

Hidden in Plain Sight: A Note on Legitimation Crises and the Racial Order

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ABSTRACT

In the wake of increasing racial violence, new black movements have focused on questions of criminal justice. Yet some have argued that we need to focus more intensely on the deep economic inequality that particularly plagues black communities. The urgency of this issue is heightened by a pervasive sense within black communities of perpetual and rapidly escalating crisis. One way to reframe the question is, what is the relationship between race and this new stage of neo-liberal capitalism in the twenty-first century? To what degree can we characterize the period we live in as one of crisis, and, if so, what is the nature of the crisis? I argue that the United States is experiencing a deep crisis—a crisis that is deeply seated in multiple parts of the population—one that will be illegible without understanding the current and historical nature of race and capitalism in the United States.

Freedom ain't gonna to come until we regulate them.

—Dead Prez, “Radio Freq,” on *RBG: Revolutionary but Gangsta*, 2004

The anger that fueled protests from Ferguson to Baltimore, from New York City to Detroit, still boils in black communities throughout the United States. This is natural, as the underlying conditions of economic depression and oppression remain relatively unchanged. Some of this anger has been channeled into new grassroots black movements that are once again led primarily by young people such as those of the Black Lives Matter movement. In the wake of the cycle of the latest racist outrages such as the Charleston massacre—followed by rage, despair, and protest—a reasonable question is to ask the one asked by Martin Luther King Jr. in 1967: Where do we go from here, or what is to be done?

In the wake of racial violence perpetrated by both the state and individuals steeped in the racism endemic to American civil society, new black movements

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have focused on questions of criminal justice—attacks on black lives and bodies, mass incarceration, and the like. These foci, of course, make complete sense in the current climate. Yet some have argued that the Occupy Wall Street movement of a few years ago and the scholarship of Thomas Piketty, combined with a closer look at the underlying logics of systemic black economic subordination in cities such as Baltimore, suggest that we need to focus more intensely on the deep economic inequality that particularly plagues black communities while simultaneously and massively corrupting whatever semblance of representative democracy remains. The urgency of this issue is heightened by a pervasive sense, particularly, but not exclusively, within black communities, of perpetual and rapidly escalating crisis.

The answer we would get from the activists of black radical movements of the twentieth century—especially, but not exclusively, from the Black Power Movement—would be to focus simultaneously on both. From Malcolm X to the Black Panthers, from the Detroit Revolutionary Union Movement to a myriad of small regional and local groups of the 1970s Black Liberation movement, all were focused on both the attack on black bodies and the ravages of superexploitation that was the result of racialized capitalist expropriation and exploitation. These groups spanned a relatively wide ideological spectrum; some considered themselves liberal, others nationalist, and many called themselves (black) Marxists (or often a combination of Marxist and nationalist). Yet while that may have been the commonsense answer for the last century, there are two questions that should guide our answer in these times. One question is whether their answer is still relevant today—and if so, what is the relationship between the oppression of black bodies and the systematic economic exploitation and expropriation of black communities. Another way of framing this first question is: What is the relationship between race and this new stage of neoliberal capitalism in the twenty-first century? The second question is closely related to the first: To what degree can we characterize the period we live in as one of crisis, and if so, what is the nature of the crisis?

I argue that the United States is experiencing a deep crisis—a legitimation crisis as defined by Jürgen Habermas and currently discussed by Nancy Fraser. Further, we cannot understand this crisis, which is deeply seated in multiple parts of the population, without understanding the current and historical nature of race and capitalism in the United States. Indeed, the current crisis of legitimacy within the United States is due in no small part to the increasingly problematic *intersection* of racial domination, patriarchy, and capitalist exploitation.

The logic of racial expropriation is critical for fully understanding the current crisis. Disruption in one domain (such as that of the racial order) can lead to disruption in one or more other domains (such as that of the capitalist social order). These disruptions can undermine the state's legitimacy and move the system toward crisis. Habermas identified a key task of the state when he argued, "After the capitalist mode of production has been established, the exercise of the state's power within the social system can be limited . . . to the shielding of the market mechanism from self-destructive side effects."¹ The state, however, has multiple shielding tasks as the logics of white supremacy and patriarchy also have to be mediated so that the capitalist economy can function as efficiently as possible. These logics can conflict with each other, and if, for example, a substantial proportion of the population believes that the state is undermining its traditional support for a white supremacist racial order, then the state will be perceived as increasingly illegitimate and can rapidly edge toward crisis. It is "apparent" when we observe the rise of racial strife in the United States and ethno-religious conflict in Europe that racial and ethnic logics are generating crises as deep and perhaps even more dangerous than those of capital, reproduction, the ecology, or politics. These crises, as well as those discussed by Fraser and Habermas, are capable of generating a full-fledged crisis of legitimacy. They have already done so (or perhaps have reawakened such a crisis) in poor black communities, where we observe the emergence of nascent movements that are increasingly suspicious of the neoliberal privilege that black elites and their organizations have substantially, sometimes eagerly, embraced.²

Understanding the logic of expropriation and its relationship to the current crisis is also important for understanding sources of resistance. Fraser argued "[the] New Left agitation appeared for a time to succeed in constructing a counterhegemonic commonsense."³ The most enduring source of a counterhegemonic narrative, however, and the one that was most powerfully and widely embraced in any community, even during the time of the New Left's ascendancy, was and is generated in the opposition to the logic of white supremacy. This counterhegemonic narrative is often also explicitly linked to opposition to the ravages of

1. Jürgen Habermas, *Legitimation Crisis*, trans. Thomas McCarthy (Boston: Beacon, 1973), 21.

2. For a detailed examination of the effect of the embracing of neoliberal ideology by black elites and the consequent effect on black politics, see Michael C. Dawson and Megan Ming Francis, "Black Politics and the Neoliberal Racial Order," *Public Culture* 28, no. 1 78 (2016): 23–62.

3. Nancy Fraser, "Legitimation Crisis? On the Political Contradictions of Financialized Capitalism," *Critical Historical Studies* 2, no. 2 (2015): 174.

capitalism that continue to be felt most severely among those oppressed by the logic of expropriation and disposability. Within the United States, it has been within these populations, especially within twentieth-century black populations, where the capitalist and racist social orders were viewed as least legitimate. It is these communities that continue in a state of enduring crises even if the society as a whole has not yet fully experienced the troubles brought on by crisis.

Yet the racialized nature of capitalist society in the United States undermines the potential unity necessary for effective resistance. One example is that racial conflict undermined unity among workers. Another example is that support for unions has been undermined in the United States due in part to the pervasiveness of racial animus. This racialization of the perceptions of unions within the United States made it easier for capital's hostile anti-union agenda to find public support. Chen makes this point concisely: "Because the public sector, with its robust anti-discrimination mandates, represents the last bastion of US organized labour, hostility to the US labour movement is frequently couched in racist rhetoric."⁴ Another way the racial order reinforces that of capitalism is through the process of demonization. Those, such as blacks and Latino immigrants (and their allies and advocates), have stripped from them not only truth claims but even the presupposition of the capability of rationality. To understand the intersection of race and capitalism in this era, as well as in the current crisis, we must start with an expanded understanding of the contours of the modern capitalist order.

Nancy Fraser has a trenchant and convincing analysis of both modern capitalism and the nature of the contemporary crisis. First, in her *New Left Review* article, "Behind Marx's Hidden Abode: For an Expanded Conception of Capitalism," she gives us her account of the nature of modern capitalism.⁵ I agree when Fraser argues we need a "structural" understanding of capitalism.⁶ She asks and then answers, "What sort of animal is capitalism, on this account? The picture I have elaborated here differs importantly from the familiar idea that capitalism is an economic system. . . . These are features not of a capitalist economy, but of a capitalist *society*; and we concluded that those background conditions must not be air brushed out of the picture, but must be conceptualized and the-

4. Chris Chen, "The Limit Point of Capitalist Equality: Notes toward an Abolitionist Antiracism," *Endnotes* 3 (2013): 2, <http://endnotes.org.uk/en/chris-chen-the-limit-point-of-capitalist-equality>.

5. Nancy Fraser, "Behind Marx's Hidden Abode: For an Expanded Conception of Capitalism," *New Left Review* 86 (2014): 55–72.

6. *Ibid.*, 67.

orized as part of our understanding of capitalism. So capitalism is something larger than an economy."⁷ Thus, "If capitalism is neither an economic system nor a refined form of ethical life, then what is it? My answer is that it is best conceived as an institutionalized social order, on a par with, for example, feudalism."⁸

Fraser's task then is to delineate and analyze the "background" conditions, the "hidden abodes," that enable capitalist society. She argues for the central role of reproduction to capitalism and analyzes how neoliberalism has transformed social reproduction, and therefore the relationship between patriarchy and capitalism. In addition to the abode of reproduction, she identifies the ecology and the political as background domains necessary for capitalist society to function. In turn she maps each respectively onto the binaries of production/reproduction, human/nonhuman, and the economy/the political. All of these background domains are not only necessary for the functioning of capitalism but *are also integral to capitalism itself and, as each has its own logics, are potential sources of friction and resistance.*

Fraser also implicitly identifies expropriation as another of the hidden abodes when she states, "But it turned out there was a whole back-story about where capital itself comes from—a rather violent story of dispossession and expropriation . . . this back-story is not located only in the past, at the 'origins' of capitalism. Expropriation is an ongoing, albeit unofficial, mechanism of accumulation, which continues alongside the official mechanism of exploitation—Marx's 'front-story,' so to speak."⁹

What is Fraser missing and why is it important to both our understanding of the contemporary capitalist social order and the legitimation crisis? Strangely, Fraser does not develop this analysis of one of the critical domains for the functioning of capitalism even though she identifies it as one that is necessary both to the foundation and to the continuing functioning of capitalism. As Fraser and Marx both note, capitalism was founded on violent expropriation, theft, and murder, or, to use Beckert's phrase, "war capitalism."¹⁰ Understanding the foundation of capitalism requires a consideration of "the hidden abode of race": the ontological distinction between superior and inferior humans—codified as race—that was necessary for slavery, colonialism, the theft of lands in the Americas, and genocide. This racial separation is manifested in the division between full humans who possess

7. Ibid.

8. Ibid.

9. Ibid., 60.

10. Sven Beckert, *Empire of Cotton: A Global History* (New York: Knopf, 2014).

the right to sell their labor and compete within markets, and those that are disposable, discriminated against, and ultimately either eliminated or superexploited. These are the background conditions that produced and continue to produce the boundary struggles against expropriation. These struggles are found in Ferguson, Baltimore and elsewhere as the ongoing processes of expropriation, superexploitation, exclusion, genocide, and disposal continue to wreak havoc in communities of color within the United States.

While it is surprising that Fraser did not extend her analysis of expropriation, her treatment of the role of reproduction and therefore of gender and capitalism is nuanced and complex. By contrast, such thinkers as Žižek and, to a lesser degree, Stuart Hall worry that too much focus on gender and race will undermine the study of and struggle against capitalism. Žižek, for example, is nearly dismissive when he argues that postmodernism's focus on the "political series class-gender-race" occludes the fundamental dynamics of an overarching capitalism.¹¹ Hall worries that the type of analysis that Fraser, and particularly I advocate, which he characterizes in part as those who choose the binary of oppressed/oppressor, or people/power bloc versus class-against-class may have chosen categories too broad and imprecise. Hall writes, "Indeed, almost all ideological discourses which do not relate to economic struggles appear to be too easily subsumed by him [Laclau] into the 'popular democratic' category . . . it does not take into account the role which 'populist' (rather than popular) discourses have played in securing the 'people,' through an effective interpellation, to the practices of the dominant classes." Yet, in the United States white workers and many, many others have through "effective interpellation(s)" been secured on behalf of the "dominant classes."¹² Fraser decisively demonstrates that inclusion of gender and reproduction as foundational phenomena, far from occluding our understanding of capitalism, makes it more precise. I argue that the same is true of the study of race and expropriation.

As Chen argues, race remains an integral aspect of the foundation of capitalism and the ongoing process of capital accumulation: "Race is not extrinsic to capitalism or simply the product of specific historical formations to projects of industrial-

11. Slavoj Žižek, "Class Struggle or Postmodernism? Yes, Please!" in Judith Butler, Ernesto Laclau, and Slavoj Žižek, *Contingency, Hegemony, Universality: Contemporary Dialogues on the Left* (London: Verso, 2000), 90–135.

12. Stuart Hall, "The Great Moving Right Show," in *The Hard Road to Renewal: Thatcherism and the Crisis of the Left* (London: Verso, 1988), 39–56, 140. This line of critique was suggested by Ashleigh Campi. For a fuller presentation of her argument, see Ashleigh Campi, "Who Are 'Choice Feminists'? Entrepreneurial Femininity and Normative Power" (unpublished diss., in progress, University of Chicago).

ization. Instead they are reproduced through the creation of caste-like formations such as South African Apartheid or Jim Crow America. Likewise, capitalism does not simply incorporate racial domination as an incidental part of its operations, but from its origins systematically begins producing and reproducing 'race' as global surplus humanity.¹³ To rectify these omissions, as Eley argues, two literatures need to be brought together: that of the black Atlantic/slavery studies and that of "distinctive conditions of accumulation and exploitation now defining the new global division of labour."¹⁴ Bringing these two strands of inquiry (and others such as Afro-pessimism) into conversation improves our ability to analyze the relationship between the neoliberal capitalist social order and the attacks on racialized and seemingly disposable populations.

I argue that the analysis of expropriation is as critical to understanding historical and contemporary capitalist societies as the analysis of reproduction, ecology, or politics. I further argue that the associated binary that expropriation under capitalism divides the world into distinguishes racialized superior and inferior humans. Sometimes and in some places this binary is framed as "human/subhuman"; in others, as "full citizens/second-class citizens" or "civilized/uncivilized." In each case the division marked a racialized group whose labor, property, and bodies could be subject to expropriation, exploitation, and violation without recourse to (particularly civic/political) resources available to those classified as fully human. This division facilitated and justified the brutal colonizing of Africa, Asia, and the Americas; the genocide aimed at indigenous peoples; and the enslavement of Africans. These expropriations enabled the launching of the Industrial Revolution and the growth of both the United Kingdom and the United States as hegemonic economic powerhouses.

Capitalism was not "just" created through the institutions of slavery and colonialism as well as, in the American case, the theft of native lands, the conquest of the Southwest, and genocide. Those processes also required the "othering" of entire populations as being outside of humanity, as being "inferior races" not privy to the legal institutions and protections of metropole subjects and citizens. Onur Ince's reconceptualization of the inception of capitalism helps us better understand the relationship between capitalism and racialization. He forcefully argues that we should replace the centering of the nation-state at the birth of capitalism with the concept of "colonial empire." Further, he argues, "The crucial corollary

13. Chen, "Limit Point," 6.

14. Geoff Eley, "Historizing the Global, Politicizing Capital: Giving the Present a Name," *History Workshop Journal* 63 (2007): 154–88, quotation on 164.

of a colonial perspective on capitalism is a heavy emphasis on the role of institutional and military force . . . in effectuating the ‘authoritative political ordering of space.’”¹⁵ He agrees with Fraser that capitalism should be conceived as a social system marked by “an epochally specific constellation of social relations.”¹⁶ But Ince also analyzes the othering of populations whose bodies, land, and labor are expropriated within a system of racialized capitalism. He argues that force was necessary to control those populations as they were “situated beyond the line, the colonies represented . . . the *abode of the “savage” or “barbarian” peoples.*”¹⁷ Ince’s research demonstrates that from the beginning there were multiple logics contained within global capitalism, and the colonial-based logics of racialized expropriation affected all parts of the world—not the least of which was the United States.

This process continues beyond the ending of slavery and colonialism, within the United States, as James Boggs describes, through the process of superexploitation of black labor not only in the South but also in the factories of the North, Midwest, and West.¹⁸ In the Southwest, Chicano labor and land were expropriated in a process that some, such as Manuel Barrera, have labeled “internal colonialism.”¹⁹ Ince also shows how these processes continued not only through new capitalist epochs marked by “sharecropping” rather than slavery, but into the present as well.²⁰ In all cases the racialized expropriation of labor denoted a violation of what Fraser labels as Marx’s first defining aspect of capitalism—access to and equal participation in a “free” labor market. Whether as slaves during one epoch; as colonized workers, sharecroppers, workers within segregated/segmented labor markets throughout the twentieth century; or, as disposable workers in this neoliberal era—those marked by race within the United States and elsewhere have been denied a basic feature of capitalism—access to labor markets or, if granted access, the ability to sell their labor on an equal basis. During the period of Jim Crow within the United States, labor markets were segregated by race through legal mandates, corporate policy, and the norms of white civil soci-

15. Onur Ulas Ince, “Primitive Accumulation, New Enclosures, and Global Land Grabs: A Theoretical Intervention,” *Rural Sociology* 79 (2014): 104–51, quotation on 110.

16. *Ibid.*, 112.

17. *Ibid.*; emphasis added.

18. James Boggs, *Racism and the Class Struggle: Further Pages from a Black Worker’s Notebook* (New York: Monthly Review Press, 1970).

19. Mario Barrera, *Race and Class in the Southwest: A Theory of Racial Inequality* (South Bend, IN: University of Notre Dame Press, 1989).

20. *Ibid.*, 117.

ety. Blacks and other people of color were routinely either denied access to labor markets or were discriminated against within them. In this current neoliberal era, the legal mandates have been withdrawn, but research shows how both outright discrimination by firms and individuals, as well as the operations of the segregated informal networks that most often lead to employment ensure that labor markets remain racialized. As Eley and other historians have argued and documented, the result of expropriation of labor for centuries was an extraordinary source of capital accumulation—an accumulation of such magnitude and gained through such violent unlawful processes that our concept of the proletariat and its role, based largely on a relatively small segment of European and North American white males, needs be totally reworked.

Indeed, the process of expropriation marked by colonial logics is different from that described in traditional Marxist analyses due to its racialization. The colonial logic of superior/inferior human includes not only ongoing expropriation and exploitation, but disposability, and an attenuated extension of citizenship or subject “rights,” if they are extended at all. Racially expropriated labor never becomes “free labor” in the classic Marxist sense that Fraser argues is a central feature of capitalism. The logic of the abode of racialized expropriation and its associated binary of superior/inferior human evolves dynamically as does capitalism itself. There is also variation in how these logics are instantiated across space or even within a space. For example, in the mid-twentieth century some throughout the United States embraced the human/subhuman version of the binary, while others embraced the inferior/superior. An importance difference was that the latter group also believed that blacks should accept second-class citizenship until “some day” they became more civilized and worthy of full citizenship, while the former group believed in a permanent subordinate status for blacks. While the details matter, at times substantially, the colonial logics still undergird the intersection of the regimes of capitalism and white supremacy.

These logics extend into the present but in changed forms. Just as there were changes in the racial order between the period of Jim Crow and the current neoliberal order, the specifics of the relationship between race and capitalism also evolve as both the capitalist and racial orders change.²¹ Chen extended this analysis into the present when he stated: “The catastrophic rise of black mass incar-

21. See Dawson and Francis, “Black Politics,” for an extended difference of the evolution of the racial order in the United States, and how those changes were marked in part by changes in blacks’ relationship to labor markets.

ceration, the hyper-militarisation of the southern US border, and the continuation of open-ended security operations across the Muslim world, reveal how 'race' remains not only a probabilistic assignment of relative economic value but also an index of differential vulnerability to state violence." He continued, "At play here are not only unwaged, coerced or dependent forms of labour, but also, crucially, the management of those populations which have become redundant in relation to capital. Such populations are expendable but nonetheless trapped within the capital relation, because their existence is defined by a generalized commodity economy which does not recognize their capacity to labour."²²

The ideological apparatuses of capitalist society, both through the state and through civil society, demonized these "inferior humans" (or, if one was a liberal like Mill, "childlike" peoples), which in turn facilitated and justified the theft of many peoples' lands, including black lands in not only the southern United States but also in the North well into the twentieth century; the exploitation and superexploitation of nonwhite labor as well as the treatment of this labor as "disposable"; and the brutalization of (in our case) of black bodies whether through the massacre by racists of blacks such as in Charleston, or the police torture of black suspects in Chicago.²³ Historically, this logic of expropriation, exploitation, demonization, and oppression has gone by various names—most commonly in the United States as white supremacy. Understanding the modern instantiation of the logic of expropriation within the framework of the modern capitalist and racial social orders allows us to understand the connection between the ongoing attacks on black bodies and lives, and the economic exploitation, expropriation, and subordination of blacks in the United States.

CAPITALISM, LEGITIMATION CRISES, AND THE RACIAL ORDER

To fully understand the importance of Fraser's background conditions for the modern, neoliberal capitalist order, as well as what she labels the current crisis of legitimation within the United States (and elsewhere), we need to make an analysis of the relationship between race and capitalism central. Fraser argues in her current essay on legitimation crisis that, "Only by expanding our conception to include the political order can we clarify the full range of capitalism's contradictions and crisis tendencies, including those expressed in current processes of

22. Chen, "Limit Point," 4, 5.

23. For recent research on the theft of black lands using tax schemes in the North, see Andrew W. Kahrl, "Capitalizing on the Urban Fiscal Crisis: Predatory Tax Buyers in 1970s Chicago," *Journal of Urban History* (2015): 1–20.

de-democratization.”²⁴ Within the United States, at the very least, the argument Fraser makes about the political order is equally valid for considering the racial order.

Second, in “Legitimation Crisis,” she outlines an analysis of the current crisis by applying the lessons of Habermas’s work of that title to what she describes as the contemporary social order of “financialized capitalism.” Fraser argues that the crisis has three aspects that must be more deeply investigated: (1) the current crisis is rooted deeply in the structure of the capitalist social order; (2) it is a broad crisis not just a political crisis but “a *general crisis*”; and (3) the crisis is rooted not only in this epoch’s financialized capitalism but in “capitalist society as well.”²⁵ Fraser makes a critical point when she argues, “the state institutions that were previously (somewhat) responsive to citizens are decreasingly capable of solving the latter’s problems or meeting their needs.”²⁶

Fraser identifies a source of the current crisis as a key contradiction between capitalism’s precondition of a popularly based at least loosely democratic “public power,” and the undermining of that public power by the very process of the expanding drive for capital accumulation despite the latter’s dependence on the former as condition of its flourishing. This is a key contradiction, but not the only fundamental contradiction at the root of the current crisis. I agree with Fraser when she concludes that “it is at bottom a crisis of capitalism—or rather, of our current, historically specific form of capitalism: Financialized, globalizing, neoliberal.”²⁷ But she does not go far enough when she ends by saying that “whoever would speak about democracy today must also speak about capitalism.” True, but if the spectre of Syrian children lying dead on the beaches of Europe and the chalk lines of black youth who have been once again gunned down by the police are not to continue to haunt us, we must also realize that at the same time we “speak about capitalism” we must also fight to eliminate the category of “inferior humans” if we are to be free and have a chance to be fully emancipated.

The “trouble” that Fraser argues is caused by the current crisis is even greater than she states, given the increasing worldwide rise of white supremacist and similar logics when those who had been privileged resort to old practices of violence, racism, exclusion, and demonization. One result of these times of tumult has been a rise in left *and* right populism in countries such as the United States, Hungary,

24. Fraser, “Legitimation Crisis?,” 8.

25. *Ibid.*, 3.

26. *Ibid.*, 26.

27. *Ibid.*, 3.

Greece, and the United Kingdom. The rise of populism is not necessarily a boon for progressives, as the history of the 1930s should remind us. As Hall points out, populist uprisings may not only be reactionary, but can actually reinforce the rule of capital.²⁸ While it is often repeated with some justice that we live in a system of globalized capitalism, we should not forget or downplay that there is substantial local variation including how and to what degree the crises are manifested. There are multiple crises. China's crisis is substantially different from that in the United States. The rest of this article will primarily concentrate on examining legitimization crises within the contemporary United States.

In her discussion of legitimization crisis Fraser rehearses the well-known narrative of the consequences of neoliberalism and particularly financialization. These depredations extended into the domain of racialized expropriation as the devastated ghettos of Ferguson, Baltimore, and a host of other cities attest, where economic destruction was cruelly combined with ever-increasing levels of violence aimed at black bodies. This violence can be seen to be abstractly in two forms.

First is violence, sometimes murderous—initiated by members of the dominant civil society against black communities as a way of “grassroots” reassertion of the logics of white supremacy in an era that, particularly since 2008 and the election of Barack Obama, had been seen as one of declining control of white males over blacks, national borders, and the bodies of all women. Note that within the United States important sources of the current crisis within the capitalist order have an intersectional aspect—the challenging of white and male privilege through decades of mobilization and political struggle has undermined part of what many in the dominant status groups (as opposed to dominant *classes*) felt was a commitment guaranteed by the state to maintain their privilege in implicit return for their support of capitalism.

The second form of violence was increasingly visible abusive state coercion aimed at blacks, including but not limited to the murder of unarmed blacks. This can be seen as a direct consequence of the breakdown of the hegemonic logics of both white supremacy and capitalism. Growing anger in black communities was certainly in part a result of the effects of neoliberal policies, although the attack by police on blacks was also clearly fueled by white supremacist logics of keeping blacks in their place. The status logics of white supremacy in the United States, and expropriation more generally, has been continually challenged, sometimes

28. Stuart Hall, “Questions of Theory,” in *Hard Road to Renewal*, 123–49.

with substantial success, by the Black Liberation Movement in the United States (including both its civil rights and black power wings), as well as by anticolonial revolutions and national liberation movements throughout the world. The shift to neoliberal capitalism ravaged all classes except those at the very top. This even more predatory modern mode of capitalism, when combined with the partial successes of the twentieth century's black, Chicano, women's, and allied movements meant that there were no longer the resources for a class compromise. Those who had been partially privileged before perceived declining status in the realms of race and gender while also experiencing more economic precarity. The twentieth-century black, Chicano, and women's struggles were fairly successful in extending citizenship rights to members of subordinate groups, although these rights are violated in practice. They also had some success in winning programs of government redistribution (such as Medicaid) as well as opening up the occupational structure to allow the fuller, if not the full participation of these groups in occupations and sectors of the economy within which they had been previously banned. These modest successes led in part to the capitalist crises of the 1970s and the general retrenchment of Western economies. The neoliberal onslaught resulted in the hugely successful effort to reverse the victories of marginalized groups and workers within countries such as the United States. The combination of the partial successes, including the perceived change in status of these groups, and the partial withdrawal of resources that came with the national liberation and anticolonial struggles of the twentieth century, meant somewhat reduced capacity for even the limited class compromises of the past. Capital no longer tried to support both growing returns to capitalists and, by today's standards, a generous class compromise. The new losers were the previously relatively privileged (largely white and male) sectors of the working class. The end of this compromise undermined the legitimacy of US order within particularly the United States, the white middle class, and previously privileged sectors of the white working class.

The deepness, pervasiveness, and perverseness of the current crisis in the United States indicates that the state cannot reconcile deep losses of legitimacy within multiple populations that have conflicting interests and ideologies. Blacks and Latinos (particularly Mexican Americans, who have been targets of increasingly vile and racist anti-immigrant attacks), are becoming increasingly disillusioned and angry due to the escalation of white supremacy within the United States. Blacks in particular are devastated and furious about the continued killing of blacks by the state and by white terrorists. Latinos, while also facing police brutality, are infuriated and energized by the racist immigration policies of the state and fascist anti-immigration rhetoric of leading politicians. Both groups, but particularly blacks,

have been especially devastated by the economic crisis that for them has not only continued, but deepened.

Conservative white men, because of their material and psychological reliance on hierarchies of race and gender, fear the loss of the privileges that they regard as their right. The rise and resilience of the Tea Party and the consistent support for Republican primary challenger Donald Trump throughout most of 2015 was fueled by this group's anger—an anger that has been inflamed and encouraged by the racist proto-fascist rhetoric of multiple politicians.

The loss of legitimacy among people of color and the loss of status and legitimacy among many whites are in deep contradiction to each other. These groups are both affected, if to different degrees, by the precarity generated by today's capitalist order. But the loss of legitimacy is also tied for both groups, but for very different reasons, to the racial order. For some whites in particular, the loss of legitimacy is also tied to social conflicts centered on gender. Thus the legitimation crisis is simultaneously tied to the racial, patriarchal, and capitalist orders. As Habermas argues, for the state to maintain the social integration necessary for the relatively smooth functioning of a capitalist economy, it must try to "fulfill functions" that are relatively distant from those associated with managing the economy.²⁹ The disruptions and conflicts generated in the abodes of patriarchy and expropriation affect the state's ability to maintain an efficient capitalist economy. The state's capacity to manage the capitalist economy while preserving a minimum degree of social peace can be severely hampered by "disruptions" in companion logics, as we saw in the aftermath to the racial conflict that marked the height of black radical and other insurgencies during the 1970s.

The loss of legitimacy in the abode of racialized capitalism can lead to one or more of the types of legitimation crisis within the capitalist social order that Habermas describes. For example, the "steering" component becomes compromised if firms cannot use cheap immigrant labor because of the strong and racist anti-immigrant mobilization among particularly the white working and middle classes. On the other hand, the increasing precarity of the white working classes under the neoliberal stage of capitalism, which has led to a loss of legitimacy for capitalism, can be transferred into white supremacist logics, not only within the United States but increasingly within Europe as well. During the last decade the spiral of increasing economic precarity and racialized conflict has served to undermine the foundations of legitimacy for both the capitalist and racial social orders.

29. Habermas, *Legitimation Crisis*, 52.

CONCLUSION: WHITE SUPREMACY AND CAPITALISM

The wound is deep, but they give us a band aid.

—Ice-T, “New Jack Hustler,” from the soundtrack of *New Jack City*, 1991

We can better understand the relationship between the attacks on black bodies and continued systemic economic subordination of black communities by drawing on two different strands of theorizing. One, often identified with Afro-pessimism, focuses on the history of the devaluation and destruction of black bodies. The other, mostly grounded in contemporary Euro-American left political theory, attempts to “revise” Marxism in order to incorporate insights garnered from primarily feminist and ecological studies and movements. Frank Wilderson III, who is identified with Afro-pessimism, argues that “The United States is constructed at the intersection of both a capitalist and white supremacist matrix.”³⁰ That is a good starting point, but it does not go far enough. It helps us, however, extend Fraser’s analysis.

Unlike Wilderson, we must recognize that only by understanding simultaneously the intersections of the logics of capitalism and white supremacy can we hope to forge an analytical framework that might provide a guide for understanding and combating the multiple logics that have devastated black and other communities still categorized and treated as less than fully human—that is, who have rights less than those of full citizens. I am in broad agreement with Wilderson when he claims, “the emergence of the slave, the subject-effect of an ensemble of the direct relations of force, marks the emergence of capitalism *itself*. Let us put a finer point on it: violence toward the black body is the precondition for the existence of Gramsci’s single entity ‘the modern bourgeois-state’ with its divided apparatus, political society and civil society. This is to say violence against black people is ontological and gratuitous as opposed to merely ideological and contingent. Furthermore, no magical moment (i.e. 1865) transformed paradigmatically the black body’s relation to this entity.”³¹ Wilderson’s last point, however, is very ahistorical. While the gratuitous elements remained across eras, both the political economy and blacks’ relationship to it changed in fundamental ways. Even more ahistorical is the claim “*We are off the record.*”³² Being on the “record” is the essence, as Baptist and Johnson show in their historical research on slavery, of what

30. Frank Wilderson III, “Gramsci’s Black Marx: Wither the Slave in Civil Society?,” *Social Identities* 9 (2003): 225–40.

31. *Ibid.*, 229; emphasis in the original.

32. *Ibid.*, 236.

Wilderson gets wrong.³³ Blacks in the United States have always been part of the record—look at any slave owner’s record book, or the records of a Detroit auto factory in 1968, or the records of any prison today. We have been both on the record while simultaneously having a record—as sociologist Debra Pager puts it—we have always been “marked.” It is not that the “black American subject does not generate historical categories of Entitlement, Sovereignty, and/or Immigration.”³⁴ What we need to understand and counter is how those categories morph, collide, and in some cases collapse when viewed through the historical prism of black exploitation.

On a very deep yet pragmatic level it is ludicrous of Wilderson to assert that “work is a white category. The fact that millions upon millions of black people work misses the point. The point is we were never meant to be workers; in other words, capital/white supremacy’s dream did not envision us as being incorporated incorporative. From the very beginning we were meant to be accumulated and die. . . . Today, at the end of the twentieth century, we are still not meant to be workers. We are meant to be warehoused and die.”³⁵ This is fundamentally wrong: we were brought here to work, and to die. The two phenomena were and remain interconnected—and connect blacks in the United States to the other populations that were meant to work and/or die whether in the plantations of sub-Saharan Africa or the mines of the Andes.

Times change, including American blacks’ relationship to labor markets and the state. Our task is to understand those changes in order to create a society free from exploitation, oppression, and racial murder. Wilderson gets it wrong when he argues “again, the chief constant to the dream is that, whereas desire for black labour power is often a *historical component* to the institutionality [*sic*] of white supremacy, it is not a *constituent element*.” Yes, black labor was a “constituent element of white supremacy”—certainly at least from slavery through late Jim Crow. It is arguable to what extent it remains so in the United States, given the changing relationship between race and capitalism and specifically between blacks and the US labor market. Working-class blacks within the United States constitute one of the populations around the globe that have increasingly found their labor and bodies disposable. All of these “disposable” populations have been on the “wrong”

33. *Ibid.*

34. *Ibid.*, 238.

35. See Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014); and Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Belknap Press, 2013).

side of the superior/inferior binary that is the hallmark of the abode of racial expropriation.

As my coauthor Megan Francis and I argue, this relationship is not static and changes as the configuration of the relationship between the economy, the state, and civil society evolves in tandem with capitalist society itself.³⁶ Today's crisis is based in part on the partial victories of the mid-twentieth century against Jim Crow and superexploitation within the United States and against colonialism in the global South. As the ability to superexploit nonwhite populations in the metropole (such as in the United States) became more difficult and the ability to directly rip off the former colonies also became more difficult, populations somewhat protected from the worst ravages of capitalism, such as unionized labor and the white American middle class, saw many of their hard-won gains disappear as neoliberal regimes gained power, from the United States and the United Kingdom to the European Union and eventually the entire world. As these populations saw their benefits and privileges (as well as their incomes and wealth) pressured by an ever more rapacious capitalism, resentment increased against primarily nonwhite communities—particularly black and immigrant communities. The result has been an ever more toxic racial/ethnic/religious landscape in the United State, but also throughout the global North.

Frank Wilderson III asks, "What does it mean to be free?" and answers by then asking "What does it mean to suffer?"³⁷ Yet, what he misses in his psychological analysis of "white fantasies and shared pleasures" that lead to violence aimed at blacks is the history of the changes in the political economy that has led to a new "twoness," one different from that of Du Bois: a black subjectivity that combines the potential disposability of the slave with exploitation of the black worker. It is not a case of either/or. Black freedom—from both exploitation and gratuitous violence—can only be gained by confronting the matrices of both capital and white supremacy. Indeed, this has been the case since what Beckert has called the fifteenth- and sixteenth-century era of war (mercantile)-capitalism. The "twoness" of the combined black (disposable) slave/worker has in its synthesis a political demand: for self-determination. The combined status of slave and worker still provides an extremely antagonistic site for blacks in the United States, due to continued arbitrary violence from the state and white civil society, as well as continued racialized economic subordination and exploitation. Consequently, it is still the case that the black demand for the freedom to

36. Dawson and Francis, "Black Politics."

37. Wilderson, "Gramsci's Black Marx," 230–31.

choose their path from domination, exploitation and arbitrary violence remains justified in this post-civil rights era.

The power of racialized logics within the United States has always made this an even more difficult task than it would be in a society that did not divide its population into superior and inferior humans. Fraser correctly argues that central to this task is creating counterhegemonic narratives. But she also correctly states, “what grounds hegemonic worldviews—and their counterhegemonic rivals—are suppositions about the subject positions and capacities for *agency* available to social actors, the proper responsibilities and actual capabilities of *public powers*, the structure and operation of the reigning *social order*, the principles and frames of *justice* by which that order is to be evaluated, and the *historical* availability of desirable and feasible *alternatives*. It is the set of entrenched assumptions about such matters, as embedded in common sense, that shapes the responses of social actors to ‘system disturbances.’”³⁸ As I have demonstrated in some depth elsewhere, the racialization of American politics has meant that there are vast racial differences, particularly between blacks and whites in what is understood as political and sociological “common sense.”³⁹ In times of heightened racial conflict and polarization, blacks and whites do not even see the same world, recognize the same “facts.”⁴⁰ The contradictions within the capitalist and racial orders suggest we may live in a time of conjuncture. As Althusser suggests, “The conjuncture is thus no mere summary of its elements, or enumeration of diverse circumstances, but *their contradictory system*, which poses the political problem and indicates its historical solution.”⁴¹ The problem now is determining the “historical solution.” The contradictions that underlie the current crisis have their own specific aspects. But due to the fact that progressive and black movements remain relatively weak, it is also possible that reactionary movements could decisively win in these times.

This is the context within which movements such as Black Lives Matter organize and fight. Given the evolution of racialized capitalism, they, and we, have no choice but to simultaneously fight white supremacy and economic injustice. We must insist on the full human rights for Sandra Bland and her fellow victims of a racist and murderous state as well as terrorists such as Dylan Roof. We must fight new modes of state expropriation that seek to recover revenue for capital-

38. Fraser, “Legitimation Crisis?,” 21.

39. Michael C. Dawson, *Not in Our Lifetimes: The Future of Black Politics* (Chicago: University of Chicago Press, 2011).

40. *Ibid.*

41. Louis Althusser, *Machiavelli and Us* (London: Verso, 1999), 19; emphasis in the original.

ists and the state by violating the most basic of human rights such as the shutting off of water to poor families in Detroit; the use of the police in communities such as Ferguson to extract unconstitutional revenues from black “citizens”; or the state-enabled use of tax liens in cities such as Chicago to enable entrepreneurial thieves to legally steal black homes and property. In the United States part of the power of white supremacy is that we often overlook the importance of analyzing its logics when we fight for justice, even though the abode of race is hidden in plain sight.