To pose the question of the materiality of race is also, if one is inclined to trace the genealogy and circumstance of this problematic, to pose the question of multiculturalism’s ‘failure’. This is understood - and there are more or less conservative and liberal versions of this - as the failure of multiculturalism to sufficiently deliver on its promise of a redistribution or expansion of rights (and recognition) when confronted with what are said to be intractable racial differences. In other words: race marks the boundary of that which is considered to not be amenable to will; that which lies beyond or without will, that which is deemed as being neither responsive to liberalism’s ‘good will’ nor capable of assuming its inclination. It is the composition of a pre- or a-political category in the constitution and administration of the biopolitical, or the political as a ‘way of life’, and where the political is defined as the exercise of will. In this way, to speak of race is, presumably, not partake of politics but to present life, as such, within the domain of the political; and precisely because the political increasingly assumes the depoliticised demeanour of ‘a way of life’. It is the tension between the two principal axes of governance - the ‘management and care of populations’ and the ‘expression of the will of the people’ - seeking relief in identity, which is to say, by tracing the ends of the political in the termination of politics. In any case, there are more than a few ways to elaborate on the seemingly inexorable trajectory of multiculturalism’s ‘failure’. Nevertheless, let’s consider (what is widely, if superficially, regarded as) the passage in Australia from official celebrations of multicultural diversity and indigeneity in the 1980s to current systems of migration internment and border policing, alongside more recent moves to completely dislodge those indigenous peoples from lands that they are deemed to not be using ‘productively’ (for tourism, through contracts with mining companies, the leasing of land for uranium waste dumps, and so on).

It is likely not essential to reiterate here the changes to Australian border laws, which I’ve discussed elsewhere,¹ but it is perhaps important to say something more about the history and recent predicament of indigenous politics in Australia so as to situate the above and subsequent remarks. After persistent campaigns for indigenous land rights² that reached a high-point in the 1980s, in 1992 the High Court effectively voided the principle of terra nullius - ‘empty land’ - that had served as the legal condition of expropriation. Promptly following this judgement, successive Labor and Liberal-National governments elaborated a series of so-called Native Title laws. Those laws both sought to immunise postcolonial property and placed increasingly difficult and complex restrictions on which lands could be re-claimed by indigenous people and under what conditions. With such laws, as was the case with wider multicultural policies, the very sense of who was represented and recognised as part of discrete ‘ethnicities’ and ‘communities’ became a matter that turned both around inclusion and exclusion, which is to say,
the borders. Their introduction precipitated often bitter lengthy courtroom - and sometimes violent - contests for representation and its bureaucratic or (most often paltry) fiscal benefits. To put this another way: the really-existing consequence of multiculturalism was the ‘internalisation’ of conflict in the form of disputes over authenticity, identity and its borders.

Far from the tribunals, associated processes and conflicts, the enactment of Native Title laws were widely hailed as an accomplishment of liberalism, a sign of beneficence and national maturity. And it is this sense of achievement that would serve to situate questions about indigenous life - and the persistence of slow death in the form of the well-known diseases and blights of destitution that pervade many remote indigenous towns- as questions internal to indigenous ‘culture’, as dysfunction and pathology arising from an inherent failure by indigenous peoples to integrate, modernise, and ‘move on’. In "Disappointing Indigenous People: Violence and the Refusal of Help", Gillian Cowlishaw put it this way:

The legitimating of cultural difference, especially in the recognition of land claims and native title, was always the target of contempt for those despised as rednecks and populists. Gradually, as the expected benefits were not apparent, as images of black people still sitting in the dust remained on our television screens, and as dispiriting statistics continued to be published, an uneasiness with self-determination and with recognition of Indigenous tradition extended into the most sympathetic and caring segments of the public. The earlier backlash concerned the continued drain on the public purse, which is widely seen to be generous toward Indigenous people. But now there is a perception that the Indigenous social body may be recalcitrant, unable or perhaps unwilling to be helped (Johns 2001), or being offered the wrong kind of help by mistaken politicians or bureaucrats (Folds 2001). In the midst of a generalized goodwill, pity vies with impatience toward those who receive as well as toward those who offer the nation’s beneficence.3

Indeed, the traumatic encounter by liberals with those who seemed to refuse the ministrations of the ‘helping professions’ would become the righteous bridge that wouldshift many to clamour for punitive and, at times, paramilitary measures. Most notably, the Australian Medical Association (AMA) called for military intervention to stem ‘gang violence’, and the head of the Northern Territory branch of the AMA wrote to the Prime Minister declaring that indigenous people were “culturally incapable of managing health services”.4

And so, in mid-2007 - and the affective landscape of an impending election, in which authoritarian sovereign gestures have long served as leverage in Australian politics, cannot be understated - the Australian government declared a ‘national emergency’ on the pretext of an anecdotal ‘epidemic’ of child sexual abuse in remote indigenous communities. On the one hand, the Minister for Indigenous Affairs could announce these ‘emergency’ laws by declaring indigenous towns and camps to be “a failed society where law and order and behaviour have broken down and where women and children are unsafe”5 - thus embalishng on the paternalistic (and racialised masculine) precedent of military and police intervention in the Pacific on the basis of proclamations of ‘failed states’. Here, the traversal of
the distinction between military and police action - initially spanned in the conduct of border policing operations and, not soon after, in the relaunching of Australia’s role as neo-colonial authority in the Pacific - acquired a particular clarity as chivalrous, patriarchal restorative in its presumable defense of women and children. On the other hand, conflicts between indigenous people were increasingly understood as proof of dysfunction, ‘gang warfare’ and, what is perhaps more traumatic for well-intentioned nationalism, of the ‘breakdown’ of a never-existing homogeneity of indigenous community.

The emergency and the exceptions it elaborated were both juridical - insofar as the measures suspended the normal functioning of the law - and depoliticising. One cannot deny the necessity and urgency of ‘doing something, anything’ - but, in reality, ‘doing this’ that the government has announced - to stop children being abused without risking moral and unquestionable rebuke. As Elizabeth Povinelli remarked:

One cannot answer the charge of sexual abuse. That’s why sex panics have been so important during large-scale political and economic transformations. They are experienced as so spectacular and catastrophic that all other, ordinary, cruddy, and corrosive forms of injustice pale in its wake. It’s like screaming fire in a movie theatre; no one is going to stop to ask: What’s going on here?  

Therefore, questions about the specific measures enacted - including whether they might have any bearing or impact on child sexual abuse - have been constantly shadowed by accusations of denying the existence of abuse or, worse, excusing it on grounds of ‘cultural relativism’. In other words, that indigenous peoples were more liable to sexually abuse children had already been accepted as fact, just as in 2001 government reports - since falsified - that undocumented boat arrivals had thrown their children in the water was similarly widely believed, and denounced as the abhorrent pretext for even harsher border policing. There is no point in entering the arguments over whether or not there is child abuse or whether it is more prevalent in indigenous communities - assuming there is any basis for a statistical comparison, not least because the poor in Australia are subject to incomparable levels of surveillance and control by welfare and other agencies, because categorical slippages abound for the purpose of effect (eg., talk of under-age prostitution under the heading of child abuse), and more besides. Dealing with instances of child abuse is definitively not the point of this exercise. Here, racialisation has already stepped in as a priori determination of the guilt of others and, therefore, as the justification of every possible measure against them, not least those measures which liberalism regards as exceptional to its own doctrine. To put this another way: liberals of both Left and Right can persuade themselves that they are obliged to resort to punitive or draconian measures because of the actions of others, an alterity so repellent that there is simply no choice but to suspend one’s own cherished precepts (of trial as the condition of assigning guilt, of the separation of powers, of the distinction between civil and military spaces, and so on) where these loathsome others are concerned. ‘They’ made ‘us’ do it by - and by being far too ‘they’ in the first place. The conditions under which the contract might be suspended is already written into contractualism: the failure of will to prevail over ‘custom’, the non-identity of the contracting parties, the inability of certain people to ‘control themselves’.
The particular measures of this ‘national emergency’ pronounce Victorian-era, protectionist understandings of sex, prostitution, children, disease and welfare directed toward accomplishing what over 200 years of colonisation has thus far failed to do. But this is no simple return of what is past. More specifically, freedom here - that is to say, as freedom is understood by liberalism and (it is important to note) in the wake of the rights-based movements of the 1970s and 80s that apprehended freedom as the expansion of self-supporting, equal, contractarian subjects- became the lever for the proposition of a politically indisputable necessity, management and command. And it was a lever which found a ready pivot on the depoliticising norms and moralisms which are assumed by this apparently self-possessed subject. Under this ‘national emergency’ and in zones declared to be ‘affected areas’, alcohol and x-rated pornography are to be banned, the permit system which restricts those who can enter communal lands will be abolished, conditions are to be placed on welfare payments (such as school attendance in areas which have teacher shortages or there are, literally, no schools), and communal title will be suspended through government seizure of land. There are also suggestions, as yet to be detailed, of shifting patterns of land tenure from communal title to private holdings (rents, leases and ownership) as a means of instruction in contractual forms of subjectivation. Moreover, at the time of writing, the Government announced it would also abolish the Community Development Employment Programme on the grounds that income from it went to buying alcohol. This means that some 7,000 people, who currently do low-paid work keeping stores open and removing rubbish, will be declared unemployed and expected to fulfil job search criteria, including perhaps having to move to areas where there is less unemployment. There is much, almost too much, that could be said about the derangement of liberalism that sees greater levels of impoverishment and suffering righteously tendered as the solution to already-unbearable levels of destitution and anguish. But it remains to be noted that such delirium is occurring in the midst of the largest mining boom for decades, including an imminent expansion in uranium mining, and that many of these measures will undoubtedly produce significant movements of populations, whether as the effect of job-seeking conditions, to areas where it is legal to drink alcohol, or to places where welfare conditions regarding school attendance might be fulfilled.

In any case, it would be a vast error to construe my opening remarks about a passage from multiculturalism to neo-assimilationism as, indeed, a temporal or political shift. It is not, to put it simply, a matter of moving from Labor to Liberal-National governments with opposing policies or approaches, even if the unfolding of certain implications and fine-tuning occurred over time. It would be a mistake to assume that either the current calamities around land rights and border policing can be explained as a peculiarity of the current Howard Liberal-National Government. For instance, the most emphatic of official declarations of multiculturalism under the Keating Labor Government occurred at the same time as its introduction of, most notably, the mandatory and non-reviewable internment of undocumented migrants. Moreover, the core condition of the initial raft of Native Title laws was the condition of legally verifying an unbroken association with the land - which is to say, where colonisation had not been thorough in its removal of people from the land. And so, leaving aside questions that are only really pertinent to an electoral contest, multiculturalism’s presently declared failure was always its very condition, contained in the specific structure of its promise, its accounting of success and failure, its normative ledgering of difference and identity.
Multiculturalism is a theory and policy of social order, of the restoration or institution of that order (and its boundaries) grounded in the recognition and management of differences-in-unity. In that policy, and in that process of managing the passage from the ostensibly particular differences of the otherly-complexioned to their integration into the apparently neutral terrain of social identity (citizenship), distinctions were always made between proper and improper forms of difference. As Mathew Hyland notes, this becomes the route by which an “open-ended obligation to the state and its proxies” is demanded.\(^7\)

What multiculturalism promised, then, was recognition (and rights) as the reward for appropriate expressions of difference - which is to say, both appropriate and appropriable: differences that can be appropriated as property; competition as the proper expression of difference (or conflict); relation conceived entirely in the register of exchange. Multiculturalism is, in other words, a particularly contractual version of the promise, not an assurance that the state or its institutions will recognise differences so much as a transaction over which differences will not disturb the social ordering (and valuations) of difference. And so, just as disturbance remains, so too does the need to racialise its features.

In one sense, then, race marks the persistent fracture of colonial narratives of development, evolution and progress, the accomplishments of self-possessed, autonomous subjectivity, construed as recalcitrance. The failure of this series of motifs - which is to say, and in one of its aspects: the failure of domestication and training as a specific and persistent form of relation between coloniser and colonised - is recollected as an attribute of the colonised. Wrested from the troubling complex of colonial relations and their perseverance in routine deliberations upon potential economic benefit and beneficience, ostensible problems become reified as belonging to what is not ‘us’, often in the language of biology, or culture, or psychology but also, at times, in the proposition of a seemingly ineffable, but nevertheless offensive alterity. Or, as Harry Chang put it some time ago, it is not the instrumentalisation of physiognomic differences that is at issue, but rather “objectification, ie, relational poles conceived as the intrinsic quality of objects in relation”\(^8\) Chang went on to insist that while, therefore and for instance, enslavability could be regarded as an attribute of blackness, not everyone who is black is therefore destined to be enslaved.

it does not aim at an air-tight predictable outcome when it comes to the question of who shall be in what class; the rule has to work itself out actuarially. … an elaborate system of gambling-house odds. … what is a gambling-house mentality if there are no winners occasionally? Nonetheless, the abstract need of class relations (eg, there shall be slaves) demands some concrete demographic solution (eg, Blacks as ‘candidates’ for slaves).\(^9\)

Racialisation is, to stress the point, actuarial; it is coincident with the hazards and triumphs of meritocracy and its predicaments, the organisation of ruin, gain, winners and losers, and the incessant restlessness that these imply. Race is, then, not a question of fixed categories, even if fixity and determination is what it imputes in manoeuvring around the troublesome questions of contingency and destiny. It delineates the points of a process, a set of filters that sift between those who might be groomed for inclusion (and potential value) and those set aside for exclusion.
and superfluity (or determined to be without value). This is why the application of its categories acquires a mobility that can only be understood as situational and concrete, never abstract or ahistorical; at times turning around the dualities of black and white or, at other times, the spectra of complexion, migratory waves or physiognomic assortment.

This is also why the measures of the ‘national emergency’ in Australia proceed along the dual axes of punishment and protection, are both paramilitary and humanitarian at the same time, conducted by roving teams consisting of soldiers, police, doctors, social workers and nurses, afforded with the techniques of land seizures and mortgages, loans and welfare cuts. In the face of this, to ask whether race exists biologically, or might one day be discovered to do so, or whether, instead, it is a representational figment is to miss the ways in which biology (and medicine, etc) literally produces the biological existence and status of populations and their health as effects of certain medical practices or their withdrawal, as well as the sense in which the hypothesis of race as representation supposes a rather contractual, abstract understanding of will, decision and, it might be added, sovereignty. Against both the feigned materialism of biological concepts of race and a social constructionism reduced to such a degree of voluntarism (and such an impoverished understanding of representation) that it cannot but transform into the former at those moments when it encounters the limits of its own contractualism, there remains the encounter with a difference that cannot be represented in the region of the contract. Where the biological concepts of race adhere to certain understandings of causation (conceive, for instance, of higher rates of mortality among indigenous people as an effect of ‘biology’, sometimes rendered as ‘culture’; or understand higher rates of infection without recalling the denial of certain antibiotic treatments and health care that are routinely available elsewhere), the latter champions the tautologies of contractarianism while exteriorising a presumed excess. Abstraction seeks to render each party to the contract as more or less identical - which is to say: equivalent - even as everyone knows that there is no capital without ongoing asymmetries produced and assumed in the daily processes of contracting.

All of this is in no way to suggest that race is functional to capitalist formation - on the contrary, it to insist that the one cannot be thought without the other: race no more interrupts the logic of capital than capital can be accumulated without strategies and grammars of differential inclusion, exclusion, circumscription and embodiment. To paraphrase remarks made elsewhere, given that someone cannot profit at the expense of another through an agreement that is indeed symmetrical, as the wage contract is asserted to be, racism (and sexism, which is always bound to racism in the nexus of sexuality, family and reproduction) prepares us for, distributes and rationalises asymmetry. Race is both condition and effect, the predominant form of the social tie (or contract) and its undoing. It is the material debris of capital’s idealisation (the undeliverability of its promisory note and shadow of its atemporalised, despatialised universality or, more simply put: the disavowal of capital’s ‘birth’, and persistence, in blood, shit and violent geographies) and the prerequisite (as Rousseau understood) for the racialising formation of the virtuous and self-governing subjects who might enter into the contract. In other words, race exists insofar as capital - its conditions, relations and procedures - is spectralised, just as abstract equality exists to the extent that concrete differences are sifted, ordered, repudiated, costed and abjected. This circumstance is neither a result of will nor biology, even if it organises the
semantics and practices, both mundane and sensational, of will and of bios through which race becomes materialised.

Notes

1. Mitropoulos, A. "The Barbed End of Human Rights", in Borderlands, 2:1, 2003; and “Under the Beach, the Barbed Wire”, Mute, 2:2, 2006

2. In some significant respects, the phrase 'indigenous land rights' is a misnomer - it does not refer to specific or additional rights that indigenous peoples may have or demand, but refers negatively to the extinction of the common law property rights that occurred under declarations of terra nullius. To be more precise, the very sense of declaring the land to be 'empty' implied, as in the texts of Blackstone and Locke which were relied upon for such determinations, that the land was not being used productively. Rights, according to such a view, flow from the exercise of labour upon the land. To enter the discourse of rights is to imply that capitalist work (and its appropriation) is the eternal condition of what is rightful (or deserved).


10. For a further discussion on Rousseau, and as this essay’s counterpart, see "Under the Beach, the Barbed Wire", Mute, 2:2, 2006

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