

Unpayable
Debt:
Reading Scenes
of Value
against the
Arrow of Time

The trouble began long before June 9, 1976, when I became aware of it, but June 9 is the day I remember. It was my twenty-sixth birthday. It was also the day I met Rufus—the day he called me to him for the first time.
—Octavia E. Butler¹

When they first meet, Rufus is a child, a boy of about three or four, drowning in the river while his desperate mother cries for help on the shore. When Dana finally severs the bond, killing him, Rufus is a man, one who has inherited his father's farm and slaves, and who has decided to act as master and force her to be his lover. Six times Dana is forced back in time to antebellum Maryland to save Rufus's life; a few of these trips are brief, others seem to last a lifetime. In a way, they do. It is Rufus's lifetime. It is also, however, Dana's lifetime: her extended and expanded, timeless life, one that lasts through slavery and beyond its order, one that ever-extends the obligation to keep the owner-ancestor alive. Notably improbable, Dana's charge in Octavia E. Butler's novel, *Kindred*, is historically incomprehensible. Every time the twentieth-century African-American science-fiction writer places Dana in the past to save the life of Dana's great-grandmother's master-owner, her heroine performs an action that preserves her present, her own existence. Every time she reverses the arrow of time—as *what has become* that enables *what has come to pass*, she violates the three onto-epistemological pillars (the theory of knowing, the theory of being, and a theory of practice)—namely, *separability*, *determinacy*, and *sequentiality*—that sustain linear temporality.²

Indeed, each time Dana returns to antebellum Maryland, she breaches separability; living as a female slave, her existence *traverses* linear time.³ Not without a cost, though. For the fixities of formal space-

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time take different shapes, including the very wall where her arms get stuck during her last return trip from the past, after having stabbed her ancestor-owner when he tries to rape her. Yet some of this incomprehensibility disappears when one notices how *Kindred* rehearses determinacy and sequentiality. Every violation of space-time separation, with Dana's travels against the arrow of time, is determined by a threat to Rufus's life; each follows the linear sequence of his lifetime. Nonetheless, while Rufus's life determines their relationship—which unfolds spatio-temporally in pre-Civil War Maryland in the United States—Dana's obligation only makes sense if, ignoring separability, intuition releases the imagination to move and apprehend the deep implicancy (the quantum-level entanglement) of all that *has come* and is yet to come into spatiotemporal existence.

Taking further this clue from *Kindred* that separability, determinacy, and sequentiality support knowledge of *what happens in actuality* (as it is accessed by the senses) but not in *virtuality* (as it is accessed by the intuition), it is possible to image deep implicancies, that is, connections that exceed the limits of space-time. This being the case, the improbability of Dana's duty (to keep Rufus alive) and its resolution (to kill him) disappears, as the intuition finds that her debt to Rufus, her own life, is not her own doing. Even though Dana did not determine her own coming into existence, staying alive is her responsibility, her charge—that is, it is something she owns or has. Notwithstanding that Rufus's staying alive is necessary for her existence, his being her owner is also a direct threat to her life. Killing Rufus, Dana releases herself from an obligation that was not hers to meet because, in actuality, due to linear time, one is not responsible for the existence of one's ancestors. Staying alive, however, Dana remains indebted to her ancestors because, again in actuality, due to linear

time, they are responsible for her existence. When Rufus, her father-owner, threatens her with total violence (rape and death), she pays her debt—releasing herself from the obligation to keep him alive; she severs the relationship paradoxically out of the necessity of self-preservation. Ethically, Dana's is an *unpayable debt*: it is a moral obligation she has but ought not to meet because the relationship it refigures is mediated by a juridical form, title, which does not apply to relationships between persons (kinship or friendship), that is, modern (equal and free) moral entities. Economically, Dana's is an unpayable debt because the juridical form of title governing the owner-slave economic relation (property) authorizes the deployment of total violence in order to extract the total value created by slave labor, which results in descendants of slaves existing in scarcity. So, yes, Dana owns (ethically) a debt, which it is not (economically) hers to pay.

Recasting *Kindred's* violation of sequentiality, the method presented here ignores separability and recomposes value attending to the founding violence of global capital. Why? Because it is designed as a contribution to an ethico-political program for decolonization, that is, the return of the total value expropriated from slave labor and native lands. Both at the experiential and the conceptual level, separability renders this particular articulation of the claim for decolonization incomprehensible because linear temporality (or sequentiality) organizes both. On the one hand, there are descriptions of *what happens* in our daily experience in terms of separate, successive, or simultaneous events, which may or may not relate to one another. When a relationship is ascribed it generally takes its shape from identity or effectivity: events are related because they are of the same kind or in terms of cause and effect. On the other hand, concepts and categories describe *what happens* in a way that

rehearses the workings of spatiality, descriptions of what happens in time. Indeed, spatiality is refigured when (a) what is simultaneous is comprehended in terms of variety or a modality; or (b) when what is successive consists in a stage in the progression, retrogression, or disappearance of a particular existent. What I am proposing, then, is that decolonization requires descriptions of events and existents that violate separability in both instances, without rehearsing the Hegelian Same.

What I am doing in this essay, as I think without separability or fractal thinking, is not a description of events and existents but an engagement with the classic historical materialist account of the production of value. Though this is still a Kantian exercise, namely, a critique, it does not follow the typical procedure, which is to work through the theory to expose its inner conditions of possibility and grounds for validity.⁴ Instead, I am presenting a method, which is nothing more than the spelling out of the components and moves of an imaging, in Walter Benjamin's sense,⁵ which I am calling *unpayable debt*—an obligation that one owns but is not one's to pay. This dialectical image was inspired by the recent “crisis of the subprime” in the United States, which helped usher in the global financial meltdown of 2007 and 2008. I am speaking, of course, of the loans with exorbitant and variable interest rates that led to foreclosures affecting primarily economically dispossessed African-American and Latinx homebuyers, who were blamed for the financial crisis that changed the global economic landscape in very dramatic ways. However, this is not an analysis of the most recent financial crisis.⁶ Unpayable debt, as a dialectical image, guides a reading of value simultaneously in both its economic and ethical scenes, which allows us to see how capital is just the most recent configuration of the modern matrix of power, and, as such, one that relies on

knowledge devices (concepts and categories), an ethical grammar (principles and procedures), and juridical-economic architectures (practices and methods) that derive their force from how necessity, as the criterion for truth and figuring of power, operates through separability, determinacy, and sequentiality.

Foregrounding violence while violating the separations posed by the modern onto-epistemological pillars, in what follows I present a reading of the scenes of value, the economic and the ethical, designed to support the claim that global capital lives off the total value expropriated from slave labor and native lands.⁷ More particularly, the exercise presents the thought procedure that supports this (longer) formulation of my guiding figure: *Unpayable debt recalls expropriation, the mode of extraction of profits characteristic of the modern colony, which is the moment of the juridical-economic matrix of capital that performs the appropriation of total value required for capital creation through the deployment of total violence.* What this formulation entails is a reading of Marx's account of value in a national matrix—nineteenth-century England—which is already implicated in previous and later figurings of the modern matrix of power, namely, the colonial and the global.

Colonial \ Racial \ Capital

The discovery of gold and silver in America, the extirpation, enslavement, and entombment in mines of the aboriginal population, the beginning of the conquest and looting of the East Indies, the turning of Africa into a warren for the commercial hunting of black-skins, signaled the rosy dawn of the era of capitalist production. These idyllic proceedings are the chief moments of primitive accumulation.
—Karl Marx⁸

Prior to Donald Trump's election to the American presidency in November 2016, the global financial crisis of 2007 and 2008 was the most important racial event of this century, precisely because the subprime loans exposed how raciality works in global capital. Perhaps the most disturbing aspect of the subprime loans scandal is the figuring of scarcity as excess. For what made them profitable for financial institutions—and the mortgage-based securities they compounded so attractive to speculators—was the fact that those who held them only did so because of their very lack of assets. Due to their economic dispossession, those who took out subprime loans were forced to pay more via exorbitant interest rates for much of the money that they borrowed. Unqualified, “unworthy” borrowers, working-class and lower-middle-class blacks and Latinxs in the United States, hold an *unpayable debt*—much like Butler's Dana—precisely because the relationship they refigure is one in which they function as financial instruments and not as persons. Ethically, their inability to obtain and pay for loans made their mortgages valuable financial instruments. That is, the banks profited from their ownership of these borrowers' very inability to pay—from the risk, implied in high rates of interest, which the banks used to lure financial speculators. Economically, the borrowers ought not to pay back the loans precisely because it was their inability to pay that made them valuable instruments in the first place. The subprime loans were designed to extract value from their borrowers' financial deficit, namely the lack of assets and collateral, which renders them tools of colonial and racial subjugation.

Notwithstanding the general acknowledgment of the racial dimensions of the global financial crisis, analyses of the relationship between the racial and capital remain deficient. Though this relation manifests

at different levels and in various ways, critiques of global capital deal with racial difference as the matter, already organized by separability, as it works with/in sequentiality and determinacy. Let me situate my argument here in the context of Aníbal Quijano's and Sylvia Wynter's writings on the coloniality of power. Departing from conventional historical materialist analyses, both thinkers tackle the colonial, racial, and capital triad from different perspectives. To a certain extent, my own take on this triadic relationship has resonances with both: like Quijano, I find that the racial refigures the colonial at the political-symbolic level; like Wynter, I find that it does so in combination with the notion of the human. But the similarities in our analyses stop here.

Framing Quijano's thesis about the relationship between race (racial difference), colonialism, and capital is the classic sociological separation between structure and culture (or ideology), or the economic and the social. This allows the thesis that race emerges as a colonial "mechanism of domination," a "principle of social classification," which distinguishes between two kinds of labor, paid (white/European) and unpaid (nonwhite/non-European). According to Quijano, race—or coloniality of power—operates in global capital by guiding the distinction between paid (white/European) and unpaid ("colonized races") labor.⁹ From this results a heterogeneous totality, that is, a "global capitalist coloniality of power" that is constituted through articulations of all "historical forms of labor control around the capitalist wage-labor relation," and which takes the form of assigning "all forms of unpaid labor to colonial races" and "salaried labor to the colonizing whites."¹⁰ Without violating the classic historical materialist notion that paid labor distinguishes capital, Quijano corrects world-systems theory with the argument that race—which emerges under

colonialism as a mechanism for controlling labor—now organizes global capital, as it introduces a hierarchy in the category of labor that facilitates the exploitation of nonwhite/non-Europeans all over the world. Throughout the analysis, race remains as datum, a social matter, not an economic category, which, once taken into account, allows for a reconceptualization of the economic concept of capital that can comprehend its newest configuration, namely a "global capitalist coloniality of power."¹¹

Conversely, Wynter's contribution to the theme of the coloniality of power is framed by a distinction between science and culture, which takes the guise of a separation between truth and ideology.¹² With the help of a vast list of anthropological works, she introduces a universalism—humans' capacity to produce and to hide from themselves both their collective existence and their account of it, or "descriptive statements"—which explains and promises to transcend modern cultural hierarchies. For Wynter, coloniality of power, or race, is the hierarchical descriptor that governs modern European answers to the ontological question of who we are, while also answering the ethical question of how we ought to live and act, in such a way as to render the white/European mode of being human as the only true presentation of what is, in fact, human. Modern European "descriptive statements," she argues, reproduce earlier hierarchies (such as the medieval perfect heaven versus fallen earth) and construct European Man to represent all that is truly human. Meanwhile, other peoples' modes of being and of describing the human represent nonhuman "others." Locally significant (invented by Europeans) and culturally specific, "race," she writes, "was therefore to be, in effect, the nonsupernatural but no less extrahuman ground (in the reoccupied place of the traditional ancestors/gods, God, ground)."¹³ Although modern descriptive statements

have an economic import, moreover, their primary effect is to sustain “systemic stigmatization, social inferiorization, and dynamically produced material deprivation,” in particular of black populations everywhere in the world.¹⁴

For Quijano and Wynter, since the early moment of colonialism, racial difference’s role has been to facilitate Europeans’ appropriation of labor and land in the Americas and then elsewhere in the global space. The difference is that for Quijano, racial classification establishes proper (white/European) labor, and for Wynter, it establishes the proper (white/European) human. When thinking through the relationship between the racial and capital, their approaches have little to offer, however. Indeed, for both, racial classification and racial hierarchies are *exterior* (a) economically, as to the proper capitalist production of value, which necessitates paid labor, per Quijano; and (b) ethically, to the potentially modern (universalist or “transcultural” or “acultural”) thinking, which does rely on extrahuman grounds, per Wynter. For this reason neither thinker provides a satisfactory account of the colonial, racial, and capital triad, precisely because linear temporality forces us to confront the starting point, which is that the racial, as a colonial mechanism, remains *anterior* to global capital itself.

What I propose, then, is a fractal figuring of the colonial, racial, and capital triad, which, violating separability, collapses its effects (anteriority and exteriority), and instead of describing it as a relationship, exposes an entanglement: retaining their difference, they remain deeply implicated in/as/with each other. What follows is a composition (and, as such, a decomposition and recomposition) that explicates the figure of unpayable debt. Because drawing the fractal on this flat surface is impossible, the reader will have to trust me—my writing—as I

describe the moves that assemble this figure, which is key for dismantling global capital. Two simple questions guide my exercise: first, how does one inherit the obligation? and, second, why is it not one’s to pay? My answer is to ignore the onto-epistemological pillars that support the prevailing account of racial subjugation and the historical materialist account of capitalist production. What makes it possible, as I hope to make evident, is a figuring of the economic and the ethical scenes of value that foreground violence.

Scenes of Value and the Racial Dialectic

“The boy learned to talk that way from his mother,” I said softly. “And from his father, and probably from the slaves themselves.”

“Learned to talk what way?” asked Rufus.

“About niggers,” I said. “I don’t like that word, remember? Try calling me black or Negro or even colored.”

“What’s the use of saying all that? And how can you be married to him?”

“Rufe, how’d you like people to call you white trash when they talk to you?”

“What?” He started up angrily, forgetting his leg, then fell back. “I am not trash!” he whispered. “You damn black . . .”

“Hush, Rufe.” I put my hand on his shoulder to quiet him. Apparently I’d hit the nerve I’d aimed at. “I didn’t say you were trash. I said how’d you like to be called trash. I see you don’t like it. I don’t like being called nigger either.”

He lay silent, frowning at me as though I were speaking a foreign language. Maybe I was.

“Where we come from,” I said, “it’s vulgar and insulting for whites to call blacks niggers. Also, where we come from, whites and blacks can marry.”

“But it’s against the law.”

“It is here. But it isn’t where we come from.”

“Where do you come from?”

—Octavia E. Butler¹⁵

Thus the relation of the two self-conscious individuals is such that they prove themselves and each other through a life-and-death struggle. They must engage in this struggle, for they must raise their certainty of being *for themselves* to truth, both in the case of the other and in their own case. And it is only through staking one's life that freedom is won; only thus is it proved that for self-consciousness, its essential being is not [just] being, not the *immediate* form in which it appears, not its submergence in the expanse of life, but rather that there is nothing present in it which could not be regarded as a vanishing moment, that it is only pure *being-for-self*. The individual who has not risked his life may well be recognized as a *person*, but he has not attained to the truth of this recognition as an independent self-consciousness. Similarly, just as each stakes his own life, so each must seek the other's death, for it values the other no more than itself; its essential being is present to it in the form of an "other," it is outside of itself and must rid itself of its self-externality.
— G. W. F. Hegel¹⁶

Linear temporality, as a rendering of separability and determinacy, accounts for the obscuration of how the colonial participates in the creation of capital. For separability, in the guise of sequentiality, sustains the classic historical materialist account that limits the emergence of capitalist production to late-nineteenth-century England. How separability becomes the primary support for modern thinking will not be addressed in this exercise, however. Instead, I am interested in how it plays out in theses on the colonial and capital, and in how it obscures that which exposes their implicancy. Situating the task, let me recall the initial figuring of separability articulated in classical modern political philosophy, which postulates the necessity for law and the state as necessary to curb and punish violence against individuals' liberty (ethical) and property (juridical). Let me also recall how later, in the last quarter of the nineteenth century, liberty, firmly grounded in the modern ethical scene, is deployed in discourses for the abolition of slavery (freedom) and the

independence of colonies (national sovereignty), while raciality (through the distinction between civilized and the primitive or the traditional) would justify European colonial incursions in Africa, Southeast Asia, and the Middle East, as well as the expansion of the North American "frontier." What I highlight here is how the colonial, with its violent practices and methods for appropriating the total value created by native lands and slave labor, would be quickly resolved in a moral text—whether as an evil, beyond which Europe had evolved (due to its appreciation for freedom), or a good, in which Europe was once again engaged (out of the duty to spread freedom). Such a text consistently obscures the colonial's economic significance. Why? Perhaps because this distinction between necessity/violence and liberty/property is refigured at the onto-epistemological level in the separations that obscure the colonial, in the argument that it is *anterior* to capital.

Let's track this obscuration in two moments. First, through an account of how raciality performs this collapsing of colonial violence in the ethical scene value, in a way that which was subjected to violent expropriation (lands and bodies) become signifiers of moral deficit (their own and others). Second, let's consider the categorical obscuration of colonial violence in the historical materialist text, particularly regarding Rosa Luxemburg's answer to the question of the origin of capital, in an attempt to account for imperialism.

My first move in this figuring of unpayable debt, then, is to tackle the writing of racial difference as datum. Because I have already done this work elsewhere,¹⁷ I propose from the outset the thesis that the ethical force of raciality resides in its imaging of the global space as an ordered world that derives its authority from the force of necessity, as it is articulated in scientific

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universality.¹⁸ Raciality is a political symbolic arsenal, which was assembled in the late nineteenth century to demarcate the boundaries for the operations of the principle said to distinguish modern thought, namely liberty. This formulation of raciality differs from Quijano's and Wynter's in a very important way: unlike them, I do not approach racial difference as social (Quijano) or biological (Wynter) datum, which becomes the basis for cultural or ideological devices, and which institutes hierarchies in modern social configurations. To be sure, this account of racial subjugation rehearses with it the moral resolution of colonial expropriation, as effected by racial knowledge.

My approach to raciality follows the method Foucault deployed in his account of sexuality: I read it as an arsenal, a set of productive knowledge devices. Framed by the support of separability, determinacy, and sequentiality, raciality has been assembled following the rules of discourse characteristic of modern knowledge. That is, its concepts and categories as well as its objects, methods, and formulations presume and establish a formal or effective connection between the phenomena (the actual, in space-time) under observation or investigation. Consider, for example, an earlier one, the facial index, that supposedly established a relation between shape and size of the head and mental capacity. Deployed in a context in which humanity already governed the ethical scene, raciality's main role has been to manufacture an account of human diversity, which negates the possibility that "observable" mental traits (moral and intellectual) could change in time. Since, as Hegel and others had postulated, the post-Enlightenment marked the moment when European mental capacities had reached the highest level of development (in terms of juridical, economic, and moral conditions)

possible for rational human beings, raciality consistently constructed the racial body to signify the others of Europe's limitations, their lack of the capacity to evolve or develop.

Following the rules of scientific universality, I propose that, because it restricts liberty to humans indigent to Europe, raciality works in tandem with humanity in the post-Enlightenment ethical grammar. Not because, as Wynter and Butler argue,¹⁹ humanity (and its attributes or equality and liberty) belong to a particular culture that posits itself as universal, but because, due to the fact that the very distinction between universal and particular is a modern invention, raciality's role—whether as racial difference or as cultural difference—has been to make it possible to articulate the very idea of human particularity, or human difference, necessary for securing the needs of capital in the post-Enlightenment age.

What interests me here is the *work* of raciality, which is to resolve the colonial in the very explanation for racial subjugation, thus rendering it almost impossible to provide an adequate account of its economic dimensions. This takes place in the early decades of the twentieth century, when racial knowledge returns to late-eighteenth-century visions of human diversity, and centers the historical (and the cultural) in the specification of human conditions. By taking what was a product of the early moment of racial knowledge as datum, but without displacing racial difference, the sociology of race relations assembled a statement that attributed the sociological causes—prejudices, discrimination, segregation—of racial subjugation to the presence of physically and mentally different “others of Europe” in social configurations built by white/European colonizers and their descendants. With this it assembled a thesis that I call the racial dialectic, which turns colonial expropriation into an attribute of

those who had the total value of their lands and labor appropriated. What this captures is the working of determinacy—the delimitation of an effective causal or a formal semblance—as it transubstantiates colonial expropriation into moral defect (the irrationality of whites' racial prejudices and beliefs) and natural deficit (bodily traits that express non-Europeaness), thereby analytically obscuring the juridical-economic methods and practices (total violence and expropriation of total value) responsible for economic dispossession.

By now it may be evident how this racial dialectic renders Butler's heroine Dana, and the “subprime” borrowers, owners of a debt that it is not theirs to pay. For it produces a racial figuring of the human, in which the ethical position of the other, as in Hegel's famous lordship and bondage passage, emerges in violence—in the life-and-death struggle. However, the image of the other that racial knowledge manufactures is an effect of a double violence, namely the juridical total violence that ensures colonial expropriation and the scientific productive violence of the tools of modern knowledge that transubstantiate colonial expropriation into a natural, that is, racial, deficit.

Primitive Accumulation

I closed my eyes remembering the big man, hearing again his advice to Nigel on how to defy the whites. It had caught up with him. “Do you think the trader took him all the way to New Orleans?” I asked.

“Yeah. He was getting a load together to ship them down there.”

I shook my head. “Poor Luke. Are there cane fields in Louisiana now?”

“Cane, cotton, rice, they grow plenty down there.”

“My father's parents worked in the cane fields there

before they went to California. Luke could be a relative of mine.”

“Just make sure you don’t wind up like him.”

“I haven’t done anything.”

“Don’t go teaching nobody else to read.”

“Oh.”

“Yes, oh. I might not be able to stop Daddy if he decided to sell you.”

“Sell me! He doesn’t own me. Not even by the law here. He doesn’t have any papers saying he owns me.”

“Dana, don’t talk stupid!”

“But . . .”

“In town, once, I heard a man brag how he and his friends had caught a free black, tore up his papers, and sold him to a trader.”

I said nothing. He was right, of course. I had no rights—not even any papers to be torn up.

“Just be careful,” he said quietly.

I nodded. I thought I could escape from Maryland if I had to. I didn’t think it would be easy, but I thought I could do it. On the other hand, I didn’t see how even someone much wiser than I was in the ways of the time could escape from Louisiana, surrounded as they would be by water and slave states. I would have to be careful, all right, and be ready to run if I seemed to be in any danger of being sold.

—Octavia E. Butler²⁰

Now let’s begin the work of undoing the historical materialist writing of colonial expropriation as anterior to capitalist exploitation. Let me start with Rosa Luxemburg’s thesis on primitive accumulation, in which she develops a historical materialist explanation for imperialism, where separability, working through sequentiality, produces effects similar to those of racial knowledge.²¹ For her, however, it occurs in the placing of colonial expropriation of land (and resources) and labor in a prior moment of accumulation, that is, temporally anterior to capital. Luxemburg begins with the separation between proper capitalist production and reproduction and primitive accumulation or the “travails by which capitalist models of production emerges from a feudal society.”²² This is classic

historical materialism, and yet the difference is that she finds that primitive accumulation never ceases to take place: in order to appropriate means of production, labor power, and to create a market, capital relies on the state for the deployment of total violence and extreme taxation.

Recall that Luxemburg’s thesis on primitive accumulation emerges in an onto-epistemological context populated by anthropological descriptions of non-European peoples and places, which she captures with the term “natural economy”—which also includes not only “feudalism” but also “primitive communism” and “patriarchal peasant economy.”²³ Since, according to Darwin’s version of evolution (as well as Hegel’s world history), all three are temporally anterior to modern capitalist Europe, it makes sense that Luxemburg explains the second moment of colonialism (in the nineteenth and early twentieth century, that is, imperialism) using the same phrase Marx employs to describe the first moment of colonialism. Separability operates here as already an effect of historical materialism and racial knowledge, in which other modes of economic production and social existence become “matters” that allow for conceptual innovation; that is, what are to be determined, through the thesis of capital accumulation that attends to the interior proper reproduction and anterior (now racially and/or geographically presented) as primitive accumulation. From the point of view of classic historical materialism, Luxemburg’s thesis on accumulation makes capital production and reproduction contingent on something that exceeds its characteristic social conditions and modes of production of value.

Nonetheless, Luxemburg’s account inherits the double disavowal that writes capital’s specificity, in the classic presentation of the historical materialist argument. Reading *Capital*, we find explicit and implicit

statements that resolve colonial expropriation in the past of capital. Regarding slavery, the displacement of total violence does not occur in specific statements but in Marx's consistent use of the slave as a metaphor to mark wage-labor's lack of "real" freedom, while at the same time driving his crucial thesis that freedom and the form of contract distinguishes the proper capitalist mode of production. In regard to conquest, the story is a bit more complicated. On the one hand, the colonial space is also the site for "so-called primitive accumulation," as massacres of native populations facilitated the appropriation of precious metals, making them available for investment. On the other hand, the colonies also offer a contrasting situation, which helps to delimit the region of capital. When commenting on Edward Gibbon Wakefield's "theory of colonization," Marx disavows analyses that place them within the scope of capitalism with a distinction between two types of private property, which derive from two distinct modes of appropriation. First, there is private property of the means of production, as found in the colonies, which is characteristic of precapitalist production, in which the owner is also a laborer; second, there is capitalist private property, "in which [means of production and subsistence] serve at the same time as means of exploitation and subjection of the laborer."²⁴

For this reason, Marx argues, the available lands in the colonies created a problem for capital, as it gave potential wage-laborers the hope (and the reality) of becoming independent producers, as peasants in the "newly discovered" lands. Again, in this distinction, the colonial mode of appropriation of value disappears in sequentiality because, for Marx, it has been surpassed by capital. This is primarily an effect of determinacy, of how the historical materialist category of labor transubstantiates colonial juridical-economic methods and prac-

tices for the expropriation of total value created by native land and slave labor. Consider how Marx splits the modern juridical form of private property into two categories: one, noncapitalist, where there is no separation between the proprietor of means of production and the laborer; and two, capitalist, where there is a separation between the proprietor and labor. Excluded, obviously, are the colonial juridical methods and practices of total violence that made available the "public property" in the first place, which immigrants-turned-settlers would quickly claim as "private property." In sum, determinacy plays the crucial role as labor, in this figuring of the juridical concept of private property, obscures the significance of the total value appropriated in the colonial formation prior to capital. Let me elaborate on this point via a reading of Marx's account of value, and in particular the example he chooses for the presentation of the theory of value. Listen to this:

By the general law of value, if the value of 40 lbs. of yarn = the value of 40 lbs. of cotton + the value of a whole spindle, *i. e.*, if the same working-time is required to produce the commodities on either side of this equation, then 10 lbs. of yarn are an equivalent for 10 lbs. of cotton, together with one-fourth of a spindle. In the case we are considering the same working-time is materialized in the 10 lbs. of yarn on the one hand, and in the 10 lbs. of cotton and the fraction of a spindle on the other.²⁵

Why does the slave labor that produced the cotton not enter into this calculation of value, not even as dead labor? Here, yet again, determinacy does the work of obscuration, though in this case through how the juridical form of property circumscribes capitalist social conditions of production.

For Marx, as for Luxemburg, proper capitalist production of value only exists under certain ethical-

“I was
working

Denise Ferreira da Silva

out of
a casual labor
agency—

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a
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juridical conditions, when appropriation of the value produced by labor occurs under conditions of equality and liberty, and the relationships between laborer and the owner of the means of production is mediated by contract. Only under this condition can there be appropriation of surplus value—of that which exceeds the price paid for labor time—that is, exploitation. Here again modern onto-epistemological pillars perform the distinction between capital and contemporaneous and related modalities of appropriation of value. Separability accounts for the assumption that economic production constitutes a distinct aspect of human collective existence; determinacy, in turn, operates at the level of the concept-formation delimitation of categories, and the analysis that for each distinct mode of economic production, it is possible to identify a particular social relation of production, modes of appropriation of labor; sequentiality, finally, functions throughout.

Accumulation of Expropriation

I was working out of a casual labor agency—we regulars called it a slave market. Actually, it was just the opposite of slavery. The people who ran it couldn't have cared less whether or not you showed up to do the work they offered. They always had more job hunters than jobs anyway. . . .

You sat and sat until the dispatcher either sent you out on a job or sent you home. Home meant no money. Put another potato in the oven. Or in desperation, sell some blood at one of the store fronts down the street from the agency. I had only done that once.

Getting sent out meant the minimum wage—minus Uncle Sam's share—for as many hours as you were needed. You swept floors, stuffed envelopes, took inventory, washed dishes, sorted potato chips (really!), cleaned toilets, marked prices on merchandise . . . you did whatever you were sent out to do. It was nearly always mindless work, and as far as

most employers were concerned, it was done by mindless people. Nonpeople rented for a few hours, a few days, a few weeks. It didn't matter.
—Octavia E. Butler²⁶

Resting on these pillars of separability, determinacy, and sequentiality, the thesis of coloniality, the tools of raciality, and the historical materialist arsenal transubstantiate colonial expropriation into datum or raw material. And the alteration takes place at the deepest level, as the result of juridical domination, because of the “matter,” as either a residue of a previous category (temporally) or a natural occurrence (empirically). Consequently, the task becomes to design procedures capable of reversing this process. Ignoring determinacy and sequentiality, my contribution here consists of figuring capital as a juridical-economic architecture that involves the two modes of governance—the colony and the polity—that were assembled and consolidated over the past approximately four hundred years. Each mode of governance assures different modes of appropriation of land and labor, respectively, through a legally binding agreement or threat and employment of violence (conquest and slavery). Further, each refers to distinct modes of appropriation of value, as mediated by a particular juridical form—contract and title—which allows for its particular mode of use of labor for the reproduction of capital. In wage labor, there is appropriation of partial value-created, which I will call exploitation, under legal obligation; in slave labor, there is appropriation of the total value-created, which I will call expropriation, under violent coercion.²⁷

When the analysis of capital attends to both modes of appropriation of labor, it is no longer ludicrous to demand the return of the total value yielded by slave labor and native lands. For one thing, it redefines the economic dimension of racial subjugation, as it can

no longer be explained as the effect of unbecoming prejudices, beliefs, or ideologies, or as a mode of control of labor that remains exterior to capital (per Quijano), nor as a cultural (or ideological) construct that represents non-Europeans as nonhumans (per Wynter). Foregrounding both juridical (colonial) and symbolic (racial) violence, the analysis of racial subjugation begins with the acknowledgment that, for instance, emancipated slaves were not only dispossessed of the means of production, of the total value created by their and their ancestors' labor, but that they were also comprehended by a political-symbolic arsenal that attributed their economic dispossession to an inherent moral and intellectual defect. From an economic point of view, it is thus possible to reconsider the postslavery trajectory of black folks in the United States as one of an accumulation of processes of economic exclusion and juridical alienation—slavery, segregation, mass incarceration—that have left a disproportional percentage of them economically dispossessed. Negative accumulation, otherwise an oxymoron, perfectly describes this context. For what slavery as a modality of expropriation has produced is an economic subject who, like Butler's Dana, owns minus (-) productive capacity precisely because her labor never counted as her property, in the way that Marx says the wage-laborers' does.

The value equation (purely economic regardless of the juridical situation of the worker, free or not) is: c (value means of production [instruments and raw materials]) + v (value of the worker [wage]) + sp (value produced by labor – value of worker) = value of the commodity. In slavery, however, the equation is not the same: c (value of means of production) + v (value of the worker) + s (value of produced by labor); that is, there is no surplus value or a difference between value produced by labor and value of the worker. Usually, slavery is read as a system

of production in which, for juridical reasons, as property the slave counts as a means of production (a thing or a tool). Nevertheless, what if one assumes that, insofar as s/he is a human being, transforming raw materials and other means of production through the expenditure of his or her vital force into commodities (sugar, cotton, etc.), the slave is living labor, and as such s/he has productive capacity, and is thus not a thing: Does s/he not count as a means of production (c)?

My point here is that, on the positive side of the accumulation of money (to be turned into capital) enabled by slavery, there is an excess ($s = sp + v$) that is not registered in the classic historical materialist account of capitalist accumulation. This excess is the value of the worker (wage), of her labor time, which is retained by her owner. (This transference, it should be noted, is not exhaustive, however: while the product of one's labor can be appropriated, labor—the productive capacity itself—cannot. For the logic of liberal formulation of labor and property, at the core of historical materialism, insofar as it is an intrinsic attribute of the human being, labor itself is not alienable. What the worker sells, for instance, in the historical-materialist account, is not labor power but labor time.) Moreover, the excess retained by the slave owner corresponds to the economic deficit attributed to the descendants of slaves—which I call negative accumulation—which the tools of raciality have transubstantiated into a natural deficit, but which is nothing more than the effect of colonial expropriation and later juridical, symbolic, and everyday violence.

Throughout these one hundred and fifty years since the presentation of the classic version of historical materialism, proper capitalist production has not decimated colonial expropriation. The opposite is true, in fact. For the most part, the past two hundred years have wit-

nessed recurring episodes of the reenactment of the colonial form of expropriation of land, labor, and resources, which has been guaranteed by juridical-economic architectures other than that of the nation-state. Certainly, today, we find the colonial juridical formation at work in global capital; think, for example, about the various sites of intense and low-intensity ongoing violence—in the Middle East, throughout the African continent, in the economically dispossessed neighborhoods and rural areas of Latin America, and the Caribbean or black and brown neighborhoods in the United States—which not only facilitate expropriation of land, resources, and labor but also turn these spaces into markets for weapons and a whole range of services and goods provided by the security industry.

Traversality

I could feel the knife in my hand, still slippery with perspiration. A slave was a slave. Anything could be done to her. And Rufus was Rufus—erratic, alternately generous and vicious. I could accept him as my ancestor, my younger brother, my friend, but not as my master, and not as my lover. He had understood that once.

I twisted sharply, broke away from him. He caught me, trying not to hurt me. I was aware of him trying not to hurt me even as I raised the knife, even as I sank it into his side.

He screamed. I had never heard anyone scream that way—an animal sound. He screamed again, a lower ugly gurgle.

He lost his hold on my hand for a moment, but caught my arm before I could get away. . . .

I pulled the knife free of him somehow, raised it, and brought it down again into his back.

This time he only grunted. He collapsed across me, somehow still alive, still holding my arm. . . .

I was back at home—in my own house, in my own time. But I was still caught somehow, joined to the wall as though my arm were growing out of it—or growing into it.

From the elbow to the ends of the fingers, my left arm had become a part of the wall. I looked at the spot where flesh joined with plaster, stared at it uncomprehending. It was the exact spot Rufus's fingers had grasped.

I pulled my arm toward me, pulled hard.

And suddenly, there was an avalanche of pain, red impossible agony! And I screamed and screamed.

—Octavia E. Butler²⁸

Lately I have found that only a metaphysical move, a return to what Kant called the Thing, will rid us of unpayable debt. Thanks to the resilience of the Kantian program, this is a task for the intuition and the imagination. As I explore this option, my sources of inspiration have been the failures of quantum physics and the writings of the African-American science-fiction author Octavia Butler. Both inspire an imaging of existence beyond the actual world of separability, determinacy, and sequentiality, and invite a kind of thinking that also attends to the virtual (quantum level), where these pillars do not operate. By violating the rule of separability, we are able to displace the most resilient conceptual impediments—namely, the juridical forms of private property and contract—to the analysis of the relationship between capital and the colonial, as well as to the understanding of how the racial works in that capital. How, for instance, to comprehend Dana's unpayable debt in Butler's *Kindred* without acknowledging that whatever happens in her late-twentieth-century life is not only *sequentially* but also *immediately* effected by whatever happens in antebellum Maryland? Neither karma nor redemption can account for the nature of Dana's debt. Nothing that happened to her or that she made happen—from her protecting of other slaves, her teaching them to read, and her refusal to submit—is presented as an opportunity for her to pay old debts. She was not saving herself by paying off her sins. Nor was she following a destiny that was designed by her

previous (lives') doings or wrongdoings. Whenever she was back in slave-holding Maryland, Dana was always under threat—her life and limbs in danger. She lived under the threat of being caught either as a slave-pretending-not-to-be-so or a not-a-slave, seen as a possible danger to the slave owner, or, even worse, construed as a runaway or a rebel. Besides her slave-owning and enslaved ancestors, Dana had no business in nineteenth-century Maryland. What is it that she owed?

Indeed, why could she be continually summoned back to save the slave owner Rufus's life? Why did she have to give a limb as a final payment? There was no contract. She had never made a verbal or written promise. She just happened to be alive, to move into a house, her house (the right to only live there when she wills), which cost her an arm. In a later interview, Butler does give us, her readers, some ways to make sense of it: "The idea really was to make people feel the book. That's the point of taking a modern-day black person and making her experience slavery, not as just a matter of one-on-one but going back and being part of the whole system."²⁹ Reading the book does not offer a modern-day black person enough for her to decide whether Butler accomplishes her objective, that is, of conveying what it is like to experience the "whole system" of slavery. Holding their unpayable debt, however, today's black persons—like those who lived and died in antebellum Maryland—do understand the cost of (paying with a limb for) liberty.

Notes

The concept of unpayable debt is introduced in Paula Chakravarty and Denise Ferreira da Silva, "Accumulation, Dispossession, and Debt: The Racial Logic of Global Capitalism—An Introduction," *American Quarterly* 63, no. 3 (September 2012). I would like to thank Quinn Latimer for encouraging me to write this piece and for her work on the drafts.

1 Octavia E. Butler, *Kindred* (Boston: Beacon Press, 2004), p. 12.

2 For an explication of these pillars see Denise Ferreira da Silva, "On Difference without Separability," in *32nd Bienal de São Paulo: Incerteza viva*, ed. Jochen Volz and Júlia Rebouças, exh. cat. Fundação Bienal de São Paulo (São Paulo, 2016), pp. 57–65.

3 For a contextualized usage of transversality see Denise Ferreira da Silva, "Toward a Black

Feminist Poethics: The Quest(ion) of Blackness Toward the End of the World," *The Black Scholar* 44, no. 2 (Summer 2014), pp. 92-94.

4 For an exercise that moves beyond critique and presents an alternative see Stefano Harney and Fred Moten, *The Undercommons: Fugitive Planning and Black Study* (Wivenhoe, UK: Minor Compositions, 2013).

5 The dialectical image appears in several of Walter Benjamin's texts, such as *The Arcades Project* (Cambridge: Cambridge University Press, 2002), p. 463.

6 For an ensemble of analyses of the "crisis of the subprime," which addresses its racial and global dimensions, see Paula Chakravarty and Denise Ferreira da Silva, eds., *Race, Empire and the Crisis of the Subprime* (Baltimore: Johns Hopkins University Press, 2013).

7 For a similar but differently framed and intended racial critique of accumulation, see Anthony Farley, "Colorline as Accumulation," *Buffalo Law Review* 56, no. 4 (December 2008), p. 953.

8 Karl Marx, *Capital*, vol. 1, *The Process of Production of Capital*, ed. Friedrich Engels, trans. Samuel Moore and Edward Aveling (London: Lawrence and Wishart, 1996), p. 749.

9 Anibal Quijano, "Coloniality of Power, Eurocentrism, and Latin America," *Nepantla: Views from South* 1, no. 3 (2000), pp. 533-80.

10 *Ibid.*, p. 539.

11 "Insofar as the social relations that were being configured were relations of domination," Quijano argues, "such identities were considered constitutive of the hierarchies, places, and corresponding social roles, and consequently of the model of colonial domination that was being imposed. In other words, race and racial identity were established as instruments of basic social classification." *Ibid.*, p. 534.

12 Sylvia Wynter, "Unsettling the Coloniality of Being/Power/Truth/Freedom—Towards the Human, After Man, Its Overrepresentation—An Argument," *CR: The New Centennial Review* 3, no. 3 (Fall 2003), pp. 257-337.

13 *Ibid.*, p. 264.

14 *Ibid.*, p. 266.

15 Butler, *Kindred*, p. 62.

16 G. W. F. Hegel, *Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Oxford University Press, 1977), pp. 113-14.

17 For the presentation of this move and a description of the conditions of emergence and effects of deployment of scientific universality, see Denise Ferreira da Silva, *Toward a Global Idea of Race* (Minneapolis: University of Minnesota Press, 2007).

18 See Denise Ferreira da Silva, "No-Bodies: Law, Raciality, and Violence," *Griffith Law Review* 18, no. 2 (August 2009), pp. 212-56.

19 Sylvia Wynter's argument was discussed above. For Butler's critique of universality, see Judith Butler, "Restaging the Universal," in Butler, Ernesto Laclau, and Slavoj Žižek, *Contingency, Hegemony, Universality* (London: Verso, 2000), p. 27.

20 Butler, *Kindred*, pp. 138-39.

21 Rosa Luxemburg, *The Accumulation of Capital* (London: Routledge, 2003).

22 *Ibid.*, p. 345.

23 *Ibid.*, p. 349.

24 Marx, *Capital*, p. 753.

25 *Ibid.*, p. 197.

26 Butler, *Kindred*, pp. 52-53.

27 Expropriation, for Rosa Luxemburg, recalls the mechanism the state deployed to facilitate capital accumulation by leading to "the destruction and annihilation of all the non-capitalist social units which obstructs its development" (*Accumulation of Capital*, p. 350). However, unlike Luxemburg, I do not think of the colony as the frontier of capital. Instead, as Bartolomé de Las Casas, C. L. R. James, and Frantz Fanon have described, the colony is a modern juridical-economic structure, designed and managed by European thinkers and policy makers. I am thinking here of John Locke's role in the writing of the Fundamental Constitutions of Carolina, in 1669, characterized by unmitigated violence.

28 Butler, *Kindred*, p. 260n61.

29 "A Conversation with Octavia Butler," on *Writers & Books's* official website, accessed October 12, 2012. Online: <https://wab.org/if-all-of-rochester-read-the-same-book-2003-2> (site discontinued).

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LE CODE NOIR
OU
EDIT DU ROY,
SERVANT DE REGLEMENT

POUR le Gouvernement & l'Adminiftration de Justice & la
Police des Isles Françoises de l'Amérique, & pour la
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dans ledit Pays.

Donné à Versailles au mois de Mars 1685.

A V E C

L'EDIT du mois d'Aouft 1685. portant établiffement d'un
Confeil Souverain & de quatre Sieges Royaux dans
la Coſte de l'Isle de S. Domingue.



A PARIS, AU PALAIS,
Chez CLAUDE GIRARD, dans la Grand'Salle,
vis-à-vis la Grand'Chambre : Au Nom de J E S U S.

M. DCC. XXXV.