THE BLACK PRESIDENTIAL
NON-SLAVE: GENOCIDE
AND THE PRESENT TENSE
OF RACIAL SLAVERY

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ABSTRACT

A devastating racial logic remains at play in the moment of a “post-civil
rights” black presidency. Barack Obama’s ascent has amplified a national
mythology of racial progress in the US multiculturalist age. This
mythology has fundamentally undermined both the credibility and critical
traction of existing scholarly-activist languages of racism, antiracism,
white supremacy, and institutionalized racial dominance. Thus, the
discourse of national-racial vindication that animates Obama’s ascen-
dance can and must be radically opposed with creative historical
narrations. These narrations must attempt to explain how and why
systems of racial dominance and state-condoned, state-sanctioned racist
violence remain central to the shaping of our present tense. The chapter
approaches this problematic by examining how the historical social logics
of racial chattel slavery cannot be historically compartmentalized and
temporally isolated into a discrete “past,” because they are genocidal in
their structuring and are thus central to the constitution of our existing
social and cultural systems. The apparatus of the North American racial
chattel institution must be theorized in its present tense articulations because its logics of power, domination, and violence have never really left us. The essay offers a schematic elaboration of this reconceptualization of racial genocide focusing on how the slavery’s abolition in the latter-19th century provides the political, cultural, and legal basis for slavery’s “reform” into the apparatuses of policing, criminalization, widespread and state-sanctioned antiblack bodily violence, and ultimately massive imprisonment. This examination allows for an elaboration of how slavery’s genocidal social logics permeate the present tense social formation, particularly at the site of massive racial criminalization and imprisonment.

**Keywords:** Barack Obama; genocide; racism; white supremacy; white reconstruction; post-civil rights; 13th amendment; slavery; abolition

**INTRODUCTION: RETELLING THE RACIAL PRESENT TENSE**

A devastating racial logic remains at play in the moment of a “post-civil rights” black presidency. By now we should be able to agree on at least one political-intellectual premise in our continual assessment of Barack Obama’s significance as a national executive, global (black/multiracial) political figure, and iconic symbol of liberal American optimism: the way in which his ascent amplifies and affirms the national mythology of racial progress in the US multiculturalist age has fundamentally undermined both the common sense credibility and critical political traction of existing scholarly-activist languages of racism, antiracism, white supremacy, and institutionalized racial dominance. If the work of building a robust public conversation around the systemic, historically rooted structures of state and state-sanctioned racism seemed extraordinarily difficult before 2008, it now seems virtually impossible in the shadow of the desegregated Oval Office.

The central argument of what follows is this: the discourse of national-racial vindication that animates Obama’s ascendance can and must be radically opposed with creative socio-historical narrations. These narrations must attempt to explain how and why systems of racial dominance and state-condoned, state-sanctioned racist violence remain central to the shaping of our present tense. I approach this problematic by examining how the particular social logics of racial chattel slavery cannot be historically
compartamentalized and temporally isolated into a discrete “past,” because they are genocidal in their structuring and are thus central to the constitution of our existing social and cultural systems. In part because slavery is often not explicitly framed, analyzed, and theorized as a unique chapter among the multiple global stories of racial genocide, I contend that the apparatus of the North American racial chattel institution must be theorized in its present tense articulations because its logics of power, domination, and violence have never really left us.\(^2\) While this core argument requires significantly more elaboration than I am allowed here, my intent is to offer the initial outlines of a descriptive, historical, and theoretical framework that clarifies the political stakes and contexts of thinking radically, racially, and historically in the current moment. This essay is organized into five short sections, which present some preliminary components of such a framing.

The first section of this chapter departs from Obama’s renowned 2008 “A More Perfect Union” speech by revisiting the national-racial turning point that this patriotic oration glorifies and mystifies: the seemingly magical racial transformation of a white supremacist and antiblack slave nation through the (white) moral-political assertion of (black) emancipation and (black male) citizenship. I briefly examine how two key elements within the racial narrative of Barack Obama’s presidential candidacy unwittingly demonstrate the persistent historical present tense of racial slavery, to the extent that slavery is understood in its totality as a cultural discourse, material institution, and idiom of power and dominance.\(^3\)

The second section of this essay departs from this political condition by urgently arguing for a re-telling of the national-racial story in the aftermath of November 2008. Here, I take as my point of departure the call issued by C. L. R. James almost a century ago to view the work of historical narrative as an urgent, potentially radical political labor in the aftermath – and in anticipation – of revolutionary (Black liberationist and anticolonialist) insurgencies. The third section proceeds toward the construction of such a narrative by outlining a working conception of slavery’s historical present tense. Anchoring this notion of slavery as a central component of our current social condition is a re-opened analytic of racial genocide. I situate this preliminary analysis within a genealogy of radical thought, ranging from the Civil Rights Congress’ *We Charge Genocide* (1951) to João Costa Vargas’ *Never Meant to Survive* (2008). This body of work facilitates a significantly more comprehensive understanding of how the lived historical realities of slavery-as-genocide both exceed the empiricist/quantitative descriptions of genocide common to many social scientific studies (often characterized by a fixation on numerical calculations of premature mortality,
physiological suffering, and generational loss) and challenge discrete temporal periodizations of genocide which attempt to delineate the discrete beginning and endpoints of its historical processes and social effects. This genealogy of radical analysis also suggests that the particular antiblack racial genocide of North American chattel slavery does not simply “end,” but is wrapped into a historical continuity that sustains slavery’s structural and institutional violence into the current social condition.

The essay’s fourth and fifth sections offer a schematic elaboration of this reconceptualization of racial genocide. I focus in the fourth section on how the abolition of slavery in the latter-19th century provides the political, cultural, and legal basis for slavery’s “reform” into the apparatuses of policing, criminalization, widespread and state-sanctioned antiblack bodily violence, and ultimately massive imprisonment. This narration examines how the apparent reformist windfall of slavery’s abolition actually rewrites and exacerbates the fundamental (juridical, physiological, ontological) violence of the abolished institution, and permanently codes the logics of antiblack genocide into post-emancipation US statecraft. I proceed in the fifth section by suggesting that the racial story of slavery’s present tense is perhaps best told through a re-narration of the systemic logics of the contemporary (post-1970s) US prison regime. Departing from an existing body of scholarship, I argue for an understanding of the US prison regime’s institutional genealogy that centers its historical continuities with slavery’s genocidal social logics. I conclude the essay with a meditation on the Obama ascendancy as a landmark of the post-1960s era of “White Reconstruction,” a notion that de-centers (but does not dispense with) the more commonly asserted notion of a “post-civil rights” period.

The racial spectacle that marks the patriotic cessation of the historical white monopoly on the office of the US Presidency represents a certain state of emergency for existing analytics of race, racism, and white supremacy. What might it mean to think, theorize, and organize radical political-intellectual work around the terms of “white supremacy” and “racism” at a time when institutionalized white monopolies have apparently dissipated (even if only through piecemeal diversity initiatives), and the social legacies of US racial genocides (slavery, land conquest, colonialism) are commonly understood as artifacts of a distant, unaccessible, and largely irrelevant past? What might it mean to consider the current moment as a time when the changing social logics of a historically genocidal and proto-genocidal racist nation have enabled a piecemeal repopulation of the ideological and political apparatuses of national white supremacy with the minds, spirits, and bodies of its onetime slaves, savages, and racial colonial subjects?
ASSESSING THE RACIAL STORY: BLACK PRESIDENT AS (BLACK) NON-SLAVE

The rise of Barack Obama and the climate of hollow unfulfillment that has followed his administration’s unsurprising adherence to the protocols and logics of the racial/racist state indicate that the aftermath of his ascent is not best described as a disappointment or political “betrayal.” Rather, it is a spectacular symptom of a reconfigured racial political problem: how are we to make sense of the enduring historical structures (as well as the empirical evidence) of widespread racial subjection within a state and social formation that generally articulates itself as multiculturalist in orientation, desegregated in form, and post-racist in institutional spirit? (Keep in mind that even the racist right-wing reactions to the alleged multiculturalist hegemony are themselves often grounded in the relatively easily accepted premise that the United States is no longer a racist – or even a racial – society; this assumption matters, if only because it was utterly unfeasible until recently.)

We can address a small but significant component of this urgent political dilemma by addressing it as a challenge of both theory and narrative. We do not have substantial enough frameworks through which to explain (theorize) and radically engage the structures of racial dominance that have succeeded the period of American Jim Crow apartheid and persisted – or even proliferated – through Obama’s presidential ascent. Nor do we have adequate methods for telling the (racial) story of what has happened since the 1960s as the social textures and institutionalizations of racist violence/subordination have seemingly transformed or, at least, dramatically changed in the “post-civil rights” period. Given the complexity of these challenges and the Obama ascendancy’s centrality to them, it is worth asking: What national relation to the long historical legacies of racial chattel slavery is narrated through and by Obama, and toward what ends? How is Obama’s vexed existence as a Black social subject narrated as if it is outside the long national genealogies of antiblack subjection, and thus resituated within a “multiculturalist” revision of the long, durable story of national white supremacy? How does the racial story of Barack Obama actually indicate racial slavery’s fugitive presence in our midst?

Candidate Obama’s March 2008 “A More Perfect Union” speech, arguably the defining cultural moment of his presidential campaign, provides an accessible entry into examining the apparent shifts in the discursive and rhetorical structures of race and white supremacy in the current moment. As the signature moment in the campaign in which Obama directly addressed “race” as a complex political and historical relation of power, this oration
brought unprecedented popular legitimacy to a 21st century vision of multiculturalist, nationalist optimism.

Lifting its title from the opening sentence of the US Constitution, Obama’s address was coined as a political denunciation of (and personal disassociation from) the widely respected Chicago pastor Jeremiah Wright, whose sermons in the prophetic tradition of Black Liberation Theology were widely framed by the national media, and eventually Obama himself, as demagogic, race-baiting iterations of Black paranoia.\textsuperscript{6} Crucial to our discussion is that Obama’s speech rested on an ahistorical caricaturing of the legacies of racial chattel slavery: he narrated the liberal myth of slavery’s demise through the notion of a striving, though inevitably imperfect Christian nationhood.

The document [the nation’s founders] produced was eventually signed but ultimately unfinished. It was stained by this nation’s original sin of slavery, a question that divided the colonies and brought the convention to a stalemate until the founders chose to allow the slave trade to continue for at least twenty more years, and to leave any final resolution to future generations. (Obama, 2008) (emphasis added)

Following the logic of this biblical rhetoric, to enslave is tantamount to being and becoming fully \textit{human}: the slave owning white society collectively bears Adam’s culpability of original sin, the necessary burden for eventually inhabiting the Christian humility of humanness before God. This white supremacist humanness is universalized throughout the speech, but is especially conspicuous in Obama’s re-narration of the Constitution’s juridical normalization of a slave institution that spawned epochal genocidal racist violence. Stunningly – given his substantial pedagogical engagement with the emerging scholarly field of critical race theory during his 12 years as a University of Chicago Law School professor\textsuperscript{7} – Obama obliterates any historical understanding of the Constitution as a fundamentally antiblack, anti-indigenous national document. Rather, he mystifies this founding American text – which legally formed, validated, and protected the institution of racial chattel slavery – as if it were an imminently \textit{abolitionist} one.

Of course, the answer to the slavery question was already embedded within our Constitution – a Constitution that had at its very core the ideal of equal citizenship under the law; a Constitution that promised its people liberty, and justice, and a union that could be and should be perfected over time. (Obama, 2008)

Of course, the narrative arc of this liberal mythology is nothing new, and the story is entirely routine in bypassing the centrality of slavery and land conquest to the Constitution’s formulation of citizenship, property rights, commerce, domestic militias, and taxation (infamously, “Taxes shall be …
determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.’’). The more relevant issue for our discussion is: Why was this speech issued as it was, by the person who orated it?

On the one hand, it seems easy to delineate how “A More Perfect Union” attempts to erase the indelible: it reduces the social and economic system that rested on the chattel subjection of Africans to a compartmentalized and ultimately reconcilable event in the American white racial destiny. This evisceration of slavery’s long historical impact on the nation has been crucial to the very feasibility of the American national-racial narrative in its hegemonic forms. On the other hand, according to Obama’s narrative, the protracted and arduous process of slavery’s abolition is itself a universal “American” history, and should be told as a non-racial story:

And yet words on a parchment would not be enough to deliver slaves from bondage, or provide men and women of every color and creed their full rights and obligations as citizens of the United States. What would be needed were Americans in successive generations who were willing to do their part – through protests and struggle, on the streets and in the courts, through a civil war and civil disobedience and always at great risk – to narrow that gap between the promise of our ideals and the reality of their time. (Obama, 2008)

Slavery’s lasting legacies of social, economic, and cultural violence thus disappear in the redemptive allegory of a righteously antiracist American body politic. This teleology of racial progress allows for a compartmentalization of genocidal slavery’s temporality, spatiality, and sociological effect: it is a bygone period of American history, rather than a fundamental social architecture and discursive matrix guiding the formation of American racial power relations during and beyond the plantation era. While Obama later catalogues some of the “inequalities passed on from an earlier generation that suffered under the brutal legacy of slavery and Jim Crow” – Black/white “achievement gaps” in schooling, occupational discrimination, “the wealth and income gap between black and white,” etc. – his purpose in doing so is to contextualize and resoundingly disavow the racial resentment of “Reverend Wright and other African-Americans of his generation.”

For the men and women of Reverend Wright’s generation, the memories of humiliation and doubt and fear have not gone away; nor has the anger and the bitterness of those years … . That anger is not always productive; indeed, all too often it distracts attention from solving real problems; it keeps us from squarely facing our own complicity in our condition, and prevents the African-American community from forging the alliances it needs to bring about real change. (Obama, 2008)
Borrowing an ideological line from the Black neoconservative litany, Obama’s dismissal of Black “anger” via Jeremiah Wright is guided by a disciplinary admonishment: Black resentment is a misplaced reaction to a social condition that is significantly recreated by a) the Black cultural pathology of what right-wing Black pundit John McWhorter (2001) calls Black American “self-sabotage” (for Obama, “our own complicity in our condition”), and b) the particular self-defeating tendencies of Black “anger and bitterness,” which obstruct the formation of those unspecified (multi-cultural/multiracial) “alliances” required for progressive social change. It is here that Obama tentatively invokes the irreparable historical violence of antiblack racial slavery so that it may be distanced, contained, and erased. Against their own political intentions, such rhetorical gestures indicate the fugitive presence of slavery’s structuring national-racial violence in the present tense: there is something irrepresible about slavery’s persistent impact on the social imagination of the post-1865 US, and rhetorics of patriotism (across the political spectrum) must constantly confront this vexing presence. We will examine this problem more closely in the following section. For now, it should be emphasized that the vision (and for many, the fear) of a black president called forth the possibility of a national racial salvation that could (finally) escape the absolute historical gravity of the genocidally antiblack peculiar institution.

It is in the context of such a national racial redemption that Obama represents a subtle though historically significant political breakthrough: he has turned patriotic racial humanism into a global (Nobel Prize winning) charge rather than an oxymoron. The speech enunciated this ideological position through the metaphor of a salvable racial injury, healed through an insistent post-racial nationalism:

But I have asserted a firm conviction – a conviction rooted in my faith in God and my faith in the American people – that working together we can move beyond some of our old racial wounds, and that in fact we have no choice if we are to continue on the path of a more perfect union. (Obama, 2008)

The philosophical precedents of Obama’s ludic American racial humanism are worth briefly addressing, if only because such a reflection can help establish the grounds for a sustained critical response. Black theorist and writer Sylvia Wynter powerfully reminds us that the epochal philosophical project of Western liberal humanism has relied on the mapping of absolute irrationality onto the black, colonized, and native positions “all over the world.” Wynter thus summarizes the racial schema that orders the liberal humanist intellectual movement:
[It] is the intellectuals of the bourgeoisie, from Adam Smith and Malthus to Darwin and Ricardo, that ... spearhead the second intellectual revolution of humanism, this time a bioeconomic or liberal humanism ... So we are now moving from rational/irrational to evolved/non-evolved, selected/dysselected. And here we come to the crux of the matter. This code is going to be mapped upon the extra-humanly determined difference of somatotypes between what DuBois calls the “lighter and the darker races”, or the colour line. So this will be enacted as a code, not only as between white and black in the apartheid systems of the US and of South Africa, but also in the colonizer/colonized or the settler/native dichotomous relation all over the world. *All* over the world. (Wynter & Scott, 2000, pp. 182–183) (emphasis in the original)

If we follow Wynter’s mapping of Western liberal humanism’s irreducible commitment to the epistemic and social violence of racial binary opposition – and its particular tethering of white civilizational supremacy to genocidal antiblackness – we can better understand why Obama’s furtive liberal racial humanism is so oxymoronic: it *presumes* the Black’s capacity for inhabiting rationality and evolved/modern human subjectivity, while ignoring how the white liberal humanist racial schema preemptively (and permanently) posits the Black as the “non-evolved” and “dysselected” figure of history. Obama’s rhetoric seems to magically resolve this fatal humanist contradiction by situating the Black presidential figure as the conduit for sanitizing the historical toxicities of national white supremacy and its singular productions of systemic antiblack violence. But how does Obama accomplish this magical feat, if he in fact remains a figure of racial blackness in spite of – or perhaps because of – his elite political status? What makes him so *successful* in sterilizing the absolute, permanent, and irresolvable (Black) resentment/anger and (white) national anxiety/guilt that surrounds the stubborn presence of slavery’s logics of social domination?

It is here that we might visit on a second narrative structure that has guided Obama’s political trajectory since the time of his emergence as a viable presidential candidate. There is an under-theorized, though not unnoticed, aspect of the Obama ascendency that constitutes a necessary dimension of his cross-racial attractiveness as a national symbol. His racial persona is significantly defined by the fact that he is *not a descendant of slaves*. On the contrary, he has famously acknowledged (and his presidential campaign has strangely valorized) his *slave-owning* maternal ancestry. Said one Obama spokesperson in 2007, “It is a true measure of progress that the descendant of a slave owner would come to marry a student from Kenya and produce a son who would grow up to be a candidate for president of the United States” (Swarms, 2007). Another Obama representative posited that the candidate’s Southern slaveholding ancestry was “representative of America” (Fornek, 2007). In fact, available evidence suggests that Obama
may be descended from slave traders on the paternal side of his family tree as well (Hinckley & Soole, 2007; Obama, 2004). Furthermore, it has frequently been Obama himself who has inferred the broader political relevance of his family tree’s differential proximities to New World slavery:

I’ve gone to some of the best schools in America and lived in one of the world’s poorest nations. I am married to a black American who carries within her the blood of slaves and slaveowners – an inheritance we pass on to our two precious daughters. I have brothers, sisters, nieces, nephews, uncles and cousins, of every race and every hue, scattered across three continents, and for as long as I live, I will never forget that in no other country on Earth is my story even possible.

It’s a story that hasn’t made me the most conventional candidate. But it is a story that has seared into my genetic makeup the idea that this nation is more than the sum of its parts – that out of many, we are truly one. (Obama, 2008)

I address these genealogical matters not to attribute a vulgar essentialist significance to one’s familial (and social) heritage, but rather to bring attention to the political meanings of attempts to (self)narrate such a decisive rupturing of the globally naturalized connection between modern constructions of racial blackness and the social condition/abject status of racial chattel slavery (Barrett, 1999, forthcoming). I would suggest that it is precisely this discourse of disruption – Obama’s embodiment of a symbolic severance of blackness from slavery – that unintentionally confirms the binding historical presence of racial slavery as a logic of social power that permeates the everyday intercourses of the nation, from electoral discourse and public policy debate to policing strategies and warfare protocols. In attempting to undo the long historical conflation between blackness and slavery, the Obama ascendancy is also rewriting the script of white supremacist nation-building, compartmentalizing the genocidal legacies of slavery and fortifying a liberal mythology of post-civil rights African-American progress and political empowerment. It is exactly such a narrative that facilitates and enhances the structures of institutionalized state-organized and state-condoned (antiblack) racist subjection in the “multicultural” age.

What is important here is not the seemingly self-explanatory and simple fact that Obama is not descended from slaves. Rather, it is the notion of his exceptional relationship to the historical structure of slavery that must be addressed: this “exceptional Blackness” allows Obama to bear the weight of detoxifying the long legacies of genocidal slavery: Obama represents the magical figure of the Black American non-slave. Yet we must be careful to admit: while acknowledging the idiosyncrasies of his own family tree, Obama consistently identifies himself with American blackness, affirms an African American identity, and recognizes that his “biracial” parentage
(Black African father, white mother) does not grant him amnesty or even significant distance from the complex lived realities of Black social existence. He does all of this, however, within a narrative structure that pronounces a purposeful, strategic alienation from the Black slave’s social existence.

A still-assembling global common sense suggests – through the person of Obama – that the essential violences of “race” are deteriorating if not altogether disappeared: November 5, 2008, editorial headlines from Vancouver and Glasgow read, “Americans Move a Step Closer to Post-Racial Society” and “The Nation that Stops a Race … Until Now,” while in Sydney, a February 2007 feature article asked, “Can this Man Unite America?” The US print, radio, television, and Internet media discourse in this rhetorical and ideological vein is so saturated it should require no further mention here. Against this discourse, I continue by elaborating another primary contention: that our historical moment – and the Obama national-racial telos – cannot be politically severed from the substructure of racist/antiblack, genocidal and proto-genocidal violence that is formed in the crucible of racial chattel slavery, and perpetuated through its logics of social power as they shape the distended post-emancipation (post-1865) and post-civil rights (post-1965) periods.

THE TIME-LAPSING LOGICS OF (ANTIBLACK) RACIAL GENOCIDE

The watershed of November 4, 2008, has composed another chapter in a national-racial story that incessantly postpones confrontation with the fugitive presence of slavery in our midst. Against this multiculturalist racial/post-racial optimism, I wish to consider a different set of political and narrative premises for conceptualizing our historical present tense: most importantly, that the intertwined social logics of racial chattel slavery, white supremacy, and multiple racial genocides constitute institutional and political legacies that cannot be easily contained within time-limited frameworks. Few have phrased the problem with more clarity than Native Hawaiian radical intellectual Haunani Kay Trask:

But can we, as Native peoples, resist the planned New World Order by ourselves? Probably not. The state of the world gives us little hope. Native resistance can be and has been crushed. As indigenous nations die out, our peoples reach a point of irreparable harm. We cannot sustain our numbers, our cultures, our stewardship of the earth. Even while they plan our demise, First World countries and those aspiring to that status memorialize our passing. (Trask, 1999, pp. 61–62)
Elaborating Trask, we might ask how the institutional, cultural, and epistemological inheritances of racial genocide perpetually leap into our midst, and compel a reckoning that is not easily accomplished through prevailing political languages and activist forms. If we are to respect Trask’s radical disruption of the presumed *time of genocide* as past tense, we must understand that hers is both a narrative and theoretical statement: the “story” of racial genocide, from this indigenous anti-colonialist perspective, is a telling of how the world’s structures of genocidal terror and violence form a stranglehold on a “future” which does not exist for the Native. To confront this deracinated “future time,” literally a reckoning with one’s destiny of non-existence, is to render absurd the multiculturalist, nationalist pretensions of the Obama telos.

Centering an antiblack genocide temporality, the late Manning Marable reflects in 1983 on a nation-building process in which “Blacks have been brutally oppressed, unquestionably, since 1619.” Addressing a post-civil rights state whose capacities were being redirected and administered toward a social planning that “could inevitably involve the complete obliteration of the entire Black reserve army of labor and sections of the Black working class,” (Marable, 1983, pp. 251–252) he invigorates a radical epistemology of racial genocide in reference to the contemporary United States:

> The genocidal logic of the situation could demand, in the not too distant future, the rejection of the ghetto’s right to survival in the new capitalist order. Without gas chambers or pogroms, the dark ghetto’s economic and social institutions might be destroyed, and *many of its residents would simply cease to exist.* (Marable, 1983, p. 253)

(emphasis in original)

Following Trask’s narrative opening and Marable’s analytical-temporal focal point, we can begin to appreciate how racial genocides constitute multiple, continuous histories of the present. These thinkers’ epistemic centering of “planned demise,” “obliteration,” and “ceasing to exist” delineates a state of emergency that cannot be soothed or solved with piecemeal social reforms, stopgap economic incentives, or populist significations of racial diversity and multicultural nationalism. To absorb the gravity of these genocide-centered positions is to more fully appreciate why the aforementioned story of the black presidential non-slave must be refuted: because if its mythology is allowed to exist, then the present and future times of genocides are not only naturalized, they also become imperceptible.

My purpose here is to move toward another way of telling the story of our historical present that keeps intimacy with (rather than rejecting or fleeing from) the profound, politicized despair that accompanies it

(Ngo, 2005).
I am not interested in a point-by-point refutation of the naïve-to-insidious allegations of the onset of a “postracial/postracist America.” Rather, I am invested in foregrounding and refining the theoretical tools of radical, historical narrative creativity. How might the retelling of racial genocide’s multiple “stories” facilitate the expansion of radical explanatory frameworks and analytical methods for addressing the contemporary condition, and displace the racial story of a post-civil rights black presidency?

I am inspired in this instance by the durable political-intellectual model of C. L. R. James. As a historian of Black insurrection and revolution, James understood that the theoretical fluency and analytical clarity catalyzed by such narrative creativity might help generate a scholar-activist practice of telling and retelling social stories that inhabit, rather than mystify, this genocidal present tense. James, whose 1938 study of the Haitian slave revolution unapologetically anticipates the coming era of anticolonialist uprising and transformation, asserts the centrality of historical narrative structure to the scholarly marking/making of (black) revolutionary subjects – without a way to retell the story of the master, against the master’s power and toward the master’s demise, the Black New World (colonial) slave was perpetually stuck in the language, vernacular, and imagination of her/his own dehumanization. Following James, the purpose of such a narrative structure is to form a critical apprehension of the specific conditions and political “necessities” defining a historical moment, while attempting “[t]o portray the limits of those necessities and the realisation, complete or partial, of all possibilities” (James, 1989, p. x).

In my view, James’s encouragement opens the historical imagination toward a radical narrative creativity that might allow us to tell and retell the present tense stories of institutionalized dehumanization (Gordon, 1996, pp. 305–306) and systemic racist subjection. What might it mean to narrate the historical present against the presidential figure of the Black non-slave, and to radically, unapologetically refute the idea of an America vindicated of the worst of its racial “past”? If the very idea of America is to be narratively steeped in a permanent indictment of the racial damage on which it is based – an implication that is not only ethically necessary, but which may be productive of creative and radical political possibilities – then a useful narrative starting point is one that views “the necessities of [our political-intellectual] environment” (James, 1989, p. x) as being centrally defined by the permanent and time-lapsing marks of white supremacist and racist social logics, particularly and especially those formed by the antiblack genocide of racial chattel slavery and its complex historical aftermath. Plainly, this is to tell a “non-fictional” theoretical story through the...
language of a historical tale, one that invites a form of political and cultural discourse that exceeds the constraints of academic disciplines and becomes, in a sense, an anti-disciplinary and potentially “popular” vernacular of social truth.12

REVISITING “GENOCIDE”

I place emphasis on the genocidal structuring of the New World racial enslavement regime not because its primary objective was the wholesale physical elimination of a population, but rather because it was central to a civilizational project that undertook the absolute displacement or eradication of different indigenous ways of life, from Africa to the Americas. There is an unbreakable historical, institutional, and conceptual linkage between the ideological invention of racial blackness as the physiological marker of the slave and the zero point of the emergent modern racial order, and the political economies of this racial marking within changing modes of economic production (Patterson, 1982; Robinson, 1983; Wynter, 2003). Here, it is crucial to understand that the epistemes and social matrices of racial blackness are continuously and primarily structured by the racial chattel relation, rather than the labor, migrant, colonial, or citizen relation: thus, the social relations constituted by this coercive – and historically pervasive – tethering of blackness to chattel status form the conditions within which the structural foundations of the modern civilized order (from civil society to the nation-state) have emerged and flourished.13 In other words, it is the forceful, historically consistent, militarized and institutionalized conflation of Black social existence with the social status of property – and the peculiar subjection of Black bodies to regimes of physiological vulnerability and disintegration such as the slave plantation, lynching, apartheid, and racial criminalization – that constitutes the primary historical logics of antiblack genocide. Different historical formations of antiblack racist violence flow from this primary relation, which constantly reiterates and improvises on the biopolitical dimensions of slavery.14 Black political subjectivities, freedom struggles, and liberation discourses have formed their own, organic sets of concerns, sensibilities, agendas, and analytics within this antiblack genocide continuum.15 The remainder of this discussion attempts to resonate with this critical genealogy of antiblack genocide by outlining a historical analytic through which it can be traced in the present tense.
It is widely acknowledged by legal and historical scholars, as well as indigenous liberation and human rights activists, that the United Nations’ official definition of genocide (as coded in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide) is deeply flawed as both a juridical framework and historical conceptualization. While I have more thoroughly discussed the need for a critical disposition toward the UN’s intentional narrowing of the scholarly and legal understanding of genocide elsewhere, (Rodrı´guez, 2009) it is worth emphasizing that the earliest draft formulations of the UN Genocide Convention offered a substantially broader understanding of this historical concept, which included genocidal practices that extended beyond the narrow realm of wholesale population decimation or liquidation. Native American scholar Ward Churchill provides a summation of versions of the pre-approval draft in the 1997 text A Little Matter of Genocide, describing a significantly more robust and layered definition of genocide than that eventually legislated by the UN. Central to this proposed UN definition of genocide, Churchill writes, was the juridical position that,

... acts or policies aimed at “preventing the preservation or development” of “racial, national, linguistic, religious or political groups” should be considered genocidal, along with a range of “preparatory” acts, including “all forms of propaganda tending by their systematic and hateful character to provoke genocide, or tending to make it appear as a necessary, legitimate, or excusable act.” (Churchill, 1997, p. 410)

The early drafts of the Genocide Convention paid rigorous attention to genocidal state practices that extended beyond mass killing, and included complex definitions of cultural genocide, political repression, and a range of culpable acts that implicated a spectrum of state and state-sanctioned institutional and ideological/discursive mobilizations.

Legal scholar Raphaël Lemkin, one of the central members of the Genocide Convention’s original drafting committee, is widely acknowledged as the originator of the term, as he develops an extensive definition of genocide in Chapter IX of his 1944 opus Axis Rule in Occupied Europe. Importantly, Lemkin’s text employs Nazi Germany as a case study to build a multilayered understanding of genocide that provides a strong legal basis for criminal prosecution of offending states and material redress for genocide’s victims/survivors across different historical and political circumstances (Lemkin, 1944, 1947). While there are endemic limitations that emerge from Lemkin’s paradigmatic centering of the Nazi case, his text holds significant value within its own parameters: perhaps most importantly, his insistence on a strong juridical structure of international accountability for genocide as a
“composite” of practices, usually though not exclusively carried out by members of the offending state, became a central and characterizing feature of the draft proposal he and others submitted for the UN’s final approval.

On receiving Lemkin’s text, however, several former European colonial states in concert with the emerging Cold War superpowers coalesced to undermine the draft Convention of its definitional scope and legal enforceability. UN representatives from the United States and Soviet Union successfully expelled Lemkin and others from the Genocide Convention’s revision and approval process and, in dialogue with representatives serving on UN’s Legal Committee and Ad Hoc Committee on Genocide, eviscerated some of the central juridical provisions delineated in the draft. (Chalk & Jonassohn, 1990, pp. 8–12) The UN’s maneuvering also resulted in the elimination of protocols for a permanent international tribunal – instead allowing accused governments to develop autonomous measures to internally assess accusations of genocidal conduct – and erased the entire second article of the draft, which defined the far-reaching concept of “cultural genocide.” As two prominent genocide scholars have succinctly written, “although it marked a milestone in international law, the UN definition is of little use to scholars” (Chalk & Jonassohn, 1990, p. 10).

Thus, despite such important attempts at appropriating and rearticulating the terms of the UN Genocide Convention as William Patterson and the Civil Rights Congress’s (1951) We Charge Genocide petition to the UN (which seized on the language of the Genocide Convention to formally accuse the US government of committing genocide against its domestic Black population), and Jean-Paul Sartre and Arlette El Kaïm-Sartre’s 1968 marshalling of evidence of US military genocide in Vietnam (Sartre & El Kaïm-Sartre, 1968), the Convention on the Prevention and Punishment of the Crime of Genocide is a momentous failure as legislation on its own terms, and fails as a remotely sufficient definition of genocide in its most historicized forms. It is precisely as a result of this failure that the work of Patterson and the Civil Rights Congress is being revisited at the current moment by a growing community of radical intellectuals, including anthropologist and Africana studies scholar João Costa Vargas (2008) and Native American (Cherokee) feminist scholar Andrea Smith (2005), among others. These thinkers enable a critical revisiting of We Charge Genocide as a document for the historical present, a vital intellectual maneuver in light of the UN’s ideological hegemony in the terrain of genocide discourse.

The remainder of this essay will proceed from an analytical and conceptual framing of genocide that is broadly informed by the texts of thinkers like Trask, Marable, Lemkin, Patterson, Vargas, Smith, and Churchill. Following
the trajectory of these intellectuals, I am conceptualizing racial genocide as a logic of social formation and nation/civilization building that produces multiple, dynamically related systems of physiological, civil, and social death. Genocide, as I understand it here, is a socially productive process that is as centrally occupied with the creation of oppressive and repressive conditions of existence as it is with mobilizing antisocial, militarized processes that lead to intensified or protracted systems of physical human extermination. I am also suggesting that by tracing the institutional and political continuities of racial chattel slavery as a historically productive genocidal apparatus, it is possible to more seriously examine how the most normalized—and therefore terrifyingly acceptable—systems of white supremacist state and state-sanctioned antiblack violence may be seen to emerge organically from the genealogies of racial chattel slavery and thus shape the present tense historical condition in which each of us differently and perpetually lives.

SLAVERY’S ABOLITION AND THE CARCERAL LOGIC OF GENOCIDE

A racial chattel logic permeates the contemporary US social formation, most stridently in the mutually constituting production of its policing, criminalization, and imprisonment apparatuses. It has proved to be especially difficult to generate a critical language around this relation, despite—and because of—progressive attempts to tentatively narrate such historical linkages. While legal scholar Michelle Alexander has most recently proposed a historical analogy that views the emergence of post-1970s mass imprisonment as “the New Jim Crow,” she ultimately asserts that the condition is in fact not substantively comparable to Jim Crow, and that while “the parallels between the two systems of control are striking,” it is more important to understand that “there are important differences” (Alexander, 2010, p. 195).

What I wish to critically engage here is not Alexander’s cataloguing of the institutional, cultural, and political differences between the racist regimes of formal segregation and post-segregation mass imprisonment. I strongly agree that a rigorous illustration of such empirical and political distinctions is central to any serious analysis of the post-1960s period. Rather, I question Alexander’s methodological (and political) choice to pigeonhole the Jim Crow-mass incarceration juxtaposition within a superficial posture of “analogy,” rather than enrich it through a robust conception of institutional genealogy and historical continuity, and infuse its conceptual power with an
epistemic centering of the long present tense of antiblack state violence (if not antiblack genocide). (In fact, there are a number of disappointingly incomplete gestures to precisely these methodological possibilities evidenced throughout her text.)

To invoke Jim Crow as part of a narrative framing of the current period of unprecedented antiblack and racist criminalization, in my view, invites an amplification of the prison regime’s fundamental connectedness to allegedly bygone eras of the US racist state and racist (white) civil society, rather than a mitigation or analytical disavowal of that connectedness. Of course, in one strict sense Alexander is correct in asserting that “if one were to draft a list of the differences between slavery and Jim Crow, the list might well be longer than the list of similarities. The same goes for Jim Crow and mass incarceration.” Alexander’s call for a rigorous inventory of the specificities of different racial “systems of control” (Alexander, 2010, p. 195) (from slavery to Jim Crow to mass incarceration) is not to be dismissed, as it disciplines against rhetorical and analytical sloppiness on the part of activists and scholars alike. On the contrary, I critically question the conspicuous racial telos of Alexander’s narrative, particularly as conveyed in her overarching assertion that the conditions of the racial present are marked by an “absence of overt racial hostility” among elected officials and other politicians, law enforcement officials, and within “the public discourse” more generally (Alexander, 2010, p. 197). It is in this vein that Alexander undermines the potential force of her accumulated descriptions of mass incarceration, especially as she resorts to a familiar refrain of the post-civil rights (and post-2008) litany:

But even granting that some African Americans may fear the police today as much as their grandparents feared the Klan ... and that the penal system may be as brutal in many respects as Jim Crow (or slavery), the absence of racial hostility in the public discourse and the steep decline in vigilante racial violence is no small matter. It is also significant that the “whites only” signs are gone and that children of all colors can drink from the same water fountains, swim in the same pools, and play on the same playgrounds. Black children today can even dream of being president of the United States.

Those who claim that mass incarceration is “just like” Jim Crow make a serious mistake. Things have changed. (Alexander, 2010, p. 197)

While affirming Alexander’s insistence on a critical analysis that does not resort to slipshod analogies and which appreciates the shifts in the institutional and discursive textures of the post-Jim Crow racial condition, I wish to challenge her conceptualization of “racial hostility” in this instance. (I will momentarily leave aside the question of Alexander’s gross
mis-estimation of the post-1960s reawakening of organized white supremacist movements and ideologies, evidenced in shorthand by the tripling of Ku Klux Klan membership during the decade of the 1970s.) (Marable, 2007, p. 171) That is, I would posit that the tracking of “overt” racial phobias is only one, profoundly delimited method for constructing an analytical schema that attempts to locate the centrality of race, racist (state) violence, and histories of racial genocide to present social formations. Departing from Alexander’s premature surrendering of what could well have been a fruitful historical analytic (thus allowing her comparison of mass imprisonment to American apartheid to rot on the vine of provocation), I further question whether it is, in fact, the Jim Crow power relation that should be centered in examining the genealogy of the contemporary US imprisonment regime. How might we take seriously the possibility that the paradigmatic power relations formed by the antiblack racial genocide of chattel slavery – a paradigmatic power that consistently constitutes the changing discourses and institutionalized structurings of racisms more generally – forms a central dimension of the contemporary US criminalization and carceral apparatuses?

Legally, the prisoner/“convict”/“inmate” is understood as the bodily property of the state, eviscerated of civil existence and designated as available for “involuntary servitude.” Scholars such as Angela Y. Davis (1998), Colin Dayan (2001), Marcus Rediker (2007), Alex Lichtenstein (1995), Sally Hadden (2001), Dennis Childs (2009), Sarah Haley (2009), David Oshinsky (1996), Douglas A. Blackmon (2008), Matthew J. Mancini (1996), Loïc Wacquant (1999), and others have differently traced the links between racial plantation slavery and the emergence of the modern American penal system, elaborating how the construction of a carceral apparatus during the late-19th and early-20th centuries fundamentally replicated – and arguably exacerbated – the social and racial logics of the supposedly abolished slave plantation. Here, however, I am most concerned with the racist, antiblack, and white supremacist logics of slavery’s abolition, and how the relations of racial dominance underlying the terms of abolition construct the permanent conditions of possibility for the emergence of the “post-emancipation” criminalization/imprisonment regimes that have distended slavery into our present tense.

The institutional, juridical, and cultural linkages between the white supremacist premises of “abolition” and the unfolding of the US prison regime over the course of the following century reflects a political legitimation and reinvigoration of slavery’s logic of antiblack racist genocide, as it has been reformed to fit the changing mandates of the “post-slavery” and “post-civil
rights’ American nation-building project. Guiding such a re-narration of the last sesquicentennial is a rereading and retelling of the text and animus of the 13th Amendment to the US Constitution, commonly valorized as the decree that freed the enslaved African:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. [emphasis added]

The 13th Amendment performs its fundamental violence by recodifying the terms of bodily capture and subjection: criminalization is now the leverage point through which the “duly convicted” are made available for enslavement. *The slave relation itself is not abolished.*

Accompanying this abolitionist recodification of slavery in the latter-19th century was a widespread, sustained, intensive white supremacist refusal to concede white civil society’s historical legal entitlement of access to largely unregulated racist terror. Plantation slavery’s abolition catalyzed and emboldened new and existing regimes of white racist violence over the course of the following decades, from the rapid expansion of the Ku Klux Klan and state-condoned proliferation of lynching to a renaissance of antiblack visual cultures and the institutional articulation of Jim Crow apartheid. In fact, this expansion of white supremacist violence in the post-emancipation period evidences the generalized *uncontainability* of antiblack genocide as a primary cultural and institutional modality of American nation-building. Put differently: the historical context of white social and political reaction to the 13th Amendment suggests that the cultural animus of antiblack genocide was elaborated and extrapolated, not “abolished” or effectively curbed, by the end of plantation slavery and the national pronouncement of Black emancipation.

By way of illustration, archival texts like the December 1865 Congressional report submitted by Freedman’s Bureau Chaplain and Sub-Commander Thomas Smith facilitate a re-narration of the post-emancipation moment as a focal point for a renewal of the kind of white supremacist violence that characterized the slave order. Dispatched to Shongalo, Mississippi to investigate “an alleged outrage committed by the [white] citizens on freedmen at that place,” (US Congress, 1865, p. 31) Smith exhaustively describes an incident representative of this racial climate. A small section of his account reads,

On the evening of November 25 the colored people were having a party; first they had a quilting, then a dancing party; about ten or eleven o’clock, while … the people were enjoying themselves very pleasantly, a company of white men, supposed to number
Such white mob violence – genocidal in its logic, localized and intimate in its scale – was catalyzed by the crisis of racial-national meaning wrought by the 13th and 14th amendments. This reopens a crucial part of the national racial story that must be retold: having lost its formal racial monopoly on the social-cultural structures of both “citizenship” and “freedom,” the white American world was cast into deep racial crisis. The long historical construction of US national subjectivity as essentially, if not purely white and essentially, genocidally, and always antiblack was formally displaced by the terms of “abolition” and emancipation, and the creation of “Black (‘Negro’) citizenship.” Yet, if we are to take seriously the fact that Smith’s report on the Shongalo “outrage” is representative of seemingly countless similar narrations (within and beyond the Freedman’s Bureau archive) of the high-intensity, repetitive, and persistent white supremacist populist violence that marked the Reconstruction period, then we are also forced to take a far more complex inventory of how the genocidal social logic of racial chattel slavery structurally supersedes (and therefore outlives) the institutional form of the slave plantation, and permeates the juridical and cultural forms of Black emancipation and the slave institution’s formal abolition. In this way, antiblack genocide is coded into Black emancipation, and constitutes the nominal freeing of the enslaved African.

Performances of proto-genocidal antiblack violence have consistently made the white world intelligible to itself in the long aftermath of plantation slavery. Black physiological subjection to violent white will re-wires civil society’s circuits of cohesion and, as illustrated in the Shongalo case, restores white national self-recognition amidst the trappings of “Black freedom” and a contingent Black civil recognition. Against the liberal narrative of national moral fortitude invoked by Obama and his person, this re-telling of the national abolitionist tale centers on the re-codification and “reforming” of the white supremacist violence essential to the nation-building project, and brings forward the archival and institutional (living) artifacts of what Saidiya Hartman (1997), Jared Sexton (2010) (Sexton & Martinot, 2003), Frank
Wilderson, III (2010), and others address as the political ontology of antiblackness.

Recalling the larger contextualization of this discussion, it should be emphasized that the immediate effects of the 13th Amendment’s terms of reenslavement in accelerating the criminalization and policing of Black and other non-white populations of the southern states during the late-19th and early-20th centuries are well-noted in an existing body of scholarship (Hadden, 2001; Hernández, 2010). This work allows us to apprehend the social technologies of “racial profiling” at their earliest and best, as they produced the prototypes of Jim Crow state violence and re-assembled Black slave labor via Black prison plantation labor. This is a useful, vital body of work that further demystifies the liberal racial narratives – including that articulated in Obama’s “A More Perfect Union” – responsible for constructing the abolition/emancipation moment as one of national racial decency and moral awakening.

What remains rather distressing, however, is that recent antiracist critical scholarly discourses and activisms have not generally revisited, much less rigorously theorized and narrated, the present conditions through which this white supremacist logic of post-abolition, post-emancipation social (re-)organization has constituted multiple institutionalizations of racial dominance (e.g., prisons, policing, domestic counterinsurgency) in historical continuity with the structuring terms of genocidal racial slavery. To put it another way, the post-1960s, “post-civil rights” moment does not constitute an escape from or significant neutralization of what Vargas has analytically centered as the hemispheric-global structuring of antiblack genocide, but is instead a complex period of this genocidal logic’s rearticulation, momentary/localized dissipation, reinstitutionalization, and remilitarization.

PRISON REGIME AS (PROTO-)GENOCIDE

To crystallize what I hope to be the potentially useful implications of this provocation toward a retelling of the slavery-abolition story: if we follow the narrative and theoretical trajectories initiated here, it should take little stretch of the historical imagination, nor a radical distension of analytical framing, to suggest that the singular institutionalization of racist and peculiarly antiblack social/state violence in our living era – the US imprisonment regime and its conjoined policing and criminalization apparatuses – elaborates the social logics of genocidal racial slavery within the American nation-building project, especially in the age of Obama. The formation and astronomical growth of the
prison industrial complex has become a commonly identified institutional marker of massively scaled racist state mobilization, and the fundamental violence of this apparatus is in the prison’s translation of the 13th Amendment’s racist animus.

By “reforming” slavery and anti-slave violence, and directly transcribing both into criminal justice rituals, proceedings, and punishments, the 13th Amendment permanently inscribes slavery on “post-emancipation” US statecraft. The state remains a “slave state” to the extent that it erects an array of institutional apparatuses that are specifically conceived to reproduce or enhance the state’s capacity to “create” (i.e., criminalize and convict) prison chattel and politically legitimate the processes of enslavement/imprisonment therein. The crucial starting point for our narrative purposes is that the emergence of the criminalization and carceral apparatus over the last forty years has not, and in the foreseeable future will not build its institutional protocols around the imprisonment of an economically productive or profit-making prison labor force (Gilmore, 1999). So, if not for use as labor under the 13th Amendment’s juridical mandate of “involuntary servitude,” what is the animating structural-historical logic behind the formation of an imprisonment regime unprecedented in human history in scale and complexity, and which locks up well over a million Black people, significantly advancing numbers of “nonwhite” Latinos/as, and in which the white population is vastly underrepresented in terms of both numbers imprisoned and likelihood to be prosecuted (and thus incarcerated) for similar alleged criminal offenses? In excess of its political economic, geographic, and juridical registers, the contemporary US prison regime must be centrally understood as constituting an epoch-defining statecraft of race: a historically specific conceptualization, planning, and institutional mobilization of state institutional capacities and state-influenced cultural structures to reproduce and/or reassemble the social relations of power, dominance, and violence that constitute the ontology (epistemic and conceptual framings) of racial meaning itself (da Silva, 2007; Goldberg, 1993). In this case, the racial ontology of the post-slavery and post-civil rights prison is anchored in the crisis of social meaning wrought on white civil society by the 13th Amendment’s apparent juridical elimination of the Black chattel slave being. Across historical periods, the social inhabitation of the white civil subject – its self-recognition, institutionally affirmed (racial) sovereignty, and everyday social intercourse with other racial beings – is made legible through its positioning as the administrative authority and consenting audience for the nation- and civilization-building processes of multiple racial genocides. It is the bare fact
of the white subject’s access and entitlement to the generalized position of administering and consenting to racial genocide that matters most centrally here. Importantly, this white civil subject thrives on the assumption that s/he is not, and will never be the target of racial genocide.18 (Williams, 2010)

Those things obtained and secured through genocidal processes – land, political and military hegemony/dominance, expropriated labor – are in this sense secondary to the raw relation of violence that the white subject inhabits in relation to the racial objects (including people, ecologies, cultural forms, sacred materials, and other modalities of life and being) subjected to the irreparable violations of genocidal processes. It is this raw relation, in which white social existence materially and narratively consolidates itself within the normalized systemic logics of racial genocides, that forms the condition of possibility for the US social formation, from “abolition” onward.

To push the argument further: the distended systems of racial genocides are not the massively deadly means toward some other (rational) historical ends, but are ends within themselves. Here we can decisively depart from the hegemonic juridical framings of “genocide” as dictated by the United Nations, and examine instead the logics of genocide that dynamically structure the different historical-social forms that have emerged from the classically identifiable genocidal systems of racial colonial conquest, indigenous physical and cultural extermination, and racial chattel slavery.

To recall Trask and Marable, the historical logics of genocide permeate institutional assemblages that variously operationalize the historical forces of planned obsolescence, social neutralization, and “ceasing to exist.”

Centering a conception of racial genocide as a dynamic set of socio-historical logics (rather than as contained, isolatable historical episodes) allows the slavery-to-prison continuity to be more clearly marked: the continuity is not one that hinges on the creation of late-20th and early-21st century “slave labor,” but rather on a re-institutionalization of anti-slave social violence. Within this historical schema, the post-1970s prison regime institutionalizes the raw relation of violence essential to white social being while mediating it so it appears as non-genocidal, non-violent, peacekeeping, and justice-forming. This is where we can also narrate the contemporary racial criminalization, policing, and incarcerating apparatuses as being historically tethered to the genocidal logics of the post-abolition, post-emancipation, and post-civil rights slave state. While it is necessary to continuously clarify and debate whether and how this statecraft of racial imprisonment is verifiably genocidal, there seems to be little reason to question that it is, at least, proto-genocidal – displaying both the capacity and inclination for genocidal outcomes in its systemic logic and historical trajectory.
This contextualization leads toward a somewhat different analytical framing of the “deadly symbiosis” that sociologist Loïc Wacquant has outlined in his account of antiblack carceral-spatial systems. While it would be small-minded to suggest that the emergence of the late-20th century prison regime is an historical inevitability, we should at least understand that the structural bottom line of Black imprisonment over the last four decades – wherein the quantitative fact of a Black prison/jail majority has become taken-for-granted as a social fact – is a contemporary institutional manifestation of a genocidal racial substructure that has been reformed, and not fundamentally displaced, by the juridical and cultural implications of slavery’s abolition.

I have argued elsewhere for a conception of the US prison not as a self-contained institution or isolated place, but rather as a material prototype of organized punishment and (social, civil, and biological) death (Rodríguez, 2006). To understand the US prison as a regime is to focus conceptually, theoretically, and politically on the prison as a pliable module or mobilized vessel through which technologies of racial dominance institutionalize their specific, localized practices of legitimated (state) violence. Emerging as the organic institutional continuity of racial slavery’s genocidal violence, the US prison regime represents a form of human domination that extends beyond and outside the formal institutional and geographic domains of “the prison (the jail, etc.).” In this sense, the prison is the institutional signification of a larger regime of proto-genocidal violence that is politically legitimized by the state, generally valorized by the cultural common sense, and dynamically mobilized and institutionally consolidated across different historical moments: it is a form of social power that is indispensable to the contemporary (and post-emancipation) social order and its changing structures of racial dominance, in a manner that elaborates the social logics of genocidal racial slavery.

The binding presence of slavery within post-emancipation US state formation is precisely why the liberal multiculturalist narration of the Obama ascendancy finds itself compelled to posit an official rupture from the spectral and material presence of enslaved racial blackness. It is this symbolic rupturing – the presentation of a president who consummates the liberal dreams of Black citizenship, Black freedom, Black non-resentment, and Black patriotic subjectivity – that constructs the Black non-slave presidency as the flesh-and-blood severance of the US racial/racist state from its entanglement in the continuities of antiblack genocide. Against this multiculturalist narrative, our attention should be principally fixated on the bottom-line Blackness of the prison’s genocidal logic, not the fungible Blackness of the presidency.
CONCLUSION: FROM “POST-CIVIL RIGHTS” TO WHITE RECONSTRUCTION

The Obama ascendancy is the signature moment of the post-1960s White Reconstruction, a period that has been characterized by the reformist elaboration of historically racist systems of social power to accommodate the political imperatives of American apartheid’s downfall and the emergence of hegemonic (liberal-to-conservative) multiculturalisms. By focusing on how such reforms have neither eliminated nor fundamentally alleviated the social emergencies consistently produced by the historical logics of racial genocide, the notion of White Reconstruction departs from Marable’s notion of the 1990s as the “twilight of the Second Reconstruction” (Marable, 2007, p. 216) and points toward another way of framing and narrating the period that has been more commonly referenced as the “post-civil rights” era.

Rather than taking its primary point of historical departure to be the cresting of the Civil Rights Movement and its legacy of delimited (though no less significant) political-cultural achievements, White Reconstruction focuses on how this era is defined by an acute and sometimes aggressive reinvention and reorganization of the structural-institutional formations of racial dominance. Defined schematically, the recent half-century has encompassed a generalized reconstruction of “classically” white supremacist apparatuses of state-sanctioned and culturally legitimated racial violence. This general reconstruction has (1) strategically and unevenly dislodged various formal and de facto institutional white monopolies and diversified their personnel at various levels of access, from the entry-level to the administrative and executive levels (e.g., the sometimes aggressive diversity recruitment campaigns of research universities, urban police, and the military); while simultaneously (2) revamping, complicating, and enhancing the social relations of dominance, hierarchy, and violence mobilized by such institutions – relations that broadly reflect the long historical, substructural role of race in the production of the US national formation and socioeconomic order. In this sense, the notion of White Reconstruction brings central attention to how the historical logics of racial genocide may not only survive the apparent disruption of classical white monopolies on the administrative and institutional apparatuses that have long mobilized these violent social logics, but may indeed flourish through these reformist measures, as such logics are re-adapted into the protocols and discourses of these newly “diversified” racist and white supremacist apparatuses (e.g., the
apparatuses of the research university, police, and military have expanded their capacities to produce local and global relations of racial dominance, at the same time that they have constituted some of the central sites for diversity recruitment and struggles over equal access). It is, at the very least, a remarkable and dreadful moment in the historical time of White Reconstruction that a Black president has won office in an electoral landslide while well over a million Black people are incarcerated with the overwhelming consent of white/multiculturalist civil society.

I have tried to develop a few critical directions to engage the challenges of this moment. Departing from the Obama presidency’s reproduction and acceleration of the durable liberal myth of American racial progress, I began this essay by outlining how the Obama narrative (of which Obama is both an active agent and objectified racial medium) eviscerates the historical continuities of slavery in contemporary relations of social dominance and institutionalized racial subjection. Moving from the Obama ascendancy’s national racial story, I have attempted to stress the importance of examining how a specific racial discourse has produced the figure of Barack Obama as the black presidential non-slave, which in turn composes a symbolic severing of racial blackness from racial chattel slavery.

Suggesting that the work of confronting and refuting this narrative requires a combination of imaginative, creative, and theoretical labor, this essay outlines one approach to this formidable challenge by focusing attention on the normalized relations of racial dominance that have proliferated in the post-1960s period. I have argued that the intertwined social logics of racial chattel slavery, white supremacy, and multiple racial genocides compose social legacies that cannot be contained within discretely periodized frameworks. In other words, these legacies do not strictly exist in the “past tense.” My attempt at constructing a narrative outline of the present tense of racial genocide has, by necessity, been offered here in the form of a conceptual and theoretical schematic, which I hope might serve as a preliminary tool for critical appropriation by the reader. This schematic centrally relies on an analytical and conceptual framing of genocide that significantly departs from the hegemonic definition of the UN Genocide Convention: following the example of several radical scholars, I have offered a working conception of racial genocide as a logic of social formation and nation/civilization building that produces multiple, dynamically related systems of physiological, civil, and social death, which in their totality constitute entire historical periods and the particular social formations that animate them.
Such an understanding of racial genocide facilitates a focusing on the historical continuities of racial chattel slavery as a socially productive genocidal apparatus. Centering an analysis of the 13th Amendment (and slavery’s abolition more generally) as a juridical-cultural recodification of the terms of antiblack genocide, I have addressed the emergence of racial criminalization as the leverage point through which the racial power relation of slavery is reconstituted, and through which slavery effects on present tense institutionalizations of racial dominance more generally. Taking the formation of the post-1970s US prison regime as the primary model of such an institutionalization of slavery’s present tense, I have outlined a notion of the prison as a period-defining statecraft of race: it is the apparatus through which state capacities are mobilized to reproduce the social relations of power, dominance, and violence that construct the discursive and institutional foundations of the US national form as a fundamentally racial social form.

The figure of Obama, in these terms, is animated by slavery’s historical present – his embodiment of racial blackness renders him an ever-available medium through which the reformation of racist, white supremacist, and antiblack genocidal social logics are explained and narrated in the aftermath of emancipation, civil rights, and multiculturalism. Thus, it is not necessarily the racist antiblack (and anti-Islamic) reaction against the Obama presidency that forms the central point of articulation for the present tense of racial slavery: rather, it is the structure of enlightened racial liberalism and progressive racial nationalism – the liberal racial populism that creates and articulates the Obama ascendancy – that constructs the most compelling and dangerous elaborations of this genocidal social logic. It is the racist and proto-genocidal violence re-narrated, condoned, and/or valorized by this discourse of racial liberalism and progressivism that requires our closest political attention in these historical moments. Who is left for dead outside the fleeting social truth of a multiculturalist “Obama constituency?” What does the liberal-progressive common sense of “racial progress” make of the massive and mind-numbingly normalized racial violences that have constituted White Reconstruction at the dusk of classical white supremacy?

**UNCITED REFERENCE**

Wilderson (2010)
NOTES


2. While its analytical terms and theoretical concerns are differently structured, this discussion is enabled by a body of work that most recently includes Jared Sexton’s essay “People-Of-Color-Blindness: Notes on the Afterlife of Slavery” (2010). Echoing the focal point of a later section of this essay, Sexton writes,

   “it is not inappropriate to say that the continuing application of slave law facilitated the reconfiguration of its operation with the passage of the Thirteenth Amendment to the US Constitution, rather than its abolition (in the conventional reading) or even its circumscription. (p. 37)”

3. There is perhaps no more significant text in this conceptualization of the totality of racial slavery’s constituting relation to modern cultural formations, institutional architectures, and regimes of power than Orlando Patterson’s Slavery and Social Death: A Comparative Study (1982).

4. While my characterization of the vast body of genocide studies literature is far from universally applicable, these tendencies toward an epistemic centering of quantitative calculation and discrete historical periodization surface repeatedly. Just a few recent examples include Baum (2008), Midlarsky (2005), and select essays from Hinton (ed.) (2002).

5. The discourse of betrayal abounds across various publics, but is especially acute among liberal-progressive outlets. Some widely read print and online examples of this discourse include Palermo (2008), Lindorff (2009), Hodge (2010), Fiss (2009), Dixon (2009), and Marchand (2009).


9. The Chicago Sun-Times (Hinckley & Soole, 2007) and Obama’s own Dreams from My Father: a Story of Race and Inheritance (2004) trace his paternal ancestry to Owiny, a leader of the Luo tribe during the 17th century. The Luo, as with numerous other tribes, frequently sold prisoners of war to European slave traders, though likely with little or no sense of the atrocities of the transatlantic trade and New World chattel slavery. While much of Obama’s paternal/African genealogy is unknown, it is entirely possible that he – like many in the African diaspora – has ancestors who were active in the West African circuits of the European slave economy.
10. An almost absurd political naïveté characterizes much of the global media’s opinion-building response to Obama’s election. By way of example, see Bramham (2008), Cunningham (2007), and Hartcher (2008).

11. Here I am echoing Viet Mike Ngo’s initiation of a critical politics of despair in his prison interview “‘You Have to Be Intimate with Your Despair’: A Conversation with Viet Mike Ngo (San Quentin State Prison, E21895)” (2005).

12. Here I am referencing Frantz Fanon’s elucidation of the changing, endangered, and violently secured conditions of insurgent truth-making under the conditions of racial colonialism. Fanon writes,

The question of truth must also be taken into consideration. For the people, only fellow nationals are ever owed the truth. No absolute truth, no discourse on the transparency of the soul can erode this position… . Truth is what hastens the dislocation of the colonial regime, what fosters the emergence of the nation. Truth is what protects the “natives” and undoes the foreigners. In the colonial context there is no truthful behavior. And good is quite simply what hurts them most. (Fanon, 2004, p. 14)

13. This clarification is central to the pedagogical imperatives of Black Studies as a coherent and critical political-intellectual project, and sits in permanent tension with the multiculturalist and comparative tendencies of certain pedagogical approaches within both American Studies and Ethnic Studies. The centering of the racial chattel relation as distinct from other forms of social relation thus marks a fundamental difference of both historical experience and political analysis that cannot be subsumed within other modalities of theorization. I am guided in this instance by texts as far-reaching as Frantz Fanon’s Black Skin, White Masks (2008) and Lerone Bennett, Jr.’s Before the Mayflower: A History of Black America (1993).

14. While this use of Foucault’s notion of biopolitics merits an extended discussion that I cannot provide here, it is worth clarifying that I am referencing his delineation of the biopolitical in relation to the genealogy of “race” as a matrix for social warfare. See Michel Foucault, “‘Society Must Be Defended’: Lectures at the Collège de France, 1975-1976” (2003).

15. For this insight I am indebted to João Costa Vargas, whose forthcoming project Genealogies of Black Revolt in the Diaspora departs from precisely such a situating of Black radicalism and political thought within a theorized relation to antiblack genocide.

16. I have argued elsewhere, echoing a number of activists and radical scholars, that the US prison in its contemporary form has emerged as a system of human displacement and coercive social dis- and re-organization rather than as a site for creating a new “slave labor” force. Ruth Wilson Gilmore has addressed a key facet of this logic of displacement by arguing that, “the expansion of prison constitutes a geographical solution to socio-economic problems, politically organized by the state which is itself in the process of radical restructuring” (Gilmore, 1999, p. 174).

17. The US government document “Prisoners in 2008” provides a representative affirmation of my characterization. According to this data, the imprisonment rate of “non-Hispanic” Blacks was over 600% greater than that of whites, while “Hispanics” were almost 300% more likely to be imprisoned than whites (Sabol, West, & Cooper, 2010).

19. I am gesturing toward a historical framing here that resituates Marable’s periodization of a “Second Reconstruction” and its marking of a period of liberal racial policy/institutional reforms succeeded by a national trend “toward an increasingly uncertain and unequal racial future” (Marable, 2007, p. 216).

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REFERENCES


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