suffering. His exile becomes rejection, which is a kind of negativity that becomes an instinctual, repetitive and trans-signifying movement; a kind of lapping negative process that through its negation makes a space for creation and regeneration. (Kristeva 1984 147) Rejection is the precondition for the binding that takes place later in his choice to share the secret of his entombment with Theseus. (Kristeva 1984 147)

When Oedipus passes Theseus the secret of his tomb, he makes his death “A death that, also in and of itself, without being in any way expiatory or redeeming for Oedipus, is meant for the benefit of others, of foreigners—Theseus and the Athenians” (Kristeva 1982 87) There is no redemption or atonement for Oedipus’ defilement upon his death. Rather,

his death binds him to Theseus and the people of Athens. This is where we begin to see the generation of signifiante. It arises from and is a challenge to abjection.

We would usually think of abjection as a destabilizing oscillation between fascination and repulsion but it can be generative of signifiante too “abjection is a resurrection that has gone through death (of the ego). It is an alchemy that transforms death drive into a start of life, of new signifiante.” (Kristeva 1982 15). From Oedipus’ fate, exile, and self-inflicted wounding—his abjection—comes a positive social practice, a sharing, a symbolic union with Theseus and the people of Athens that has rippling effects through space and time.

In addition to being neither atonement nor redemption, Oedipus’ death “has nothing to do with confessing a sin; abjection . . . is taken over by the one who, through speaking, recognizes himself as mortal (so much so that he leaves no male issue) and subject to the symbolic (one will note the purely nominal handing down of his mortal jouissance to the foreigner, Theseus).” (Kristeva 1982 88) Abjection is replaced within the individual speaking being, who is subject to death, the Law, and the symbolic. No longer is abjection located within woman. In face of abjection, his exile, splitting—the consequent rejection—Oedipus hands down his jouissance to Theseus. It is important that his handing down happens as a foreigner and not as a blood relative. This is a social linking that goes beyond blood and beyond the bonds of family—binding together Oedipus, Theseus, and the people of his new foreign-to-him home where he will be entombed in secret.

Thus, Kristeva says “The border between abjection and the sacred, between desire and knowledge, between death and society, can be faced squarely, uttered without sham innocence or modest self-effacement, provided one sees in it an incidence of man’s

particularity as mortal and speaking. 'There is an abject' is henceforth stated as, 'I am abject, that is mortal and speaking.'" (Kristeva 1982 88) Rather than seeing abjection in the other or the other sex, abjection is seen as a part of the individual's condition, an individual who is faced with his or her own death, and who must speak. What comes with speaking is the ability to share suffering, desire, and symbolic union, but also to be misheard or misunderstood, to be wrong, to fail to say what it is we're really trying to say, to have words fail us in our attempts at expression. And more than that, we don't get infinite attempts, we will die before we can ever "fully" express—let alone figure out how to live with—the joys and horrors our condition.

In Oedipus' relationship with Theseus we see "incompleteness and dependency on the Other, far from clearing a desiring and murderous Oedipus, allow him only to make his dramatic splitting transmittable—transmittable to a foreign hero, and hence opening up the undecidable possibility of a few truth effects." (Kristeva 1982 88) In *Oedipus at Colonus* abjection is not purified. Oedipus depends on Theseus to listen and respond to what he suffered, he depends on Theseus for a burial place, he depends on him to keep the secret of his death—to allow his gift to continue to be transmissible. Abjection is assuaged, ameliorated, massaged into a state less violent through sharing his trauma with Theseus and, through his death, gifting to Athens peace and prosperity.

Kristeva responds to her question (how can we see abjection within ourselves without making it visible by self-wounding?) saying, "Our eyes can remain open provided we recognize ourselves as always already altered by the symbolic—by language. Provided we hear in language—and not in the other, nor in the other sex—the gouged-out eye, the wound, the basic incompleteness that conditions the indefinite quest of signifying

concatenations. That amounts to joying in the truth of self-division (abjection/sacred).” We can bear to see abjection within ourselves when we recognize we are born into a world of meaning that predates and shapes us, when we see we are not sovereign in our desire, power, or knowledge, but that we are always struggling to find a way to say what exceeds symbolization, that we exceed symbolization. This is the wound. To joy in this self division is to see the wound as part of our condition and to know, also, that though we are wounded, we can make our desires and our sufferings shared—creating and transmitting new meaning and feeling through language and our bonds with others in the world. But must this come necessarily through or be accompanied by death? What of friendship?

Death by Suicide/Killed Herself

I move on now to Kristeva’s reading of *Antigone*, which is written as a kind of address to Antigone. My reading of *Antigone* differs from Kristeva’s and I think that’s because of the difference in how we conceive of suicide. I will get there, though. In good time. Excuse my tone for registering my skepticism in this piece of the chapter.

Antigone defies the edict of King Creon by insisting on burying her beloved brother, Polynices. Kristeva says that this makes Antigone a criminal, an outlaw—yet not a warrior “... you bear no relation to Joan of Arc...” (Kristeva 2010b 215) She says “you offer wild resistance to the tyranny, which inevitably topples the logic of the State, perhaps even political thought in general in so far as they ignore this ‘absolute individuality’ in which you take up residence and which you claim for your brother.” (Kristeva 2010b 215) She refuses to follow Creon’s edict and then is caught in the act of burying her brother—Antigone is

sentenced to die. She herself takes on, as well as stakes a claim for her brother to “absolute individuality.” Through this act she disrupts the logic of the State—and political thought in general. Why must Antigone be ‘criminal’ if her actions were in response to tyranny?

Kristeva asks Antigone “Worse, could you be resistant to all civilization, crude, which is to say wild, inhuman? You are, after all, so cruel to Ismene, your prudent sister, ‘the one who knows,’ for naming her this way your father destined her to wisdom.”

(Kristeva 2010b 216) Worse, that is, than being an ‘unhappy girl ... disobedient’ as she quotes Creon saying. Crude, wild, and inhuman—are Antigone’s “criminal” actions banishing her from the moral community because of her resistance to ‘all civilization?’

Kristeva cites Antigone’s “cruelty” towards Ismene her law-abiding sister who says in the play, “to defy the State-, I have no strength to do that.” (Sophocles 442 BCE) This is characterized as “wisdom” by Kristeva and is the meaning of Ismene’s name.

Kristeva describes Antigone’s state as “divided, torn—I would say *cleft*—between the city *and* Hades, the world of Creon *and* that of death, the logic of the political *and* that of your own blood, but if and only if it is the blood of a rebel, of an insurgent, of an instigator of transgressions (the most active of which is obviously murder). And so it is the blood of Polynices, who has launched a civil war, that claims your loyalty—very well!” (Kristeva 2010b 216) This is an important if ambiguous passage because of the double meaning of the word ‘cleft.’ It means a splitting, but it also means a division that was made by cleaving *to* something closely, also, having faith in something. Antigone is split between the desires for each of the terms of these dichotomies, but that split may have come from her closeness or proximity or faith in and to each term. I have a hard time getting a read on this essay

perhaps particularly because she offers two conclusions, self-admittedly opposed to one another. Perhaps that's part of the 'trick.'⁶

Kristeva similarly registers ambiguity: "To illustrate this ambiguity between love and death, let us begin with the guard who catches you in your second criminal act, washing and covering Polynices' dead body with dust to protect it from the sun, the birds, and the dogs." (Kristeva 2010b 216-217) This seems to be an act of care, which Kristeva will extol later as "the *maternal vocation* of tenderness and care: *the sublimation inherent in the maternal vocation.*" (Kristeva 2010b 222) But in this first passage love and death are entwined because her act is deemed 'criminal' and she will be, via the command of Creon, executed for that act—in spite of the fact that Antigone is betrothed to Creon's son, Haemon.

Is Antigone gone *crazy*? Kristeva relays "no she is not mad, our little Antigone. Or rather, she is mad, but with a madness that reveals a superior logic, limpid and intrinsic, that reveals itself as contagious—perhaps even eternal, universal?" (Kristeva 2010b 217) Mad as in 'ardent' with a clear way of reasoning that shows itself to be contagious—catching, like fire, and then she questions if this way of reasoning is eternal, universal. Outside of time, understood by all. Kristeva later calls Antigone's acts a "sacrifice." (Kristeva 2010b 222) Is this the "superior logic?" The logic of sacrifice?

Kristeva finds a kind of power in Antigone that she names "de-binding" and the "pathos of dispassionating": or is it a power? A pathos of dispassionating is an undergoing of un-undergoing. It is the calm demeanor of a sister burying her brother, "beyond loss,

⁶ Also she tells a joke, which is a way of dealing with the abject. She says "Enough blindness already in this family..." (Kristeva 2010b 216) Or is that not a joke? I think it's a joke.

depression, and suffering.” (Kristeva 2010b 218) This is a complex and paradoxical dynamic. Kristeva details:

This suicidal *laissez-faire* is not distinct here from endurance; indifference can flash out even in the midst of care, and the abjection of life can perpetuate itself in an insane disobedience that regenerates the social bond. A blank psychosis? Or the triumph of sublimation at the edge of an ordinary repression, at the frontier of life, that the speaking individual experiences as a going outside of the self—the limit state of an indivisible identity. Mature, sovereign. (Kristeva 2010b 218)

This is a ‘suicidal’ letting go (with the reference to the capitalism ‘hands-off’ the economy policy) or letting do (a more literal translation of *laissez-faire*), which could also be translated as let make or let play. The abjection of life, so a splitting or rejection of life, can live on—perpetuate itself—in an insane disobedience (is disobedience good or bad?) that gives new life to the way in which we are socially linked to one another. Or is it sublimation at the boundaries of life, ‘limit state’ of an identity that cannot be divided, split, cut. A “Mature, Sovereign.” disposition? A new kind of sovereignty? *Enlightened*, perhaps?⁷ Woman, too. (Kristeva 2010b 218)

And what do we make of the middle term that comes in the form of a question: “A blank psychosis?” In my experience (of psychosis) it is not blank. It is quite the opposite, actually. The world seems so oversaturated with meaning that it becomes overwhelming, sometimes frightening. The senses are extra-sensitive. Everything seems to have something

⁷ Maturity and immaturity can be linked to Kant, as they are the main determinants of Enlightenment. Kristeva (surprise!) has an ambivalent relationship to Kant. There is the Kant of the *Groundwork* or *Metaphysics of Morals* which she equates with purity and calls it “faithful to a certain Platonic stoicism.” (Kristeva 1982 29) But then there is the political-ethical philosopher Kant who wrote “Perpetual Peace” and “An Answer to the Question: What is Enlightenment?” whom she looks more favorably upon. (See Kristeva 1991—*Strangers to Ourselves*). I will talk more about Kristeva’s relationship to Kant in the conclusion.

to do with the self, whether they be forces of good or ill-will, on behalf of objects, creatures, or people. Everyone's experience of psychosis is different, though, so perhaps there is a 'blank psychosis.' It seems to me that she's endorsing both options as possibilities and that perhaps they are 'two sides of the same coin?'

She again mentions suicide when she describes Antigone's situation:

Strangled by the enclosure of the incestuous family, those trapped in this sameness, interwoven between *auto* [identity] and *homo* [sameness] are condemned to regeneration *and* to murder. Worse, suicidal, because to kill a body of the same blood in the consanguineous labyrinth of equivalences, equivalent ricochets and reflections is—for this family here—to kill its '*sameness*,' to kill *itself*: the deaths in and of the family are the suicide of the family. (Kristeva 2010b 220)

She even includes Haemon, betrothed to Antigone, who she says "pays with his life" for this "cycle of deadly generations." I want to interrupt this logic and ask a question. There is no suicide "of the family?" Did Antigone *ask* to be born of consanguineous blood? What I'm trying to interrogate here is the fact that she lumps the whole family together and states that each is equivalent with the other. I said earlier that I think we disagree on the notion of suicide. 'Death *by* suicide' is a more "humane" and accurate way of phrasing it. Suicide is not simple pathology that resides (or resided) in the subject, it is a social phenomenon⁸—and Kristeva should know this "always already" better than anyone else.

⁸ This is a phenomenon that public health officials are just beginning to recognize as such. They call it "suicide contagion," of course, so dramatic, But it's basically the idea that when someone in one's friend or family group—or when a famous person—dies by suicide, it is more likely that people associated with them will have suicidal thoughts and/or behaviors. The way to "treat" this public health problem is just to talk openly about suicide and the resources available to help people through having those thoughts and/or behaviors. By putting the number of the suicide hotline in news articles associated with a famous person's death by suicide they increase the rate of people who seek help. Additionally, there have been suggested guidelines for how to cover suicide in the news; the way writers write about it effects the way people view it. See Sanger-Katz 2014.

I also want to contest the logic that there can be a “cycle” of generations that are doomed to violence, regeneration, and murder. Again, the lumping together of the unique singularity of every living being. She does not just attribute it to the mythical family of Oedipus. She states “Again, today, the wars between national and religious ‘communities’ fall prey to the same tragic logic of suicidal threats, a logic concealed in their allegedly symbolic ‘sameness.’” (Kristeva 2010b 220) She does say that the ‘sameness’ is alleged so it is a so-called sameness; but why the quotes around the word ‘communities’? It also hints at the so-called (yet not in truth). Kristeva asks Antigone “And finally, Antigone, doesn’t your death (hanging by her neck) correspond to the hanging of Jocasta?” (Kristeva 2010b 221) Another instance of equivalency here.

Kristeva talks about the “grave adventure” of Antigone⁹ “buried as a result of her desire to join Polynices ... beyond the Até.” (Kristeva 2010b 225) Até means many things, for instance: madness, the death that follows hubris, disaster, daimonic force, and, ruin.¹⁰ I like the reading of ruin, or waste, but contest the notion that Antigone has a “desire to join Polynices:” Antigone never expresses such a desire, she simply wants to tend properly to the corpse of her kin—to care in face of the abject. I think Kristeva prefers the reading of ‘madness’ as Até; as she says, “At the limit of madness, the horizon of psychic sovereignty

⁹ Another joke?

¹⁰ Até “mental aberration, infatuation causing irrational behaviour which leads to disaster; sometimes the disaster itself. A hero's até is brought about through psychic intervention by a divine agency, usually Zeus, but can also be physically inflicted (Il. 16. 805). Agamemnon blames Zeus, Fate, and the Erinyes for his delusion that made him take Briseis and lead the Achaeans to the brink of defeat (Il. 19. 87 f, cf. 2. 111, 8. 237, 11. 340; Od. 12. 371 f, etc.). Até is personified as the daughter of Zeus whom he expelled from Olympus to bring harm to men (Il. 19. 90–4, 126–31). A similarly pessimistic notion of divine punishment for guilt underlies Homer's Parable of the Prayers. In this early allegory swift-footed Atē outruns the slow Prayers and forces men into error and punishment (Il. 9. 502–12). In another moralizing personification Até becomes the daughter of Eris (Strife) and sister of Dysnomia (Lawlessness) (Theog. 230; cf. Solon 3. 30–5); but Hesiod also used até impersonally in the sense of punishment for hubris (Hes. Op. 214 ff.). Aeschylus draws a powerful picture of até both as a daimonic force (see daimon) and instrument of ruin (Ag. 1124, 1433; Cho. 383, 956 ff.)” (Ate 2012)

can be opened.” (Kristeva 2010b 223) The titular themes are limit/horizon and it’s yet another paradoxical formation. The horizon can be seen as the limit of my vision, but it could also be the opening up of new possibilities—the space in which I can enact my agency. Is this a fetishization of madness? Given the role of paradox in this particular piece, it is difficult to pin down a reading of it. But I will continue to explore these paradoxes.

Solitude is another theme that Kristeva treats in this essay. It is not the solitude—opposed to loneliness—of Hannah Arendt, it is the solitude that leads to depression in mothers, even to infanticidal behavior, “maternal crimes.” (Kristeva 2010b 226) In the play, Antigone expresses a similar kind of toxic solitude and is in fact, made subject to it, by her living entombment.

At the end of the essay—in her second conclusion, contrary to the first—Kristeva says

The diverse apocalyptic events that we witness today, and even the infanticidal acts of some mothers, do not erase the growing number of women who confront the limit states of human experience with the indestructible serenity of Antigone. And who reveal themselves as horizon—for better and for worse. A horizon at which the laws themselves, because this all takes place in the social order, are susceptible to being transformed; but this transformation takes place first in the depths of the psyche, before being consecrated, eventually, by political justice. (Kristeva 2010b 227)

The horrors, or apocalypses, that we face today and (even ‘maternal crimes’ caused by ‘maternal madness’)¹¹ don’t efface, she says, the number of women—superior women?—who confront abjection with the diamond-coolness or the enduring imperturbable *calm* of Antigone. These women show themselves as ‘horizon’ opening up to new possibilities, a configuration that is ambivalent. She then says that transformations that take place ‘in the depths of the psyche’ must come before they translate to ‘the sacred’ material, political justice in law. She asserts this must take place as a revolution in thought and language “an interpretation of our solitary solidity in its cohabitation with the death drive.” (Kristeva 2010b 227) Solitariness is connected with the solidity of diamond-like ‘coolness’ of Antigone and the way it resides within—or next to—the death drive. She finishes this particular conclusion with “If not, then we are only left with the barbarism of frozen embryos, of children violated or sold within the traffic of human organs, of sterilized or scorned pregnancies, of women repressed or denied.” (Kristeva 2010b 227) Barbarism, again.

Kristeva says “modernity has learned to repress, dodge, or fake abjection...” and that becomes clearly essential when the “analytic point of view is assumed.” (Kristeva 1982 26-27) When abjection is avoided or repressed we fail to see the things that constitute the “meaningful meaninglessness” of our being. Modernity aspires to a world sanitized of

¹¹ I’m not sure why, but I really dislike that this is something she sees as the most abject kind of horror. I don’t like the phrasing of ‘maternal crimes’ or ‘maternal madness.’ Perhaps it is because of my own history with my mother, but I think a few things: 1. It is normal (from what I’ve been told) to want to kill your own kids. 2. There are structural issues that make the ‘execution’ of the maternal crimes I think more likely. Lack of resources, extreme duress, and lack of social support, it seems to me are more likely to lead to such ‘maternal crimes’. I think these crimes need to be understood not as solely maternal but as having a social or structural element. I’m not in favor of infanticide, but I do think it is a more complex phenomenon than simply ‘crime’ or ‘madness’ on the part of the mother.

death, shit, decay—but all of that is a part of life, at the limits of life—what I must give or give up or endure in order to be.

I will now discuss Judith Butler's, Kelly Oliver's, and Sara Beardsworth's readings of abjection in order to compare their differences and to pin down the kind of political role waste might play, or does play. Butler's *Bodies that Matter* is the most immediately political reading of abjection. Butler argues that heteronormative identity encloses itself through the process of abjection—expelling or repulsing—“figures of homosexual abjection.” (Butler 1993 103) Gay and trans* subjectivities are said to challenge ‘traditional’ heteronormative conceptualizations of sex, gender, disability and embodiment. Cishet subjects must reject these subjectivities as abject, yet the abject threatens the subject's hard-won yet tenuous sovereignty. Robert Phillips says to ensure the stability of their subject “they must simultaneously identify with the abject others whom they are also required to reject.” (Phillips 2014 20)

Oliver's reading of the abject rings on all registers, the political, social, and individual; it is more nuanced than Butler's immediately political reading. She is attuned to the role that animals and animality play alongside abjection. She argues that human beings “separate themselves from animal beings so that they can imitate those beings in order to become human;” this mimetic practice is what she names animal pedagogy. (Oliver 2009 282) However, separation, or abjection must happen prior to mimesis.

Oliver further argues that there is a beast, “lurking behind the origins of humanity ... a dependence which we disavow and abject ... abjection is a disavowal of the essential dependence on animals (or mothers) that enables separation and autonomy, which in turn enables imitation and through which we become speaking beings, human beings.” (Oliver

2009 282) In other words, Oliver says, we abject our dependence on animal pedagogy and on the maternal body; each of which we rely on to become an individual speaking human being.

In her section on “Shit Babies” Oliver notes that Freud’s phobic fellas all imagine giving birth to themselves, taking the place of their respective mothers. In their imaginations, the maternal role is equated with excrement and abjection. They shit themselves out like a mother gives birth to a child. The phobic “lives by finding a symbol for all frustration, drive, and want—an abject symbol like rats gnawing on an anus—to stand in for but still not represent ‘his whole life’ and the flows of his experience.” (Oliver 2009 288) The phobic is constantly on the search for naming such that he runs up against the unnameable.

Oliver says “Kristeva maintains that excrement represents the danger from the outside and menstrual blood represents danger from the inside, either the borders of the ‘clean and proper’ self or within the borders of the group.” (Oliver 2009 289) Both of these are associated with the maternal body, with her capacity to expel and her power to generate. The ego is threatened by the non-ego, life by death, and society threatened by its outside. (Qtd. in Oliver 2009 289) The role of abjection here is to keep ambiguity at bay by expelling what threatens the ‘clean and proper’ self or the boundaries of the social group.

Oliver asserts “Kristeva’s work itself can be read as a defense of human life and human meaning,” she continues asking, “My question here is whether or not that life and meaning are bought at the expense of animal life and animal meaning.” (Oliver 2009 300) Oliver comes down on the side of ambivalence; it is unclear whether or not human life and meaning gain that meaning at the expense of animal life and meaning. In some ways it does

and in some ways it does not. The role of abjection is to keep ambiguity at bay and to establish the 'clean and proper' self and the 'clean and proper' social order.

Sara Beardsworth's reading of abjection focuses on the "loss of loss" and the problem of nihilistic modernity. (Beardsworth 2004 80) The question she tasks herself with answering is "if Kristeva finds that unacknowledged suffering is the remnant of freedom in conditions of late modernity, how does the discovery of abjection develop this thought?" (Beardsworth 2004 80) She concludes that there is a problem with a loss of separateness in late modern society. She argues that Butler's view on abjection does not fully capture how abjection operates in Kristeva's discourse. Beardsworth focuses on the importance of phobia as well—the phobic struggles with the anguish of an inaugural loss (Beardsworth 2004 88) Beardsworth says the status of the abject is something we reject, but does not part from us. (Beardsworth 2004 89) She argues that the appearance of abjection as abjection now—in conditions of late modernity—"corresponds to the instability of symbolic function." (Beardsworth 2004 92)

Of these three different renderings of abjection, I think Beardsworth's is important because it relates the subject to modernity, yet I also favor Oliver's reading that ambiguity is kept at bay by establishing the 'clean and proper' whole, whether it be the sovereign self or the social group taken as a whole. Taken together, I hope to frame these modern thinker's views on waste as responding to some of the following questions:

1. How does social contract theory rely on the conceptual distinctions of nature and culture?
2. Much like nature and culture do, what concepts are in need of unsettling or garbaging?

3. When the founding moment of a civil society is a transgression by a 'criminal' other, how does that effect the kind of subject who emerges from such a configuration?
4. What is the relationship between fear and self- preservation in the work?
5. What is the thinker's view on suicide?

I ask these questions and answer them in the following sections because I think not only is social contract theory harmful to life and lives, but I also think it passes down certain prejudices from generation to generation.

Chapter 2 Locke and Waste

Wastelands are named wastelands by the ones responsible for devastating them. -Erica Violet Lee

John Locke's *Second Treatise of Government* is an influential treatise in modern political thought; I will argue for the connection between his account of property and colonial logics of appropriation. I will demonstrate how this is the case by looking at the *Second Treatise* and the multiple ways that waste functions in that text. First, for context, I will discuss his theory of the state of nature and its laws. Then I will discuss in detail, through a close reading of Chapter V of the *Second Treatise*, "On Property," how property functions for Locke. This will include a discussion of the role that waste plays in the text. Some scholars have dismissed or underplayed the role that the waste proviso plays in forming the boundary of property, focusing more on his proviso of leaving 'enough and as good' leftover for others. I argue the waste proviso is crucial to his conception of property, and furthermore, in Locke's political philosophy, waste is used to supplement and justify colonial logics of appropriation.

Next I will discuss Locke's various uses of fences or enclosures because it reveals the importance of property to personhood in an Anglo-American context. It is also a mark of civilization and the lack of a fence was indicative of a lack of civilization or cultivation of land and, in turn, of the self. Therefore unfenced lands were to be the property of any of the 'industrious and rational' who would cultivate the land. I will discuss Locke's formulation of freedom as a 'fence' to one's self preservation and I will then argue that there are some lives that are inherently wasteful for Locke.

I will connect my discussion of the role of waste in Locke's theory of property with a discussion on wasted lives, particularly through the domination of people in practices of slavery. Slavery is acceptable for Locke whenever there is a state of war created between people with no common judge to adjudicate the problem, or if the person has been enslaved in a just war. The enslaved person is said to be able to "commit suicide" or "draw the death upon himself he desires" by proxy of the violence of the master, despite the fact that to be a person is to have a usufruct relationship to one's body, as all are God's property, for Locke.

Then I will trace his use of 'the wasteland' in order to demonstrate the appropriative colonial logics that it supports. In this section he relies on the concept of *terra nullius* to justify appropriating indigenous land. This is seen to be a justification because to say a land is wasteland or virgin territory is to say it is uncultivated and Anglo-Americans have God's blessing—God's commandment, even—to cultivate the earth through agricultural practices.

Last, I will fast forward to today and name some of the ways that the concept of the wasteland still haunts and shapes the lives of indigenous people. Wastelanding is the practice of calling land wasteland in order to make waste of it through resource extraction. The deserts have long been called wastelands because of the settler's conception of land hierarchy measured on the model of agriculture. As new industries have emerged, however, the desert has become valuable as a trove of natural energy resources. The settler then relies on the emptying of value through the practice of calling the land wasteland to literally empty it and the people who live on it of value by extracting resources and destroying lives.

In conclusion, I will discuss a case of wastelanding, with an example of the Skull Valley Goshute people in Utah. I will demonstrate that the settler logic continues even further when waste storage becomes profitable, settlers keep the Lockean pattern of reserving all rights and freedoms to themselves, denying the Goshute the right to store nuclear waste on their land. Last, so as not to be doing solely damage-centered research¹² I discuss an indigenous rights movement that shows collective resistance and resilience in the face of settler oppression.

Natural Law and the State of Nature

Locke's *state of nature* is presented in the literature mainly as a fiction.¹³ For example, John Simmons argues that the state of nature is not a real geographical place but a relationship that exists between people who have not come together under contract to subject themselves to governance, law, and a common judge to adjudicate their disputes. (qtd. in Tuckness 2016) The leaders of nations, then, are in a state of nature with one another, not having joined together under a common law. Foreign visitors, children, and those with a "defect of reason" are all within this state too (Tuckness 2016). Man¹⁴ with a "defect of reason" is "never capable of being a free man" and must be kept under the

¹² See Eve Tuck (2009)

¹³ See: Aarsleff (1969), Ashcraft (1968), Dunn (1969), Dunn (1984), Dunn (2001), Hindness (2007).

¹⁴ I will consistently be using Locke's language of man and mankind rather than gender neutral language. This is to reference to decolonial scholar Sylvia Wynter who notes "... our present ethnoclass (i.e., Western bourgeois) conception of the human, Man, which overrepresents itself as if it were the human itself..." (Wynter 2003 260) That is to say that 'Man' is a creation of Western bourgeois ideology and that it proclaims itself to be representative of the human writ large. Coeval with this conception is the conception of race, a category of subhumans that are not permitted within that conception of Man, because they are constructed as savage, uncivilized and less-than-human. In the words of Stefano Harney and Fred Moten: "Critics of colonialism such as Sylvia Wynter have noted that one cannot produce the self, owning, earth-owning individual without producing the figure of man, whose essential inhumanity is evident in his restless theorization and endless practice of race." (2017 84)

guardianship of others; parents or a governor—since they will never be free, they remain in the state of nature even within civil society. (Locke 1980 [1690] 32) Here, I will argue that seeing the state of nature as a fiction in his work is problematic because it elides his discourse on indigenous populations as living in a wild and uncultivated state.

While it may be useful to think of the state of nature as a moral relationship between people, contra Simmons, I think it is important to note that there are real states of nature contemporaneous to Locke that he names as such, and that there are judgments made upon those people who live within this state. North America, for instance, is one such ‘wild, uncultivated place’ where they ‘do not know money,’ ‘do not hold property,’ where they are ‘barely-governed by generals who do not know how to lead.’ It’s crucial to note these real geographical places he names as states of nature because there has been a tendency in the literature to erase or pass over Locke’s entanglement with colonialism.¹⁵

The state of nature is “what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons as they think fit, within the bounds of the law of nature.” (Locke 1980 [1690] 8) It is a state of freedom and also a state of equality. Persons in the state of nature are bound by an objective moral code—natural law—and it is reason that allows them to discern it. The state of nature is a state of freedom to do with one’s person and one’s property what he wills. Locke is careful to note that this state of freedom is not a state of license: “though man in that state have an uncontrollable liberty to dispose of his person or possessions,

¹⁵ That said, in the past 20 years or so there is a growing body of work that does fill this gap in the literature regarding Locke’s colonial legacy. See Arneil “Trade, Plantations, and Property: The Economic Defense of Colonialism,” “The Wild Indian’s Venison: Locke’s Theory of Property and English Colonialism in America,” and “John Locke, Natural Law, and Colonialism;” Flanagan “The Agricultural Argument and Original Appropriation: Indian Lands and Political Philosophy;” Lebovics “The Uses of America in Locke’s Second Treatise of Government;” Tully “Discovering America;” Squadrito “Locke and the Dispossession of the American Indian”

yet he has not liberty to destroy himself, or so much as any creature in his possession.”

(Locke 1980 [1690] 9) He may not kill himself or others (without provocation) because all are the property of God: “they are his property, whose workmanship they are, made to last during his, not one another’s pleasure.” (Locke 1980 [1690] 9) No one “dies by suicide” in the Lockean universe. They commit it—like a crime.

The law of nature is formulated “every one, as he is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not into competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice to an offender, take away, or impair the life, or what tends to the preservation of life, the liberty, health, limb, or goods of another.” (Locke 1980 [1690] 9) There is a duty from nature to preserve oneself and a duty to preserve the rest of mankind—and their *goods*, their property. Notably, in the state of nature everyone is executive—*executioner*—of the law of nature so if someone kills another, anyone may execute him for his offense against natural law, an offense against all mankind.

It is important to distinguish the state of nature from the state of war. Locke’s state of nature is different from Hobbes’ where life is—as is often quoted—nasty, brutish, and short. The state of war is a state that comes into being the moment someone uses force upon another. That use of force, whether it be to steal a coat or to maim and dismember, gives the victim the right to kill the offender: “because using force, where he has no right, to get me into his power, let his pretence be what it will, I have no reason to suppose, that he, who would take away my liberty, would not, when he had me in his power, take away every thing else.” (Locke 1980 [1690] 15) The right to property is as fundamental for Locke as the right to life, health, and liberty.

Andrew Dilts reads the *Second Treatise* from the perspective of punishment and argues

Locke uses punishment to produce relatively stable subjects as a means of managing . . . excess and instability. I argue that the creation of a subject capable of entering into a social compact and for whom full membership is possible requires the production of a figure that carries the burden of danger and irrationality. The argument of the *Second Treatise* relies on the figuration of criminal kinds as a source of physical and ontological threat, and constructs them as persons who, along with the 'savages' of North America, generate a space between animals and 'reasonable' persons. (Dilts 2012 61)

The excess and instability comes from the ease with which civil society can become a state of war. Dilts takes the figure of the thief and explains that that figure co-creates the member, a 'rational' agent fully capable of entering into contract with another. These members over and against the 'threats' to personhood and property are the legitimate members of the community as opposed to the kinds of irrational 'criminal' and the irrational 'savage' who are conceived of as near-animals; even the right to kill them, as Dilts shows, is couched in terms of killing a 'Lyon or a Tyger'. (Dilts 2012 69) I think Dilts' reading of the *Second Treatise* is right on. Locke creates and relies on the ontological and physical threats of criminal and irrational kinds to civil society. These threats both create and disrupt the boundaries of the 'clean and proper' civil society.

Waste and Property

Private property is justified by the human condition which requires labor to transform nature into something usable for survival. Locke says “. . . subduing or cultivating the earth, and having dominion, we see are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to *appropriate*: and the condition of human life, which requires labour and materials to work on, necessarily introduces private possessions.” (Locke 1980 [1690] 22) The need and command to subdue and cultivate is what gives human beings dominion over the earth. This need to appropriate the goods for survival from nature is also what gives rise to the necessity of private property. Private property is thus natural for Locke and need not be consented to by compact with others.

Stefano Harney and Fred Moten call this speciation: “Speciation is this general reduction of the earth that to productivity and submission of the earth to techniques of domination that isolate and enforce particular increases in and accelerations of productivity. In this regard, (necessarily European) man, in and as the exception, imposes speciation upon himself, in a operation that extracts and excepts himself from the earth in order to confirm his supposed dominion over it.” (Harney and Moten 2017 84) Speciation reduces the earth to productivity, in terms of what can be cultivated on it, submitting the earth to domination by the European construction of man,¹⁶ who also performs speciation on himself. Man improves upon himself and measures himself by his productivity; he alienates himself from the earth in order to gain dominion over it.

¹⁶ See note 1.

Locke says that property begins with the self: “Though the earth, and all inferior creatures, be common to all men, yet every man has a *property* in his own *person*: this no body has any right to but himself.” (Locke 1980 [1690] 19) Everyone owns his or her own person and has the sole right to be master over it.¹⁷ We are our own proprietors, he avers: “. . . though the things of nature are given in common, yet man, by being master of himself, and *proprietor of his own person, and the actions or labour of it, had still in himself the great foundation of property.*” (Locke 1980 [1690] 27) To be a proprietor of one’s person is to be owner of the actions, labor, and property appropriated through one’s own labor. Being his own proprietor and owning the actions and labor of that person (himself), man has the foundation of property—need and labor to mitigate that need—within himself.

To elaborate on Locke’s theory of property I must spell out the relationship between man and nature, which is described: “*God has given us all things richly*, 1 Tim. vi. 12. is the voice of reason confirmed by inspiration. But how far has he given it us? *To enjoy*. As much as any one can make use of to any advantage of life before it spoils, so much he may by his labour fix a property in: whatever is beyond this, is more than his share, and belongs to others.” (Locke 1980 [1690] 20-21) Nature was given to man by God to nourish and fulfill mankind’s needs. It is through labor that one can take something from the commons and turn it into private property. There is one proviso that accompanies this concept of property for Locke. One cannot take more than one can use because nothing was made by

¹⁷ Everyone owns his or her own person, not his or her own body. All human beings are God’s property and we hear this in the natural law duty to preserve oneself. This can be understood through the term ‘usufruct’ which is to say that no one owns their body, they merely have the permission to use, improve upon and profit off of the fruits of that use. Stefano Harney and Fred Moten note “For the encloser, possession is established through improvement—this is true for the possession of the land and the possession of the self. The Enlightenment is the universalism/globalization of the imperative to possess, and its corollary, the imperative to improve.” (Harney and Moten 2017 87)

God, Locke argues, for human beings to spoil or destroy. (Locke 1980 [1690] 21) In other words, there is no waste allowed.¹⁸

Locke says that to begin a property is to take something from the commons and to add one's labor to it: "The *labour* of his body, and the *work* of his hands, we may say, are properly his. Whatsoever then he hath mixed his *labour* with, and joined it to something that is his own, and thereby makes it his *property*." (Locke 1980 [1690] 19)¹⁹ It is the labor, not, for example, the consumption of the thing that initiates a property. Locke says "The fruit, or venison, which nourishes the wild *Indian*, who knows no inclosure, and is still a tenant in common, must be his, and so his, *i.e.* a part of him, that another can no longer have any right to it, before it can do him any good for the support of his life." (19)²⁰ Here Locke is trying to make the point that it is not consuming the fruit or venison that transforms the object into a property. It was the labor that accomplishes this, and interestingly he says transforming something through labor is to make it "his, *i.e.* a part of him." Labor transforms things into a part of one's person such that personhood covers the property, actions, and labor of the man who does the acting or laboring. Appropriation is the model for property, and once appropriated, something becomes part of one's person.

¹⁸ Some scholars argue that there are two provisos, the 'enough and as good' proviso and the waste proviso. The first says that if one is to take from the commons, they are to leave enough resources and resources that are as good, for others to take from as well. I agree with Zuckert that the waste proviso replaces the 'enough and as good' proviso because it puts a further limit on what one may take from the commons, (Zuckert 256)

¹⁹ There are labors of the body that go unmentioned here, for example, shit. I'm not sure Locke would say that is counted among one's properties, though it is indeed a labor of the body. Importantly, also, children—the labor of a woman's body—are not to be considered the property of the mother or of the parents collectively: "all parents were, by the law of nature, under an obligation to preserve, nourish, and educate the children they had begotten; not as their own workmanship, but the workmanship of their own maker, the Almighty, to whom they were to be accountable for them." (Locke 32)

²⁰ Here he is saying that the 'wild Indian' 'tenant in common' who 'knows no inclosure' is still within the state of nature. Fences are a common theme in this work and later on I will discuss this further.

I find it telling that to change something through labor is to make it ‘a *part of him*’ (my emphasis) who labors on it. Recall the role of the figure of the thief who, when taking another’s horse or coat, is seen to have a design upon the whole life and freedom of the horse or coat holder. It seems that the person’s freedom extends over their property too and that is why, as Dilts says “the thief is in this moment indistinguishable from the murderer.” (Dilts 2012 65) To take someone’s horse or coat is akin to murdering, for Locke, for it is to *take a part of him* who owns the horse or the coat.²¹ There is some kind of fusion that happens between things and people when something properly becomes one’s property, or, perhaps rather, one’s person becomes enlarged with the engrossment of properties.

Locke continues, mentioning a different formulation of property here “And even amongst us, the hare that any one is hunting, is thought his who pursues her during the chase: for being a beast that is still looked upon as common, and no man’s private possession; whoever has employed so much *labour* about any of that kind, as to find and pursue her, has thereby removed her from the state of nature, wherein she was in common, and hath *begun a property*.” (Locke 1980 [1690] 20)²² This lady-hare that the hunter has his sights set on has begun to be a property. In this case it is the intention and the chase that begins to fix the hunter’s property in the hare. Is desire the same as labor? That is to ask, is merely wanting to assimilate and appropriate something enough to constitute a

²¹ Dilts’s argument about the thief goes a little differently, and is very illuminating. He argues that at the moment that the thief takes the goods, he is seen to be as a murderer, yet during the duration of their encounter, the thief and the murderer are indistinguishable. It is only after the fact (the fact being the encounter in which importantly it is within the rights of the owner to kill the thief) that the thief can be distinguished from the murderer. There is a temporal note that is important here, which Dilts uses to prove unstable Locke’s doctrine on proportionality in terms of punishment.

²² ‘And even amongst us’ he begins this statement with. There is an us/them rhetoric forming here that demarcates civilized from wild.

property? It seems desire and intention are enough to begin the property, and the act of chasing the lady-hare starts to fix the property in her. This resonates with the doctrine of discovery, which stipulates that the first European country to pursue and 'discover' a land is the one that gets to colonize it.

As noted, the only stipulation upon taking something from the commons and beginning a property is that you cannot take so much that there is waste. Locke says "And if he also bartered away plums, that would have rotted in a week, for nuts that would last good for his eating a whole year, he did no injury; he wasted not the common stock; destroyed no part of the portion of goods that belonged to others, so long as nothing perished uselessly in his hands." (Locke 1980 [1690] 28) Locke forbids waste because nothing was made to spoil or destroy. The commons belongs to all men and to let any of it go to waste is something punishable by others: "... if they perished in his possession, without their due use; if the fruits rotted, or the venison putrefied, before he could spend it, he offended against the common law of nature, and was liable to be punished." (Locke 1980 [1690] 24)

For Locke, one can avoid this problem of spoilage with the introduction of money, which he says keeps without wasting or decaying so one may amass as much of it as one can: "Again, if he would give his nuts for a piece of metal, pleased with its colour; or exchange his sheep for shells, or wool for a sparkling pebble or diamond, and keep those by him all his life, he invaded not the rights of others, he might heap up as much of these durable things as he pleased; the *exceeding of the bounds of his just property* not lying in the largeness of his possession, but the perishing of anything uselessly in it." (Locke 1980 [1690] 28) One may amass as many goods as one desires, as long as the waste proviso is

respected. There is no other limit to property accumulation. Money solves the problem of the waste proviso and the limits the commandment not to waste places on private property. Commerce and capitalism, growth and accumulation are answers to the commandment to make no waste. Money also plays an important role in justifying unequal possession of land, in spite of the natural law dictate that says one may not possess more than one can make use of:

but since gold and silver, being little useful to the life of man in proportion to food, raiment, and carriage, has its *value* only from the consent of men, whereof *labour yet makes*, in great part, *the measure*, it is plain, that men have agreed to a disproportionate and unequal *possession of the earth*, they having by tacit and voluntary consent, found out a way how a man may fairly possess more land than he himself can use the product of, by receiving for the overplus gold and silver, which may be hoarded up without injury to any one; these metals not spoiling or decaying in the hands of the possessor.

(Locke 1980 [1690] 29)

Since one can sell the products that are in excess of one's immediate needs for survival, and that money will keep without going to waste, one may accumulate as much *land* as one can. The surplus that the land provides, once cultivated, can then be traded or sold for money, which is in no danger of wasting or spoiling. The limit on land ownership only consists in what one is able to cultivate—no land can be left fallow, otherwise it is acceptable for others to come and make use and improve upon it. This is not to say one may only have as much as *one* or *one family* may be able to cultivate. As Herman Lebovics notes “Locke wrote about property in what was for the 17th century the most modern of contexts,

namely, *property as capital*, 'My Horse,' as *embodied in hired labor*, 'My Servant,' and as *resources*, 'the Ore I have digg'd.'" (Lebovics 1986 570, my emphasis) So as long as one has enough horses and people to cultivate the land for him, property in land has no limits. Property is not simply what one man can work over on his own; horses, servants, and resources can extend the limit of one person's property to include as much as his capital and hired labor can keep cultivated.

The land that one owns must not go to waste if one is to keep one's title to it. Locke says "But if either the grass of his inclosure rotted in the ground, or the fruit of his planting perished without gathering, and laying up, this part of the earth, notwithstanding his inclosure, was still to be looked on as waste, and might be the possession of any other." (Locke 1980 [1690] 24) In spite of the fence that someone has expended their labor to build and enclose the land, when what lies inside the fence has gone to waste, that land is up for grabs. Whoever subsequently cultivates it becomes its proper owner.

What does it mean to waste land? 'Waste' is not a fixed term when it comes to land for Locke. Land is wasted when the fruits of the land are left to rot because someone cultivated more than they can sustain, or it is considered to be waste if the land is not being cultivated at all and remains "untouched" by human hands. The land is waste to begin with, for Locke, and only cultivation makes it valuable. As Locke says, "God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniencies of life they were capable to draw from it, it cannot be supposed he meant it should always remain in common and uncultivated. He gave it to the use of the industrious and rational, (and *labour* was to be *his title* to it)." (Locke 1980 [1690] 21) He began by saying that God gave the earth and animals in common to all men *to enjoy*, without spoiling or destroying

anything. He continues here to say that labor is man's title to the earth and that the purpose of the earth is to be used and cultivated by the industrious and rational.²³ The commons are only good insofar as they provide the material that will become property after some man works it over. The earth was meant to be worked over and made more productive for the benefit of all mankind.

Locke thinks that nature on its own has little to no value. He says it is labor that makes up the majority of something's value: "... *labour makes the far greatest part of the value* of things we enjoy in this world: and the ground which produces the materials, is scarce to be reckoned in, as any, or at most, but a very small part of it; so little, that even amongst us, land that is left wholly to nature, that hath no improvement of pasturage, tillage, or planting, is called, as indeed it is, *waste*; and we shall find the benefit of it amount to little more than nothing." (Locke 1980 [1690] 26)²⁴ The majority of the value of something comes from the labor that was added to the thing. Nature on its own, uncultivated, has little to no value itself. Without the intervention of the 'industrious and rational,' nature is considered to be waste. To make the point even more explicitly, he says "... nature and the earth furnished only the almost worthless materials, as in themselves." (Locke 1980 [1690] 27)

Though some scholars underplay the importance of the waste proviso, focusing instead on 'enough and as good' left for others, I think waste is of crucial importance in the text.²⁵ It forms the limits of property, showing us the importance of consumption without

²³ I will talk more about the 'industrious and rational' later, when I explicate the colonial logic that helps produce Locke's conception of property.

²⁴ Again note the us/them language that separates wild from civilized. 'even amongst us...'

²⁵ Most notably Nozick calls the waste proviso unmotivated but it is downplayed in most Locke scholarship as 'enough and as good' is favored. A notable exception is Hull's "Clearing the Rubbish: Locke, the Waste Proviso, and the Moral Justification of Intellectual Property."

remainder—destruction of the object through use—as the principle that underlies property. However, there is a glaring tension in the text; the chief matter of property he says is not the fruits of the earth, but the earth itself. Tilling and cultivating—agriculture—differ greatly from consumption. It is through nonuse or misuse that the earth comes to be considered to be waste. Land is waste or ‘worthless in itself’ to begin with, and may be wasted by the person who claims and then fails to cultivate it. It is only through cultivation—by the industrious and rational—that the land is said to become not-waste.

Some scholars argue that the waste proviso is irrelevant because money allows one to circumvent it.²⁶ Hull responds to this objection, rightly I think, saying that this presumes that everything is fully fungible with money. (Hull 2009 71) He says “to assume that money is all there is to say about spoilage is to assume the possibility of universal commodification. Locke clearly does not subscribe to a view of universal commodification . . . There may be aspects of personhood that one might take to be nonfungible; insofar as any of them could be wasted, the presence or absence of money would not change the offense to natural law of wasting them.” (Hull 2009 72) Wasting life or liberty are nonfungibles here for Locke. If someone sells himself into slavery or “commits suicide” something has been wasted that cannot be quantified and therefore cannot be given a monetary value.

Some aspects of personhood that are nonfungibles for Locke are liberty, reason, action—even perhaps labor? Though one can hire out their labor for money it seems Locke’s ideal ‘industrious and rational’ man would be the one paying others who’ve hired out their labor. Perhaps we can add ‘propertied’ to ‘industrious and rational.’

²⁶ Most notably, see C.B. MacPherson (1962).

Fences, Freedom, and Slavery

In this section I will first begin with an analysis of the fence. Fences serve as the marker of property for Locke. Additionally, the fence operates as a marker of civilization. We can gather this from his incidental remarks such as the “wild Indian who knows no inclosure.” (Locke 1980 [1690] 19) Locke would say, under his theory of property, without enclosing the land within the confines of a fence, the Indian is wild, uncivilized, their land is the vast wasteland of nature that has little value on its own. The fence functions both as a demarcation of one’s property boundaries and it functions as a symbol of civilization.

This is apparent in the history of British colonialism in North America, as Barbara Arneil recounts in “The Wild Indian’s Vension: Locke’s Theory of Property and English Colonialism in America.” She tracks the ways in which Locke’s rhetoric mirrors the arguments made by ethical and economic defenders of English colonialism contemporaneous to Locke’s writing. She details:

Regarding enclosure, Winthrop argues that Amerindians do not have any right over the land, ‘for they enclose no ground, neither have they cattle to maintain it’, and goes on to say that the English ‘appropriated some parcels of land by enclosing.’ So deeply felt was this need for enclosure that colonial governments in America often forced aboriginal peoples to fence their lands, in order to prove ownership. . . . Enclosure was also central to the Lord Proprietors’ plans for colonization in Carolina, which depended on the

surveying and marking out of boundaries, to provide each settler with their allotted land. (Arneil 1992 63)²⁷

We see that the indigenous people are not seen to have rights over the land because they don't enclose it—fences are tied to rights as well. Enclosure was an important marker of property and, in the text, civilization. To begin a property that is land, one must build a fence to form its boundary. However, it is not enough to merely enclose a parcel of land to claim it for one's own. One must also labor on it and improve or cultivate the land.

Though the fence serves as a marker of property, property is not something that comes without the price of labor. If someone encloses the land, they must also be prepared to work over it as well—God gave the earth to the 'industrious and rational,' as he proclaims. A fence is not on its own a marker of property. Locke argues that the fence comes with a duty to cultivate. Recall: "but if either the grass of his inclosure rotted in the ground, or the fruit of his planting perished without gathering, and laying up, this part of the earth, notwithstanding his inclosure, was still to be looked on as a waste, and might be the property of any other." (Locke 1980 [1690] 24) Fences are only respectable, proper fences when the land within the enclosure of the fence is well maintained, put to use, labored over. If the land 'goes to waste' it may be the property of anyone who is willing to spend the time working over it. Fences can be ignored if what's within its bounds is not under the care and cultivation of the 'industrious and rational.'

There is a second way that Locke uses the construct of the fence: in the chapter on the state of war he says "reason bids me look on him, as an enemy to my preservation, who would take away that *freedom* which is a fence to it; so that he who makes an *attempt* to

²⁷ For Locke's involvement in drafting the Carolina constitution see Welchman "Locke on Inalienable Rights and Slavery" and Armitage "John Locke, Carolina, and 'The Two Treatises of Government'"

enslave me, thereby puts himself into a state of war with me.” (Locke 1980 [1690] 14, original emphasis) Locke is saying here that a state of war is initiated when one person has a design upon the other’s life. Reason—which is what connects Locke’s subject to natural law—tells this subject that the person attempting to enslave them is an enemy to their preservation. According to natural law, each subject, as the property of God, has the duty to preserve themselves, in addition to having the duty to work for the benefit of mankind as a whole. So this person who is subject to the person who is attempting to enslave them is actually obligated to use their freedom to kill the person who has a design upon his life. Locke’s subject is the property of God first, then, proprietor of his person, and his freedom is the fence to his self-preservation.

What does it mean to think of freedom as a fence to self preservation? A fence is an artificial boundary to keep people out. It is static, an object. It is defensive, protecting what’s inside the fence from an outside. It is not something impenetrable though—not a stone wall nor a vault nor a fallout shelter. It is something that can be scaled. Is freedom a fence that can be trespassed against as well? Well, yes. To return to Dilts’ reading of the *Second Treatise* through the lens of punishment, the figure of the thief as a criminal kind and the figure of the native person who is constructed as irrational limit the boundaries of civil society and, like a ‘Lion, Wolf, or Tyger’ are a constant threat to civil society. One needs a fence for ‘defence’²⁸ against those who are beastly threats to society.

²⁸ According to the OED, fence is an aphetic form of defence. That is to say, over the years the ‘de-’ has gradually disappeared. The primary entry on this then is defence: “The action of defending; = DEFENCE *n.* Also, the attitude of self-defence; in *to stand at fence.*” There is also an obsolete use of fence that was in use at Locke’s time: “Means or method of defence; protection, security. *Obs.*”

There is a tension in the text. First, an attempt to enslave someone is a prohibited action—as we saw in the state of war chapter—because the offender offends against the law of nature and declares himself an enemy to mankind. Yet immediately following this chapter on the state of war, comes the next chapter: On Slavery. He begins this chapter by saying the no one is able to enslave himself or to agree to be enslaved: “no body can give more power than he has himself; and he that cannot take away his own life, cannot give another power over it.” (Locke 1980 [1690] 17) This is because, as mentioned before, people are first the property of God and they are bound by natural law to preserve their own lives and freedom. If someone does willingly enslave themselves, Locke says “having by his fault forfeited his own life, by some act that deserves death; he, to whom he has forfeited it, may (when he has him in his power) delay to take it, and make use of him for his own service, and he does him no injury by it: for, whenever he finds the hardship of his slavery outweigh the value of his life, it is in his power, by resisting the will of his master, to draw on himself the death he desires.” (Locke 1980 [1690] 17) Locke says that to willingly enslave oneself is to perform an act that is deserving of death—to misuse one’s freedom in that way makes one worthy of destruction. If someone wanted to delay that death however, they can rightfully take the person into slavery.

Second, Locke recommends suicide by proxy of the violence of the master for the enslaved person who has tired of his station. Is the enslaved person not bound by the same natural law that the master is bound by? It seems not. We might say that when one performs any such act that “deserves death” one becomes socially dead thereafter.²⁹ The enslaved person is no longer a fully human subject, having broken their ties with mankind

²⁹ See Orlando Patterson, *Slavery and Social Death, a Comparative Study*

by trespassing against God's natural law. Thus it seems they may be exploited and disposed of at will. Locke also defends slavery in instances of just war; if someone is taken captive in a just war then it is acceptable to enslave him and his enslavement is "*a state of war continued, between a conqueror and a captive.*" (Locke 1980 [1690] 17)

Though Locke has a conception of natural, inalienable rights to life, liberty, and property, slavery is still permissible in a number of circumstances. Moreover, in practice, he was aware of and involved in many colonial enterprises,³⁰ and he wrote the Carolina constitution which obviously permitted hereditary slavery, a practice he should condemn on the grounds that children are born free and are not even the property of their parents. (Welchman 1995 71-72)³¹ Welchman notes that the Carolina constitution specifically provides "that 'Every Freeman of Carolina shall have absolute power and authority over his negro slaves' with one exception: owners were obliged to tolerate their slaves' religious beliefs and practices." (Welchman 1995 72) Toleration of the enslaved people's religion was the only freedom they were permitted.

It seems there is a parallel between the fence that does not guarantee property—because one may not let the land enclosed within that fence go to waste—and freedom as a fence that can be climbed over, or torn down. Break the natural law once—by performing one of those acts that "deserve death" (initiating a state of war with another, killing, enslaving oneself, thieving)—and it seems one may have wasted that freedom which is the fence to their self preservation. It seems some lives are inherently wasteful or wasted for Locke.

³⁰ Locke held investments with the Bahama Adventures, Richard Thompson's Company, The Royal Africa Company and The East India Company (Lebovics 576)

³¹ See note 8.

Harney and Moten argue, “For the encloser, possession is established through improvement—this is true for the possession of the land and for the possession of the self. The Enlightenment is the universalism/globalization of the imperative to possess, and its corollary, the imperative to improve.” (Harney and Moten 2017 87) That is to say, to possess land properly one must be improving upon it, and that to possess oneself properly is to improve upon oneself. The Enlightenment universalizes that claim and globalizes it as well. This is why we can see Locke’s account of property being tied to appropriation of land and oppression of people. Looking at the fence in the context of waste, we can see the way in which Locke’s use of waste is permissive of acts of appropriation and oppression.

Wastelands

Now we will talk about waste as in what Locke calls natural ‘wastelands.’ This too is tied to appropriation and oppression based on the lack of improvement of the land or of oneself. In his article on Locke and intellectual property, which aims to revive the importance of the waste proviso, Gordon Hull says “In the *Second Treatise* discussion of property, land use is the persistent example around which Locke constructs his argument. Nonetheless I want to argue here that this is a contingent feature of the text, and not a necessary component of its conceptual structure.” (Hull 2009 72) I argue, with Hull that the waste proviso is important in that it forms the boundaries of property, and I also argue, against Hull, that the examples of wastelands are in fact a necessary component of the text’s structure. Hull does not recognize the colonial aspects of the text—in particular those of chapter V “Of Property”—and when these are kept in mind the role of the wasteland

plays a particularly important part in justifying European expansion into the Americas.³² And then US expansion later; Locke is exceptionally formative to the history of the US political system.

As mentioned before, Locke thinks that nature, untouched by human labor is waste: “. . . nature and the earth furnished only the almost worthless materials, as in themselves.” (Locke 1980 [1690] 27) Nature has little value uncultivated. Since according to natural law it is compulsory to work for the benefit of all mankind, to ‘increase the common stock,’ it is of crucial importance that the land is used effectively and efficiently. This is, Locke would say, what God intended. He says “. . . *labour makes the far greatest part of the value* of things we enjoy in this world: and the ground which produces the materials, is scarce to be reckoned in, as any, or at most, but a very small part of it; so little, that even amongst us, land that is left wholly to nature, that hath no improvement of pasturage, tillage, or planting, is called, as indeed it is, *waste*; and we shall find the benefit of it amount to little more than nothing.” (Locke 1980 [1690] 26) There is almost no benefit in nature untouched by human labor. It is labor that provides value to nature through cultivation of an agricultural industry.

He estimates the value that labor adds when mixed with the land: “. . . of the *products* of the earth useful to the life of man nine-tenths are the *effects of labour*: nay, if we will rightly estimate things as they come to our use, and cast up the several experiences about them, what in them is purely owing to *nature*, and what to *labour*, we shall find, that in most of them ninety-nine hundredths are wholly to be put on the account of *labour*.” (Locke 1980 [1690] 25) Nature is waste for Locke because ninety-nine hundredths of the

³² See Armitage “John Locke, Carolina, and Two Treatises of Government” for a detailed analysis of the relationship between Chapter V and Locke’s colonial entanglements.

value of something comes from the labor added to the land to cultivate it. Since God gave the earth to the 'industrious and rational', as Locke argues, uncultivated land rightfully belongs to those who plan to mix their labor with it, turning it into something productive for the common stock. We see this when he says "...he that incloses that land, and has a greater plenty of the conveniencies of life from ten acres, than he could have from an hundred left to nature, may truly be said to give ninety acres to mankind." (Locke 1980 [1690] 23-24)

The concept of the wasteland and waste referred to land use is used as a justification for the dominion over nature by the 'industrious and rational,' in other words, white Anglo-Americans. We see this more explicitly here: "... for I ask whether in the wild woods and uncultivated waste of *America*, left to nature, without any improvement, tillage or husbandry, a thousand acres yield the needy and wretched inhabitants as many conveniencies of life, as ten acres in equally fertile land do in *Devonshire*, where they are well cultivated." (Locke 1980 [1690] 24) His estimates on the value of labor only continue to increase. Taken together with the duty to increase the common stock of mankind, we can see how this works as a justification of colonialism and the dispossession of the 'needy and wretched' indigenous people.

In Michael Brubaker's not-ironic article, "Coming Into One's Own: Locke's Theory of Property" he states, "Locke's theory of property is nothing less than the story of man's enlightenment." (Brubaker 2012 207) Brubaker spells this story of property out in terms of a series of stages from hunter-gatherer to agricultural industry men; each stage more advanced and thus closer to enlightenment than the last. Carole Pateman articulates this as well, though, importantly, with a critical eye when—she says Locke "separates common

land in England from that in America, a separation that relies on claims about stages of civilization.” (Pateman 2007 51) Tying this rhetoric with the rhetoric of ‘enlightenment,’ Brubaker sees this ‘advancement’ in moral terms—with the ‘later’ stages appearing as moral as well as practical improvements upon the previous stages. Brubaker does not see any problems with seeing different kinds of societies as morally superior to others. Pateman is right to conclude that this is indicative of a belief that indigenous people in North America are then seen to be at an ‘earlier’ stage of history; the settlers are operating from the doctrine of *terra nullius*.³³

That many indigenous people did not enclose their land, and hunted and gathered rather than living an agrarian lifestyle meant that they were considered not to have property in the land. That land was still part of the commons. Elizabeth Povinelli says “Hunter-gatherers did not own the land through which they moved because nothing had been added and because the human subject that could ‘add to’ and ‘transform’ the land had yet to be formed; the land remained ‘empty’ (*terra nullius*) of people or, more precisely, ‘unoccupied’ (as against *occupatio*) by fully human subjects.” (Povinelli 1995 507) Native Americans do not have property rights because they neither enclosed their land, nor did they cultivate it, Locke would say.³⁴ So any person who fences and cultivates that land has the right to claim it as their property. Hunter-gatherers were said not to modify or control

³³ For more on *terra nullius*, see pg. 25.

³⁴ As a matter of historical fact, Native Americans did indeed cultivate the land growing corn, beans, squash, among other crops that are indigenous to the land. Charles Mills says that upholding the racial contract requires certain epistemological problems. Namely, on matters related to race they deploy an epistemology of ignorance “a particular pattern of localized and global cognitive dysfunctions (which are psychologically and socially functional.)” (Mills 18) These cognitive dysfunctions include “white mythologies, invented Orients, invented Africas, with a correspondingly fabricated population, countries that never were, inhabited by people who never were.” (Mills 18-19) We see these mythologies and invented racial fantasies at play when Locke says things like native Americans didn’t rely on agriculture, or that they don’t use money or self-govern.

that land in any way because they were concerned with the ecosystem and the fruits of the land. The human subject that would 'add to' and 'transform' the land is Locke's subject—a paradigmatic representation of such a man. Charles Mills argues that space is measured by the settler on the model of agriculture such that hunter-gatherers' 'uncivilized' traditions and actions result in the erasure of their humanity.

In *The Racial Contract*, Mills argues that the Racial Contract is a white supremacist contract of domination made by and amongst whites (a shifting and culturally specific category) wherein nonwhites are subjugated, exploited, and considered to be subpersons. He argues that the Racial Contract is an historical fact, that it underlies the modern social contract, and that is continuing to be rewritten. He notes the use of the wasteland as well

Space is nationally characterized with respect to a European standard of agriculture and industry in such a way as to render it morally open for seizure, expropriation, settlement, development—in a word, *peopling*. In the white settler states, space will sometimes be represented as literally empty and unoccupied, void, wasteland, 'virgin' territory. There is just no one there. Or even if it is conceded that humanoid entities are present, it is denied that any real appropriation, any human shaping of the world, is taking place. (Mills 1997 49)

Locke is certainly guilty of such ways of talking about the space of the Americas and the Native Americans. Space and land were measured by the industry of agriculture; the lack of cultivation of the land left the settlers morally permitted to improve upon the land. Locke's political philosophy was attuned to the colonial relationship between England and the Americas and his work helped to justify English expansion into these 'unoccupied' or

'quasi-occupied' wastelands, present with 'humanoid entities.' It is denied that these 'quasi-humans' shape or improve their land in any sort of way. Settlement is thus justified. I agree with Mills' racial contract theory; however, I depart from him on the notion that contract theory is salvageable. I don't think it is feasible as a philosophy of not making waste of life and lives.

In "The Settler Contract," Carole Pateman further argues,

the settler contract is a specific form of [Mills'] expropriation contract and refers to the dispossession of, and rule over, Native inhabitants by British settlers in the two New Worlds. Colonialism in general subordinates, exploits, kills, rapes, and makes maximum use of the colonized and their lands. When colonists are planted in a *terra nullius*, an empty state of nature, the aim is not merely to dominate, govern, and use but to create a civil society. Therefore, settlers have to make an original—settler—contract. (Pateman 2007 38)

Pateman, whose work inspired and is inspirational of Mills', would refer to Locke's social contract theory as a settler contract. Through the doctrine of *terra nullius*, white Anglo-Americans are purportedly justified in their attempts to claim Native people's land. In the settler contract, made by white Anglo-Americans together in order to dominate the earth and the Native people who live upon it; indigenous inhabitants are not party to the contract, though they are subject to it. The justification for settlement lies with the doctrine of *terra nullius*, which has two meanings for Pateman. First, the land is purported to be uninhabited *wasteland*. And second, that those upon the land are seen to have no form of civil government. White Anglo-Americans have a God-granted right, under *terra nullius* to cultivate that wasteland through husbandry or cultivation of the land, and they "bring

civilization” with them to the ‘New World’ through the creation of this settler state.

Pateman’s theory of the settler contract has explanatory power in that it links political theory to jurisprudence and discourse on colonialism from that historical period. She demonstrates the power that concepts like *terra nullius* held and traces their material implications.

Wastelands Today

Just as the use of the wasteland was linked with the dispossession of indigenous people’s lands in the time of Locke, it is still used today and the consequences of its use amount to the literal becoming-wasteland of Native American lands. Environmental racism is a major problem in the US and worldwide; it is when “racial minorities are disproportionately exposed to environmental hazards and systematically excluded from environmental decision making.” (Pulido 1996 xiii) I will first give a short account of the history of southeastern indigenous people’s forced relocation and dispossession of their land, and in turn, their sense of identity. Then I will talk about wastelanding, which is the process of transforming land into a wasteland through practices of resource extraction and processing.

In 1830, President Andrew Jackson signed the Indian Removal Act which authorized Jackson to “grant” unsettled land in the west to the Cherokee, Choctaw, Muscogee-Creek, and Seminole people in exchange for their land within the then-settled bounds of the United States. The Cherokee and Seminole both resisted their relocation and all were forcibly relocated by the federal government. More than 4,000 Cherokee died on this forced

march west, known better as the Trail of Tears. (Indian Removal Act) This was not the only act of genocide: “By estimates that are obviously incomplete, about 30-50 million natives of ‘pre-modern’ lands, about 80 per cent of their total population, were wiped out between the time of the first arrival and settlement of European soldiers and traders at the beginning of the twentieth century, when their numbers reached their lowest point.” (Bauman 2004 37-38) The remaining Native Americans were ‘resettled’ on reservations, often on land that was considered to be wasteland. (Hooks & Smith 2004 563) Calling people savages has real material consequences for the lives and survival of indigenous people. Locke participated in that some of his rhetoric echoes in Andrew Jackson’s speech to Congress “On Indian Removal.”³⁵ Now we’ll talk about some of the bioregions indigenous people were forcibly relocated to.

In her book, *The Tainted Desert*, Valerie Kuletz notes the use of the term wasteland to describe the desert: “Environmental science discourse often supports the preexisting settler colonial discourse about desert lands as barren wastelands by organizing bioregions within hierarchies of value according to productive capacity. In this scheme deserts are placed at the bottom of the ladder. They become marginal lands.”(Kuletz 1998 13) These desert wastelands or badlands are just the places where Native American reservations were located, likely because they were seen to be too arid and unresponsive of life to the agriculturally-driven Anglo-American industry. However, these lands are often rich in energy resources.

³⁵ See Jackson 1830

Let's look further, then, at nuclear waste and environmental racism against Native Americans.³⁶ 66% of known uranium deposits are on reservation lands, as much as 80% on treaty guaranteed land, and 90% of uranium mining and milling happened on reservations (Endres 2009 922). Danielle Endres follows the nuclear matter from milling and mining, to weapons testing, dumping, and storage. She too notes the impact of using the discourse of the wasteland on Native American land use and details the environmental consequences that result. It is important to note that those who profit from this extractive industry are not those who've mixed their labor with the radioactive materials and neither are they those who live in proximity to the radioactive waste.

In the late eighties, the federal government hired a Nuclear Waste Negotiator, who would be in charge of finding a "Monitored Retrievable Storage" (MRS) site in the interim until the government designed a more permanent place to dispose of high level nuclear waste.³⁷ This Nuclear Waste Negotiator, David Roy, addressed the National Congress of American Indians in 1991 saying

We cannot rewrite the history of imbalance between our peoples. We can, however, write the future. It is the Native American cultures of this continent which have long adhered to the concept of planning for many

³⁶ Waste and toxicity related to nuclear energy is certainly not the only form of environmental racism Native Americans have been subject to. Fracking, dumping, drilling, and mining are just some of the activities done on reservations that cause the land, water, and air to be harmful to human life.

³⁷ We currently do not have any permanent high level waste storage facilities. One was in the process of approval in Nevada at Yucca mountain which is treaty guaranteed land owned by the US Military. The Western Shoshone and Southern Paiute contested the Yucca Mountain storage facility because the land has spiritual and cultural significance. (Endres 923) Senator Lindsay Graham of South Carolina said "God made Yucca Mountain for the express purpose of storing high level nuclear waste. There's nothing within 100 miles of that place." (qtd. in LaDuke 21) It was approved for use in 2002, but its opening was prevented by the Obama administration, despite the law still being on the books. An amendment to the law reintroducing Yucca mountain as an option for storage was introduced in the house on 6/26/2017. (H.R. 3053) President Trump has introduced a budget for 2018 that includes \$120 million to reopen licensing for Yucca Mountain. (Thomas)

generations of future unborn children in the decisions which are made today. This contrasts with the modern practices of American governments at all levels where planning and budgeting are done with most of the emphasis upon only the next fiscal year. With atomic facilities designed to safely hold radioactive materials with half-lives of thousands of years, it is the Native American culture and perspective that is best designed to correctly consider and balance the benefits and burdens of these proposals. (qtd. in *Radioactive Racism*)

The rhetoric here is appalling. Roy is saying that Native Americans should be the ones to deal with the burden of what to do with nuclear waste because they are more capable of making long-range decisions than the federal government—appealing to a racial fantasy of mythical natives whose actions are forever harmonious with both the natural world and future peoples and placing the burden of a problem (that they didn't create) onto the indigenous people. "Clean up our mess" says the settler government to the indigenous people.

The position of Nuclear Waste Negotiator was defunded in 1994 and a private consortium of 33 nuclear utilities picked up where Roy left off. (*Radioactive Racism*) In the end, the Skull Valley Goshute land in Utah was chosen to house the waste, the tribe stood to make a million dollars or more per year from it. (Keller 3) There were detractors to it both within the tribe and within Utah State Government.

Historian Mark Davis calls Toole County, the county the Skull Valley Goshute reservation is located in, "the nation's greatest concentration of hyperhazardous and ultradeadly materials." (qtd. in Keller 7) To the North is Magnesium Corporation of

America, who is the worst air polluter in the nation. (Keller 7) To the northwest lies Energy Solutions, a low level radioactive waste dump and Grassy Mountain a hazardous waste site, as well as several toxic waste incinerators. To the Southwest lies Dugway Proving Ground, a biological weapons testing and storage site. And to the East lies Toole Army Depot with the largest stockpile of chemical weapons in the nation. (Keller 7)

There ended up being much controversy about tribal sovereignty once some of the Utah politicians became aware that the Skull Valley Goshute had agreed to store the high level waste on their land. The tribal leader, Leon Bear, said:

Before Utah was even a state, in 1863, my people signed a treaty with the federal government. We were granted a small reservation in Skull Valley—a piece of land no one wanted. We were placed out of sight and out of mind. During the past fifty years, the Utah and US governments have built many hazardous waste facilities and disposal sites near our reservation, even burying sheep killed by nerve gas on our tribal land. Did either government ask our permission? Of course not, (Keller 8)

Now that the Utah government saw that the reservation stood to make some money off of a deal to store waste, it was up in arms about waste storage on site (despite the saturation of waste-spaces surrounding it). Since the tribes are sovereign there was no way for the governor to block it. It is important, however, to discuss the contours of that sovereignty.

Native Americans are sovereign in name yet not quite so in truth. Robert Williams describes this based on a Supreme Court judgment laid down in 1823, *Johnson v. M'Intosh*. Williams says "This model's acceptance of the European colonial era doctrine of discovery

and its foundational legal principle of Indian racial inferiority licenses Congress to exercise its plenary power unilaterally to terminate Indian tribes, abrogate Indian treaties, and extinguish Indian rights, and there's nothing that Indians can legally do about any of these actions." (qtd. in Smith 89) The *Johnson v M'Intosh* ruling of the US Supreme Court Judge Marshall serves as a model for relations between the US government and indigenous people. Native American sovereignty is couched in terms of 'domestic dependent nations' within the bounds of the state. Sovereignty then is subject to Congress; Congress has the power to eliminate tribes, throw away treaties, and Native American rights can be revoked without any legal recourse for the Native populations. We see, the settler contract is for the settlers and about the indigenous people.

So the Utahns turned to Congress, which designated some of the land the train track that would transport the waste in on as a natural wilderness area. The Bureau of Land management then was unable to approve construction of the train track on that land as it had a new protected status. (Keller 8) So the Skull Valley Goshute were not able to house the waste on their land anymore, since transporting the waste to the site would not be possible. However, as recently as 2012, there have been talks of renewing the work to get this waste site constructed on Skull Valley Goshute land. (Environmental Justice Atlas)

As soon as waste is seen to be profitable, settlers reappropriate it. They continue the Lockean project that reserves all rights and freedoms for settlers at the expense of indigenous people. The Skull Valley Goshute live on an island in the midst of waste dumps and weapons storage facilities and were counting on the money they'd receive from housing the waste for badly needed infrastructure such as a fire station, health clinic, and water and electric utilities. (Keller 3) The waste is still being stored at the facility in

California that it was processed in, San Onofre, awaiting creation of a place to temporarily store it until the facility at Yucca Mountain is built—if it is to be built.³⁸ (Vartabedian)

Settlers and indigenous people around the country are in conflict about where the waste will be stored, as there are 24 other sites up for construction of a waste facility on their land. (Environmental Justice Atlas) Now we'll look into the consequences of calling some of these lands wastelands.

Kuletz analyzes the use of the term wasteland to refer to Native American land and she notes some of the consequences of naming these lands 'wastelands':

The ironic and continuing designation of this resource-rich terrain as wasteland in fact represents a very important means of justifying the relentless plunder of the region through highly environmentally destructive extractive technologies. The wasteland designation also supports the region's use as a large-scale waste dump and weapons testing range in the minds of policy makers, government bureaucrats, and military officials. The wasteland discourse remains useful for private corporate energy and waste management industries as well.

Bolstering this wasteland perspective are a variety of scientific discourses that serve to legitimate these industrial practices. The 'logical' outcome of such practices renders not only the land but the people who live on it expendable. (Kuletz 13)

The settler designation of desert-as-wasteland was initially made because land was measured on the model of agriculture as that was the major industry. Now as new industries have emerged, that 'wasteland' is considered to be a place of renewed interest, as it is often rich in natural resources. Through the continued designation of these lands as

³⁸ See note 22.

wasteland, environmental damage and destruction of the lands through mining, dumping, and weapons testing has been rampant. This, in turn, has resulted in the harming of indigenous lives from illness or death because of toxic pollution. All things in and on the land that may be profited from become the property of the Lockean subject.

The link between people and the land can be explored further. Part of the logic of colonization is to cut the relationship between indigenous people and their land. To dislocate indigenous people from their land is to alienate them from their identity, which is imbricated with the land they live on. Andrea Smith says “land claims are often made on the basis of a temporal framework of prior occupancy rather than a spatial framework of radical relationality to the land. This temporal framework of prior occupancy is then easily co-opted by state discourses that enable Native peoples to address land encroachment by articulating their claims in terms of land ownership” (Smith 2012 95) The concept of radical relationality to the land is illegible before the US government. Instead, indigenous people must rearticulate this complex relationality to the land in terms of land ownership. She points to prior occupancy, a temporal model, as the model that settlers usually operate under—Lockean US government terminology. However, she argues that a spatial understanding can better accommodate or embody the relationship between indigenous people and their land.

Smith continues, “Following this line of thinking, land must then become a commodity that can be owned and controlled by one group of people. If we understand Native identity as spatially rather than temporally based, claims to land are not solely based on prior occupancy (a temporal framework) but based also on radical relationality to land.” (Smith 99) Following the temporal US sanctioned conception of the relationship of

indigenous people to their land, they must rearticulate and make fit their relationship to the land on the settler model of proprietor-property, on Locke's model. To see Native relationality to the land as spatially constituted is to be able to express the entanglement of a people's identity with the land.

As quoted in Smith, Patricia Monture-Angus articulates sovereignty as entailing, even more, requiring a relationship to the land: "Sovereignty when defined as my right to be responsible ... requires a relationship with territory (and not a relationship based on control of that territory) ... What must be understood then is that the Aboriginal request to have our sovereignty respected is really a request to be responsible. I do not know of anywhere else in history where a group of people have had to fight so hard just to be responsible." (qtd. in Smith 2012 102) Angus articulates sovereignty in terms of a relationship with the land that is explicitly not on the model of Lockean proprietor-property, precisely *not* on the settler model. To hear the indigenous people's claims to sovereignty is to be able to cognize a relationality to the land that is a constituted through *responsibility to* rather than *ownership of*. It is the Lockean *ownership of* model that results in wastelanding.

Traci Brynne Voyles names the practice of 'wastelanding' in her book of the same name which is about uranium mining on Navajo land known as Diné Bikéyah. She defines wastelanding as a species of environmental racism that concludes land where nonwhite people live are "unimportantly inhabited, represented as worthless and then . . . systematically stripped of their material and ideological worth." (Voyles 2015 10-11) Their worth is denied to begin with, and then their resources are subsequently mined, stripped, extracted, or fracked away, resulting in impacts sometimes to the point that the land cannot

be remediated by any human action: “some Indian lands have suffered such severe and prolonged environmental degradation that it is beyond current technology to make them safe for human use;” these zones are called ‘national sacrifice areas’ or ‘human sacrifice zones.’ (Hooks & Smith 2004 562) The land is then made uninhabitable, unable to support life. That impacts the identities of the folks who lived on the land more than simply in terms of health. A radical relationship to a dying land is a threat to indigenous identity, and is a matter of justice.

Voyles argues “the power exerted over environmental resources and the ways in which those in power construct knowledge about landscapes, are a central part of how what we now call social injustices are produced.” (Voyles 2015 12) In other words, a consequence of naming these lands wastelands has produced both knowledge and activity that has resulted in their *wastelanding* and that has severe consequences for those who inhabit that land.

Leona Morgan of the Diné makes the connection to colonialism explicit: “colonization isn’t just theft and assimilation of our lands and people, today we’re fighting against nuclear colonialism, which is the theft of our future.” (qtd. in Benally 2016) American Indians face the highest poverty levels of any one in the country. As of 2015, 26.6% of the population lives in poverty as opposed to the national average which is 14.7%. (American FactFinder) The unemployment rate for American Indians as of 2015 was 12%, compared to 6.3% for the country as a whole. (American FactFinder) Under severe economic pressure, sometimes reservations, such as the Skull Valley Goshutes, accept the nation’s waste for the payments and job opportunities it brings to the reservation.

To avoid further wastelanding, I am going to avoid giving an account that is what Eve Tuck calls *damage-centered* research: “I invite you to join me in re-visioning research in our communities not only to recognize the need to document the effects of oppressions on our communities but also to consider the long term repercussions of *thinking of ourselves as broken*.” (Tuck 2003 409) Rather than simply accounting the oppressions of indigenous people and reinforcing settler mythologies that indigenous people are people of the past, who are decimated and irrelevant, I will tell a story of resistance and resilience that demonstrates the collective agency of native peoples in spite of having to deal with all of the damaging effects of these oppressions I have discussed.

On June 1, 2018, the Canadian Government under Justin Trudeau voted to purchase an addition to the Trans Mountain oil pipeline from Kinder Morgan for \$4.5 CAD. They did so in order to ensure that the already-in-progress pipeline project would be completed, though they say that they will only be temporary owners of the pipeline. This pipeline stretches from Alberta to Burnaby, British Columbia. The new pipeline—which would be constructed next to the old one—would increase the capacity of the line to 890,000 barrels of crude oil per day. (Johnson 2018)

Though the Canadian government has recently adopted a UN Resolution recognizing the rights of indigenous people to “free, prior, and informed consent” on economic projects in their territories, Trudeau remarked that “Ottawa doesn’t recognize the unconditional right of First Nations to unilaterally block projects.” (Schilling) Indigenous groups should have been consulted in the planning of this pipeline construction according to this new resolution they’ve adopted; yet unsurprisingly, Trudeau is operating under the settler logic that takes all rights and freedoms for itself in expanding economic industry through

extractive practices with no care for the possible repercussions of completion of this project. Indigenous people whose land this pipeline crosses have been and are continuing to rise up in protest of the pipeline project.

In 2017, Kwantlen First Nation built a healing lodge “in memory of ancestors lost to the violence of colonization” including, but not limited to, victims of the residential school system and the ongoing violation of missing and murdered indigenous women. (Keller 2017) This was built in Kinder Morgan’s pipeline path in resistance to the project. In March, 2018, Kwekwecnewtxw, or “a place to watch from,” was built—also over land the project spans. This was a cedar watch house, where tribal elders hold ceremonies and keep watch over the Trans Mountain pipeline expansion project. (Canatieri 2018a)

Kanhuas Manuel, indigenous environmental and women’s rights activist of the Secwepemc and Ktunaxa Nations is member of the Secwepemc Woman’s Warrior Society; she started an anti-pipeline and indigenous rights campaign called the Tiny House Warriors. This organization will build ten tiny houses and place them along the route of the pipeline near and around its terminus in Burnaby, BC on traditional Secwepemc land. These tiny houses—three of which are built and placed right now—are completely fossil fuel-free and feature murals of animals important to the Secwepemc people, such as salmon and orca.

They also have wheels—to reclaim their nomadic traditions of traveling to different parts of their territory depending on the season to gather berries, hunt, or fish. The houses will provide affordable and sustainable housing for displaced community members who need it. (Cantieri 2018b) Manuel said, “When people destroy or hurt our land, we feel it, the land trauma. We don’t want to feel that and we will do whatever we can because we are

mothers and we care about this land, we are the people of this land, we are Secwepemc.” (qtd. in Johnson 2018) This is a radical relationality to the land, a responsibility to and for the land and water.

A hip-hop duo—Snotty Nosed Rez Kids—wrote a song about the pipeline project and its women warriors who are fighting against it. They sing “Yeah we ready for war, don’t cross the line in the sand / You’ll be lying in the sand, boy I’ll die for my land.” (Witmer 2018) Young Trybez, half of the duo, says “The Candian government does not get the final say when it comes to our land because this is more than land to us as indigenous peoples, this is our identity.” (Witmer 2018) Trybez describes the relationality to the land as entangled with indigenous identity. Trybez comments on Manuel, saying she represents “the unceded lands...the women warriors fighting against this genocide,” Speaking in the context of the video, Manuel describes the Trans Mountain expansion as “Canada [having] declared war on us indigenous peoples by pushing this dirty pipeline through without our Secwepemc consent.” (Witmer 2018)

This war is one between governmental and corporate interests and a people knitted to their land through relationships of responsibility and protection of the water, land, and resources. Manuel says “a lot of this is creativity ... is the art of war through media, through videos, and through images ... we want to do some different art pieces along the pipeline route.” (Cantieri 2018b) Activism is happening through art, song, video, media and the more usual protests and rallies. Indigenous people from both terminuses of the pipeline and all along the middle are coming together to fight against this ‘declaration of war’ against indigenous land and identity.

Manuel notes “Indigenous resistance to Kinder Morgan is more than just one pipeline battle. It’s a hallmark of our changing times. This is a revolution for Indigenous rights—peaceful and unyielding.” (Manuel 2018) Rather than localizing this resistance to a single project affecting a handful of indigenous groups, Manuel is ready to speak to the universality of indigenous struggle and the collective agency that indigenous people around the world are enacting against the domination and decimation of indigenous land and peoples by settler states.

Discourses of waste are very powerful and can be deployed in many ways. They can be used by the settler, as setting the bounds of property and the state of the natural world without cultivation. Or they can be used as a tool to demonstrate the effects of colonial practices of domination over land and the identities of its people. Though ambivalent, to make a claim about waste is to make a claim about value—the value that could be added, the value that has been lost.

The most important claims about waste are the ones that express domination and oppression. When land is dominated, a people is oppressed, their claims to waste are claims about having experienced violence. It is a call for others to intervene, to protect, and give support—to respond. We have seen through an explication of Locke’s *Second Treatise* that his political theory supports, promotes, and has impacted history and our world today in the continued wasting of lands and of lives.

Manuel, founder of Sepwepemc Women’s Warrior Society says “The colonial corporate system of resource extraction relies on the connected violences of destroying our lands and violating our bodies,” She is speaking of the ‘man camps’ that pop up near new extractive projects and their connection to violence against and disappearance of

indigenous women following a camp's instantiation in the area. This is a longstanding tradition of Anglo-American Man; to violate the bodies of women and to violate the earth.

Harney and Moten conclude, "The one who accumulates does so at the expense of what it takes to be its others—women, slaves, peasants, beasts, the earth itself. Thus the social contract, as a contract between the improving and accumulating ones, is inscribed upon the flesh of those who cannot be ... a party to antisocial exchange under the terms of the (anti)social contract." (Harney and Moten 2017 87) Social contract theory is a theory that is inherently wasteful of life; this is why Harney and Moten rename it the (anti)social contract. The social contract needs its others to construct in opposition to its members—it requires the criminal kind, the irrational kind, people of color, indigenous people, and women who cannot be party to the contract. It is eminently concerned with property accumulation and property rights, taken at the expense of its others. This violence, they say is 'inscribed upon the flesh' of those who've been subordinated by it. The social contract, for Locke, is founded upon the settler and racial contracts and requires violence against its others to perpetuate itself.

As I said above, I don't think social contract theory is worth saving. It is a structure we need to 'unsettle.' It begins from a position of self-preservation, which I think is part of the problem, the act that begins civilization is an act of hostility. Always another or an other to be at war with; who is a risk to my self-preservation. When the political moment finds its inception from such a place of strife, on the one hand, and rugged individuality, on the other, the political system that follows from such a configuration cannot do anything but make waste of life and lives.

Chapter 3 Rousseau and Waste

It is because we can ... conceptualize the Monday morning after our cremation. –George Steiner

In this chapter, I will be focusing on the role of waste and of gender in Jean Jacques Rousseau's political and pedagogical works. First, I discuss the general view of Rousseau, who argues that civilization brings about the waste of man. I will discuss the problematic of civilization and the way in which it affects so-called natural, or savage man. I will then discuss the education of Sophie and how that differs from Emile's education. Then I will discuss the way that man is socialized under heteropatriarchy and why I think that it builds a culture that makes waste of women's lives—a culture conducive to violence against women.

Natural, or, "Savage" and Civilized Man

Rousseau posits a state of Nature that man was in prior to civil society, but he admits that all of his theorizing is merely conjecture. Still, he does think that the indigenous people of America and other colonized people are "savages" living in a state of nature contemporaneous to his time. In *The Racial Contract*, Mills notes that the only savages Rousseau mentions are nonwhite savages and says in an incidental "Europeans are so intrinsically civilized that it takes upbringing by animals to turn *them* into savages." (Mills 1997 68)

In *Discourse on the Origin of Inequality*, Rousseau describes savage man, “deprived of every sort of enlightenment ... his desires do not exceed his physical needs; The only goods he knows in the Universe are food, a female, and rest...” (Rousseau 1997 [1755] 142) This is not the first time we will see woman depicted as a ‘good’ or resource. For, women are depicted this way throughout Rousseau’s political works—not just upon the occasion of being within the state of Nature. In fact, in *The Social Contract*, while discussing the size of the state and its ratio, and what size it could or should be, Rousseau mentions the fertility of land and the fertility of women in practically the same breath. (Rousseau 1997 [1762a] 76) Women’s fertility is compared to the fertility of the land, and seen similarly as a resource. It is clear that not only are women not party to the social contract, but they are the subject of the contract. I will discuss this further in the section On Women.

Rousseau argues that savage man has no concept of the future: “Such is still nowadays the extent of the Carib’s foresight: He sells his Cotton bed in the morning and comes weeping to buy it back in the evening, for not having foreseen that he would need it for the coming night.” (Rousseau 1979 [1762b] 143) This description resonates with his description of animals who, he says, cannot face their own death because they haven’t got the concept of their future.

Rousseau distinguishes between man and animal but does not make it clear whether he is talking about savage or civilized man. There are three ways in which man and animal are distinguished from one another. First off, he argues that man has a freedom of choosing or of willing. Second, man alone is aware that he faces death; this leads us to the interpretation that he is talking solely about civilized man. Third, he says,

But even if the difficulties surrounding all these questions left some room for disagreement about this difference between man and animal, there is another very specific property that distinguishes between them, and about which there can be no argument, namely, the faculty of perfecting oneself; a faculty which, with the aid of circumstances, successively develops all the others, and resides in us, in the species as well as in the individual, whereas an animal is at the end of several months what it will be for the rest of its life, and its species is after a thousand years what it was in the first year of those thousand. (Rousseau 1997 [1755] 141)

Man has the faculty of perfecting himself and Rousseau says it is something that inheres in the individual as well as in the species. He contrasts man with animal, saying that after the young animal develops into an adult it develops no further. Contrastingly, man is capable of perfecting himself throughout his life. However, Rousseau follows this with the question: “Why is man alone liable to become imbecile?” (Rousseau 1997 [1755] 141) Nonhuman animals, being ordered by nature and instinct to do what they must do, according to Rousseau, cannot be fools. It is only man with his capacity to perfect himself that can come to be a fool. Yet there is a tension in the text here, it seemed before he was speaking only of savage man; yet savage man must also be capable of perfecting himself if he is to form the social contract and become civilized man later on in his development. I see tensions such as this one indicative of Rousseau’s racism.

Rousseau adds “The one chooses or rejects by instinct, the other by an act of freedom, as a result the Beast cannot deviate from the Rule prescribed to it even when it would be to its advantage to do so, while an often deviates from it to his detriment.” (Rousseau 1997 [1755] 140) Nonhuman animals, Rousseau argues, cannot go against the

call of nature within themselves, even when it would be to its advantage to do so. Man often deviates from nature's call within to his own detriment. We see freedom and the capacity for perfection come with some ambivalence. It is man who is said to have these higher powers "spiritual" rather than "mechanical" and yet, man does not always raise himself above nature.

Rousseau answers his question about why man alone is able to become an imbecile. He says "Is it not that he thus returns to his primitive state and that, whereas the Beast, which has acquired nothing and also has nothing to lose, always keep its instinct, man again losing through old age or other accidents all that his perfectibility made him acquire, thus relapses lower than the Beast itself." (Rousseau 1997 [1755] 141) Having the capacity for perfectibility, then, is ambivalent. It can make man raise himself above nonhuman animal being, yet it can also degenerate to a level lower than animal being. Why must civilization always require rising up over animalkind? In her book, *Animal Lessons: How They Teach Us to Be Human*, Oliver equates man's coming to civilization with "the Fall" (Oliver 2005 51)

Rousseau elaborates,

It would be sad for us to be forced to agree that this distinctive and almost unlimited faculty, is the source of all man's miseries; that it is the faculty which, by dint of time, draws him out of that original condition in which he would spend tranquil and innocent days; that it is the faculty which, over the centuries, causing his enlightenment and his errors, his vices and his virtues to bloom, eventually makes him his own and Nature's tyrant. (Rousseau 1997 [1755] 141)

It would be sad for us to be forced to agree such a thing, but this is precisely the case. The very faculty that makes us perfectible allows us to become a waste—and moreover, to make waste of nature and of others as well. Whereas, as we shall see for Kant, this situation is also the case, in Rousseau's case as opposed to Kant's, nothing is redeemed. We have to live with ambivalence of this most perfecting and most debasing power, which is reason, perfected by the passions. Rousseau elaborates on this configuration between reason and the passions: "We seek to know only because we desire to enjoy, and it is not possible to conceive why someone who had neither desires nor fears would take the trouble to reason." (Rousseau 1997 [1755] 142) The passions and reason work together for Rousseau, rather than being opposed to one another.

Rousseau asks, "In a word, even if we should suppose him to have a mind half as intelligent and as enlightened as it must be, and indeed, is found to be heavy and stupid, what use would the species derive from all of this Metaphysics, which could not be communicated and would perish with the individual who had invented it? What progress could Mankind make, scattered in the Woods among the Animals?" (Rousseau 1997 [1755] 144) Savage man who may be capable of metaphysics, he says, has the disadvantage of not having a culture. Without culture, ideas die along with the person who had the idea. This, he says, is antithetical to progress and so, the ideas of savage man, if he has them, die along with him and are wasted because of the supposed lack of culture to transmit those ideas.

There is a tension in the text here; though civilization makes waste of the species, not having a civilization (which is what he posits for savage man) the ideas and 'metaphysics' of savage man are wasted, because there is no culture to transmit the idea to others. He brings up that savage man is living among the animals in order to drive home

this point about culture; man and animal together cannot have a culture. Culture is the work of civilized man.

Rousseau romanticizes the position of savage man:

Now, I should very much like to have it explained to me what kind of misery there can be for a free being, whose heart is at peace, and body is in health? Almost all people we see around us complain of their existence, and some even deprive themselves of it so far as they are able, and the combination of divine and human Laws hardly suffices to stop this disorder: I ask whether anyone has ever heard tell that it so much as occurred to a Savage, who is free, to complain of life and to kill himself? (Rousseau 1997 [1755] 150)

He imagines that savage man is utterly free and has no reason to be psychically troubled, positing that no savage would ever die by suicide. Here we see Rousseau's argument that civilization makes waste of man coming on the scene. Suicide, it seems to him, is tied to civilization and neither Divine nor human law can stop it from occurring. Still, I think there is something wrong with his characterization of savage man here. Most likely it is the notion that he is utterly free, and that he has no social bonds is what makes him free. For, savage man was still born and reared by woman, even if the hours spent with the mother are fewer in nature than in civilization.

Since we know that reason is the faculty that allows man to make waste of one another, we should recognize the other faculties man is endowed with. Rousseau says, "There is, besides, another Principle ... and which, having been given to man in order under certain circumstances to soften the ferociousness of his amour-propre or of the desire for self-preservation prior to the birth of amour-propre, tempers his ardors for well-being with

an innate repugnance to see his kind suffer.” (Rousseau 1997 [1755] 152) Rousseau calls this principle pity and it is repugnance or an extreme dislike for seeing one of his own kind suffer. This counters another one of the dispositions of man which is contrary to it, amour-propre. Amour-propre here (for savage man) is a healthy desire for self preservation. But when reason enters amour-propre grows into an antisocial disposition, where man compares himself to other men and tries to elevate his station at the expense of others. The natural disposition of pity is often overridden by amour-propre in civilized man, yet it does remain as one of his dispositions prior to all reflection. It is a kind of embodied and affect-laden way of responding to the world.

Rousseau mentions pity as something we have in common with animals, He says

To say nothing of the tenderness Mothers feel for their young and the dangers they brave in order to protect them, one daily sees the repugnance of Horses to trample a living Body underfoot; An animal never goes past a dead of his own Species without some restlessness: Some even give them a kind of burial; and the mournful lowing of Cattle entering the Slaughter-House conveys their impression of the horrible sight that strikes them. (Rousseau 1997 [1755] 152)

Mothers and their young are included here, which perhaps says something about what he thinks of women—grouping them along with the animals. Horses want to avoid trampling a person or animal underfoot, they aim to avoid doing so. Animals also respond to their dead, he says, sometimes with discomfort upon seeing the corpse, but even more, sometimes burying their dead—or something akin to it. Cattle, too, upon entering the slaughter house feel pity for the fate of their brethren and it seems for the fate they themselves may face. This is in tension with what Rousseau says earlier about the distinction he makes between

man and animal. He says that an animal is not aware of its own death but clearly here, the cattle seem to be reacting to the prospect of their deaths.

In the story that Rousseau tells about the development of Savage man into civilized man, he says

The new enlightenment that resulted from this development increased his superiority over the other animals by acquainting him with it. He practiced setting traps for them, he tricked them in a thousand ways, and although a number of them might surpass him in strength at fighting, or at speed in running; in time he became the master of those that seemed useful, and the scourge of those that could be harmful to him. This is how his first look at himself aroused the first movement of pride in him; this is how, while as yet scarcely able to discriminate ranks, and considering himself as the first rank as a species, he was from afar preparing to claim first rank as an individual. (Rousseau 1997 [1755] 162)

Man comes to realize that he can eat the other things that animals eat and realizes through this that he is superior to animals because he is not determined solely by instinct, he has an ability to choose what to eat. He learns this, Oliver argues, by “animal pedagogy,” in fact it is through this animal pedagogy that he becomes man. (Oliver 2009 53) Man then begins to practice setting traps for the animals, learning to become cleverer than them in order to feed on them and more cunning than them to overcome his bodily weaknesses. Rousseau argues that these developments taught man pride, the first instance of it. Pride, he says, is beginning ‘from afar’ to claim first rank as an individual; in other words, learning pride is on the way to developing amour propre. He considered himself first rank as a species

because he showed himself to be cleverer than all the animals. He claimed mastery over them and superiority for his species.

Amour propre is what gets in the way of pity, amour propre is developed in and through the work of reason, as reason develops in man so does amour propre. Rousseau says “It is reason that engenders amour-propre, and reflection that reinforces it; reason that turns man back upon himself; reason that separates him from everything that troubles and afflicts him: It is Philosophy that isolates him; by means of Philosophy he secretly says, at the sight of a suffering man, perish if you wish, I am safe.” (Rousseau 1997 [1755] 153) Philosophy, reason, and reflection allow us to ignore the suffering of others. Rousseau continues:

Only dangers that threaten the entire society still disturb the Philosopher’s tranquil slumber, and rouse him from his bed. One of his kind can with impunity be murdered underneath his window and; he has only to put his hands over his ears and to argue with himself a little in order to prevent Nature, which rebels within him, from letting him identify with the man being assassinated. Savage man has not this admirable talent; and for want of wisdom and of reason he is always seen to yield impetuously to the first sentiment of Humanity. (Rousseau 1997 [1755] 153)

The problem with the philosopher, Rousseau seems to say, is that he cares only about issues that affect all of society. That makes him unreceptive or unresponsive to the suffering of real human beings. Reason allows the philosopher to close his ears to the sufferings of others right beneath his window and he can think himself into a place where he need not respond to this violence. To contrast, he says that savage man does not have this capacity and so is moved by the violence and suffering of others. To be sure, Rousseau

holds a romanticized notion of savage man and the concept of the “noble savage” is something people often ascribe to him. However, he still says that the savage has no capacity to reason and so, even though it seems like he is making a claim that the savage is somehow superior to men, and has something that man is lacking—he still represents the savage as a kind of subhuman.

Rousseau continues in his attempts to explicate man and his capacities. He says “Having shown that perfectibility, the social virtues and the other faculties which natural man had received in potentiality could never develop by themselves ... it remains for me to consider and to bring together the various contingencies that can have perfected human reason while deteriorating the species, made a being wicked by making it sociable, and from so remote a beginning finally bring man and the world to the point where we now find them.” (Rousseau 1997 [1755] 159) We see here the contrast between savage man and civil man. Savage man lives in the idyllic state of nature and is bereft of any social relations. He lives off of the fruits of the land, does not have reason, and is roused by pity to avoid the suffering of other beings. Civilized man, however, has reason and for that reason has the capacity to perfect himself. Along with this capacity comes the social capacities which are ambivalent. Civilized man may be able to perfect himself, yet this means the deterioration of the species and it makes man wicked. It makes waste of the species and it enables man to make waste of other men.

Rousseau looks for the cause of inequality in *On the Origins of Inequality*, and he says

The first man who, having enclosed a piece of ground, to whom it occurred to say this is mine, and found people sufficiently simple enough to believe him, was the true founder of civil society. How many crimes, wars, murders, how many miseries

and horrors Mankind would have been spared by him who, pulling up the stakes or filling in the ditch, had cried out to his kind: Beware of listening to this impostor; you are lost if you forget that the fruits are everyone's and the Earth no one's...

(Rousseau 1997 [1755] 161)

The claiming of property was what initiated civil society, and what he points out here is that it was a contingent event. He laments that no one contested this man's claim to the land by pulling up his stakes and saying that the Earth belongs to no one. He even goes so far as to call that first man to whom it occurred to claim the land as his property an impostor. Since Rousseau thinks so little of civil society—that mankind is ruined through it and that it enables men to make waste of one another—he sees this first step towards civil society as a bad one.

It is the invention of property that initiates civil society and that brings inequality along with it. Rousseau says "... but the moment one man needed the help of another; as soon as it was found to be useful for one to have provisions for two, equality disappeared, property appeared, work became necessary, and the vast forests changed into smiling Fields that had to be watered with the sweat of men, and where slavery and misery were soon seen to sprout and grow together with the harvests." (Rousseau 1997 [1755] 167)

When one man needs another, and particularly, when one man needs to amass goods enough for more than one, equality disappears. Property appears after this and then the forests changed into fields that must be labored over. Rousseau imagines the state of nature to be a state without labor, where man simply has to pluck a peach from the bountiful natural orchard in order to survive. This is another way in which Rousseau seems

to be prejudiced in favor of the state of nature, despite the fact that he thinks we can never return to such a state (and yet, it endures for the nonwhite savage man).

Rousseau says,

Finally, consuming ambition, the ardent desire to raise one's relative fortune above less out of genuine need than in order to place oneself above others, instills in all men a black inclination to harm one another, a secret jealousy that is all the more dangerous as it often assumes the mask of benevolence in order to strike its blow in greater safety: in a word, competition and rivalry on the one hand, conflict of interests on the other, and always the hidden desire to profit at another's expense; all these evils are the first effect of property, and the inseparable train of nascent inequality. (Rousseau 1997 [1755] 171)

Amour propre develops a disposition in man to secretly hate other men, a need to harm them. There is always the desire to profit at another's expense present and property is what instituted this disposition in man. Inequality follows from the instantiation of property.

After inequality becomes a reality, there comes to be a class of rich and a class of poor people. Rousseau says "The rich, for their part, had scarcely become acquainted with the pleasures of dominating than they disdained all other pleasures, and, using their old Slaves to subject new ones, they thought of subjugating and enslaving their neighbors; like those ravenous wolves which once they have tasted human flesh scorn all other food, and from then on want to devour only men." (Rousseau 1997 [1755] 171) The rich needed laborers and went on to subjugate others—their neighbors. They become fixated with dominating others.

Here is the moment where we see mankind having changed to a point that it will never be possible to return to the state of savage man in the state of nature. Rousseau says “Humankind, debased and devastated, no longer able to turn back or to renounce its wretched acquisitions, and working only to its shame by the abuse of the faculties that do it honor, brought itself to the brink of ruin.” (Rousseau 1997 [1755] 172) After property was claimed, inequality came into being, and amour propre took control over men’s hearts, it was no longer possible to return to the state of savage man in society. Civilization ruined mankind, he says.

Nevertheless, Rousseau still romanticizes that state: “The example of the Savages ... seems to confirm that Mankind was made always to remain in it, that this state is the genuine youth of the World, and that all subsequent progress has been so many steps in appearance toward the perfection of the individual, and in effect toward the decrepitude of the species.” (Rousseau 1997 [1755] 167) He calls the state of nature, the state the savage is in the Youth of the World. He clearly states here that all that has appeared on the scene as progress and perfection is for the individual and results in the decrepitude, or ruination—the waste—of the species. In short, he says, “For the philosopher it is iron and wheat that civilized men and ruined Mankind.” (Rousseau 1997 [1755] 168) Iron allowed man to make tools and weapons to fight against other men and wheat is what led to the settling down of man into homesteads where wheat harvesting took much labor to grow and make edible.

Rousseau argues that the stronger tricked the weaker into uniting through a social contract. He says

All ran toward their chains in the belief that they were securing their freedom; for awhile they had enough reason to sense the advantages of a political establishment, they had not enough experience to foresee its dangers; those most capable of anticipating the abuses were precisely those who counted on profiting from them, and even the wise saw that they had to make up their mind to sacrifice one part of their freedom to preserve the other, as a wounded man has his arm cut off to save the rest of his Body. (Rousseau 1997 [1755] 173)

Again, we encounter ambivalence in Rousseau's work. The ambivalence here is that man, when uniting to form a political union has to give up his natural freedom in order to be guaranteed safety by the political system. He says this is man running toward his chains. There are dangers to forming a political society; however, it makes it easier for the rich and powerful to control the actions and lives of weaker, poor people. It leads to exploitation. Those who foresaw the capacity to exploit were all for this system of governing. Rousseau likens it to cutting off a gangrenous arm in order to save the rest of the body—again we see the ambivalence evidenced here.

This instantiation of the social contract “was, or must have been, the origin of Society and of Laws, which gave the weak new fetters and the rich new forces, irreversibly destroyed natural freedom, forever fixed the Law of property and inequality, transformed a skillful usurpation into an irrevocable right, and for the profit of a few ambitious men henceforth subjugated the whole of Mankind to labor, servitude, and misery.” (Rousseau 1997 [1755] 173) Making the social contract was the beginning of Law and of society—this resulted in the weak having new fetters or chains, and the rich became the powerful. Natural freedom was destroyed without a way to return to it. The law of property came to

stick and along with it, so did inequality. Power became concentrated within a few powerful people, who then subjugated the masses and rendered them to labor, servitude, and misery.

Following this development is war; Rousseau recounts

From it arose the National Wars, Battles, murders, reprisals that make Nature tremble and that shock reason, and all those horrible prejudices that rank among the virtues the honor of spilling human blood. The most honest men learned to count it as one of their duties to slay their kind; in time men were seen to massacre one another by the thousands without knowing why; and more murders were committed in a single day's fighting, and more horrors at the capture of a single town, than had been committed in the state of Nature for centuries together over the entire face of the earth. Such are the first discernible effects of the division of Mankind into different Societies. (Rousseau 1997 [1755] 174)

What results from the initial division of man into different societies is war. He says that wars are counter to Nature—shocking it and making reason tremble. Mankind goes to war with one another and so many people are killed as a result of it, that it outnumbers the entire amount of people killed in the whole state of nature over all time. Society ushers in the waste of man, we see here.

Rousseau maintains

It follows from this account that inequality, being almost nonexistent in the state of Nature, owes its force and growth to the development of our faculties and the progress of the human Mind, and finally becomes stable and legitimate by the establishment of property and Laws. It follows, further, that moral inequality,

authorized by positive right alone, is contrary to Natural Right whenever it is not directly proportional to Physical inequality; a distinction that sufficiently determines what one ought to think in this respect of the sort of inequality that prevails among all civilized Peoples; since it is manifestly against the Law of Nature, however defined, that a child command an old man, an imbecile lead a wise man, and a handful of people abound in superfluities while the starving multitude lacks in necessities. (Rousseau 1997 [1755] 188)

Inequality is almost nonexistent in the state of nature, it exists only in the comparison between the relative strength of the body, and since all savage men have to fend for themselves in nature, all are pretty fit. Inequality is something that arises from the development of reason and, once the government is formed, it is legitimated by property and law. Moral inequality results from these developments as well—and Rousseau says it is contrary to nature. There is inequality in the state of nature, but it is inconsequential; it consists in the physical strength of each relative to the others.

I have shown that Rousseau thinks that the development of reason makes waste of life and lives. He says it is the ruination of mankind, and indeed with the breaking up into different societies come things that truly make waste of men: wars, exploitation, servitude. Additionally, with the settling down of natural man into households, the division of labor between man and women comes into being. He says of course that since woman is more used to taking care of the children she is the one that stays by the home and prepares the food. I will look next to Rousseau's writings on education in order to see what kind of roles men and women are socialized into—and how this encourages violence against women.

On Education

In this section I want to emphasize the importance of thinking of the child as a different sort of being than an adult, with different needs, projects, and desires. In *Emile*, a work almost entirely devoted to the education of the boy into a man, Rousseau argues “Childhood is unknown. Starting from the false idea one has of it, the farther one goes, the more one loses one’s way.” (Rousseau 1979 [1762b] 33) He thinks that we think too often of how to educate a man, rather than thinking about how to educate a boy. He says, “The wisest men concentrate on what it is important for men to know without seeking what children are in a condition to learn. They are always seeking the man in the child without thinking of what he is before being a man.” (Rousseau 1979 [1762b] 33-34) We thus begin from a flawed conception of childhood and base our aims on what an adult needs to learn rather than educating the child according to his situation and capabilities. Rousseau is sensitive to this and his education is a child-centered one, with the aim of cultivating freedom of thought and an ethical disposition within him.

Rousseau thinks that education begins at birth: “before speaking, before understanding, he is already learning.” (Rousseau 1979 [1762b] 55) He gives an example of a clean house where spiders are not tolerated. After growing up in a house without bugs, the boy will be afraid of spiders and that will last through to his adulthood. When certain vices or fears begin to germinate in the child, there is the danger that they will remain and continue to grow as he ages. Since the objects the boy is presented with can make him feel timid or brave, Rousseau wants to habituate the boy to seeing “new objects, ugly, disgusting, peculiar animals” first from afar and then from up close (Rousseau 1979

[1762b] 63). This habituation serves to give him nothing to fear before he can speak, make judgments, and move about on his own.

In the first stage of the child's development, Rousseau has a few different maxims for education that are particular to that stage. He says "Far from having superfluous strength children do not even have enough for all that nature asks of them. One must, therefore, let them have the use of all the strength nature gives them—a strength they could not know how to abuse." (Rousseau 1979 [1762b] 68) Rousseau, as is often quoted, is against swaddling the infant because he thinks infants should become accustomed to moving their body freely.

The second maxim supports the first and says that "One must aid them and supplement what is lacking in them, whether in intelligence or strength, in all that is connected with physical need." (Rousseau 68) Since their strength is less than their needs, infants must be provided for by their tutor and families. Infants aren't very mobile, so someone has to feed them and change their diapers for them, lest they starve or fester in their waste. Notably Rousseau asserts that mothers should breastfeed their children. He says "Let mothers deign to nurse their children, morals will reform themselves, nature's sentiment will be re-awakened in every heart, the state will be re-peopled. This first point, this alone will bring everything back, everything together. The attraction of domestic life is the best counterpoison to bad morals . . . It is thus that we suck with our mother's milk the pleasures of the age and its ruling maxims" (qtd. in Fermon 1994 433) The mother has a privileged position in Rousseau's work, yet, it is only insofar as her roles relate to men—her husband and her children—that she has any positive meaning. This circumscribes the role and place of woman to her child-rearing and husband-pleasing capacities; she has no

value on her own, should not have lesbian or queer desires—much less act on them, it's doubtful whether she can form friendships. Rousseau never mentions genuine friendship or love between women.

Rousseau often addresses mothers, for he sees the mother as the figure that can hold civil society together. Nicole Fermon comments on this saying, "Rousseau believed, and wanted to educate/civilize us to believe that civic love is literally ingested at the mother's breast, which he proclaims is the initial source of social sentiments and the necessary link between the institution of the family (the first and only *natural* institution) and the state. Rousseau thus shrewdly identified and designated woman as the agent of social change in the modern era." (Fermon 1994 432) Women, through their breastmilk would bring about a change from the ancient regime bringing back the importance of the family, which, Rousseau says is the only natural human institution.

To return to his maxims for a child's education, Rousseau posits "One must study their language and their signs with care in order that, at an age where they do not know how to dissimulate, one can distinguish their desires from what comes immediately from nature and what comes from opinion." (Rousseau 1979 [1762b] 68) Rousseau's aim overall is to educate the boy in accordance with nature. Here we see it is important to study his language which he says is "not articulate, but it is accented, sonorous, intelligible." (Rousseau 1979 [1762b] 65) Studying children's language is also to study their gestures, in particular their faces, of which he says "It is surprising how much expression these ill-formed faces already have." (Rousseau 65) Since infants are not yet at the stage where they can lie, their language must be understood in order to provide the child with what they

need—without responding in excess to their whims and instilling vices in them. One must know the child’s language to better be able to discern need from whim.

After infancy, the child becomes an individual and gains self-consciousness. At this age he advises “Men, be humane. This is your first duty. Be humane with every station, every age, everything which is not alien to man. What wisdom is there for you save humanity? Love childhood, promote its games, its pleasures, its amiable instinct.”

(Rousseau 1979 [1762b] 79) Children must be able to play and to learn from the tutor how to treat others well. That means Emile will have no prejudices that make him treat the rich better or the poor worse. Later in his education he will learn to live well with others, through the sentiment of pity.

At this stage of childhood, play is valued over books. Rousseau argues,

To reason with children is Locke’s great maxim. . . Of all the faculties of man, reason, which is, so to speak only a composite of all the others, is the one which develops with the most difficulty and the latest. And it is the one they want to use in order to develop the first faculties! The masterpiece of a good education is to make a reasonable man, and they claim they raise a child by reason! This is to begin with the end, to make the product the instrument. If children understood reason they would not have to be raised. (Rousseau 1979 [1762b] 89)

Locke’s pedagogy is to reason with children, to treat them as though there is an adult with all of his faculties within the child. Rousseau posits, on the other hand, that reason is something that develops in a person; that it requires the combination of all the other faculties that develop earlier than it, and that one must begin by developing the child’s other faculties first. To begin with reason is to ‘make the product the instrument,’

which means that what is being developed instead becomes the thing through which it develops; this makes no sense to Rousseau and is one of ways in which he and Locke disagree.

He continues to argue: “Nature wants children to be children before being men. If we want to pervert this order, we shall produce precocious fruits which will be immature and insipid and will not be long in rotting. We shall have young doctors and old children. Childhood has its ways of seeing, thinking, and feeling which are proper to it” (Rousseau 1979 [1762b] 90) He insists that he will follow the path of nature and in following it he emphasizes that children are a different kind of being than adults are. Childhood must be preserved and since it has ways of feeling, thinking, and seeing which are proper to it, the child must be taught in a different way than beginning by reasoning with them. How should the child be taught? Along the path of nature, of course. This is sometimes said to be a negative or inactive method, as Rousseau says himself at times. I argue instead that Rousseau’s negative method is about wasting time, and that Rousseau himself can be seen as a midwife in his method of education rather than a nonparticipant. Geraint Perry writes, “Rousseau’s celebrated method of early education as ‘negative education’ and, still more, his alternative term, the ‘inactive method,’ are misleading if they are taken to imply that the tutor will do nothing and simply allow events to unfold. Even if he appears to do nothing, he is actively involved in purging the environment of all vestiges of the social as it is understood by conventional opinion” (Perry 2001 252) Through the method of wasting time, with Rousseau as midwife—who sets up the conditions such that Emile will learn his lessons on his own--Rousseau’s education is far from negative or inactive. Certainly,

compared to Locke's pedagogy it can be seen as inactive, for play is valued and no one attempts to reason with Emile until he is ready.

Rousseau appeals to an imagined interlocutor: "Leave nature to act for a long time before you get involved with acting in its place, lest you impede its operations. You know, you say, the value of time and do not want to waste any of it? You do not see that using time badly wastes time far more than doing nothing with it and that a badly instructed child is farther from wisdom than the one who has not been instructed at all." (Rousseau 1979 [1762b] 07) Rousseau insists upon a physical education involving lots of play, though there are little lessons that he makes for Emile to discover, rather than being told the answer or being told how to act. He says that wasting time is better than a wasted mind, which too much formal education early on would do—producing 'precocious fruits that will not be long in rotting'. He also thinks that wasting time is more effective than a bad education which might instill vice or prejudices in the child. Wasting time is to be closer to wisdom than using time to give a bad education.

He continues to engage with this interlocutor saying, "You are alarmed to see him consume his early years in doing nothing? What? Is it nothing to be happy? Is it nothing to jump, play, and run all day? He will never be so busy in his life. Plato, in his republic, believed to be so austere, raises the children only by festivals, games, songs, and pastimes; one could say that he has done everything when he has taught them well how to enjoy themselves." (Rousseau 1979 [1762b] 107) By wasting time this way—as Plato also argues for children in the republic—he creates the conditions for enjoyment and happiness in childhood. The boy learns how to spend time being present rather than pining for a future that will not come in the form that he pines for it.

Rousseau continues engaging with this interlocutor, saying “Therefore, do not be overly frightened by this alleged idleness. What would you say of a man who, in order to profit from his whole life, never wanted to sleep? You would say, ‘That man is crazy; he does not gain time for his joy; he deprives himself of it. To flee sleep, he races toward death.’ Be aware, then, that we have here the same thing and that childhood is reason’s sleep.” (Rousseau 1979 [1762b] 107) This is his explanation for wasting time; it does better to waste time than to use it poorly, as in, trying to reason with children at too early an age. He calls this ‘alleged idleness’ because there are many things Emile will come to learn during this age when play is the main activity. He learns enjoyment, feels happiness and learns how to spend time well, neither looking to the past nor to the future. Just as sleep is necessary for everyone, without which they’d be miserable and die; to wake reason up too early also leads to misery. Childhood is reason’s sleep, it needs this time to develop the other faculties that will in turn allow reason to grow and flower.

Another explanation he gives for wasting time at this age: “it is that usually one gets very surely and quickly what one is not in a hurry to get.” (Rousseau 1979 [1762b] 117) Emile learns more than happiness and to joy in time—rather than waiting for it to pass or dreading it. He says “I am almost certain that Emile will learn to read and write perfectly by the age of ten, precisely because it makes little difference to me that he knows how before fifteen. But I would rather that he never knew how to read if this science has to be bought at the price of all that can make it useful. Of what use will reading be to him if it has been made repulsive to him forever?” (Rousseau 1979 [1762b] 117) Rousseau’s strategy of wasting time is beneficial because it allows the child to be a child. He does not force Emile to read and write, rather he thinks Emile will discover it for himself and consider it

enjoyment when he is ready to do so. Rousseau does not teach science, for example, he ignites a desire to know out of Emile's curiosity and they invent the tools for learning about astronomy, geometry, and geography for themselves. He discovers things together with Emile and makes learning seem more like playing, so as not to repulse him.

Rousseau returns to his interlocutor again, noting "The more I insist on my inactive method, the stronger I see your objections grow. If your pupil learns nothing from you, he will learn from others. . . The lack of the habit of thinking in childhood takes away the faculty for the rest of life." (Rousseau 1979 [1762b] 117) Rousseau never responds to Emile's curious questions with answers. He does not recite facts to him. He makes him think and he discovers along with Emile how to find the answer in a way that makes sense for his capabilities and in a way that inculcates a desire to know and the power of thinking for himself.

He still engages with his interlocutor and holds that wasting time is the right method saying, "I am giving my pupil instruction which is very long, very hard, one that your pupils do not possess; it is the art of being ignorant, for the science possessed by him who believes he knows what he does in fact know amounts to very little. You give him science—splendid. I busy myself with the instrument fit for acquiring it." (Rousseau 1979 [1762b] 125-126) While wasting time, we see his senses begin to develop and his curiosity along with it. He learns to be ignorant, but he also is learning to think for himself. In practice: "As for me, I do not intend to teach geometry to Emile; it is he who will teach it to me; I will seek the relations, and he will find them, for I will seek them in such a way as to make him find them." (Rousseau 1979 [1762b] 145) This is teaching in an active way. He provides an example for desiring to know and gently guides Emile in such a way that the

tools to get the knowledge are being developed and they're actually fun for Emile to use. He says "Teach it as you wish, provided it is never anything but play." (Rousseau 1979 [1762b] 150) This is the way to get the child to think for himself, to encourage curiosity and a desire to know in the child. Rousseau is guided by this maxim in the so-called wasting time, or, education of the child.

Through Emile's wasted time—and the lessons that took place in that time—Emile is taught no prejudices about other people

On his side, if he needs some assistance, he will ask for it from the first person he meets without distinction. He would ask for it from a king as from his lackey. All men are still equal in his eyes. You see by the way in which he makes a request that he is aware he is owed nothing. . . It is a modest confidence in his fellow man; it is the noble and touching gentleness of a free but sensitive and weak being who implores the assistance of a being who is free but strong and beneficent.

(Rousseau 1979 [1762b] 161)

He approaches others as free, equal beings and has no feelings of entitlement that they will help him. He has confidence in others and thinks that all men are good. He does not hold one station up above another or think badly of poor people.

Now we can move onto the education of Emile: the mature child. On this transition Rousseau notes "during the first age time was long. We sought only to waste it for fear of making bad use of it." (Rousseau 1979 [1762b] 172) This wasted time taught him how to joy in time, it gave him happiness, a desire to know, and to be okay admitting that he does not know something—that he is ignorant. These are very simple things, but also very powerful lessons for a life. He's getting a basic structure that will enable him, when he

begins to read books, labor, and go out into the world, to be a good neighbor and a thoughtful and resourceful individual. Except, perhaps, to the so-called savages.

In the mature child stage we begin to see reasoning emerge: “Make your pupil attentive to the phenomena of nature. Soon you will make him curious. But feed his curiosity, never hurry to satisfy it. Let him know something not because you told it to him but because he has understood it himself. Let him not learn science but discover it. If ever you substitute in his mind authority for reason, he will no longer reason. He will be nothing more than the plaything of others’ opinion.” (Rousseau 1979 [1762b] 168). Rousseau thinks that by feeding Emile’s curiosity rather than satisfying it with answers is the way to continue to develop his faculties well at this stage. He wants to make his curiosity grow and cultivate his desire to come to know things through discovery. This point is very important because he does not want an explanation from an authority, in order to maintain his freedom of thought. He does not want to make Emile a creature who passively learns and accepts accounts on how or why things work from others. Emile will think for himself; he will not be subject to the opinions of others: this is what causes amour-propre to develop.

To continue this critique, he says, “In the first place, you should be well aware that it is rarely up to you to suggest to him what he ought to learn. It is up to him to desire it, to seek it, to find it. It is up to you to put it within his reach, skillfully to give birth to this desire and to furnish him with the means of satisfying it.” (Rousseau 1979 [1762b] 179) Rousseau is a midwife that helps birth knowledge in Emile. Emile does all of the labor of learning for himself, and Rousseau facilitates things such that conditions are good for learning and for inculcating a desire to know.

Just before Emile is old enough to receive his moral education (though it has been happening piecemeal throughout), Rousseau sums up his education until then; “Without troubling the repose of anyone, he has lived satisfied, happy, and free insofar as nature has permitted. Do you find that a child who has come in this way to his fifteenth year has wasted the preceding ones?” (Rousseau 1979 [1762b] 208) Returning to his interlocutor there, Rousseau insists that Emile’s education was not a waste. He caused no trouble, his needs never exceeded his strengths, he was satisfied—even happy sometimes—and free!

Now another education begins, and it is what will teach him pity and how to get along in the world with others. Rousseau says “He will begin to have gut reactions at the sounds of complaints and cries, the sight of blood flowing will make him avert his eyes; the convulsions of a dying animal will cause him an ineffable distress before he knows whence come these new movements within him.” (Rousseau 1979 [1762b] 222) He is a sensitive being and when exposed to distressed or hurt people or animals he finds that he reacts severely to them.

Rousseau continues, “Thus is born pity, the first relative sentiment which touches the human heart according to the order of nature. To become sensitive and pitying, the child must know there are beings like him who suffer what he has suffered, who feel the pains that he has felt, and that there are others whom he ought to conceive of as able to feel them too.” (Rousseau 1979 [1762b] 222) Emile’s life was not a life without pain, Rousseau thinks he must be exposed to suffering and being or feeling hurt so that he learns that he is not invulnerable. He says “to suffer is the first thing he ought to learn and the thing he will most need to know.” (Rousseau 1979 [1762b] 78) Since he was not sheltered from pain

and suffering during his childhood, Emile is stirred by the suffering of other beings. Pity has awakened in his heart.

Pity has stipulations “Do not, therefore, accustom your pupil to regard the sufferings of the unfortunate and the labors of the poor from the height of his glory; and do not hope to teach him to pity them if he considers them alien to him.” (Rousseau 1979 [1762b] 224) It is important that Emile too, understands that he could be struck by poverty one day, that his station no matter what it is, it is not immutable, that anyone’s lot might become his. He must regard other’s ranks as insignificant in comparison to their suffering, and believe in a shared humanity. He notes that if he were to see poor people, or suffering people, as alien to him, it would be impossible for the Emile to feel pity. However, this is not a problem for Emile.

In order for Emile to develop pity, Rousseau must speak well of humanity, teach him to love all men, and he says that that will result in him being able to socialize with and have feeling for men of all classes. To prevent pity from devolving into weakness it must be generalized and extended to all men. Rousseau summarizes “In a word teach your pupil to love all men, even those who despise men. Do things in such a way that he puts himself in no class but finds his bearings in all. Speak before him of humankind with tenderness, even with pity, but never with contempt.” (Rousseau 1979 [1762b] 226)

Emile must “know that man is naturally good; let him feel it; let him judge his neighbor by himself. But let him see that society depraves and perverts men; let him find in their prejudices the source of all their vices; let him be inclined to esteem each individual but despise the multitude, let him see that all men wear pretty much the same mask, but let him also know that there are faces more beautiful than the mask covering them.”

(Rousseau 1979 [1762b] 237) This seems paradoxical or in tension with itself at first glance. He must love all individually, but know that as a society or a collective, men become morally corrupt. He must see the mask all men wear in society, but know that there are faces under those masks far more beautiful than the mask they wear. In other words, people tend to put on airs in society, to pretend to be more learned, more moral, cleverer, wealthier than they really are. To say that there are faces more beautiful beneath those masks is to say some people are much, much better than they seem—that there's a goodness in some that might be delightfully surprising.

One of the last parts of Emile's education is to teach him to listen to his conscience. Of conscience he says "one must know how to recognize and to follow it. If it speaks to all hearts, then why are there so few of them who hear it? Well, this is because it speaks to us in nature's language, which everything has made us forget." (Rousseau 1979 [1762b] 291) Emile, however, has not forgotten nature's language. His heart is moved by pity for others and he has developed sensitivity for listening to this voice in his head. Rousseau says that prejudices are consciences' cruelest enemies, and Emile has been brought up to have very few of them.

Oliver argues that "Rousseau claims to teach Emile to be a man, more precisely a natural man, a man who listens and responds to the voice of nature. . . what is really at stake for Rousseau in experience and example is what both can and cannot be learned: responsivity." (Oliver 2009 73) Emile's education centers around responsivity—responsiveness to the voice of nature, to creatures, to his environment and to others. She adds "Rousseau also emphasizes action; the child must learn to act in a way appropriate to his environment. To act is to respond. The natural man is at home in the world only when

he learns response-ability, the ability to respond to his environment, to live anywhere and with anyone.” (Oliver 2009 73) Response-ability is precisely what Emile is being taught—for example he emulates the goat, most wise creature when it comes to scaling rocky terrain. He learns from animals how to navigate the world. Moreover, he listens to the voice of nature and responds to his conscience, which is well-developed by sentiment. If only this were the education for all humankind!

Rousseau sums up Emile’s education in a few words and says, “all minds always start from the same point, and since the time used in finding out what others have thought is wasted for learning to think for ourselves, we have acquired more enlightenment and less vigor of mind.” (Rousseau 1979 [1762b] 343) Emile has not wasted his education though one of the principle aims of it for some time was to waste time. Rousseau calls out those other educators who teach their pupils facts and things in books and say that they in fact have wasted their education. For, they teach them about what other people think than teaching the pupil to think for themselves, which was what Emile learned from his education.

The image of Rousseau as midwife is an apt description of his methods. The midwife accompanies the mother through labor and helps her make that time pass in a way that maximizes her comfort through the process with the guiding principle of helping birth the child without complications. Rousseau encourages Emile’s desire to know and sets up the conditions for his learning without giving him the knowledge. Emile does the labor to find the answers to his questions. Rousseau also plays the role of trying to avoid prejudices from developing in Emile and guiding him to be an ethical being. He never tells him anything though—the lessons always come from the engagement between Emile and the

environment. I agree with Oliver's characterization of Emile's education as teaching a responsiveness to his environment and to others; this education happens via wasting time in order to joy in time.

Waste Lessons

In the previous section I highlighted the principles that guided Rousseau's education of Emile, which happened through wasting time, with Rousseau acting more like a midwife than a teacher who fills a child's head with facts and numbers. In this section I will discuss some of the particular lessons that Rousseau teaches Emile, and these lessons are about birth, death, suffering, and economic relations. Each lesson is given through the help of some kind of waste. We will see Rousseau's role of midwife perhaps more clearly by investigating particular examples in this way.

First we will talk about ruination and the risk of it for Emile, or any person in society. Rousseau says, "Everything is good as it leaves the hands of the Author of all things; everything degenerates in the hands of man." (Rousseau 1979 [1762b] 37) Nature is good, it is men who destroy things, he thinks. This is why he tries to have education follow 'the path of nature.'

Rousseau argues that

In the present state of things a man abandoned to himself in the midst of other men from birth would be the most disfigured of all. Prejudices, authority, necessity, example, all the social institutions in which we find ourselves submerged would stifle nature in him and put nothing in its place. Nature there would be like a

shrub that chance had caused to be born in the middle of a path and that the passers-by soon cause to perish by bumping into it from all sides and bending it in every direction." 1979 [1762b] 37

He says that without a proper education, a child abandoned to the adult world, within a city for example ('the abyss of man' as he names cities), this child would be the worst-formed of all, unable to use his faculties well, unfeeling towards others, listening to authority to get his ideas and instructions on how to act. Nature would die within him and leave nothing in its place but prejudice and ruin. Rousseau often uses metaphors of nature and growth, here he compares that child's fate to the fate of a plant that is unfortunate enough to have grown on a well-trodden path. Those who walk there do not care about avoiding the plant and it shrivels and dies from being assaulted by the walkers' careless steps.

He says later, "plants are shaped by cultivation, men by education" (Rousseau 1979 [1762b] 38). This is why education is so important; education determines what kind of man one will be. He makes an appeal to the mother: "It is to you that I address myself tender and foresighted mother who are capable of keeping the nascent shrub away from the highway and securing it from the impact of human opinions. Cultivate and water the young plant before it dies. Its fruits will one day be your delights. Form an enclosure around your child's soul at an early date. Someone else can draw its circumference, but you alone must build the fence." (Rousseau 1979 [1762b] 37-8) He beseeches the mother to take care of the child and keep it away from others' opinions, as children can learn vices from a very young age. It is her job to build a 'protective fence' around the boy's soul. To treat him gently and with love and to avoid teaching him any prejudices towards people or things.

That said, the mother will not always be so important for the child. He says “Prior to the calling of his parents is nature’s call to human life. Living is the job I want to teach him.” (Rousseau 1979 [1762b] 41) Rather than teaching Emile a certain kind of job, or preparing him for a certain kind of life role within the family, Rousseau’s aim is to teach Emile to live. What does he mean by this? “To live is not to breathe, it is to act; it is to make use of our organs, our senses, our faculties, of all the parts of ourselves which give us the sentiment of our existence.” (Rousseau 1979 [1762b] 42) He wants to teach him to feel his existence, that is, to feel his freedom through the use of his faculties, body, and senses in his engagement with other people and the world. Emile will not be educated to be a Prince or a tradesman, his education is an education in living and in dying well. (Rousseau 1979 [1762b] 208)

One thing that Rousseau insists on in his education of Emile is that he will be a vegetarian. He says “if this is not for their health, it is for their character.” (Rousseau 1979 [1762b] 153) He does not want the child to feed on the flesh of other beings, he quotes Plutarch on this at length—which I will also quote at length, because it’s too beautiful not to. Plutarch says:

You ask me why Pythagoras abstained from eating the flesh of animals? But I ask you, on the contrary, was it a courage appropriate to men that possessed the first one who brought his mouth to wounded flesh, who used his teeth to break the bones of an expiring animal, who had dead bodies—cadavers—served to him, and swallowed up in his stomach parts which a moment before bleated, lowed, walked and saw? How could his hand have plunged a knife into the heart of a feeling being? How could his eyes have endured a murder? How could he see a poor, defenseless

animal bled, skinned and dismembered? How could he endure the sight of quivering flesh? How did the smell not make him sick to his stomach? How was he not disgusted, repulsed, horrified, when he went to handle the excrement of these wounds, to clean the blood black and congealed, which covered them? (qtd. in Rousseau 1979 [1762b] 154)

Emile will not eat the flesh of another creature. He will not make waste of animal life, will not have to deal with the excrement of the animal's wounds because he will subsist on bread, dairy, vegetables, and sometimes fruit. Plutarch asks how someone could plunge a knife into another living creature who suffers and feels, Learning suffering is important to Emile's education, but not the kind of suffering that's involved in carnivorous eating, in the murder of animals.

Now we will get to the particular waste lessons, each of which has something to teach him about important parts of life; first, he learns modesty through a description of birth and waste. Rousseau talks about the problems that stem from mother's answers to a child's inevitable question 'where do babies come from?' He says the mother's answer almost always send the child down the wrong path—because it is usually put as something similar to 'that's the secret of married people' which he says only makes them more curious and likely to find out all too early what that 'secret' is.

He plays out the scene of a better way of answering the question: "'Mama,' said the giddy little fellow, 'where do children come from?' 'My child,' answered the mother without hesitation, 'women piss them out with pains that sometimes cost them their lives'" (Rousseau 1979 [1762b] 218) Rousseau presents this answer as a prudent one that can be "decisive for their morals and their health for their whole lives." (Rousseau 1979 [1762b]

218) The invocation of waste here, of 'pissing out a child' gives an answer to the question that does not arouse the child's curiosity or put in on a path toward 'immodesty'. The role of waste in this lesson is to revolt the child and make him hear the pain and risk involved with childbirth, rather than hinting to the sensual delights that brought the fetus into being.

The second waste lesson involves a corpse and is a lesson about death and suffering. We know that to suffer is something important to Emile's education, because to never have suffered makes one unprepared for hardships that will come later in life. He notes: "The man who did not know pain would know neither the tenderness of humanity nor the sweetness of commiseration. His heart would be moved by nothing. He would not be sociable, he would be a monster among his kind." (Rousseau 1979 [1762b] 87) Without knowing suffering and pain, it would be difficult for Emile to learn pity, to become a social being, and to value other's care and companionship.

I said earlier that the aim of Emile's education is not just to teach him how to live well, but how to die well too. He will hear the suffering of animals and the cries of human beings: "He will begin to have gut reactions at the sounds of complaints and cries, the sight of blood flowing will make him avert his eyes; the convulsions of a dying animal will cause him an ineffable distress before he knows whence come these new movements within him." (Rousseau 1979 [1762b] 222) This exposure to suffering will make him learn pity, or rather, make pity awaken in his heart. He will be a moral man without hubris for having witnessed other's suffering as well as undergoing his own.

Emile will also see the remains of a life, the corpse, who is waste—a thing we bury or burn to be rid of: "One must have seen corpses to feel the agonies of the dying. But when this image has once been well formed in our mind, there is no spectacle more horrible to

our eyes—whether because of the idea of total destruction it then gives by means of the senses, or whether because, knowing that this moment is inevitable for all men, one feels oneself more intensely affected by a situation one is sure of not being able to escape.” (Rousseau 1979 [1762b] 226-227) To see a corpse, the waste of a living being, teaches the gravity and finality of death, a lesson that no man is invulnerable, that total destruction will come to all and that our mortality is inescapable.

This lesson from seeing the remains of a life is a complement to the positive lesson Rousseau wants to teach of learning to live and to die well. He taught Emile through the method of wasting time, how to live in the present moment, to enjoy life, and to experience happiness. He knows how to enjoy time, Rousseau says, “He profits from [time] and does not know its value.” (Rousseau 1979 [1762b] 187) A bit enigmatic, what I think he means here is that Emile does not measure time in terms of value, he already knows how to ‘profit’ from it through exercising his freedom, and experiencing enjoyment and happiness.

He will also learn how to die well from his education. Rousseau says “since he is accustomed to submitting to the law of necessity without resistance, when he has to die he will die without moaning or struggling.” (Rousseau 1979 [1762b] 208) He says, “To live free and to depend little on living things is the best means of learning how to die.” (Rousseau 1979 [1762b] 208) Here we see a streak of Rousseau’s stoicism. He does not want to make Emile unfeeling, we know the importance of pity, love, and other people to him. But when faced with death, his waste-lesson of seeing the corpse gave him a glimpse of the possible horror of it, he will die a free and happy death, just as he lived a free and happy life.

The last waste lesson that Emile receives has to do with economic relations between people and denies the luxury of a luncheon they were invited to. “We go to dine in an opulent home. We find the preparation for a feast—many people, many lackeys, many dishes, an elegant and fine table service.” (Rousseau 1979 [1762b] 190) Emile is used to simple food and simpler living so this is an occasion for him. Rousseau makes use of this occasion to get Emile thinking: “While the meal continues, while the courses follow one another, while much boisterous conversation reigns at the table, I lean toward his ear and say ‘Through how many hands would you estimate that all you see on this table has passed before getting here?’ . . . While the philosophers all prate and act like children, he is all alone philosophizing by himself in the corner.” (Rousseau 1979 [1762b] 190)

His question brings light to political economy and the relations that exist between people in production and consumption. It really gets Emile thinking: “What an object for his curiosity! What a text for his instruction! With a healthy judgment that nothing has been able to corrupt, what will he think of this luxury when he finds every region of the world has been made to contribute; that perhaps twenty million hands have worked for a long time; that it cost the lives of perhaps thousands of men, and all this to present him pomp at noon what he is going to deposit at his toilet at night.” (Rousseau 1979 [1762b] 190) Emile philosophizes while the philosophers present enjoy a luxurious meal. In his philosophizing Emile will see that in the relations of production and consumption, many people are implicated in the creation of this meal—people all over the world, not simply those serving and preparing the meal. He gets a deeper sense of the excess and the suffering that has gone into this festive luncheon.

The waste lesson comes in here to demonstrate the absurdity of the situation—Emile has seen the magnitude of effort, suffering, and cost that went into this party. And it was all for something will be egested and flushed away down the toilet, the same fate as all of his other, simpler meals. The luxury transforms into shit and demonstrates to Emile the decadence of the situation.

A common belief of modern philosophers—particularly Kant, for whom Rousseau was an influence—was that the region of the earth a people inhabited had impacts on their character and on their intelligence. Rousseau says, “It appears, moreover that the organization of the brain is less perfect in the two extremes. Neither the Negroes nor the Laplanders have the good sense of the Europeans.” (Rousseau 1979 [1762b] 52) This is not surprising and has been written on extensively. But Rousseau is so insistent on not inculcating prejudice within Emile. Not only does Rousseau demand a nondisabled boy to educate, he would also refuse a child from an extreme climate for the belief that they lack intelligence.

This is discordant with his sensitive education that completes the man and is supposed to perfect reason. Rousseau is decidedly not a cosmopolitan thinker. He rather would like to make Emile a good neighbor to his fellow Europeans: “The essential thing is to be good to the people with whom one lives . . . Distrust those cosmopolitans who go to great lengths in their books to discover duties they do not deign to fulfill around them. A philosopher loves the Tartars so as to be spared having to love his neighbors.” (Rousseau 1979 [1762b] 39) While he puts down cosmopolitan philosophers who love people from afar, he says they only do so so that they don’t have to love their neighbors or feel any duty

towards them. Rousseau uses this 'good neighbor' rhetoric to cover up his own racism and whittles down Emile's world to Europe and his duties and love to Europeans.

When Emile is told to think of the perhaps thousands of people who suffered and even died for the extravagant feast he was presented with—people from all parts of the world—he learns of political economy and the expansiveness of the relations from production to consumption. He is supposed to feel pity for them and acknowledge the suffering of others. The problem might be that they are abstracted from their nationalities and races when viewed as a mass of people so large. He seems to avoid talking about race and real suffering bodies while invoking them to demonstrate a lesson to Emile about economic relations between peoples.

The role that waste played in each of these lessons was noteworthy. In the childbirth example of a mother pissing out a child, the invocation of waste served a few purposes. It demonstrated the pain and risk the mother went through in order to give birth to the child, giving him respect for mothers. It also gave an explanation that was not a vague waving the hands in the direction of sex, while the child is 'too young' to hear about it—it secures his modesty. The lesson of the corpse made him feel his mortality and made him feel it as something that all human lives share as a terminus. Last, in this lesson of political economy he learns the global relations of exploitation that contributed to the feast he went to, further, pooping it out at the end of it all revealed the absurdity and the lechery of the luncheon.

Freedom in Body and Soul (for the Boy)

In this section I will discuss in detail what Rousseau has to say about the relationship between the body and the faculties of the mind. I argue that there is a different kind of connection of mind to body in Rousseau's work here than one sees in other modern philosophers, most notably, Descartes who believes that soul and body are two different substances that communicate with one another through animal spirits flowing through the pineal gland in the brain. The relationship between mind and body is not something that Rousseau scholars write on; there is a gap in the literature on this topic. I will attempt to piece together the mind body relationship for Rousseau by closely reading the passages in *Emile* that relate to the body and the faculties.

This physical education begins in early infancy. Rousseau says, "The countries where children are swaddled teem with hunchbacks, cripples, men with stunted or withered limbs, men suffering from rickets, men misshapen in every way. For fear that bodies be deformed by free movements, we hurry to deform children by putting them in a press. We would gladly cripple them to keep them from laming themselves." (Rousseau 1979 [1762b] 43) Ableism is at work here; we see that Rousseau is against swaddling because it does not allow the baby to freely move his limbs. It is important, he thinks, that the child feels that freedom in his body early on. So we see he does want the boy to become accustomed to free movement in his body, yet he also thinks that swaddling is bad because overprotective mothers or nurses do it so the boy won't hurt himself. He argues that swaddling 'deforms' children in all manner of ways and that the guardian's coddling accomplishes the very same thing it was trying to combat by limiting the child's movements. They are worried that the child might fall and never learn to walk, while,

Rousseau says, the guardian ‘cripples’ the child through swaddling. He is completely unaccepting of bodies with diverse forms.

As the boy ages, he becomes more curious,

He wants to touch everything, handle everything. Do not oppose yourself to this restlessness. It is suggestive to him of a very necessary apprenticeship; it is thus that he learns the hotness, the coldness, the hardness, the softness, the heaviness, the lightness of bodies, and to judge their size, their shape, and all their sensible qualities by looking, feeling, listening, particularly by comparing sight to touch, by estimating with the eye the sensation they would make on his finger. (Rousseau 1979 [1762b] 64)

Rousseau wants this behavior to be encouraged, rather than subdued in the boy. He is learning about the different properties that objects have and is getting a keen eye (ear, nose, mouth, flesh) for how the senses mutually inform one another in discovering the properties of objects and their relations. He begins to learn judgment from the senses.

Also, one should walk the child around and let him move freely, for two reasons. First, “It is only by movement that we learn there are things which are not us, and it is only by our own movement that we acquire the idea of extension.” (Rousseau 1979 [1762b] 64) We learn to distinguish ourselves from others and from objects by movement. By our own movement we acquire the idea of extension. Rousseau does not believe in innate ideas as Descartes and Leibniz do. We acquire this idea through the motion of our own bodies. Second, before the child can walk he says, “Take care then to walk him often, to transport him from one place to another, to make him feel change of place, in order to teach him to judge distances.” (Rousseau 1979 [1762b] 64) Here is another way that he is learning to

judge from the senses. Being attentive to the motion from places to place he learns distance, by the time to get to the other place and by looking back to the original place to judge how far away it is.

This physical education does not just lead to judgment from the senses, it also acts as a predecessor for some of the ethical concepts he will learn later on in life. Emile will not be coddled: “Far from being attentive to protecting Emile from injury, I would be most distressed if he were never hurt and he grew up without knowing pain. To suffer is the first thing he ought to learn and the thing he will most need to know.” (Rousseau 1979 [1762b] 78) Learning to suffer is important because it makes us sensitive to the suffering of other creatures. It is on the way to pity, an important ethical sensibility for Rousseau.

Emile will spend a lot of time playing outside: “Instead of letting him stagnate in the stale air of a room, let him be taken daily to the middle of a field. There let him run and frisk about; let him fall a hundred times a day. So much the better. That way he will learn to get up sooner. The well-being of freedom makes up for many wounds.” (Rousseau 1979 [1762b] 78) Here is another example of the importance of feeling his freedom in his own body—especially in the face of pain. Again, we see he is not coddled, Rousseau advocates that falling is good because it accustoms the child to it and leads to their getting up more quickly without emotional outbursts. He must be injured—yet not too much—lest Emile become ‘crippled’ and unsuitable for education.

Rousseau will not command that Emile do anything, he always wants him to be acting from his own freedom, “You will make him sadden, it is true, by this method if you go about always giving him directions, always telling him, “Go, come, stay, do this, don’t do that.” If your head always controls his arms, his head becomes useless to him. . . .”

(Rousseau 1979 [1762b] 118) Emile's head should of course not become useless to him, unable to think or decide or desire what to do because he's been given too many commands. Rousseau still acts as midwife, and encourages his desire to learn and is his guide through it. But he does not make commands on Emile.

Emile will learn through his senses because they are the earliest faculties to develop: "Since everything which enters into the human understanding comes there through the senses, man's first reason is a reason of the senses; this sensual reason serves as the basis for intellectual reason. Our first masters of philosophy are our feet, our hands, our eyes. To substitute books for all that is not to teach us reason. It is to teach us to use the reason of others. It is to teach us to believe much and never to know anything." (Rousseau 1979 [1762b] 125) He says this sensual reason is the basis for intellectual reason. To develop one is to be on the way to developing the other. This physical education that does not incorporate books until a later age, it teaches philosophizing through the body. Emile will learn to about nature, he will learn to judge distances, and most important he will learn to think and come to know by himself, with the help of his midwife, of course.

Rousseau says "To exercise the senses is not only to make use of them, it is to learn to judge well with them. It is to learn, so to speak, to sense; for we know how to touch, see, and hear only as we have learned." (Rousseau 1979 [1762b] 132) Senses are not just given powers through which information passively washes over us, we can learn to sharpen them, judge with them, learn how to use them better to one's advantage. Emile will learn to sense well with his faculties.

One sense is less developed than the rest, Rousseau says, and that is touch. He says we are not masters of this sense as we can become masters of our other senses. Touch

needs less special culture since we have been constantly subjected to it since birth. He ponders the statement, saying:

However, we observe the blind have a surer and keener touch than we do; because, not being guided by sight, they are forced to learn to draw solely from the former sense the judgments which the latter furnishes us. Why, then, are we not given practice as the blind do in the darkness, to notice the bodies we may happen to come upon, to judge the objects that surround us—in a word to do at night without light all that they do day by day without eyes? As long as the sun shines, we have the advantage over them. In the dark they are in turn our guides. We are blind half our lives, with the difference that the truly blind always know how to conduct themselves, while we dare not take a step in the heart of the night. We have lights, I will be told. What? Always machines? Who promises you that they will follow you everywhere in case of need? (Rousseau 1979 [1762b] 133)

Blind people have a more refined sense of touch than sighted people do. And the judgments that they make from their four senses are more robust. He asks why we are not trained by night to find our way around because in darkness we are blind. He anticipates an objection that there will always be lights, but Rousseau wants Emile to be able to rely on himself as much as he can. He ends this observation by saying “As for me, I prefer that Emile have eyes in the tips of his fingers than in a candle-maker’s shop.” (Rousseau 1979 [1762b] 133) So it is that they begin to play ‘night games’ where they go out after dusk and practice walking around, becoming comfortable and unafraid of the dark, and becoming able to judge objects and distance by sound. He is again, cultivating his faculties through physical activity.

However much Rousseau thinks blindness has to offer to his pedagogical methods, he is severe in his ableism. Rousseau has a certain kind of boy in mind for a pupil. He says, "I would not take on a sickly or ill-constituted child, were he to live until eighty. I want no pupil always useless to himself and others, involved uniquely with preserving himself, whose body does damage to the education of his soul." (Rousseau 1979 [1762b] 53) Rousseau thinks people with disabilities are overwhelmingly concerned with keeping themselves alive and that they could not be good students even if they were to live a long life. He thinks disabled people are useless to themselves and to others.

Here we see the sinister side of Rousseau's physical-intellectual education: he believes that people with disabilities, due to their impairments in body, would not be able to learn the intellectual and ethical lessons that result from an education such as Emile's. There is a tension in the text as Rousseau takes lessons from blind people, and begins their night games so that Emile will be able to 'have eyes in his fingertips.' On the one hand, disability is seen to be an eventual moral failing due to the physical impairment, on the other hand he wants to emulate the blind and teach Emile to become comfortable maneuvering in the dark.

Rousseau continues with his ableism, "He who takes charge of an infirm and valetudinary pupil changes his function from governor to male nurse. In caring for a useless life, he loses the time which he intended to use for increasing its value." (Rousseau 1979 [1762b] 53) First off, he wastes the lives of disabled people proclaiming theirs are 'useless lives.' Then he says that any time spent being a governor to the child is wasted on educating the child because when the role of governor is taken up with respect to a disabled child,

that governor has really just become a male nurse, caring for his pupil's life rather than educating him to live.

Rousseau wants to make Emile comfortable in the world, and makes some of his playtime useful for that: “. . . I would take him to the foot of a cliff. There I will show him what attitude he must take, how he must bear his body and his head, what movements he must make, in what way he must now place his foot, now his hand, so as to follow the steep, rough, uneven paths and to bound from peak to peak in climbing up as well as down. I would make him the emulator of a goat rather than of a dancer at the Opera.” (Rousseau 1979 [1762b] 139-140) Emile will emulate a goat in his movements because goats are wise at maneuvering through rough terrain. He says he would rather Emile emulate a goat than a dancer at the Opera because dancers movements are not responsive to the environment, they do not require the surefootedness and total bodily involvement in the same way that the goat and Emile will need to exercise themselves not trip or fall on the rocky terrain. This is another example of the ‘animal pedagogy,’ as Oliver would say.

Emile will learn to work with his hands, he will learn a trade. Through the rest of his education he has been taught to think and discover knowledge for himself (with help from the midwife, of course). While he is learning his trade, Rousseau says “he becomes a philosopher and believes he is only a laborer.” (Rousseau 1979 [1762b] 177) Rousseau does not debase the work or the station of the tradesman; it is through this labor that one becomes a *philosopher*.

When Emile reaches the age of fifteen, his education takes a change in its aims. Rousseau says “After having begun by exercising his body and his senses, we have exercised his mind and his judgment. Finally, we have joined the use of his limbs to that of

his faculties. We have made him an active and thinking being. It remains for us, in order to complete the man, only to make a loving and feeling being—that is to say, to perfect reason by sentiment.” (Rousseau 1979 [1762b] 203) The connection between Emile’s physical education and his intellectual education is entangled. He exercises the senses and through that he begins to exercise his judgment. He becomes a thinking being, a philosopher through his education. What remains after this is to ‘perfect reason by sentiment.’ Many thinkers in the modern period thought that reason was the pinnacle, it’s what man is, what makes him different from animals, it is an achievement, the crown that rests on the head of humanity. Rousseau, on the other hand, thinks reason is not the culmination or ultimate achievement. He thinks reason must be perfected through sentiment, through learning pity and learning to become an ethical being.

Sophie, Or, On Women

There is a tension in the text has to do with his the place of animals in Rousseau’s work, and it will lead us into a discussion of women. Rousseau himself was a vegetarian and he decided Emile must be too. Yet, at a certain key point in his education, where Emile’s passions are inflamed and he is just about to learn about love, marriage, and sex, and to search the European countryside for Sophie, Rousseau has him hunting. Is he practicing hunting here because he will soon be ‘on the hunt’ for a wife?

Rousseau says, “He must have a new occupation which interests him by its novelty, which keeps him on his toes, which pleases him, which requires application, which makes him exert himself, an occupation for which he has a passion and to which he gives himself

completely. Now the only one which appears to unite all of those qualities is hunting . . . the hunt hardens the heart as well as the body. It accustoms one to blood, to cruelty.”

(Rousseau 1979 [1762b] 320) He worries about Emile’s passions because they’re at a height they’ve never been at before. He thinks that hunting will work to both distract him from his romantic passions and to harden his soft heart—after all that time spent on softening it! Emile the vegetarian shall be a hunter.

Now we are brought to Sophie, the prize at the end of Emile’s childhood. Before we meet her, we get a taste of how she should be educated. Rousseau says “the first assignable difference in the moral relations between the two sexes. One ought to be active and strong, the other passive and weak. One must necessarily will and be able; it suffices that the other put up little resistance. Once this principle is established, it follows that woman is made specially to please man . . . This is not the law of love, I agree. But it is that of nature prior to love itself.” (Rousseau 1979 [1762b] 358) It is by recourse to what’s natural that Rousseau argues the inequality between women and men. Women are encouraged to be passive, weak, and they are made, he says, specially to please man. This has an effect on how women should be educated. He says, “Since the body is born, so to speak, before the soul, the body ought to be cultivated first . . . For man this aim is the development of strength, for women it is the development of attractiveness.” A woman’s first education is about looking pretty, which is quite different from the aim of feeling freedom in one’s body, which was cultivated in Emile’s childhood.

Rousseau declares, “Thus the whole education of women ought to relate to men. To please men, to be useful to men, to make herself loved and honored by them, to raise them when young, to care for them when grown, to counsel them, to console them, to make their

lives agreeable and sweet—these are the duties of women at all times, and they ought to be taught from childhood.” (Rousseau 1979 [1762b] 365) Women, it seems, never get to be children as Emile has because their education is wholly about their relations with men and how best to care for them. A girl is raised to be a mother who will properly hold the family—and civil society—together.

Kerry Burch argues “The curriculum for males, as we have seen, is designed to invoke a paradoxical ‘well-regulated freedom,’ a condition which grows out of a tension-filled negotiation between the private and public spheres. The curriculum for women consists of a privatized, male-led regime of discipline and control designed to solidify the *fragile* stability of the patriarchal family structure.” (Burch 2000 134) Sophie’s destiny is in the home, as mother, definitely breastfeeding her baby, and holding together civil society and the patriarchal family structure.

Emile’s education ends with two years of traveling around Europe so he can make an informed decision on where he and Sophie will live. Pateman highlights the language of war in this stage of Emile’s life. She says

The tutor (Rousseau) tells Emile, who wants to marry without delay, that ‘a man does not exercise before battle in the face of the enemy but prepares himself for it before the war. He presents himself at battle already fully prepared.’ Emile obeys his tutor and spends nearly two years travelling and learning about politics, including the doctrine of *The Social Contract*, before his marriage. Women’s bodies are so opposed to and subversive of political life, that Rousseau has Emile learn about citizenship before he is allowed to know the delights of being a husband.

Emile is then fitted to marry, he is a soldier who can win the battle of the sexes and become Sophie's 'master for the whole of life.' (Pateman 1988 156)

Sophie must stay at home and wait for him while he 'prepares for battle.' Thinking of marriage as a battle confounds the relationship of love into an antagonistic one. This is his preparation to become 'master' of Sophie.

There are clear differences between Emile and Sophie's educations. Burch notes "In her commentary on *Emile*, Jane Martin refers to the male principle of education as 'developmental' and the female educational principle as one of 'reproduction.'" (Burch 2000 137) Emile's education is about inculcating freedom and perfecting reason with sentiment, while reproduction is the final aim and principle of Sophie's education. Sarah Kofman says "In the name of [girl's] natural destiny, they are condemned to a sedentary and reclusive life in the shadows of domestic enclosure. There they are excluded from knowledge and public life." (Kofman 1989 126) Sophie is learning to be a mother whose place is in the home, excluded from others, from knowledge, and from the public sphere. Indeed, Rousseau says "Shut up in their houses, they limited all their cares to their households and their families. Such is the role that nature and reason prescribe for the fair sex." (Rousseau 1979 [1762b] 366)

Kofman argues "Under the pretext of giving back to Nature her suppressed voice and of defending Nature's ends, what is really being advocated, as always, are the phallogocratic ends of man." (Kofman 1989 130) In other words, Rousseau's affinity for nature, for listening to it, and following its path is really just another way of articulating and advocating for a structure of domination over women. I agree with Kofman, we see domination present here when Rousseau says "From ... habitual constraint comes a docility

which women need all their lives, since they never cease to be subjected either to a man or to the judgments of men and they are never permitted to put themselves above these judgments.” (Rousseau 1979 [1762b] 370) Whereas Rousseau argues that amour-propre is detrimental to man, to mankind, and to morality, he is stating here that it is necessary to have a strong sense of amour-propre developed in the girl. Women *need* to care about the judgment of others and measure themselves by their opinions; she ought to get her sense of her own worth from men—to whom she is forever subjected.

Rousseau even goes so far as to say “Woman is made to yield to man and to endure even his injustice.” (Rousseau 1979 [1762b] 396) Not only does he argue that girls should be taught docility, he thinks that women are subject to men *even when they are being dominated by man*. Woman is ‘made’ to suffer the injustices of man. Violence is an injustice. Moreover, Rousseau says, “Women are not made to run. When they flee it is in order to be caught.” (Rousseau 1979 [1762b] 437) This is said in conclusion to a scene where Sophie challenges Emile to a race. She, finding herself much faster than Emile, makes it almost to the finish line when she stops, waits for Emile, and he picks her up and runs her over the finish line declaring ‘Sophie is the winner!’ Seems innocent enough. Though when we keep in mind the method of wasting time so as not to ruin Emile when he is young—the negative education—all these things are done so he does not incur prejudices or fears, because Rousseau says, they will follow him around all of his life. Learning to engage with women in the spirit of “when they flee, it is in order to be caught” Emile learns that women are there for his pleasure, are subject to man’s injustices and that every ‘no’ is in fact, a ‘yes.’

Chapter 4 Kant and Waste

"The machine now runs by itself." –Carl Schmitt

In this chapter I will discuss the role of waste in Immanuel Kant's philosophy. I will focus on his teleological writings, natural history, political writings, and his anthropological writings to discuss the pervasiveness and importance of race to his thought. I further analyze race and waste together, leading me to the conclusion that the whites redeem nonwhite people by utilizing them as a means for white ends, and not at all as ends in themselves. I show this by following his logic of character and contempt; the object of contempt, much like the beautiful object, commands a universal assent that the object is a contemptible one. This indicates it is contemptuous for everyone and it relays a lack of moral worth in the object. Each of the races is contemptible to 'everyone,' as in, everyone that counts, namely the white literate man³⁹ of the reading public.

First, to set up the rest of the chapter, I will discuss teleological judgment. Then I will argue that waste is everpresent in Kant's philosophy, as much as he focuses on progress, individuals will always fail to reach their full potential, being able to be considered waste, they are redeemed by contributing to the goal of the species.

³⁹ I will consistently be using Kant's language of man and mankind rather than gender neutral language. This is to reference to decolonial scholar Sylvia Wynter who notes "... our present ethnoclass (i.e., Western bourgeois) conception of the human, Man, which overrepresents itself as if it were the human itself..." (Wynter 260) That is to say that 'Man' is a creation of Western bourgeois ideology and that it proclaims itself to be representative of the human writ large. Coeval with this conception is the conception of race, a category of subhumans that are not permitted within that conception of Man, because they are constructed as savage, uncivilized and less-than-human. In the words of Stefano Harney and Fred Moten: "Critics of colonialism such as Sylvia Wynter have noted that one cannot produce the self, owning, earth-owning individual without producing the figure of man, whose essential inhumanity is evident in his restless theorization and endless practice of race." (Harney and Moten 84)

On Teleology

Understanding teleological judgment is crucial to understanding Kant's political, natural historical, anthropological writings and his writings on race. Teleological judgment is a species of reflective judgment. Judgment must reflect when there is no universal or concept given for a particular; it must find the universal. (Kant 1987 [1790] 179) Contrast this with determinative judgment, which is the *subsumption* of a particular under a universal or concept. Teleological judgment is judgment according to ends or purposes (*Zweick*) and is concerned with the unity of that which is diverse in nature; including empirical law itself. This connects the importance of teleological judgment to theoretical philosophy. Kant explains, "... the particular empirical laws must, as regards what the universal laws have left undetermined in them, be viewed in terms of such a unity as they would have if they too had been given by an understanding (even though not ours) so as to assist our cognitive powers by making possible a system of experience in terms of particular natural laws." (Kant 1987 [1790] 180) Kant assures us that we need not assume such an understanding; rather, reflective judgment uses it as a principle. This way judgment legislates only to itself, not to nature. (CJ 180)

In order for a thing to be a natural purpose, it has to be both an organized and self-organizing being. (Kant 1987 [1790] 374) That is to say, an organism. A being is organized when the parts are dependent on the whole, and it is self-organizing when it is both cause and effect of itself. An organism reproduces itself in the general sense of reproduction (producing offspring of the same kind) and in a more narrow sense of reproduction connoting growth or self-reproduction. He contrasts an organism with a

watch and says, "...one gear in the watch does not produce another; still less does one watch produce other watches, by using (and organizing) other matter for this production. It is also the reason why, if parts are removed from the watch, it does not replace them on its own; nor, if parts were missing when it was first built, does it compensate for the lack by having the other parts help out, let alone repair itself when it is out of order..." (Kant 1987 [1790] 374) all of these things, however, are things we can expect organized nature to do.

He says that the natural purposes that we find in organized beings have "entitled us to the idea of a vast system of purposes in nature." (Kant 1987 [1790] 380) We judge nature using the maxim "Everything in the world is good for something or other; nothing in it is gratuitous; and the example that nature offers us in its organic products justifies us, indeed calls upon us, to expect nothing from it and its laws except what is purposive in relation to the whole." (Kant 1987 [1790] 379) This is a principle for reflective judgment, not for determinative judgment. It is regulative rather than constitutive. In other words, it does not allow us to determine if anything is an intentional purpose of nature, it just serves us as a guide that allows us to interpret nature in terms of final causes. (Kant 1987 [1790] 379) He explains in the antinomy how there is no contradiction (between teleological, or, final, and mechanistic, or, efficient causality) in making judgments about nature. We must investigate nature in terms of mechanistic causality as far as we can, yet when we run into organisms, we will discern that another kind of judgment is necessary for us, namely, teleological judgment.

Kant says, "The purposiveness that we must presuppose even for cognizing the inner possibility of many natural things is quite unthinkable to us and is beyond our grasp unless we think it, and of the world as such, as a product of an intelligent cause (a

God).⁴⁰ (Kant 1987 [1790] 400) There is no way for us to explain or understand natural purposes, organisms, without thinking them as products of an intelligent author with an intention; this, however, does not allow us to say anything in the affirmative or in the negative about the author.

We use teleological judgment to guide us in thinking about our own nature—and our place in nature, too. Kant relays “Man is the only being who we can nonetheless cognize, as part of his own constitution, a supersensible ability (*freedom*)...” (Kant 1987 [1790] 435) Freedom is spontaneous and unconditioned as concerns nature. It is actualized in nature; by this I mean man can see the effects of his freedom in nature. He adds, “Only in man, and even in him only as a moral subject, do we find unconditioned legislation regarding purposes. It is this legislation, therefore, which alone enables man to be a final purpose to which all of nature is teleologically subordinated.” (Kant 1987 [1790] 436) Man alone is qualified, as subject of morality, to be the final purpose of all creation. Nevertheless, “what we can say,” Kant continues, is “*the character of our power of reason is such* that we cannot at all grasp how such a purposiveness as there is in this final purpose is possible, namely, a purposiveness that has reference to *the moral law* and its object, unless

⁴⁰ Kant makes the distinction between intrinsic and extrinsic purposiveness. Extrinsic purposiveness is when “one thing of nature serves another as means to a purpose.” (CJ 425) That’s simple enough. Intrinsic purposiveness is more complex, it has to do with “the possibility of an object regardless of whether or not the object’s actuality is a purpose.” (CJ 425) In our presentation of organized beings, we are already summoning the idea of a purposiveness, a causality in terms of purposes, “a creative understanding, an active power, and are relating it to the basis that determines it, its intention.” (CJ 425) Kant notes that there is only a single example of intrinsic and extrinsic purposiveness connecting: it is in sexual difference with respect to reproduction. He goes on to say “Here, although we must not ask what is the end for which the being had to exist as so organized, that being still serves as a means extrinsically related to purpose. For here, just as in the case of the individual, we can always go on to ask: Why did such a pair have to exist? The answer is: This pair is what first amounts to an *organizing* whole, even if not to an organized whole in a single body.” (CJ 425) I am highly suspicious of this, though I can’t articulate why just yet. I feel like it has to do with freedom? And the body? Such a pair, as in an association did not *have* to exist. It seems contingent and makeshift to posit an *organizing* whole in two bodies. But I guess this way of thinking about things belies his reliance on the Biblical story of Adam and Eve. More on this in a paper, perhaps.

we assume an author and ruler of the world who is also a moral legislator.” (Kant 1987 [1790] 455) We have to assume the existence of a being with moral attributes if we ourselves are to adopt the purpose required by the moral law, a purpose which Kant calls the “highest good,” which he further defines in his ethical works. (Ginsborg 2013) Now we will turn to waste as it relates to purposes in Kant’s political and natural historical works.

On Waste

At the beginning of “Idea for a Universal History with a Cosmopolitan Purpose” we see how waste is forever present in the life of man; Kant says, “Every individual would have to live for a vast length of time if he were to learn how to make complete use of all his natural capacities; or if nature has fixed only a short term for each man’s life (as is in fact the case), then it will require a long, perhaps incalculable series of generations, each passing on its enlightenment to the next, before the germs implanted by nature in our species can be developed to that degree which corresponds to nature’s original intention.” (Kant 1991 [1784b] 42-43) In other words, every man is a waste—no man can hope to attain full use of his natural capacities, for that is something that can be achieved only in the species, not in an individual. It takes the labor of generations—and the promise of progress—in order for man to live up to nature’s intention. As an individual and more, mankind as a cosmopolitical whole, relies on this narrative of the consistent progress of humanity in order to ensure man’s place as the final purpose of nature.

Nevertheless, Kant urges, “the point of time at which this degree of development is reached must be the goal of man’s aspirations (at least as an idea in his mind), or else his

natural capacities would necessarily appear by and large to be purposeless and wasted.” (Kant 1991 [1784b] 43) Despite the fact that no man will ever achieve this level of development, he must nonetheless set it as his goal; otherwise, his natural capacities would appear to be without a purpose, and so, a waste. In that case, “all practical principles would have to be abandoned, and nature, whose wisdom we must take as axiomatic in judging all other situations, would incur the suspicion of indulging in childish play in the case of man alone.” (Kant 1991 [1784b] 43) Abandoning all practical principles would amount to an abandonment of morality and certainly Kant does not want that. Nature would incur the suspicion of indulging in “child’s play” in the case of man because it seems that he would be the only being in nature judged to be without a purpose—who can come to be a waste. Nothing in nature is gratuitous Kant says; it is man alone who straddles freedom and nature—so it seems that man alone is able to fail to use his freedom properly—he alone is the only being in the world that can be or become waste.

Kant argues that we must assume a plan for nature so we have grounds for greater hopes. Hope is in the face of waste; and ‘what may we hope for?’ is a guiding question in his work. He proclaims “For such a plan opens up the comforting prospect of a future in which we are shown from afar how the human race eventually works its way upward to a situation in which all the germs implanted by nature can be developed fully, and in which man’s destiny can be fulfilled here on earth. Such a *justification* of nature—or rather perhaps of *providence*—is no mean motive for adopting a particular point of view in considering the world.” (Kant 1991 [1784b] 52-53) Assuming a plan for nature is *comforting* for people, they can look forward to a future (though a long time coming) that will see the full development of all of the capacities of the human species—the destiny of

man will be fulfilled, in other words, it would not be a waste. As fulfilled, man's destiny justifies nature.

Kant talks about abilities implanted in us by nature versus how we advance through culture, describing a dynamic that culminates in the fulfillment of man's destiny: "But since these abilities [implanted in us by nature] are adapted to the state of nature, they are undermined by the advance of culture, and themselves undermine the latter in turn, until art, when it reaches perfection, once more becomes nature—and this is the ultimate goal of man's moral destiny." (CBHH 228) I find this movement he describes to be very interesting. Nature and culture continually undermine one another in the advances made until art—perfected—becomes nature again. What does that make of freedom in the newly perfected nature since he opposes it to the sensible and says it is part of the supersensible realm? I can't give a satisfactory answer, but I think it's an important question to raise from this tension. In any case, the gradual progress of culture is evident here.

Thus, he avers "I may be permitted to assume that, since the human race is constantly progressing in cultural matters (in keeping with its natural purpose), it is also engaged in progressive improvement in the moral end of its existence. This progress may at times be *interrupted* but never *broken off*." (TP 88) Since the human race is improving culturally, it is also improving morally, Kant says. There might be times when this progress is suspended, where the human race stands still with respect to its cultural and moral improvement but, he says, this progress may not be broken off: lost, degraded, or corrupted. Since it is not possible for man's moral and cultural progress to become a loss or a degradation, Kant bypasses any notion of waste in the face of this narrative of progress. Yet still, the individual fails to live up to the standard of goodness that his character

warrants and he also will never see the culmination of that progress; for these are only achieved within the species.

It is important to emphasize that the answer to the question: ‘what may we hope for?’ does not refer to the afterlife or in another world. The idea is that someday, man will fully develop his rational capacities when a cosmopolitan whole is achieved and everyone has become morally mature, or, enlightened here on earth. The success of this depends on the narrative of upward progress and the unselfish commitment of earlier generations to the later ones, to pass on their enlightenment to the next. Kant asks,

For what is the use of lauding and holding up for contemplation the glory and wisdom of creation in the non-rational sphere of nature, if the history of mankind, the very part of this great display of supreme wisdom which contains the purpose of all the rest, is to remain a constant reproach to everything else? Such a spectacle would force us to turn away in revulsion, and, making us despair of ever finding any completed rational aim behind it, would reduce us to hoping for it only in some other world. (Kant 1991 [1784b] 53)

Hope is hope for mankind here on earth. We also must believe in this rational plan if we are not to be repulsed by our kind and despairing, hopeless, be reduced merely to this otherworldly hope.

Though, as I said, Kant’s remarks on waste are scant, waste plays the role of what we fear—of what could make us hopeless. The place of waste shows us that the purpose of man is something he can attain or fail to attain. In the conclusion to “On the Common Saying: This May be True in Theory, but it does not apply in Practice” he expresses this danger of the individual to become a waste and in the face of it affirms, “I am

a member of a series of human generations, and as such, I am not as good as I ought to be or could be according to the moral requirements of my nature. I base my argument on my inborn duty of influencing posterity in such a way that it will make constant progress (and I must thus assume that progress is possible), and that this duty may be rightfully handed down from one member of the series to the next.” (Kant 1991 [1793] 88-89) It seems to be a given that man always fails to be as good as he should or could be. And that failure should commit the individual to influencing posterity in some positive way. In order to assure progress, he must assume that progress is possible. Without that assumption, the human race flirts with the possibility of becoming a waste.

Kant says that there is a judgment that “even the commonest understanding” can’t escape when thinking about the existence of things in the world and the world itself. He says “It is the judgment that without man, all of creation would be a mere wasteland, gratuitous and without a final purpose.” (Kant 1987 [1790] 442) Why might one think this? Kant says “the only thing that can give man’s existence an absolute value, and by reference to which the existence of the world can have a *final purpose*, is the power of desire.” Reason is the power of desire. So creation finds its meaning in the freedom of reason; how man uses his capacities, in other words, (ideally) in a good will: “...the value that he can only give himself, and that consists in what he does, how and on what principles he acts, not as a link in nature, but in the *freedom* of his power of desire; in other words, I mean a good will.” (Kant 1987 [1790] 332) It is only as a moral being that man can be a final purpose of creation. Not in his natural or human animal being.

Kant questions whether we cannot see why people should have to exist and continues on with an incidental “a question it might not be so easy to answer, if we have in

mind, say, the New Hollanders or the Fuegians.” (Kant 1987 [1790] 378) In other words, he is saying that we have trouble discerning the necessity of the existence of mankind. And, moreover, that it is *less likely* that we will be able to come up with an answer to that question if we are asking this question of certain kinds of people; such as the New Hollanders or the Fuegians. Some kinds of men have more of a reason for existing than other kinds of men, Kant states here. As Robert Bernasconi says,

This same question of purposefulness that is at the heart of Kant’s conception of cosmopolitanism is also at the heart of his concept of race. What makes Kant’s concept of race so distinctive is its reliance on the teleological principle for judging nature in general as a system of ends ... But if history is to be read as if it had the meaning that he believed should be attributed to it, then there is no choice. Kant saw the Tahitians as by nature less talented and so, although they may be better suited to survive their particular climate, their role in human progress is problematic. (Bernasconi 2003 19)

Since purposefulness is at the center of both cosmopolitanism and at the center of his concept of race, we see the importance of teleological judgment to his system overall. Race relies on the teleological principle to make a unity of what is diverse in nature, in this case human kinds, to be called races. The Tahitians are one such other racialized group that seems counterproductive for the continuance of mankind’s upwardly progress. I will discuss this in further detail in the section “On the Races.”

Waste resurfaces again when Kant speaks of enlightenment and its negative, self-incurred immaturity. This inclines me to think that man may make a waste of himself willfully, by giving himself over to the understanding of the guardians. Kant’s “Answer to

the Question: ‘What is Enlightenment?’” begins with a definition: “Enlightenment is man’s emergence from his self-incurred immaturity.” (Kant 1991 [1784a] 54) Immaturity is the inability to think for oneself, or the inability to use one’s understanding without the guidance of others. The motto of the Enlightenment is *Sapere Aude!*, literally translated: Dare to be wise! “Have the courage to use your own understanding!” he entreats. Why is man’s immaturity self-incurred? Because humankind⁴¹ allows—sometimes even pays—people to do their thinking for them. Priests, doctors, books,⁴² these are all what Kant calls guardians, or, those things that human beings allow to do the thinking for them.

The problem with immaturity is that humankind’s remaining within this state is a motive of the guardians; they reinforce that immaturity by instilling fear, Kant says “The guardians who have kindly taken upon themselves the work of supervision will soon see to it that the largest part of mankind (including the entire fair sex) should consider the step forward to maturity not only as difficult but also as highly dangerous.” (Kant 1991 [1784a] 54) He compares the immature to domesticated animals and says that they, infatuated with their guardians, grow docile and start to believe that they can’t take a step towards thinking for themselves, deferring again to the guardians’ understanding. They have come to fear what might happen without the guardians thinking for them, if they used their own understanding. Kant admits “Now this danger is not in fact so very great, for they would certainly learn to walk eventually after a few falls. But an example of this kind is intimidating, and usually frightens them off from other attempts.” (Kant 1991 [1784a] 54)

⁴¹ I switch to humankind here because, as you could probably guess, he does not think the “fair sex” is enlightened either.

⁴² Foucault’s reading of this text: the 3 (priests, doctors, and books) that do our thinking for us, telling us how to act, what we should eat, and how to think – correspond to the 3 Critiques, his critical works. Taste is the Critique of Judgment because that deals with the aesthetic, or, matters of taste. (Foucault)

Enlightenment eschews dogma, formulas and prejudices which inhibit the use of reason in humankind. Kant says on prejudice: “for it is very harmful to propagate prejudices, because they finally avenge themselves on the very people who first encouraged them ... Thus a public can only achieve enlightenment slowly. A revolution may well put an end to autocratic despotism and to rapacious power-seeking oppression, but it will never produce a true reform in ways of thinking. Instead, new prejudices, like the ones they replaced, will serve as a leash to control the great unthinking masses.” (Kant 1991 [1784a] 55) One prejudice will replace another until each man, including the guardians, attains enlightenment, that is, learns to reason for himself. Revolutions cannot bring about the political change that Kant envisions for mankind as a cosmopolitan whole. It is the duty of each man to cultivate enlightenment in himself first, and, if possible, in the future, for children to receive a moral education in the school system.⁴³

What is required for enlightenment is the freedom of a “man of learning” addressing the entire “reading public” through his public use of reason. (Kant 1991 [1784a] 55) Not a very wide scope for who can achieve enlightenment, and it seems the prior inclusion of women has been left behind. He asserts that the freedom of thought and of public critique must be maintained. Kant goes on to say “Thus once the germ on which nature has lavished the most care—man’s inclination and vocation to *think freely*—has developed within this hard shell, it gradually reacts upon the mentality of the people, who thus gradually become increasingly able to *act freely*.” (Kant 1991 [1784a] 59) Thinking freely translates to acting freely. And Kant says eventually it influences the principles of governments and works towards his vision of a cosmopolis, or, a cosmopolitical whole.

⁴³ Kant doesn’t have much faith in the educational system of his time, but there is a really fun work on his lectures, a kind of guide to education called *Lectures on Pedagogy* (Kant 1803)

Importantly, however, Kant adds “We are *cultivated* by a high degree by art and science. We are *civilized* to the point of excess ... But we are still a long way from the point where we could consider ourselves *morally* mature.” (Kant 1991 [1784b] 49)

However, an important question is whether or not attaining enlightenment is a universal capacity of all human beings. It’s unclear. He admits that fear plays a factor in remaining in one’s self-incurred immaturity. We also know that he thinks there are some ‘savage’ peoples within the world and says: “Men will gradually work their way out of barbarism so long as artificial measures are not deliberately adopted to keep them in it.” (WE 59) These two things taken together make it seem like he thinks enlightenment is a possibility for all of humankind. However it’s important to look to his work on the human races, to see if this is true since he speaks disparagingly of so-called ‘savage’ and ‘barbaric’ peoples. I will come back to this in the section “On the Races.”

On Discord and War

Kant says that it is in man’s nature to have an “unsocial sociability.” This is to note “their tendency to come together in society, coupled ... with a continual resistance which constantly threatens to break this society up.” (Kant 1991 [1784b] 44) Man is ambivalent in his relationship to the society of men. He has an inclination to live in society because in this state he feels more like a man—feeling the ability to develop his rational capacities. Man also wants, however, to live as an individual and to isolate himself from others. He expects resistance from the world and from other men, and in turn he has inclinations that drive him to offer resistance to others. This feature of discord or antagonism at the heart of

man's nature is that "very resistance that awakens all man's powers and induces him to overcome his tendency to laziness." (UHCP 44) Kant then posits "All the culture and art which adorn mankind and the finest social order man creates are fruits of his unsociability. For it is compelled by its own nature to discipline itself, and thus, by enforced art, to develop completely the germs which nature implanted." (Kant 1991 [1784b] 46) The most sophisticated of mankind's endeavors are said to be "fruits" of man's unsociability.

Strife, antagonism, and discord are what lead to the cultivation of one's capacities. Without this friction gained from these asocial qualities "man would live in an Arcadian, pastoral existence of perfect concord, self-sufficiency and mutual love." (Kant 1991 [1784b] 45) He continues "But all human talents would remain hidden for ever in a dormant state, and men, as good-natured as the sheep they tended, would scarcely render their existence more valuable than that of their animals. The end for which they were created, their rational nature, would be an unfulfilled void." (Kant 1991 [1784b] 45) Mankind would not be in a place to develop their natural capacities without their asocial qualities. The end for which they were created, that is, to develop and act upon their freedom of will would be an "unfulfilled void," or, a waste. Their talents would remain dormant, unactivated—"debasing" their existence to the level of (nonhuman) animal being.⁴⁴

Not only does Kant rely on the importance of *Keime*—germs or seeds—to explain how man's capacities must be activated by discord and war, awakened like a sprout that begins to germinate from the sunlight and moisture it receives from its environment; he also relies on trees to tell the story of human nature and its relations in civil society. He remarks that it is man's inclinations that make it impossible for men to exist together with

⁴⁴ Animal being has little to no value for Kant except as a means for man.

one another “in a state of wild freedom” or “barbarous freedom” which is the state of nature, where man is not brought together under legislation that would preserve the limits of his freedom in order that it can coexist with the freedom of others under lawful principles.

Kant opines “Nothing straight can be made from what warped wood as man is made of.” (Kant 1991 [1784b] 46) He brings this up when addressing the problem of the leader of the commonwealth needing to be just in itself “yet also a man.” There is a problem with authority that he is noting here; somehow authority must simultaneously be the embodiment of justice while at the same time being a man, who is subject in his animal nature to inclination, passions, and the unsocial sociability of his nature. It’s a seemingly hopeless endeavor because man is not “straight” or “upright”—he is warped.

When the state of nature has been abandoned for civil society, Kant argues, “once enclosed within a precinct like that of civil union, the same inclinations have the most beneficial effect. In the same way, trees in a forest, by seeking to deprive each other of air and sunlight, compel each other to find these by upward growth, so that they grow beautiful and straight—whereas those which put out branches at will, in freedom and in isolation from others, grow stunted, bent, and twisted.” (Kant 1991 [1784b] 46) We see here that it is in civil society that man can endeavor to improve his nature—among other unsociably social men. Together, they encourage one another to grow “straight” because each is selfishly concerned with getting his own resources and depriving his neighbor of

them. This makes them grow “beautiful and straight,” which he contrasts with the gnarly, isolated tree that grows bent and twisted.⁴⁵

Kant states “Man wishes concord, but nature, knowing better what is good for his species, wishes discord.” (Kant 1991 [1784b] 45) Individual man is always in tension with the demands that nature puts upon the species. Discord is what nature makes for mankind so that the aim of the species can be fully developed and fulfilled. Nature takes care that human beings can live in all the areas where they are settled.⁴⁶ Moreover, by means of war, nature has populated the whole earth, even the inhospitable regions. Last, also by means of war, nature has compelled mankind to enter into “more or less legal relationships” with one another. (Kant 1991 [1795] 110)

In the essay “Perpetual Peace: A Philosophical Sketch” Kant begins with a bit about a Dutch innkeeper who hangs a sign that reads “the Perpetual Peace” with a picture of a graveyard posted under it. The essay is about the role and place of war, since nature relies on it so much to activate the capacities of man and to bring him to the fulfillment of his role as the final purpose of nature. At issue is how man can attain peace in spite of the role of discord in shocking him out of laziness to take up toil, labor, and hardship—and then, in turn, overcoming toil, labor, and hardship—through the development of his rational capacities.⁴⁷ (Kant 1991 [1784b] 45) Kant supposes that “it must still remain possible, even in wartime, to have some sort of trust in the attitude of the enemy, otherwise peace could

⁴⁵ Adriana Cavarero writes on the ‘uprightness’ of the Kantian moral subject in her book *Inclinations: A Critique of Rectitude* (2016) she links this uprightness to the role that the inclinations play in Kant’s moral philosophy,

⁴⁶ For more on this see the section “On the Races”

⁴⁷ We see here another example of this dynamic I was talking about on pg. 7.

not be concluded and the hostilities would turn into a war of extermination (*bellum internecinum*)." (Kant 1991 [1795] 96) A war of extermination makes of humanity a waste.

He concludes "it thus follows that a war of extermination, in which both parties and right itself might all be simultaneously annihilated, would allow perpetual peace only in the vast graveyard of the human race." (Kant 1991 [1795] 96) In such a war of extermination, total annihilation of the other and right itself—which is the restriction of each individual's freedom such that it harmonizes with the freedom of others—might all be destroyed. Lawlessness would ensue and peace would only be possible in the waste of the graveyard—though no one would be left to bury the bodies. This is the first sense of waste that is not redeemed in Kant's system. However, *all other war is redeemed* because it is necessary for the full development of reason in the species.

He says, "Though war is an unintentional human endeavor (incited by our unbridled passions), yet it is also a deeply hidden and perhaps intentional endeavor of the supreme wisdom, if not to establish, then at least to prepare the way for lawfulness along with the freedom of states, and thereby for a unified system of them with a moral basis." (Kant 1987 [1790] 433) War must come before peace, and it prepares the way to the cosmopolitan whole, which is the true political whole that will ensure that the species attains its final purpose. Reason will take the nations from being an aggregate or collection of bodies together in a state of nature to a whole that is unified by a common moral basis.

A cosmopolitan whole is the vision that Kant has for the future of mankind and its perfection. He describes the way in which war is an important key to bringing this whole about:

All wars are accordingly so many attempts (not indeed by the intention of men, but by the intention of nature) to bring about new relations between states, and, by the destruction or at least dismemberment of old entities, to create new ones. But these new bodies, either in themselves or alongside one another, will in turn be unable to survive, and will thus undergo further revolutions of a similar sort, till finally, partly by an optimal internal arrangement of the civil constitution, and partly by common external agreement and legislation, a state of affairs is created which, like a civil commonwealth, can maintain itself *automatically*⁴⁸. (Kant 1991 [1784b] 48)

War is an attempt by nature to change the relation between states, to destroy or *dismember* states, to bring about new ones. Through all of this creation and destruction of states there will eventually emerge a perfect civil arrangement where states come together in a federation to assure one another's mutual peace and freedom to exist together as moral personalities. It is the intention of nature, he says, for war to be the condition for peace.

War, strife, and hostility have a beneficial effect, Kant says. This is because “they compel our species to discover a law of equilibrium to regulate the essentially healthy hostility which prevails among the states and is produced by their freedom. Men are compelled to reinforce this law by introducing a system of united power, hence a cosmopolitan system of general political security.” (Kant 1991 [1784b] 49) Just as we saw for individuals, freedom causes hostility among states that eventually will bring about balance between nations, in other words, a political homeostasis. The purposiveness of

⁴⁸ This seems to echo the way in which nature and culture undermine one another until art in its perfection becomes nature again, discussed on pgs. .6 and 16 (see note 8)

nature as a whole guarantees that some day war will become peace and different nations will come together into such a well-balanced political union.

This federation will help bring about the final purpose of nature; this “perfect political constitution [is] the only possible state within which all the natural capacities of mankind can be developed completely.” (Kant 1991 [1784b] 50) Once the cosmopolitan whole comes to fruition, mankind will be in a situation where his rational capacities can be completely developed. This requires, as we saw earlier, the working together of many generations of human beings to pass on enlightenment to later generations—and the continual progress toward that goal. What remains to be seen is the role of “savage nations” in this cosmopolitan whole.

Kant asks, “For what is it that is an object of the highest admiration even to the savage?” He continues, answering, “It is a person who is not terrified, not afraid, and hence does not yield to danger but promptly sets to work with vigor and full deliberation. Even in a fully civilized society there remains this superior esteem for the warrior, except that we demand more of him: that he also demonstrate all the virtues of peace—gentleness, sympathy, and even appropriate care for his own person—precisely because they reveal to us that his mind cannot be subdued by danger.” (Kant 1987 [1790] 262) He says man esteems and admires the warrior because he is unafraid, and even the ‘savages’ admire him. He notes that ‘we’—the white male reading public—demand even more of their soldiers; a peaceful countenance, care for his person. The warrior must perform peace to show his bravery in the face of danger. Given the role of war in Kant’s scheme, he is in grave danger.

Kant says “even war has something sublime about it if it is carried on in an orderly way and with respect for the sanctity of the citizen’s rights.” (COJ 263) Contrast this with: “The hiring of men to kill or be killed seems to mean using them as mere machines and instruments in the hands of someone else (the state), which cannot easily be reconciled with the rights of man in one’s own person.” (Kant 1991 [1795] 95) If a man has no right to give up his own rights, which is a view that Kant, like Locke, ascribes to—we can see why the hiring of men to kill or be killed is irreconcilable with the rights of a citizen. Namely, the citizen, as a human being, is an end in himself, and yet, he is used as a means to wage war for the furthering of the progress of humanity on its quest for a cosmopolis; he is used as a machine.⁴⁹

Kant finishes his essay “An Answer to the Question: What is Enlightenment?” by saying “Eventually, [enlightenment] even influences the principles of governments, which find that they can themselves profit by treating man, who is *more than a machine*, in a manner appropriate to his dignity.” (Kant 1991 [1784a] 59-60) These pacified soldiers are being instrumentalized by the state, their lives are being wasted for a peace that—as he says at the end of *Metaphysics of Morals*—may never even come. The principles of enlightenment, once realized in some innumerable amount of beings and generations of beings will eventually influence the principles of governments, and they will stop waging war, form a cosmopolitical whole, and treat soldiers not like machines, instrumentalized

⁴⁹ Kant says, “A patriotic attitude is one where everyone in the state, not excepting its head, regards the commonwealth as a maternal womb, or the land as the paternal ground from which he himself sprang and which he must leave to his descendents as a treasured pledge.” (TP 74) To continue my tracing of gender in the footnotes, Kant describes patriotism where all members of the state think of the commonwealth as a “maternal womb.” What does it mean to think of the state or nation as a maternal womb? Let’s see what he actually says about mothers and wombs.

for an end, but in a way that is proper to their dignity, just as they will treat all citizens of the cosmopolis.

On the Races

Now I will analyze how race affects one's capacity to become enlightened and have a place in the cosmopolitan whole. Kant's works on race are less widely read—though he writes multiple ones throughout his career and he lectures on anthropology for more than twenty years. In "Of the Different Human Races," (1775) his first work on race, Kant is concerned with giving a monogenetic account of the human species; in his words, "all human beings belong to a similar linear stem stock, from which, in spite of their differences, they emerged." (Kant 2013 [1775] 46) This is why all human beings can reproduce with one another and universally make fertile offspring. In contrast, "Among the deviations, that is, the heritable differences of animals that belong to a single line of descent, are those called races." (Kant 2013 [1775] 46) Since all humans come from the same initial stem stock, their seeds (*Keime*) originally allowed them to live in any climate or region of the earth. J Cameron Carter notes "The scientific framework of biological and organic life is the framework within which he wants to situate the question of human racial diversity." (Carter 2008 85-86) Kant's account of race as biological or scientific was one of the first, and certainly the most influential account to have a legacy in theory about race.

The division of human beings into races is formed by the different ways that the seeds or germs develop. He says "I note here only that *air* and *sun* appear to be those causes that flow most intimately into the generative power and produce a long-lasting development of the germs and endowments, e.g., to be capable of forming a race." (Kant

2013 [1775] 50) Initially, when the earth was being peopled, Kant posits that the germ within each people was formed by the air and sun—by the climate in which they settled. This is the explanation that he gives for the development of different races despite their linkage together in one initial stem stock.⁵⁰

In 1777, Kant wrote another essay also entitled “Of the Different Human Races” where he says many of the same things: the truthfulness of monogenetic account of the human over polygenetic accounts—that all of humanity comes from a single linear stem stock and it is only by the responses of the *Keime*, seeds or germs within the human being reacted to the climate and outer elements that a race is formed. Race becomes tied to the atmospheric conditions of the various places that people settled, each race was suited to a certain climate.

Again in 1785 Kant wrote another essay on race entitled, “Determination of a Concept of a Human Race.” In it he is consistent with his other essays, yet he adds “the skin ... bears the trace of this difference of national character, which justifies the division of the human species into observably different classes.” (Kant 2013 [1785] 131) Here he pinpoints skin as the organ that operates as the sign of race. Race becomes something unchangeable, immutable: “the final endowments, after they have once developed (which must have occurred already in the most ancient times), does not allow any new forms to emerge.” (Kant 2013 [1788b] 179) No new race will come to be; race is a permanent

⁵⁰ In the *Critique of Judgment*, Kant talks about the archeologist of nature who “can make mother earth (like a large animal, as it were) emerge from its state of chaos, and make her lap promptly give birth initially to creatures of a less purposive form, with these then giving birth to others that became better adapted to their place of origin and their relations to one another, until in the end this womb rigidified, ossified, and confined itself to bearing definite species that would no longer degenerate, so that diversity remained as it had turned out when that fertile formative force ceased to operate.” (CJ 419) This seems to relate to the quote in note 2 that I was puzzling over insofar as it concerns reproduction. I just want to note these quotes because I think there’s something bigger going on here with regards to Kant’s racism and reproduction.

feature of mankind. This is because race “resisted further transformation, because the character of the race has become predominant in the reproductive powers.” (Quoted in Carter 2008 87) That is to say, the character has been molded and transferred through enough generations to render its transmission through reproduction permanent. Thus “the necessarily transmitting natural forms were, therefore, allowed to be laid out only for the preservation of the species in a few climates differing significantly from one another.” (Kant 2013 [1788b] 180) He ties this to the plan of nature “the evolving seeds were originally implanted differently in one and the same line of descent *purposively suited for the first general populating of the earth* in their succession.” (Kant 2013 [1788b] 181) He connects the production of human races to the purposiveness of nature—so that all of the earth’s surface would come to be populated. Note, though, that war was also said to fulfill this purpose.

This account does not disagree with one of the creation stories in the Bible, it in fact utilizes a story of Adam and Eve: “the descendents of this first human couple in whom the *complete* original endowment is still undivided by each for all future deviate forms, went well together with (potentially) all climates, that is, that that germ could in that very place have developed in such a way that would make them fitted for that one region of the earth into which they, or their early descendents might have wandered.” (Kant 2013 [1788b] 185) According to Kant, the “first couple” further corroborates his monogenetic account, and the germs they possessed were not yet developed to different climates—they had the potential to adapt themselves to any climate. I will talk more about the place of religion in the last Kant section in this chapter.

Even more, we see in the essay called “On the Use of Teleological Principles in Philosophy,” the first of Kant’s turns to teleology; here he tries to answer the question of diversity of races within the unity of the species. (Sanford 2018 963) In this essay, Kant imposes a hierarchy of the races, He groups the indigenous people from the two hemispheres of the Americas together saying “The fact, however, that their natural disposition has not yet reached a *complete* fitness for any one climate can help explain more easily than any other reasons why this race, too weak for hard labor, too indifferent for diligent labor, and incapable of any culture, stands ... far below the Negro, who undoubtedly holds the lowest of all remaining levels that we have designated as racial differences.” (Kant 2013 [1788b] 187) He both hierarchizes the races and notes that there is a kind of national character associated with each race. Not to be capable of culture is to lack “... an aptitude for purposes generally (hence in a way that leaves that being free).” (Kant 1987 [1790] 431) To lack an aptitude for purposes is to lack a capacity for judging nature properly, for free action, and for continuing on towards the cosmopolitical project. Bernasconi notes “The fact that Kant did not solve the problem of how, within the framework of a universal history, cosmopolitanism can be reconciled with a view of White superiority meant that he left to posterity a dangerous legacy.” (Bernasconi 2002 160) This contradiction inherent in the ideas of a universal cosmopolitan whole, alongside the ideology of white supremacy does not compute. Kant’s legacy is dangerous for all nonwhite people.

I will now look to his lectures on anthropology to determine more about Kant’s theory of the races. In Kant’s “Menschenkunde” lectures he says “If a people in no way improves itself over centuries, then one may assume that there already exists in it a certain

natural predisposition which it is not capable of exceeding.” (Kant 2012 [1781-1782] 315)

In other words, if a race of people don't continually improve themselves then one can assume that there is a predetermined limit of development that they cannot surpass. This is crucial because it shows his universalism, the belief that everyone has the same cognitive structure and capacity for reason, is not actually universal; the cognitive powers can become stunted. He says “So essential is this difference between human kinds, and it seems to be just as great with the capacities of mind as it is with respect to color.” (Kant 2007 [1764] 59) The natural capacities of a race can atrophy, Kant says, such that they aren't capable of further development and the hierarchy we saw in skin color now corresponds to a hierarchy of capacities. Whites are seen to be superior, followed by Asian Indians, Blacks, and then the people of the Americas.

Each anthropology lecture ends with a discussion on the different national characters. He says, “Now the political constitution of the form of government, education, in short, everything that pertains to anthropology, is grounded on the depiction of this national character.” (Mrongovius 498) The form of government and the form of education are important because it is only with the evolution of education that man will be enlightened on a large scale and it is only through government that mankind will create the kind of political formation that allow man to fully develop his rational capacities. He says “Character constitutes the worth of a human being, in and for itself, and is the origin of free actions from principles. There exist human beings who have a good, an evil, also no character at all.” (Kant 2012 [1775-1776] 177) If character constitutes the worth of the human being and some people have no character, they lack the ability to exercise

freedom—that is to act freely from principles—then they lack *worth* as human beings. Nations are said to have characters as well as individuals.

Now that we know that it is a possibility that people can have no character at all for Kant, we can see through his descriptions of the national character of the races that some are cast as lacking worth as human beings. In *Anthropology* Friedlander he asks, “Who has seen a savage Indian or Greenlander, should he indeed believe there is a germ innate to this same being, to become just such a man in accordance with Parisian fashion, as another would become? He has, however, the same germs as a civilized human being, only they are not yet developed.” (Kant 2012 [1775-1776] 227) The germs remain the same because they are of the same stock, he would say; however, in “uncivilized” people they have not been developed. There is a tension in the text here; Kant argues that character is something that developed and in its heritability made these traits permanent in the races. However, in this quote, he still advocates that it is possible that a “savage Indian” or Greenlander could become acculturated as a man of the Parisian fashion could.

We see the tension further complicated here:

That which is characteristic refers here to what is distinctive in the mind of an entire nation. Here character is to have the general meaning of noting the actual difference in regard to talents and mind; hence what has held true for all time must here be drawn out. If we compare the character of the Oriental nations with the character of the Europeans, we here find an essential difference, which among all the governments and variations has nevertheless remained in the case of the Oriental nations. A capacity to act in accordance with concepts and principles is required for character. All

Oriental nations are completely incapable of judgment in accordance with concepts.” (Kant 2012 [1775-1776] 197)

We may then presume that the “Orientals” for Kant, don’t have a character, as he says they can’t act in accordance with concepts or principles. He says this is ‘what has held true for all time.’ It is noteworthy that Kant switches to the language of the ‘Orientals’ over and against the Occident.

Moreover, he says, “Human beings who do not have such a feeling which can be roused through concepts, have no moral feeling.” (Kant 2012 [1775-1776] 193) To lack moral feeling is to lack that which gives us respect for the moral law. For Kant “With the human being, we divide everything into nature and freedom. We count natural aptitude, talent, and temperament as nature, but mind, heart, and character as freedom.” (Kant 2012 [1775-1776] 172) He says “the good character would be the good will.” (Kant 2012 [1775-1776] 192)

He continues, “The good will is good in itself and unconditioned. To the extent the individual has a good will, he is worth much, through the good will he is good in himself; otherwise, however, the human being can only be good as a means for a purpose.” (Kant 2012 [1775-1776] 192) If an individual has a good will, he has moral worth. If he lacks a good will, has a bad will, or no will at all the human being can only be good *as a means for a purpose*. Here, Kant suddenly segues into talking about a newly-freed enslaved person. He says “Everything good is also possible through freedom, for nothing can very well be imputed to one who is not free. Lack of freedom is not felt in the way its loss is, for who has lost it has already tasted it. However, someone who has never had it is not sensible of its lack, because it is not something positive.” (Kant 2012 [1775-1776] 136) The lack of

freedom cannot be felt or *tasted* because freedom is a concept of the noumenal and our only experience of it is negative. Therefore, the newly freed enslaved person seems arrested with regard to their moral maturity; they have never tasted freedom, so they don't know what they lack.

In the state of nature, Kant would say, 'savages' and 'barbarians' have a wild freedom: "we look with profound contempt upon the way in which savages cling to their lawless freedom." (Kant 1991 [1795] 102) Why do "we" look upon "them" with contempt? "Contempt aims at the object of unworthiness and worthlessness." (Kant 2012 [1775-1776] 149) In other words, from the point of view of 'we,' which we can assume Kant would identify as male members of the reading public of the white race, look upon 'savages' as *unworthy* and *worthless* in light of their not coming together under a common contract to create a commonwealth of citizens. For it is not until a people unite under lawfulness of this kind to join in a political union that their freedom becomes lawful. Their moral worth is thus degraded for Kant.

This judgment can be seen to be a judgment of disgust which he says "aims at the quality, not at my state, but at the object." (Kant 2012 [1775-1776] 149) He continues, "Disgust is either a disgust of loathing, or of hatred, or of contempt." (Kant 2012 [1775-1776] 149) Contempt leads to loathing and he says "an object of loathing is the cause of loathing for everyone," (Kant 2012 [1775-1776] 149) much like judgments of beauty, an object of loathing is *universally* judged to be an object of loathing. Moreover, "The object of contempt is held in contempt in the eyes of every human being; therefore it is a universal object." (Kant 2012 [1775-1776] 149) This seems to imply that all of mankind must agree and look upon the 'savage' as *the object, a quasi-human, lacking moral worth*.

On Waste and Race

Why bring waste and race together? Because it seems that for Kant, as we also saw was the case for Locke, there are some lives that are inherently waste—and thus can be wasted on a large scale. Mark Larrimore’s essay “Sublime Waste: Kant on the Destiny of the ‘Races’” brings together the concepts of race and waste. Larrimore argues “Kant’s disengagement from the realities of race relations seems to go beyond the usual quietism of deontology to a sublime spectatorship of the ruin of the non-white races.” (Larrimore 2010 101)

Larrimore quotes the *Menschenkunde Lectures on Anthropology* at length. I will reproduce this here because the Cambridge edition entitled *Lectures on Anthropology* only includes excerpts of the *Menschenkunde* lectures—and of course does not include this passage.

- 1.) The American people are uneducable; for they lack affect and passion. They are not amorous, and so are not fertile. They speak hardly at all ... care for nothing and are lazy.
- 2.) The race of Negroes, one could say, is entirely opposite ... they are full of affect and passion, very lively, chatty and vain. It can be educated, but only to the education of servants, i.e. they can be trained. They have many motives, are sensitive, fear blows and do much out of concern for honor.
- 3.) The Hindus have incentives, but have a stronger degree of calm, and all look like philosophers. That notwithstanding, they are much inclined to anger and love. They are thus educable in the highest degree, but only to

arts and not to sciences. They will never achieve abstract concepts ... The Hindus will always stay as they are, they will never go further, even if they started educating themselves much earlier.

- 4.) The race of whites contains all motives and talents within itself; and so one must observe it more carefully, To the white race belong all of Europe, the Turks, and the Kalmucks. If ever a revolution occurred, it was always brought about by the whites, and the Hindus, Americans, Negroes, never had any part in it. (qtd. in Larrimore 2010 111-112)

Kant states that the American people, who are not fully suited to any climate, are also not fertile. This is why Kant places them at the bottom of the racial hierarchy. Little able to produce children, Kant might say that they are lacking (or at least lagging) on the concept of a race: the reproduction of the parents in a fertile offspring. Whites are at the top of the hierarchy of capacities, Kant states.

Now we will come to a view of Kant's that is *not* reflected in any of the *Lectures on Anthropology* but is a fragment in his notes. J. Kameron Carter translates *Reflexion #1520* also called "The Character of Race." Kant writes to himself: "All of the races will be stamped out; they will undergo an inner rotting or decay leading to their utter eradication. (Americans and Negroes can't rule themselves. They serve therefore only as slaves) but never that of whites. The stubbornness of the Indians in how they use things is the root of their problem. This is the reason why they do not melt together with the whites. It isn't good that they are interbreeding. The Spaniards in Mexico." (Quoted in Carter 92) First, question: who does the 'stamping out'? An external agent? The races, he says, will 'rot' from within or 'decay' after which the races will be eradicated—except for the whites.

Kant writes anxiously towards the end ‘it isn’t good that they are breeding’: producing mulatto children. So the condition of the races aside from the whites, is putrefaction, becoming-waste. This notion that they are becoming waste allows the whites to use Americans and Negroes as slaves. Their moral worth is degraded. Their time is soon to come to an end, Kant says to himself. Bernasconi notes Kant’s historical context and states “Although one would expect Kant to have recognized the system of chattel slavery ran entirely counter to the principles of his moral philosophy, there is no record of him having expressly opposed it. This silence has to be assessed.” (Bernasconi 2002 149)

Larrimore comments on this note from Kant to himself, “Could Kant have conceived of the (non-white) races as unsalvageable waste, a mistake, meaningless in the grand teleological scheme of things? I think so. From the start Kant’s view of nature was one of vastness, a dynamic system in which human beings—however special for being rational—are puny, and a kind of waste is everpresent.” (Larrimore 2010 118) I disagree with Larrimore. He says the nonwhite races are meaningless in the grand teleological scheme of things for Kant. I think Kant would consider the nonwhite races as waste—as I have tried to show—but reflective judgment redeems waste for the most part by according it a purpose. The non-white races *do* seem to have a purpose for Kant, that is, *to be used as a means for the white race’s ends*. He never says this explicitly in his lectures—nor in his published anthropological, teleological, or political works. It clearly is in contradiction with his pure philosophy and his ethics. Nevertheless I have tried to show how this is the case by

examining its position in the *Critique of Judgment* and in his political and anthropological writings.⁵¹

Larrimore does say something insightful in an incidental about Kant's views on racial mixing. He states, "I have suggested that Kant's worldview was one in which the waste of large portions of humanity was not unthinkable, even while his ethics prohibits us from incorporating such information into the maxims of our actions (The only, but significant, exception is reproduction)." (Larrimore 2010 125) This is to say that Kant sees racial mixing as pollution and degradation of the purity of the white race. Thus, there must be a maxim of action that one will not further the decay of the white race through racial mixing. Reproduction is the place where Kant makes it such that the moral realm of freedom and those led by the subjective principles of their actions must take up the project of maintaining white racial purity.

To exacerbate this decay of the races, Kant asserts that the nonwhite races have no history:

Only an *educated public* which has existed uninterruptedly from its origin to our times can authenticate ancient history. Beyond that, all is *terra incognita*; and the history of peoples who lived outside this public can begin only from the time at which they entered it. . . From this point, once it had been properly ascertained, their narratives can be followed backwards. And it is the same with all other

⁵¹ I think this is further supported by the slippage we see in this passage: "For in an organized being with its thorough intrinsic purposiveness that makes it a system of purposes, the fact that it generates others of the same kind is closely connected with the condition that nothing is to be taken up into the generative force that does not already belong to one of the being's undeveloped original predispositions." (CJ 420) He begins with an organized being which has intrinsic purposiveness, but he does not identify that reproduction requires extrinsic purposiveness too—that is, that it requires two organized beings. Moreover, he says, giving up this principle results in the notion that "*we could no longer with any reliability apply the principle of teleology*: the principle of judging nothing in an organized being as unpurposive if it is preserved in the beings propagation." (CJ 420 emphasis mine)

peoples. The first page of Thucydides, as Hume puts it, is the only beginning of all true history. (1991 [1784b] n. 52)

History begins with the Greeks, and only an educated public (read: white literate men) can verify or validate history. History begins for the nonwhite races when they encounter, or rather, when the whites lay claim to their lands. By citing the concept of *terra incognita*, Kant summons coloniality. *Terra incognita* is “empty” land, empty of government, civilization, culture, people. He continues to say

For if we start out from *Greek* history as that in which all other earlier or contemporary histories are preserved or at least authenticated . . . and if we finally add the political history of other peoples *episodically*, in so far as knowledge of them has gradually come down to us through these enlightened nations, we shall discover a regular process of improvement in the political constitutions of our continent (which will probably legislate eventually for all other continents). (1991 [1784b] 52)

The political history of the nonwhite races is ‘episodic’ not, compared to whites, ‘uninterrupted’ and is not even knowledge produced by the people the knowledge is about. It travels back on ships and through white mouths and pages penned by those from the ‘enlightened nations.’ History is written by whites laying claim to the history of the Greeks. . He adds to this that Europe will probably legislate for all other continents, because, as he notes repeatedly, nonwhite races are incapable of legislating for themselves.

On Religion

Many Kant scholars underestimate the importance of religion for his system or misrepresent his work as hostile to religion. In fact, in the *Critique of Pure Reason*, which many cite as the most hostile work of his to religion Kant says

For in order to reach God, freedom, and immortality, speculative reason must use principles that in fact extend merely to objects of possible experience; and when these principles are nonetheless applied to something that cannot be an object of experience, they actually do always transform it into an appearance, and thus they declare all *practical expansion* of reason to be impossible. I therefore had to annul *knowledge* in order to make room for *faith*. (Kant 1986 [1787] Bxxx)

Here he is saying that he had to annul all claims to knowledge about God, freedom, and immortality—as outside of the scope of pure reason. Reason in the sense of pure reason of the *First Critique* cannot lay claim to knowledge about God. So, he is making room for faith. Reason cannot handle cognitions of God, freedom, or immortality because they are outside of the bounds of its use. Reason could speculate on these ideas but it would be nothing more than speculation in the darkness of the supersensible.

In the essay “What is Orientation in Thinking?” Kant talks about Moses Mendelssohn who thought there were a couple of arguments that worked to prove the existence of God. Kant mentions this as a need of reason and makes the distinction between a *theoretical* need and a *practical* need of reason. He then says “Thus, it was not by a *knowledge* but by a felt *need* of reason the Mendelsohn (unwittingly) orientated himself in speculative thought.” (Kant [1786] 243) The practical need of reason has to do with Kant’s moral philosophy and indeed he talks about faith there. He argues:

Here there is, then, a basis of assent—merely *subjective* in comparison to speculative reason, yet valid *objectively* for an equally pure but practical reason—whereby the ideas of God and immortality are provided, by means of the concept of freedom, with objective reality and an authority, indeed a subjective necessity (a need of pure reason), to assume them. This, however, does not expand reason in its theoretical cognition, but only gives us the possibility of God and immortality, which previously was a *problem* and now becomes an *assertion*, and thus connects the practical use of reason with the theoretical use. (Kant 2002 [1788] 4-5)

Faith (which would properly be called rational or moral faith) in God and the immortality of the soul can become an assertion because they express a need of pure reason in its practical sense. One must assume these principles in order to have rational or moral faith.

This appears in his *Anthropology* as well, and is integral to achieving the cosmopolitan aim of human civilization. Kant prescribes “It also belongs to the character of our species that, in striving toward our civil constitution, it also needs a discipline of religion, so that what cannot be achieved by *external* constraint can be brought about by internal constraint (the constraint of conscience).” (Quoted in Carter 2008 107) We need religion, he says, so that we can learn to discipline ourselves with the help of conscience. We need law to provide the external constraint, with religion to supplement it. Now that we know a little bit about the role of religion in his system we can talk about how race interacts with these ideas.

J.Kameron Carter explains to us the significance of Kant’s racial theory to his beliefs about the role of religion and to its role overall in the Kantian system. Carter argues that Kant breaks Christianity off from its Jewish roots and reappropriates it for the furthering of

white supremacy. He says “What we see in Kant is the ideological use of Christianity. This, I contend, is the genealogical moment ... in which whiteness reveals itself as a ‘Christian’ theological articulation of modern civil society as tied to ‘bios’ or life ethnographically or racially conceived.” (Carter 2008 107) Kant’s rational religion is an ideology wherein whiteness declares itself as Christian and it frames modern civil society as racially demarcated.

Cameron further argues:

Christianity as rational religion and the Christ as the ‘personified idea of the good principle’ are the guarantee that whiteness, understood not merely and banally as pigment but as a structural-aesthetic order and as a sociopolitical arrangement, can and will be instantiated in the people who continue Christ’s work, the work of Western civilization. Rendering race invisible in all of this, Kant calls this not the work of whiteness but the task of the species as such. (Carter 2008 89)

Kant says a rational religion that does not go beyond the bounds of reason is needed. Christ is the ‘personified idea of the good principle,’ he is the goal of morality in human form, as an ideal. These together, ensure that whiteness as a ‘structural-aesthetic’ order and as a social and political system can and will come to be in the people who continue Christ’s work, which is the work of Western civilization. Without naming race as what unites this sociopolitical project, he instead calls it the work of the species as such.

When Carter says that race has become a structural-aesthetic order, he has in mind the following: “Black flesh lacks universal gravitas. It is trapped in its particularity in such a way that it always needs to justify its existence before universal white flesh. In short, the particularity of black flesh reflects an aesthetics, which for Kant is an ethics and politics, of

excess and imbalance—the excess of bodily particularity over rational universality: the imbalance between law and freedom.” (Carter 2008 90) White flesh takes itself to be universal and thus renders particular all people of color. People of color are then stuck in their particular bodies and because of their characters, which I discussed earlier, they symbolize excess and imbalance. Balance is for Kant the way to the goal of (white) universal cosmopolitics, so, we see that people of color are subject to the racial aesthetic, which render them particular—incapable of rising to universal thought or actions from universal principles.

This is why Kant writes so anxiously about race mixing, and Cameron picks up on this as well, “Racial or cultural intimacy—this is what is to be feared insofar as it could lead to what one theorist has recently called “wayward reproductions” within the species, or more specifically, the derailing of ‘the race of whites’ from its destiny. Promiscuous relationships, therefore, must be policed and avoided at all costs. The possibility of the mulatto, of ‘impure’ interracial existence, is the fear of all fears.” (Cameron 2008 94) These “wayward reproductions” would be counterproductive to the goal of the cosmopolis. Therefore racial mixing is to be feared, and also, it seems, to be made into a subjective principle for judgment and action—what I’ll call the reproduction maxim—that lays bare the falsity of universality in his practical thought.

So long as ‘promiscuous’ racial mixing does not occur, Cameron says, “Because of Christianity (rationally construed, of course) the human species has ‘reason’ to hope that its effort to reshape the sensible world into a morally cosmopolitan one will not end in futility. Herein lies the theopolitics of religion, or more specifically, of Christianity converted into modern, rational religion.” (Cameron 2008 113) Hope is hope in the face of

waste, as I said earlier. Christianity in its rational form gives the (white) human species reason to hope that the intergenerational project they are endeavoring on will come to fruition. This is with the assurance of the decay and demise of all the other races.

Human Waste Camps

Bernasconi perceived that Kant's legacy was going to be detrimental to people of color. Here, I attribute US antiBlackness to Kant's invention of the modern theory of race. One might begin this conversation about prison with statistics about incarcerated people, people under carceral control, or for-profit prisons. Statistics are important and have their use but, as Angela Davis asserts, "It is precisely the abstraction of numbers that plays such a central role in criminalizing those who experience the misfortune of imprisonment." (Davis 2003 92) Davis suggests that crime and punishment should be separated from one another in our social imaginary, and that abstractions like statistics and percentages make it easy for those on the outside to think of those on the inside as "criminals," as a specific *kind* of person, outsiders then lack the need or will to reckon these "criminals" *as individuals*—singular beings—with feelings, names, histories, memories, preferences, and relations.

I will begin, rather, with a passage from *Live from Death Row* by Mumia Abu-Jamal. In a chapter entitled "Human Waste Camps" he writes,

A dark, repressive trend in the business field known as "corrections" is sweeping the United States, and it bodes ill both for the captives and for the communities from which they were captured. America is revealing a visage stark with harshness. Nowhere is that face so contorted than in the dark netherworld of

prison, where human beings are transformed into nonpersons, numbered beings
cribbed into boxes of unlife, where the very soul is under destructive onslaught.

(Abu-Jamal 1995 73)

Abu-Jamal refers to prisons as ‘human waste camps,’ but what does this mean? Lives are wasted there by institutional practices? Lives are reduced to the body; the consumption and expulsion of waste there?⁵² And ‘camps,’ it gives the sense of dehumanizing conditions and violent—sometimes deadly—practices? Naming prisons as ‘human waste camps’ leads to a reading that answers ‘yes’ to the questions I’ve raised here.

Outside of the human waste camps, Abu-Jamal shows the foreboding force of the industry of “corrections” and notes that this industry will be destructive to ‘captives,’ or, incarcerated people—note that ‘captives’ echoes chattel slavery—and the communities and lives of those that make up these communities. When punishment becomes a business opportunity to profit from the suffering, the wasted lives of people, it is a danger to people from the captured person’s community; all become “potential captives.” As Ta-Nehisi Coates writes: “The plunder of black life was drilled into this country in its infancy and reinforced across its history, so that plunder has become an heirloom, an intelligence, a sentience, a default setting to which, likely to the end of our days, we must invariably turn.” (Coates 2015 111) Plunder is an heirloom, in other words a practice passed down over generations—assuredly cherished by some, especially those in the business of

⁵² For a description of the health assaults associated with prison food, see Fassler and Brown 2017.

“corrections.” Coates is unconvinced of an eventual end to this method of taking and knowing-making of black Americans.⁵³

To return to Abu-Jamal’s words, he paints the face of the US; we picture it twisted and inhuman. Prisons are a dark netherworld, the US’ vicious underbelly, where people are transformed into nonpersons, numbered, warehoused in ‘boxes of unlife,’ which might be to say in a box that does not promote life, but rather tends to the destruction or wasting of it. Human waste camps, indeed. These are punitive spaces where life becomes unlife, or, wasted life, via the violence of the neoliberal state.

I began with this description from Mumia Abu-Jamal because though we are speaking of the wasting of life, or wasted lives, I do not want to erase the agency of those who are living in these human waste camps. Things can be created from this waste-space. Even, of course, things of beauty: works of art and craft, poetry, essays, and letters. Incarcerated people have access to means of resistance via their creative work and through the labor—or idleness—of their bodies. They go on strike, refuse to stand and work or eat and “when communication breaks down and prisoners reach for their last line of self-defense: their own bodily waste” (Guenther 2017 48), piss and shit, they are engaging in acts of resistance against carceral violence.

Though I believe Davis is correct on the issue of statistics, I must cite one statistical comparison. Black people—13 percent of the US population—make up 39 percent of people under carceral control;⁵⁴ contrast that with whites, who make up 64 percent of the

⁵³ I borrow the term knowing-making from Aimi Hamraie in their book *Building Access: Universal Design and the Politics of Disability* (2017). They use this term to refer to “situated histories of embodiment, ideology, science, technology, and design” (Hamraie 2017 6)

⁵⁴ ‘Under carceral control’ is to say incarcerated people, people on probation, and people on parole—which is about 7 million people in the US, disproportionately people of color. About half of that are people on parole. (Sawyer and Wagner 2019 np)

US population, with the percentage of them under carceral control at 40 percent. (Sawyer and Wagner 2019) This is a vast over-representation of Black Americans under carceral control in the US.

How did we get here? In *Are Prisons Obsolete?* Davis makes the case that after slavery was abolished under the 13th amendment, plantations—sometimes literally—turned into prisons, because slavery and indentured servitude were still allowed for persons convicted of a crime. This gave rise to the Black Codes and Pig Laws that focused on criminalizing black life.

One of the statutes of the Black Codes was against vagrancy and it made it a crime to be unemployed. The Pig Laws made it a *felony* (previously a misdemeanor) to take pigs or chickens or field tools; Khalil Muhammad emphatically says ‘taking’ because black laborers were entitled to the fruits and tools of their labor. (Muhammad 2012) He also brings up an astounding fact that testifies to the impact of these laws and the ravenous white hunger for black labor: in the 1850’s, pre-Civil War, the prison population of Alabama was 99 percent white. Just two decades later, in the 1870’s 85 percent of incarcerated people were black. (Muhammad 2012) These laws ensured control over black Americans’ lives and reconstituted the cheap or free labor that was lost—yet also as we see, won—with the passage of the 13th amendment. The system was slavery by another name. These were the colossal effects of the Black Codes and Pig Laws, which eventually affected and shaped Jim Crow laws of the late 1870’s on through today (though in different forms).⁵⁵

⁵⁵ See Michelle Alexander’s *The New Jim Crow* (2010) for such an argument. Also see Nirmala Erevelles’ “Crippin’ Jim Crow: Disability, Dis-Location, and the School-to-Prison Pipeline” (2014) for an engagement that “draws on Alexander’s (2010) book ... to mark the historical continuities between the Jim Crow laws of yesteryears and the more contemporary ‘postcolonial ghetto’ as spaces that continue to outlaw bodies located at the intersections of multiple difference.” (Erevelles 2014 82)

Loïc Wacquant traces the linkages between white supremacist institutions aimed at defining, restricting, incarcerating, and controlling African Americans throughout US history. He says this task “has been successively shouldered by four ‘peculiar institutions’: slavery, the Jim Crow system, the urban ghetto, and the novel organizational compound formed by the vestiges of the ghetto and the expanding carceral systems.” (Wacquant 2001 98-99) These ‘peculiar institutions’: slavery, Jim Crow, the ghetto, and the entwined system of hyperghetto/prison demonstrate a legacy of institutional domination and control over black Americans. ‘Plunder,’ as Coates puts it.

In “Mama’s Baby, Papa’s Maybe: An American Grammar Book” Hortense Spillers suggests that we get a clearer view of the institution of chattel slavery and the lived reality of enslaved individuals, not only in trying to comprehend person as property—listed in codes alongside “beasts of burden,” animals of any kind, plates, furniture, and books (Spillers 1987 79)—but also thinking the enslaved person as kinless. Property always took precedence over kin, as families were separated without thought or care. I should be consistent. Property always *takes* precedence over kin, as families *are* separated without thought or care. Think about the situation of the incarcerated parent; he, she, or they are considered to be property of the Bureau of Prisons—issued a number and referred to as that number. This severance from one’s name, the name of one’s family, and the physical separation that defines incarceration resembles the notion that under chattel slavery, traditional blood kinship comes to lose its meaning—as Spillers suggests. Different practices, similar results. The severance, or perhaps more accurate, because of the strength of the imagination in maintaining these bonds: the *straining* of the bonds of kinship persists today due to mass incarceration.

The subsequent 'peculiar institution' meant to define, restrict, and control black Americans is the Jim Crow laws upheld by the Supreme Court as "separate but equal." At this time, Wacquant says "Any and all forms of intercourse that might imply social equality between the 'races' and, worse yet, provide an occasion for sexual contact across the color line were rigorously forbidden and zealously surveilled, and any infringement, real or imagined, savagely repressed." (Wacquant 2001 101) Recall the only point at which the purity of Kant's ethical system is challenged is in the reproductive maxim—the necessity that women take not mixing racially as a maxim for their sexual actions. "Separation" guarded whites from having to reckon with the notion of "equality" that was formalized. Moreover, whites became rabidly phobic and reactionary to even the thought of race-mixing, or, what was newly-coined miscegenation;⁵⁶ whites took every effort to protect the fantastical-mythical purity of white women. And so was born the cultural also-myth that black men were raping white women left and right. This was often the alleged crime cited that resulted in the racial terror lynching of Black men.

Wacquant's third 'peculiar institution' is the ghetto, the "dumping ground for the human residuals created by economic change." (Wacquant 2001 105) The ghetto was an institution highly segregated. The Black Americans who lived there were mostly low-wage earning factory workers and their families. Ghettos became restructured as the US economy changed. There was a new population of working class people immigrating from Latin America and Asia "to consign the vast majority of uneducated Blacks to economic

⁵⁶ Miscegenation "Coined by David Goodman Croly and George Wakeman in an anonymously published hoax pamphlet circulated in 1863, which implied that the American Republican party favored mixed-race relationships." The entry says it originated in the US and is "The mixing or interbreeding of (people of) different races or ethnic groups, esp. the interbreeding or sexual union of whites and non-whites; a theory which advocates this as being advantageous to society; marriage or cohabitation by members of different ethnic groups. Also: an instance of this, and in extended use." ('miscegenation, n.' 2019)

redundancy.” (Wacquant 2001 105) The effects of technological upgrading and postindustrialization were exacerbated by persistent segregation and the breakdown of public schools; this is what led to the transformation into the hyperghetto and the prison system, the final and current ‘peculiar institutions.’ (Wacquant 2001 105)

The hyperghetto is a space of confinement and serves “the *negative economic function of storage of a surplus population* devoid of market utility, in which respect it also increasingly resembles the prison system.” (Wacquant 2001 105) He notes that the schools in the hyperghetto have been permitted to deteriorate so much so that now they also resemble the prison system: “institutions of confinement” whose mission is to “ensure custody and control.” (Wacquant 2001 108) Kant would argue that Black youth can’t be educated, only trained. Alongside the devolution of the ghetto into the hyperghetto comes the rise of the prison system and mass incarceration. Wacquant avers of the “correctional” system: “It has devolved into a one-dimensional machinery for naked relegation, a human warehouse wherein are discarded those segments of urban society deemed disreputable, derelict, and dangerous.” (Wacquant 2001 107) The prison serves as a human waste camp, to recall Abu-Jamal’s words. Wacquant argues that the hyperghetto and prisons interlocked through relations of ‘functional equivalency,’ or, having the same purpose: confinement of a stigmatized population and ‘structural homology’ which is to say they nurture the same white supremacist social relations and authority forms. (Wacquant 2001 115) I use the word ‘nurture’ here to say that this ‘single institutional mesh’ of hyperghetto and prison are structured such that destruction of those deemed dangerous—Black men, women, and in particular trans* people—is an aim that is tended to, nurtured, *cherished* like the *heirloom*

of plunder, as Coates calls it. And it has grown and is continuing to grow into an industry that makes billions of dollars off of wasting the lives of people of color.

Financial predation is another way in which the state and corporations extract value from those in the Jim Crow South, the ghetto and then the hyperghetto-prison institutional mesh that Wacquant theorizes. Donna Murch argues “Too often the South is understood as exceptional, but the process of racial divestment was national in scope. Financial predation extended beyond the geographical reach of legal segregation and found a new vehicle in racially discriminatory practices such as blockbusting (in which realtors overcharged Black renters and homebuyers), redlining, and subprime lending.”⁵⁷ (Murch 2016) We do often rightly vilify the South for its consistently ebullient acts of violence and racial terror, but that should not imply praiseworthiness for the North; it is just as much a violent “kleptocracy” as the South is. (Coates 2014) Scamming Black individuals and families to pay more for homes and using predatory lending and insurance fraud nearly concretized the white ideal of total segregation in the North.

Extractive practices continue today: “Contemporary extractive methods,” says Murch, “rely on two interrelated sources of debt: private debt and criminal justice debt, also known as legal financial obligations (LFOs). The former, which pays out to private companies, has a way of generating the latter, which pays out both to private companies and public institutions.” (Murch 2016) Some of the means by which this debt is accrued are by ticketing and fines, court fees, and, Murch highlights,

The private sector is also developing new ways to mine revenue from criminalized people, beyond the well-known method of for-profit prisons. Private

⁵⁷ For an account of redlining and its effects, and moreover, for a history and argument for the case for reparations see Coates 2014.

companies now perform probation, parole, drug-rehabilitation, and reentry services on contract. One of the most egregious examples is the private electronic-monitoring industry, which provides technology for pretrial tracking of defendants, for house-arrest sentences of nonviolent offenses, and as a condition of probation. (Murch 2016)

Fines and fees may be accrued by the state and corporations requiring people under carceral control to rent their electronic monitoring equipment, or other “services” and “tools” they are required to have—for example, in the majority of states, jails charge money daily for “housing” and these fees accrue and follow the carceraly-controlled people as debt: some of the ‘legal financial obligations’ that Murch describes above.

That debt is sometimes turned over to collections agencies making it harder, for example, for formerly incarcerated or carceraly-controlled people to get housing, which often requires a credit check. In some states, there is a mandatory driver’s license revocation when fees are unpaid, (“Criminal Justice Program”) The extent of these extractive practices is wide and negatively affects the quality of life of carceraly-controlled people far into their futures. We see an important case of these fees and fines compromising the police and justice systems in Ferguson, MO—as determined by the Department of Justice in its report that followed the protests in response to the murder of Michael Brown by police.

Janine Jones says “When Africana people today chant ‘Black lives matter,’ they do so against the historical perception and treatment of Black people as *waste*. But black waste *has* mattered to white, Western economies, having enabled and sustained economic, aesthetic, and psychological advantages for white beneficiaries of those systems.” (Jones

2017 1) 'Black lives matter' is something that necessitates repeated assertion because Black Americans have historically been made waste of by white Anglo-Americans—since before the founding of the US, and continuing on through today; all whites benefit from this system of white supremacy and domination over people of color.

Chapter 5 Back to Kristeva

Humanity has advanced, when it has advanced, not because it has been sober, responsible, and cautious, but because it has been playful, rebellious, and immature. –Tom Robbins

In this project I argue that modern social contract theory is wasteful of life and of lives. I show this through reading Kristeva's account of the abject alongside Locke, Rousseau, and Kant's political and pedagogical philosophy. Narratives of civilization, progress, and perfection always refer to waste, or, the abject in some way. In *Civilization and Its Discontents*, Freud argues that there are three expectations of civilization, each of which he deems useless: beauty, cleanliness, and order. The shadow side of each of these concepts is waste. Of beauty, it is ruin; of cleanliness it is dirtiness; of order it is waste.

Bauman argues that "our planet is full" and by this he does not mean to say something about the earth, but rather something about "the ways and means of its inhabitants." (Bauman 2004 5) Human waste, or wasted lives, are an "inescapable side-effect of *order-building ... and of economic progress.*" (Bauman 2004 5) Unless we unsettle the concept, civilization will inescapably make waste of life. As new forms of life come about there will be new means for wastemaking and new human targets made waste of.

Our time is a globalized one, even Kant notes that trouble in one place of the world is felt in all other places (Kant 1991 [1755] 89). Since the world is globalized, Bauman argues

The brittle and incurably precarious equilibrium of frontier-land settings rests notoriously on 'mutually assured vulnerability.' Hence the alarms about deteriorating security which magnify the already plentiful supplies of 'security-

fears' while simultaneously shifting public concerns and the outlets for individual anxiety away from the economic and social roots of trouble and towards concerns for personal (bodily) safety. (Bauman 2004 7)

By frontier land, Bauman refers to the modern movement of power transferred away from its lodging in sovereign states and toward a modern 'space of flows.' The balance or political homeostasis achieved by these powers is precarious, easily disrupted. In the US, from this follow white nationalistic slogans that sound the alarm about issues of security and about bodily safety—also, I argue safety of the *social body*, a common way of referring to the modern political state, particularly by Rousseau in *Of the Social Contract*. We see this echoed in President Donald Trump's summoning of xenophobic and nationalist epithets such as "BUILD THE WALL" and his admonishments of Mexicans who he names "drug dealers, criminals, rapists." In focusing on bodily and state-bodily security, attention is diverted away from the real social and material causes of turmoil and oppression.

So is it possible to enact an ethical politics and build ethical institutions from it that are nimble and can easily maneuver themselves to take care not to waste life and lives? Or, as Emmanuel Levinas has it, is the state just an organism that politicks via the declaration and management of war? (Levinas 1969 21) Kristeva thinks an ethical politics is possible. She comes there by way of thinking about the lived experience of disabled people and the need for interaction (*not* assimilation or insulation) between the nondisabled and disabled people.

In "Liberty, Equality, Fraternity and . . . Vulnerability," Kristeva makes a claim about disability. She argues that the sufferings and exclusions faced by people with disabilities are 'radically different' from other kinds of exclusions like racial, ethnic, religious, and

economic ones. This, she says, is because disability confronts the nondisabled person with “the limits of life, with the fear of deficiency and physical or psychic death,” she continues, “disability therefore awakens a catastrophic anxiety that in turn leads to defensive reactions of rejection, indifference, or arrogance, when not the will to eradicate by euthanasia.” (Kristeva 2010 37) Not only is the situation of the disabled individual radically different from exclusions based on race, it is also an exclusion that ‘cannot be shared.’ Disability, she says, often “provokes fear.” (Kristeva 2010 33)

Kristeva heralds a new humanism in the process of creation and a new historic period dawning and says “I would even say that humanity has never had such a rebellious, free, and human ambition... I see it...as a challenge to nature and the tragic: the acceptance and support of vulnerability expresses the desire of men and women to overcome the most insurmountable of fears—one that confronts us with our limitations as living beings.” (Kristeva 2010 34) She wants to make vulnerability central to the political pact through interaction of the nondisabled with the disabled via a democracy of proximity achieved through psychoanalytic listening; adding vulnerability to the political pact “(understood as taking care of others)” will, she claims, bring about this new humanism. (Kristeva 2010 34) I think vulnerability and care are both things that are neglected in modernity; however, I wonder if we need a new humanism. More specifically, I wonder if we need one that theorizes politics on the contract model. As I argue above, social contract theory necessarily separates nature from culture and results in the wasting of life and lives.

Is this still true if care for the vulnerability of others is inscribed within the contract? I suspect so. After she describes vulnerability as “(taking care of others),” she calls it the “best antidote to barbarianism.” (Kristeva 2010 34) So there still are uncivilized

barbarians. Here we see how prejudices persist and thrive from one generation to the next. In this essay, too, Kristeva gives two contradictory conclusions. She says “Since psychoanalysis is the quintessential intimate experience, there can be no politics of psychoanalysis. On the other hand, listening to the *speaking being* is a Copernican revolution of values and norms, opening new possibilities of connections to others which constitutes the very essence of politics.” (Kristeva 2010 41) Kristeva channels Kant here when she mentions this entirely different worldview opened up through listening to the speaking being, who is vulnerable—at an unstable crossroads between biology and meaning. (Kristeva 2010 41) I don’t think a politics of psychoanalysis as Kristeva would have it is possible.

In an earlier work, *Strangers to Ourselves*, Kristeva meditates on Kant’s essay *Perpetual Peace*. She says “this reasoned hymn to cosmopolitanism, which runs through Kant’s thought ... appears indeed, today still, like an idealistic utopia, but also is an inescapable necessity in our contemporary universe, which unifies production and trade among nations at the same time as it perpetuates among them a state of war both material and spiritual.” (Kristeva 1991 173) Another impossibility: utopia or no-place and urgent necessity in our time. Kristeva successfully models thinking for us, yet rarely does she make a judgment. Characteristic of an analyst, I suppose. Echoed here is Levinas’ claim that war and commerce are the purview of politics. Cosmopolitanism seems to be a dream, but it is a necessary dream. Is this the eschatological vision of Levinas or Jacques Derrida?

At the end of this meditation on Kant, Kristeva says “Could cosmopolitanism as moral imperative be the secular form of that bond bringing together families, languages, and states that religion claimed to be? Something beyond religion: the belief that

individuals are fulfilled if and only if the entire species achieves the practice of rights for everyone, everywhere?" (Kristeva 1991 173) In "Liberty, Equality, Fraternity, and ... Vulnerability" she is also advocating for rights—for the disabled. I can't help but hear the disability rights movement in the 1990's political slogan: "Nothing About Us Without Us." It was—and still is—commonly used to express that we are the experts about what our needs are and how best to address them. (Wolff & Hums 2017) This is not to say that we don't need allies, but it seems that Kristeva could fall prey to a certain kind of paternalism (or maternalism?) without incorporating the voices and the desires of the disabled into her work on our behalf.

There is something that Kristeva 'gets' though; she says "That each of us can slip into our own dreams ... and rise to the surface, listening to those who speak, walk, hear, see, or move about bizarrely, crazily, or scarily... New worlds then open to our listening ... different yet compatible, worlds finally returned to their plurality." (Kristeva 2010 45) I think she is right to posit plural worlds traversed and traversable through embodied speech. She doesn't convey the difficulty of such listening though; listening, too, is an embodied habit. One must unlearn the prejudices against those who speak, walk ... bizarrely, crazily, or scarily that reside in the body, too: the >flinch< upon being faced with an agitated unhoused man who is yelling and is clearly having a very rough time of it. Perhaps he notices the >flinch< and perhaps he does not, in any case, these are habitual embodied responses that make waste of the person one is faced with. Facing the abject without fear is what can be gained epistemologically from experiences of abjection through unlearning the prejudices that settle like sediment in our bodies.

In a roundtable on cripistemologies, Jennifer Jones asks, “How would a cripistemology articulate the improper as a mode of politics rather than as an invitation for violence? Might it show us how to disown identities that misrecognize us, how to be inconsistent and unreconciled--working, speaking, acting, and knowing from our always-shifting standpoints?” (McRuer and Johnson 2014 165) Disabled adults are one and a half times more likely to face violence than the nondisabled, and those with mental health concerns are four times more likely to be subject to violence. (Violence Against Adults) *Clearly* their “improper” crazy-scary-bizarre walking, talking, moving, seeing, hearing bodyminds are ‘invitations’ to violence. Yet people actually respond this way, making waste of disabled people’s lives. Taking the improper as a way of refusing misrecognition or incorrect hailing, and acknowledging and speaking from multiple standpoints is a liberatory practice.

I think the idea of the improper as a mode of politics is generative—and important for people with disabilities and other non-normative bodyminds. This squares well with my arguments about the role and place of waste in modernity inherited from the legacy of modern political thought. What, I ask, is more improper to civilization than shit? It disturbs the ‘clean and proper’ boundaries; and is an important issue for disabled people and the aged. Cindy LaCom writes on the politics of shit and argues

...few things remind us of that lived experience more vitally than shit. Grosz's point that the human body is always "psychically invested, never a matter of indifference" is writ large when we realize that some consider euthanasia as justified by the (culturally-based) "indignity" of having someone else have to wipe their ass. On a recent DREDF website, Marilyn Golden cited an assisted suicide

advocate who argued that "'Pain is not the main reason we want to die. It's the indignity. It's the inability to get out of bed or get onto the toilet [People] say 'I can't stand my mother, my husband wiping my behind.'" Shit has incredible power to silence and to shame us in troubling and deeply problematic ways, and for that reason alone I think it is useful to talk about it. (LaCom 2007)

Shit silences and shames to the point that some confess they'd rather die than face the *indignity* (another concept that needs unsettling) of having someone care for their bathroom needs. 'Just take me out back and shoot me' is an oft-repeated and very American way of putting it. Losing control of one's bowels is seen as the ultimate loss of control over the self—something to be feared by the sovereign subject.

I recall sitting in the classroom I was TAing for upon my return to school after first episode psychosis and having real, visceral fears that I was going to Poop. In. My. Pants. I had no physiological digestive symptoms, nor did I fear the stench, or the disgust that others might look upon me with. It was terror that I was going to lose it, start leaking, melt and that I wasn't in the safety of my home to hide under the covers if I had do it, to hold myself together in a blanket burrito. Sometimes inaccessibility is literally not being able to leave the house. I was happy to return to school and work, yet my asshole was clenched for months.

Why share this personal story about waste? It demonstrates how the body is psychically invested, as Grosz says; it's a willingness to share my indignity, my impropriety, my abjection; to contest norms and expectations about purity; to practice a mode of politics of the improper; to connect. Waste links us together in incalculable ways, most obviously, everybody poops and most people are ashamed of it. But in other ways too; if we are lucky

enough to have homes these homes are linked by pipes. The infrastructure of the sewer system might be a good metaphor for the reality of the social contract. Not everyone is hooked up to it. There are those who must ask to use the bathroom because they don't have one, there are those who furtively shit in graveyards because they were denied entry into a public restroom—because they were somehow improper, unfit for public egestion. There are some who have shiny new pipes and others are root-riddled and in decay; in any case, it all goes to the same place—and we all go to the same place too. Pipes link the private with the public.

Infrastructures are important spaces for the politics of excrement. In a recent article about the JFK protests following President Donald Trump's Muslim Ban where protesters chanted "No Ban! No registry! Fuck white supremacy!" Drew Forbes writes on the O'Hare Shit-In of 1971 pointing out that protests such as these have a history and are largely supported by the labor, knowledge, and experiences of Black communities (Forbes 2017) "Woodlawn Organization, supported by community organizer Saul Alinsky, planned a "shit-in." Building on histories of sit-ins, teach-ins, and die-ins, the coalition moved to occupy the bathrooms of O'Hare International Airport. They wanted to exploit a vulnerability in the interface between biophysical processes and infrastructure." (Forbes 2017) This was long before the days that you had to have an airline ticket to pass through security, I suppose. The shit-in had its finger on an important node where bodies and public infrastructure meet. Not only are bodies vulnerable, but infrastructures are too.

Forbes details:

Woodlawn and Alinsky began by conducting reconnaissance at O'Hare. Every toilet stall and urinal was counted and mapped. The coalition recruited 2,500 people

to simultaneously occupy every bathroom stall and urinal at the airport. Activists would enter O'Hare, pay for bathroom access with a dime, and seize a washroom stall. They'd bring books. They'd bring food. They'd make a day of it. Groups would form lines in front of urinals five bodies deep. Each person would spend as long as possible once in position. When finished, they'd join a line at another bathroom location and repeat the process.

It was a beautiful, elegant plan to protest Mayor Daley's actions towards the 'modernization' of Chicago which incurred great costs to its communities of color. The shit-in would cause disruptions in flight schedules, public transit, and other interconnected infrastructures. In fact, this was such a good plan that when Mayor Daley heard tell of it, it never happened—instead, he opted to invite Woodlawn Organization to City Hall so they could air their grievances.

Waste, however, is messy and ambivalent and it doesn't take a stance, discriminate, or prejudice. It is neither good nor evil. In "Viscous Porosity: Witnessing Katrina" Nancy Tuana demonstrates the vulnerability of infrastructures through an analysis of Hurricane Katrina's devastating effects on the city of New Orleans and the surrounding parishes. Tuana argues for an "interactionist ontology" using the metaphor of viscous porosity to show that things are in the process of becoming; "not things made but things in the making." (Qtd in Tuana 2008 190) She argues this ontology "rematerializes the social and takes seriously the agency of the natural" such that nothing is solely cultural or natural, social or biological, science or humanities, nature or artifice. (Tuana 2008 188) She argues that these are not givens of nature but are distinctions we make, that structure our

experience, and we must “take epistemic responsibility” for them. (Tuana 2008 192) It is both an ethical and a political matter that we do so.

Tuana argues that what allows us to flourish, the viscous porosity that constitutes our flesh as permeable, porous, also “does not discriminate” from food and from that which can kill us. She recounts

Katrina’s wake left New Orleans flooded with what headlines called a ‘toxic soup.’ There are five Superfund toxic waste sites in and around New Orleans, all of which were compromised by Katrina’s flooding. There are even more Superfund sites in Louisiana and Mississippi that were in the path of Katrina’s wake. These sites contain a range of contaminants ... (Tuana 2008 198)

All of which cause significant health problems. Superfund is another way of saying sites designated as needing remediation through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Passed in 1980, this law attends to hazardous and toxic waste spaces that have been abandoned or otherwise closed to humans. The nickname is ‘Superfund’ because for sites that no one or company deemed liable exists, they set up a trust to pay for the site remediation. There are also national “sacrifice zones” which are not deemed so by law, but are designated so by scientists. These are the least friendly environments to human beings and Bullard observes that sacrifice zones are often

“fenceline communities” of low-income and people of color, or “hot spots” of chemical pollution where residents live immediately adjacent to heavily polluted industries or military bases. Quite often, this pattern of unequal protection constitutes environmental racism—a pattern first challenged in the courts in a 1979

lawsuit, *Bean v. Southwestern Waste Management* ... *Bean* was the first lawsuit to use civil rights law to challenge environmental racism. (Bullard 2011)

We see the viscous porosity that Tuana describes with the confluence of law, nature, toxic wastes, bodies, and racism here; Katrina also evidenced such complex relationships between mutually influencing forces.

I want to return briefly to the concept of Kristeva's new humanism, to which I asked above: 'do we really need a new humanism?' I don't think we do. Especially not one that's a repackaged contract theory, In "Knowing Waste: Towards an Inhuman Epistemology," Myra Hird argues that knowing waste "consists largely in its determination as such. Knowing waste is, in other words, about rendering indeterminate entities determinate;" she adds, "waste is an inherently ambiguous linguistic signifier..." (Hird 2012 454) Yet I still argue for a politics of waste that is ethical, so I take note from Tuana that we are responsible for how we make our distinctions—and for where we stake out a space for ourselves, as abjection tenuously accomplishes for the infant. Conceptual and material, metaphor and stinking reality, waste is a political concept par excellence; we inherited its importance to politics from Locke, Rousseau, and Kant, and in these times of climate crisis and literal legislation over women's bodyminds, life, and death—bound to disproportionately affect women of color—it seems an especially pertinent, urgent concept.

Waste can do a lot of conceptual work because, as Hird relays to us, it's an inherently ambiguous signifier. Wouldn't that make it ill-formed for constructing an ethical and political view? Not at all.

Conclusion

My motivations to write this dissertation are multiple. I have a deeply conflicted interest in Modern Philosophy; I think it gets a lot of things wrong and has negatively affected our thinking and our world—to this day. Not to mention how exclusionary it is. Or, actually: *to* mention it. That was one of my aims in this project and the reason I rejected social contract theory as unsalvageable—we should garbage it, I argue. Perfection, progress, and civilization as they are used in Modern Political and Pedagogical Philosophy are wastemaking concepts. They make waste of life (earth, “nature”) and the lives of human and nonhuman animals alike. I had never had the chance to work out the multiple and complex anti-relationalities—or wasteful relationalities—these works give rise to and this project was my attempt at doing so. I’ve also always heard of Kant’s racism and race theory, yet I never had to do the reading to see how central it was to his system. This project gave me the time to figure that out, so that I can be a more careful thinker while writing on and while teaching his works.

My other motivations for this project are biographical, philosophical, and political. First, my biographical interests in waste come from the many ways in which my life, my parents’ lives, and my brother’s life have come into contact with state power. From child protective services, to crisis services, to the police, to carceral systems related to mental illness and to punishment, to the State of New York, and to the US Marshals. All were wasteful of life. The carceral systems and enforcers that have warehoused and/or been in control of my parents’ and brother’s lives were abusive and were meant to control the “improper;” improper ways of speaking and acting (and singing), improper ways of dressing—or not dressing, in some cases. I think it’s of crucial importance that Jennifer

Jones points out that the improper is often met with violence—because it is, particularly for disabled people, people of color, and especially for people situated at the space between the two.

Second, waste is a philosophically interesting concept. Its boundaries are more blurred than most concepts. Something can both be and not be waste at the same time depending on the perspective taken on it. Excrement, for example, is egested useless matter to our bodies—we flush it to AWAY, a place where we don't have to see or smell or think about it. To scientists and doctors, shit is a possible cure for multiple illnesses via fecal microbiota transplants. To sick people, it saves lives. To the pharmaceutical industry, it is a matter of potential profit. In fact, medical caregivers and big pharma are in a battle right now about how the FDA will classify these fecal microbiota transplants—whether as organ transplants or as drug therapies—lives and profit are at odds in this fight, as they often are. Waste reveals values. Value that can be lost, or value that can be added. Waste arouses the affects. Making waste can awaken fears. It evinces relationships. It is connected to power and to the resistance of it.

And third, since we're getting to my political commitments to waste, waste functions as an empty signifier for politics—but, as I said, can be expressive of oppressive power relations. It can be used as a concept of resistance. To make a claim about having been made waste of, or someone or thing having made waste of life is to make a political claim about violence done to a person, to a community, to animals, to “nature.”

I don't have a positive alternative to social contract theory, but a negative one. I think we should change our political ideals from liberty, equality, and the preservation of property and/or happiness depending on who you're citing—and happiness itself can be a

coercive concept that makes waste of people and communities—to a negative: to not make waste of life or lives. I think this is a principle for now but is open-ended enough to serve us in the future.

This is for the future, too, because as new technologies and forms of life emerge there will undoubtedly be new means for wastemaking and new people or communities made waste of. Yet unthought of forms of life that lead to yet unthought of identities and communities will be denigrated; people will experience the violence of oppressions. Technology will continue to dominate over ‘nature’ and corporations will continue to make profit through the exploitation of life and lives. I think this negative principle is not only for resistance, but for abolition, for a radical change in the way we relate to one another, to the earth, and the many creatures on it. Waste claims can lead to accountability practices that are not on the model of punishment—which is typically a wastemaking practice.

The value of a negative political principle is that we are in a constant mode of responding to crises, ‘apocalypses’ as Kristeva calls them. When enough people come together to say “ENOUGH!” of wastemaking practices, it is a powerful response to our crises and ‘apocalypses.’ And when waste is banished, disavowed, redeemed—we cannot learn from the past. We have to be able to face our history of wastemaking, of violence, genocide, and exploitation of people in order to learn how not to make the same ‘mistakes’ from one generation to the next.

Now that I’ve explained a little bit about my motivations for this project, I can explain what the project was about. I aimed to explore the way that waste comes in in the political theories from late 17th and 18th century enlightenment thinkers. In Locke it came in alongside the concept of property and human perfection. Locke abjects waste, and as

Kristeva says the forgetting, repressing, or disavowal of abjection leads to the return of its repressed in the form of our 'apocalypses'. A consequence of Locke's philosophy of waste is the wastelanding of Native American lands—a decay of their lives and lands and identities via their removal from ancestral lands, the extractive practices that came to be on their newly-minted 'reservations' and treaty given lands, and the wastelanding of life and lives on these lands. I spoke of an indigenous movement for reclaiming the land that was going to be used for a pipeline. I think I should have used the Dakota Access Pipeline movement, because it was on US land; I will make this change when I revise the dissertation into a book.

Next I discuss Rousseau's treatment of waste and the way it is ambivalently embraced, which I think because it's such a nimble concept, was a more appropriate treatment of waste. He used this concept of waste to give Emile what I call waste-lessons, lessons about hygiene, moral sentiments, economic relations, and, of course, the early so-called negative education he received in his youth. I compare the boy's education with the girl's, and as it turns out, the girl's education is an education in serving man and the family. I discuss the way this made waste of early modern woman's life because it is centered around reproduction and care for the husband, children, and household. It relegates her to the private sphere and subjugates her to the heteropatriarchal order. This order molds society into a place where violence against women is supported. I also discussed the way education of people with disabilities was framed by Rousseau and argued that it makes waste of disabled people's lives because it deems them not suited for education, because their "useless life" is purportedly lived through the principle of self-preservation.

Last, in the chapter on Kant, I argue that individual man is made a waste of because of the demands of the species and the cosmopolitical order. I argue that the role of war in his system is suspect—something even he acknowledges saying selling one’s life to the cause of the fatherland is in conflict with the freedoms that belong to each man in his place as citizen. I trace the role that race plays in his work and outline his theory on human race. Then I argue that he makes waste of all the races except for the white and assents to using people of color as means for the white races’ end and not as ends in themselves. His moral philosophy is also polluted by his wastemaking because, given his views on racial mixing via reproduction, white people have to operate on the subjective maxim of reproducing only with other whites.

Kristeva’s work bookends my project because she is *the* philosopher of waste, with her theory on abjection. In ‘Reflections on Waste’, I discuss her new political vision of adding vulnerability to the French political ideals liberty, fraternity, and equality. I used to be highly in favor of this view, but as I worked through the dissertation, I came to the conclusion that social contract theory—even when supplemented with the ideal of vulnerability as “caring for others”—made waste of life and lives. This is why I prefer garbaging it for the principle to not make waste of life and lives. Because I think this way, waste can be used as a kind of empty signifier, a contested term that different groups can lay claim to in furthering their political interests.

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