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Carceral Capitalism

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For LaKeyma and Emilie

All power to the feminist sleepover!

*Racial capitalism is the equivalent of a giant necropolis.
It rests on the traffic of the dead and human bones.*

—Achille Mbembe

Racialized Accumulation by Dispossession
in the Age of Finance Capital:
Notes on the Debt Economy

The development of the hermeneutic of “racial capitalism” can be traced back to the political theorist Cedric Robinson, who developed this framework in his groundbreaking work *Black Marxism: The Making of the Black Radical Tradition* (1983). While working on the book during a sabbatical in the U.K., Robinson heard the term “racial capitalism” used to describe the economy of South Africa. He then took up the term and broadened it into an analytic that posits race as a central feature of capitalism. His analysis does not claim that capitalism itself produced racial distinctions, nor does he posit that racial categories and stereotypes were cooked up to pit workers against each other or to “justify” slavery and exploitation.¹ Rather, racialism was already a part of Western civilization before the advent of capitalism. Capitalism, then, was not a modernizing force that embodied a total

break from the old feudalist order, but emerged out of it and retained some of its features. Western societies were primed for racial thinking even before racial slavery and colonialism, as Europeans themselves were divided into racial groups. As Robin D. G. Kelley notes, when capitalism emerged, the “first European proletarians were *racial* subjects (Irish, Jews, Roma or Gypsies, Slavs, etc.) and they were victims of dispossession (enclosure), colonialism, and slavery *within Europe*.”²

Critics of Marx who have taken up Robinson’s hermeneutic of racial capitalism contest Marx’s division of people in a capitalist society into the universal class-based categories of workers and capitalists. However, this critique misses that in texts other than *Capital*—particularly in his historical and journalistic writings—Marx writes about a complex cast of characters that cannot be reduced solely to capitalists and workers (remember: in *Capital*, Marx presents us with *abstract models* as a way to critique classical political economy, and so these models should not be taken as empirical descriptions of reality). Nonetheless, a tension persists between those who claim that capitalist processes tend to *homogenize* subjects, and those who hold that capitalism operates through *differentiation*. Those who adhere to the latter perspective claim that “capitalism was *not* the great modernizer giving birth to the European proletariat as a universal

subject,” for—as Robinson writes—the “tendency of European civilization through capitalism was thus not to homogenize but to differentiate—to exaggerate regional, subcultural, and dialectical differences into ‘racial’ ones.”³

However, if we are open to the claims of such thinkers as Rosa Luxemburg and David Harvey, that capitalism has a dual character, then it becomes possible to analyze how these two axes—one that *homogenizes*, the other that *differentiates*—operate simultaneously. If the *exploitation* axis is characterized by the homogenizing wage relation (insofar as it produces worker-subjects who have nothing to sell but their labor-power), then the axis of *expropriation* relies on a logic of differentiation that reproduces racialized (as well as gendered) subjects. It is the latter process that I take up in this essay on race, expropriation, and debt as a method of dispossession in the age of finance capital. But before I discuss these modern techniques of extraction, I first trace debates about ongoing accumulation by dispossession and racial capitalism, beginning with Marx’s analysis of primitive accumulation.

Primitive Accumulation

In Part 8 of *Capital* (Volume 1) Marx attempts to describe the historical processes that create the conditions necessary for the emergence of capitalism.

He describes the “pre-history” of capitalism as a process of “primitive accumulation.” Unlike his contemporaries, Marx did not naturalize the process of primitive accumulation, and he rejected the narrative that the emergence of capitalism was the result of enterprising individuals who accumulated wealth by working harder than others. Instead, he focused on the use of force, and particularly state power, to pave the way for capitalism: “In actual history, it is a notorious fact that conquest, enslavement, robbery, murder, in short, force, play the greatest part.”⁴

But what exactly is primitive accumulation? It entails the creation of a labor market and a system of private property achieved through the violent process of dispossessing people of their land and ways of life so that they can be converted into workers for capitalists. In order to turn peasants, small craftsmen, and others into workers who have nothing to sell but their labor power, these people must first be alienated from their means of subsistence. As Marx writes:

In the history of primitive accumulation, all revolutions are epoch-making that act as levers for the capitalist class in the course of its formation; but this is true above all for those moments when great masses of men are suddenly and forcibly torn from their means of subsistence,

and hurled onto the labour-market as free, unprotected and rightless proletarians. The expropriation of the agricultural producer, of the peasant, from the soil is the basis of the whole process. The history of this expropriation assumes different aspects in different countries, and runs through its various phases in different orders of succession, and at different historical epochs.⁵

What follows in Chapters 27 and 28 of *Capital* (Volume I) is a brief history of what Marx considers a “classic” form of primitive accumulation: the gradual transformation of the English landed peasantry into an industrial workforce. This process—which initially involved the lawless theft of land through brute force—was eventually carried out by the state apparatus in the eighteenth and nineteenth centuries through the passing of thousands of laws, or Enclosure Acts, that formally destroyed the commons and privatized the land. For the purpose of this essay, I won’t go into great detail about Marx’s description of this process, but it is important to note that although Marx used England as his case study, he acknowledged that the process is historically contingent and follows different paths in different contexts. Though Marx’s account leaves room for historical variation, Marxist thinkers have sometimes taken issue with his assumption that the expropriative and violent looting

methods that characterize primitive accumulation take place exclusively *prior* to the implementation of the capitalist mode of production. If economic development follows a linear path toward capitalism, then other modes of production such as slavery and feudalism are distinct from and prior to capitalism—they are “backwards” modes of production that will eventually be subsumed by capitalism.

Contemporary historians of capitalism and slavery are partly animated by a (sometimes un-stated) desire to prove Marx wrong by demonstrating that U.S. slavery was well integrated into the circuits of global capitalism and thus cannot be considered as separate from or prior to capitalism. Indeed, the Industrial Revolution in Britain in the nineteenth century was fueled by cotton produced in the slave-holding states of the United States. As the historian Walter Johnson argues in *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom*, slavery was very much a part of the global capitalist economy, as 85 to 90 percent of the cotton produced in America was sent to Liverpool for sale and then processed into textiles in British factories.

But a century before the “new historians of capitalism” made this analytical contribution to debates about capitalism and slavery, Rosa Luxemburg levied a similar and more theoretical critique of Marx in her 1913 work of political economy *The Accumulation of Capital: A Contribution to an*

Economic Explanation of Imperialism. Though her theoretical intervention is very technical, what follows is a jargon-light summary of her critique. In Part III of *The Accumulation of Capital*, Luxemburg sets out to disprove the mathematical model for expanded reproduction that Marx develops in Volume II of *Capital*. Expanded reproduction is the process by which capitalism grows when a portion of surplus value is reinvested in production. Though Marx concedes that his model is an abstraction (and thus takes place in a fanciful context where there is only capitalism and two classes consisting of workers and capitalists), Luxemburg nonetheless finds his model flawed on both historical and theoretical grounds. She notes that Marx's schema "takes no account of the increasing productivity of labor," which means that surplus value would increase relative to variable capital (i.e., purchased labor power).⁶ In other words, capitalism would grow faster than workers' capacity to consume products, which would ultimately lead to a crisis of realization (surplus value would not be realized in full because there would be no buyers for a portion of the products). Thus, she asserts, Marx is wrong in his belief that expanded reproduction could occur in "a society consisting only of capitalists and workers."⁷ Third parties must be introduced to temporarily resolve the antagonism between the expansion of the productive forces and restrictions on the capacity of

consumption. But “who, then, realizes the constantly increasing surplus value?”⁸ In Luxemburg’s view, it is consumers outside the domain of the formal capitalist sphere who prop up the capitalist economies by absorbing the surplus production of both consumer goods and the means of production (construction materials for infrastructure projects, etc.). Luxemburg’s analysis of the parasitic relationship between capitalist and noncapitalist spheres has since been recast in terms of developed and underdeveloped spheres, the Global North and Global South, and the core and (dependent) periphery—all of which draw attention to the geographical unevenness of global trade.

To offer a contemporary example, consider the recent global investments made by China. China has a glut of steel, and one way it has deferred an overproduction/underconsumption crisis is by supplying both the credit and the materials, as well as much of the labor and expertise, for African nations to construct a vast railway system across East Africa. Between 2004 and 2014, African countries borrowed some \$10 billion from the China Export-Import Bank to finance railway projects that are part of the East African Railway Master Plan. The railway system also facilitates the creation of a market for exported Chinese consumer goods, which have already begun to flood marketplaces across Africa.

Though there are many more dimensions to Luxemburg's analysis of how capitalist accumulation takes place, the most important points to be gleaned from her account, for the purpose of this essay, are: 1) Capitalism is inherently expansionary, as it seeks to realize an ever-increasing amount of surplus value; 2) There is no reason why surplus value need be realized within the formal capitalist sphere when realization can be secured through violence, state force, colonization, militarism, war, the use of international credit to promote the interests of the hegemonies, the expropriation of indigenous land, predatory tariffs and taxes, hyper-exploitation, and the pilfering of the public purse.

In other words, according to Luxemburg, the methods used for primitive accumulation do not end when the capitalist mode of production becomes dominant in a specific context. Since capitalism is a global system, and levels of economic and political "development" vary greatly across the globe, the drive to both secure consumer markets and cut production costs compels capitalists to take advantage of this unevenness by developing a parasitic relationship with noncapitalist or underdeveloped spheres. If—in the mid-nineteenth century—the cheapest source of cotton was cultivated using slave labor in the U.S. South, why would a British industrialist prioritize securing this raw material from a "capitalist" source? As Luxemburg writes:

In its drive to appropriate these productive forces for the purposes of exploitation, capital ransacks the whole planet, procuring means of production from every crevice of the Earth, snatching up or acquiring them from civilizations of all stages and all forms of society. Far from being already resolved by the material form of the surplus value generated by capitalist production, the question of the material elements of capital accumulation transforms itself into an entirely different one: for the productive employment of realized surplus value, it is necessary for capital to dispose ever more fully over the whole globe in order to have available to it a quantitatively and qualitatively unrestricted range of means of production.⁹

This is Luxemburg's point: to assume that capitalism is the exclusive and universal mode of production, as Marx does in his schema of expanded reproduction, is to miss how capitalist accumulation actually takes place. Luxemburg even goes so far as to conclude that the moment the capitalist mode of production becomes universal, it would no longer be able to function, because there would be no way for it to fully realize the surplus value produced, as there would be no domains left to ransack. However, this narrative assumes that capitalism is a static system rather than a dynamic system that can adapt to changing conditions. It also assumes

that those who are incorporated into the capitalist system are permanently integrated into the economy as waged laborers. Given that labor productivity generally increases over time owing to technological innovations, segments of the workforce are also regularly shunted from the process of production. It is usually the case that somewhere in the world, yesterday's workers are today's surplus population. This process continually opens up new domains for expropriation and value generation, whether it is through moneylending or warehousing people in prisons.

At this point in the analysis you may be wondering, what does any of this have to do with racial capitalism? Luxemburg accounts for the way race mediates the accumulation process when she argues that racialized colonization, expropriation, and slavery have historically been capitalism's condition of possibility:

Since capitalist production must have all territories and climes at its disposal in order for it to develop, it can no more be confined to the natural resources and productive forces of the temperate zone than it can make do with the labor-power of the white race alone. Capital needs other races to exploit territories where the white race is not capable of working, and in general it needs unrestricted disposal over all the labor-power in the

world, in order to mobilize all of the Earth's productive forces to the extent that this is possible within the constraints of surplus value production. However, in most cases, as capital encounters this labor-power, the latter is rigidly bound by outmoded, precapitalist relations of production, from which it must first be "set free," in order to be enlisted in the active army of capital. The process of extricating labor-power from primitive social relations and absorbing it into the capitalist wage system is one of the indispensable historical foundations of capitalism. The British cotton industry, which was the first genuinely capitalist branch of production, would have been impossible not only without cotton from the southern states of the American Union, but also without the millions of Black Africans who were transported to America in order to provide labor-power for the plantations, and who subsequently joined the ranks of the capitalist class of wage laborers as free proletarians after the American Civil War. The importance of acquiring the requisite labor-power from noncapitalist societies becomes very palpable for capital in the form of the so-called labor problem in the colonies. In order to solve this problem, all possible methods of "soft power" are employed to detach the labor-power that is subordinated to other social authorities and conditions of production from these and to

place it under the command of capital. These endeavors give rise in the colonial countries to the most peculiar hybrid forms of the modern wage system and primitive relations of domination. These latter give a palpable demonstration of the fact that capitalist production is not feasible without labor-power from other social formations.¹⁰

What Luxemburg is describing is a dual labor system whereby the liberal contract prevails in the “temperate zone” of the “white race” while the labor supply in the extra-capitalist social strata is secured through colonial domination and forms of soft power. A hybrid form emerges when capitalist social formations are grafted onto noncapitalist social formations.

Luxemburg’s arguments are relevant to debates about the birth of capitalism and ongoing accumulation, but they also help us analyze fictitious capital, financialization, and contemporary racial capitalism. Prior to my reading of Part III of *The Accumulation of Capital*, I came to similar conclusions as Luxemburg when thinking about realization problems related to the debt economy. Some post-Marxists are dismissive of analyses of financialization because fictitious capital is not part of the “real” economy. But looking at how crises created by the credit economy were

resolved, I found that the state apparatus was used to force realization through racialized expropriation when no other avenues were available. Although Luxemburg is mostly talking about an unequal transnational exchange between capitalist and noncapitalist nations, a similar dynamic is enabled *within* the U.S. because of uneven regional economic health and development. Consider, for instance, such postindustrial cities and regions as Detroit, where there has been dramatic depopulation, the collapse of the city's tax base (partly because of racist housing policies and white flight), and the collapse of the manufacturing sector. The financial sector saw Detroit's decline as an opportunity to capitalize on its fiscal desperation by extending high-risk credit to the city and—when the city went bankrupt—attempting to force payment through the bankruptcy litigation process. Wherever there is economic desperation and a high concentration of poverty, predatory lending mechanisms dominate. Local economies that are struggling become the testing grounds for predatory financial instruments. Examples of domestic forms of expropriation trouble the inside-outside distinction Luxemburg makes between capitalist and noncapitalist societies. In some cases, it is not a strict demarcation between capitalist and noncapitalist spheres that enables expropriation, but geographical unevenness.

Furthermore, in the age of finance capital, the use of debt as a mechanism of dispossession requires that subjects first be *incorporated* into the capitalist system as borrowers.

From Primitive Accumulation to Racialized Accumulation by Dispossession

In *The New Imperialism*, the Marxist geographer David Harvey uses Luxemburg's analysis of ongoing accumulation by force to develop a theoretical framework suited to the neoliberal era. Instead of using the Marxist term "primitive accumulation"—which relegates the use of violence, coercion, and fraud to the stage *preceding* capitalism—he opts instead for the term "accumulation by dispossession." He writes, "Accumulation by dispossession can here be interpreted as the necessary cost of making a successful breakthrough into capitalist development with the strong backing of state powers."¹¹ Harvey agrees with Luxemburg's claim that capitalism has a dual character: one sphere is governed by freedom of contract and the rule of law while the other is dominated by political violence and looting carried out by hegemonic capitalist nations. The looting component of the accumulation process is often carried out through the international credit system, which Harvey notes is the linchpin of late capitalism:

The credit system and finance capital became, as Lenin, Hilferding, and Luxemburg all remarked at the beginning of the twentieth century, major levers of predation, fraud, and thievery. The strong wave of financialization that set in after 1973 has been every bit as spectacular for its speculative and predatory style. Stock promotions, ponzi schemes, structured asset destruction through inflation, asset-stripping through mergers and acquisitions, and the promotion of levels of debt incumbency that reduce whole populations, even in the advanced capitalist countries, to debt peonage, to say nothing of corporate fraud and dispossession of assets (the raiding of pension funds and their decimation by stock and corporate collapses) by credit and stock manipulations—all of these are central features of what contemporary capitalism is about.¹²

Although I largely agree with Harvey's analysis of accumulation by dispossession, as well as his attention to the use of credit as a method of expropriation, I would like to further extend his analysis to focus on the racial dimension of this process—what one might call *racialized accumulation by dispossession*. In the following sections I look at recent attempts to theorize expropriation as a racializing process.

Racial Capitalism and Settler Colonialism

Given the dual character of capitalist accumulation identified by both Rosa Luxemburg and David Harvey, what new understanding of capitalism would be generated by focusing on *dispossession* and *expropriation* over *work* and *production*? Contemporary political theorists as well as critical ethnic studies, black studies, and Native studies scholars and activists analyze how racial slavery and settler colonialism provide the material and territorial foundation for U.S. and Canadian sovereignty. Rather than casting slavery and Native genocide as temporally circumscribed events that inaugurated the birth of capitalism in the New World (“primitive accumulation”), they show how the racial logics produced by these processes persist to this day:

In order to recuperate the frame of political economy, a focus on the dialectic of racial slavery and settler colonialism leads to important revisions of Karl Marx’s theory of primitive accumulation. In particular, Marx designates the transition from feudal to capitalist social relations as a violent process of primitive accumulation whereby “conquest, enslavement, robbery, murder, in short, force, play the greatest part.” For Marx, this results in the expropriation of the worker, the proletariat, who becomes the privileged subject of capitalist

revolution. If we consider primitive accumulation as a persistent structure rather than event, both Afro-pessimism and settler colonial studies destabilize normative conceptions of capitalism through the conceptual displacements of the proletariat. As Coulthard demonstrates, in considering Indigenous peoples in relation to primitive accumulation, “it appears that the history and experience of dispossession, not proletarianization, has been the dominant background structure shaping the character of the historical relationship between Indigenous peoples and the Canadian state.” It is thus dispossession of land through genocidal elimination, relocation, and theft that animates Indigenous resistance and anticapitalism and “less around our emergent status as ‘rightless proletarians.’” If we extend the frame of primitive accumulation to the question of slavery, it is the dispossession of the slave’s body rather than the proletarianization of labor that both precedes and exceeds the frame of settler colonial and global modernity.¹³

As Iyko Day notes, Native dispossession occurs through the expropriation of *land*, while black dispossession is characterized by enslavement and *bodily* dispossession. Although both racial logics buttress white accumulation and are defined by a “genocidal limit concept” that constitutes these

subjects as disposable, Day notes that “the racial content of Indigenous peoples is the mirror opposite of blackness. From the beginning, an eliminatory project was driven to reduce Native populations through genocidal wars and later through statistical elimination through blood quantum and assimilationist policies. For slaves, an opposite logic of exclusion was driven to increase, not eliminate, the population of slaves.”¹⁴

A debate has ensued in critical ethnic studies about which axis of dispossession is capitalism’s condition of possibility: the expropriation of Native land or chattel slavery? Was the U.S. made possible primarily by unbridled access to black labor, or through territorial conquest? Is the global racial order defined—as Day writes—primarily by the indigenous-settler binary or the black-nonblack binary? At stake in this debate is the question of which axis of dispossession is the “base” from which the “superstructures” of economy, national sovereignty, or even subjectivity itself emerge. Those who argue that settler colonialism is central have sometimes made the claim that even black Americans participate in settler colonialism and indigenous displacement by continuing to live on stolen land, while those who center slavery and antiblackness have sometimes viewed Native Americans as perpetrators of antiblackness insofar as some tribes have historically owned slaves and seek

state recognition by making land-based claims to sovereignty—a claim that relies on a political grammar that black Americans do not have access to, as slaves were rent from their native lands when they were transported to the Americas (see Jared Sexton’s “The Vel of Slavery”). Although weighing in on this debate is beyond the scope of this essay, I generally agree with Day’s assertion that to treat this set of issues as a zero-sum game obfuscates the complexity of these processes. With that said, it is important to note that this book deals primarily with the antiblack dimensions of prisons, police, and racial capitalism, though I acknowledge that analyses of settler colonialism are equally vital to understanding the operations of racial capitalism and how race is produced through multiple expropriative logics.

Gendered Expropriation

Though this book focuses primarily on black racialization in a contemporary context, it is worth noting that expropriation reproduces multiple categories of difference—including the man-woman gender binary. Although categories of difference were not invented by capitalism, expropriative processes assign particular meanings to categories of difference. “Woman” is reproduced as inferior through the unwaged theft of her labor, while the esteem of the category of “man” is propped up by

the valorization of his labor. Even when women are in the professional workforce, they are still vulnerable to expropriation when they are given or take on work beyond their formal duties—whether it’s washing the dishes at the office, mentoring students, or doing thankless administrative work while male colleagues get the “dysfunctional genius” pass. But above all, gendered expropriation occurs through the extraction of care labor, emotional labor, as well as domestic and reproductive labor—all of which is enabled by the enforcement of a rigid gender binary. This system is propped up by gender socialization, which compels women to psychologically internalize a feeling of responsibility for others.

Although, at a glance, it might seem that the expropriation of women’s labor happens primarily through housewifization, the marriage contract, and the assignment of child-care duties to women, in the current epoch—characterized by an aging baby boomer population and a shortage of geriatric health-care workers—women are increasingly filling this void by taking care of sick parents, family members, and loved ones. It is hardly surprising that two-thirds of those who care for those with Alzheimer’s disease are women, even as women are the primary victims of this disease. Given that women’s lives are often interrupted by both child-care duties and caring for ailing family members, it’s also hardly surprising that women accumulate

many fewer assets and are more likely to retire into poverty than their male counterparts. A recent report found that the European Union gender pension gap was 40 percent, which far exceeds the gender pay gap of 16 percent. Overall, gender is a material relation that, among other things, bilks women of their futures. The aged woman who has toiled by caring for others is left with little by the end of her life. Though gender distinctions are maintained through expropriative processes, they also have consequences beyond the economic and material realm. While it could be said that *disposability* is the logic that corresponds to racialized expropriation, gendered subjectivation has as its corollary *rapeability*. It also goes without saying that these expropriative logics are not mutually exclusive, as nonwhite women and gender-nonconforming people may be subject to a different set of expropriative logics than white women.

Racialized Expropriation

Although I do not claim that expropriation should be defined exclusively as racialization (again, because different expropriative logics reproduce multiple categories of difference), this book deals primarily with the antiblack racial order that is produced by late-capitalist accumulation. Michael C. Dawson and Nancy Fraser are two contemporary

political theorists who have defined expropriation as a racializing process in capitalist societies. In “Hidden in Plain Sight,” Dawson takes Fraser to task for not acknowledging racialized expropriation as one of the “background domains” of capitalist society. Understanding the logic of expropriation, in his view, is necessary for understanding which modes of resistance are needed at this historical juncture. His article begins with a meditation on the question: Should activists and movements such as Black Lives Matter focus on racialized state violence (police shootings, mass incarceration, and so forth), or should they focus on racialized inequality caused by expropriation and exploitation? What is the relationship between the first logic—characterized by *disposability*—and the second logic—characterized by *exploitability* and *expropriability*? Rather than describing these logics as distinct forms of antiblack racism, he analyzes them as two dimensions of a dynamic process whereby capitalist expropriation generates the racial order by fracturing the population into superior and inferior humans:

Understanding the foundation of capitalism requires a consideration of “the hidden abode of race”: the ontological distinction between superior and inferior humans—codified as race—that was necessary for slavery, colonialism, the theft of lands in the Americas, and genocide. This racial

separation is manifested in the division between full humans who possess the right to sell their labor and compete within markets, and those that are disposable, discriminated against, and ultimately either eliminated or superexploited.¹⁵

Black racialization, then, is the mark that renders subjects as suitable for—on the one hand—hyper-exploitation and expropriation, and, on the other hand, annihilation. Before the neoliberal era, the racial order was propped up by the state, and racial distinctions were enforced through legal codification, Jim Crow segregation, and other formal arrangements. In a contemporary context, though the legal regime undergirding the racial order has been dismantled, race has maintained its dual character, which consists of “not only a probabilistic assignment of relative economic value but also an index of differential vulnerability to state violence.”¹⁶ In other words, vulnerability to hyper-exploitation and expropriation in the economic domain and vulnerability to premature death in the political and social domains. My essay on the Ferguson Police Department and the city’s program of municipal plunder is an attempt to make visible the hidden backdrop of Mike Brown’s execution: the widespread racialized expropriation of black residents carried out by the criminal justice arm of the state. It is not just that Mike Brown’s murder

happened alongside the looting of residents at the behest of the police and the city's financial manager, but that racial legacies that have marked black residents as lootable are intimately tied to police officers' treatment of black people as killable. The two logics reinforce and are bound up with each other.

In her response to Dawson's analysis of racialization as expropriation, Fraser develops Dawson's claims by looking at the interplay between economic expropriation and "politically enforced status distinctions."¹⁷ Not only does accumulation in a capitalist society occur along the two axes of exploitation and expropriation, but one makes the other possible in that the "racialized subjection of those whom capital expropriates is a condition of possibility for the freedom of those whom it exploits."¹⁸ In other words, the "front story" of free workers who are contracted by capitalists to sell their labor-power for a wage is enabled by, and depends on, expropriation that takes place outside this contractual arrangement. Fraser further extends Dawson's analysis by offering a historical account of the various regimes of racialization. In her analysis of the "proletarianization" of black Americans as they migrated from the South to industrial centers in the North and Midwest during the first half of the twentieth century, she points out that even in the context of industrial "exploitation," the segmented labor market was

organized such that a “confiscatory premium was placed on black labor.” Black industrial workers were paid less than their white counterparts. In some sense, the racialized gap in earnings can be thought of as the portion that was expropriated from black workers. It is not as though the black laborers who joined the ranks of the industrial proletariat were newly subjected to exploitation rather than expropriation, but that these two methods of accumulation were operating in tandem.

In the “present regime of racialized accumulation”—which she refers to as “financialized capitalism”—Fraser notes that there has been a loosening of the binary that has historically separated who should be subjected to expropriation from who should be subjected to exploitation, and that during the present period, debt is regularly deployed as a method of dispossession:

Much large-scale industrial exploitation now occurs outside the historic core, in the BRICS countries of the semi-periphery. And expropriation has become ubiquitous, afflicting not only its traditional subjects but also those who were previously shielded by their status as citizen-workers. In these developments, debt plays a major role, as global financial institutions pressure states to collude with investors in extracting value from defenseless populations.¹⁹

While I agree with Fraser's claim that the "sharp divide" between "expropriable subjects and exploitable citizen-workers" has been replaced by a "continuum" (albeit a continuum that remains racialized), I would add that the existence of poor whites who have fallen out of the middle class or have been affected by the opiate crisis at the present juncture represents *not* racial progress for black Americans, but the generalization of expropriability as a condition in the face of an accumulation crisis. In other words, immiseration for all rather than a growing respect for black Americans. Fraser rightly points out that "expropriation becomes tempting in periods of crisis."²⁰ Sometimes the methods of accumulation that were once reserved exclusively for racialized subjects bleed over and are used on those with privileged status markings.

If expropriation and exploitation now occur on a continuum, then it has been made possible, in part, by late capitalism's current modus operandi: the probabilistic ranking of subjects according to risk, sometimes indexed by a person's credit score. As I will demonstrate in the coming sections, this method is not a race-neutral way of gleaning information about a subject's personal integrity, credibility, or financial responsibility. It is merely an index of already-existing inequality and a way to distinguish between which people should be expropriated from and which should be merely exploited.

Race and the Debt Economy

I have seen a black farmer fall in debt to a white storekeeper, and that storekeeper go to his farm and strip it of every single marketable article,—mules, ploughs, stored crops, tools, furniture, bedding, clocks, looking-glass,—and all this without a warrant, without process of law, without a sheriff or officer, in the face of the law for homestead exemptions, and without rendering to a single responsible person any account or reckoning.

—W. E. B. Du Bois²¹

Here in 1890 lived ten thousand Negroes and two thousand whites. The country is rich, yet the people are poor. The key-note of the Black Belt is debt; not commercial credit, but debt in the sense of continued inability on the part of the mass of the population to make income cover expense.

—W. E. B. Du Bois²²

When observing the economic life of the United States, we see that at every historical juncture, debt has been racialized. During the antebellum period whites used slaves as collateral when taking out loans. As W. E. B. Du Bois highlights in *The Souls of Black Folk*, after slavery was abolished, debt was a racialized regime of social control that was enabled by the tenant farming system. As black sharecroppers

left the agricultural sector in the South to join the industrial workforce, debt migrated from the point of production to the point of consumption. Dawson and Megan Ming Francis write:

A difference between the crushing debt of the Jim Crow era and the current neoliberal racial order is that debt during the previous era was tied to blacks' roles as *producers* in the economy—specifically, first as agricultural workers (primarily sharecroppers) and then during Jim Crow as industrial-sector urban workers (heavily concentrated in unionized manufacturing). In this era, the debt is primarily tied to blacks' roles as *consumers*.²³

The authors also note that, as urban manufacturing jobs left the inner cities, the displacement of black American workers further intensified black dependency on consumer credit: between 1970 and 1991, black labor force participation dropped from 63 percent to 49 percent. Recent data that shows overall low unemployment among black Americans (though black unemployment is still high relative to white unemployment) is skewed because such data fails to account for black displacement from the waged labor force caused by mass incarceration. Although racial disparities exist in the various domains of consumer debt, indebtedness as an economic and social condition

is becoming a generalized condition in the U.S. However—as I have already emphasized—the form of credit available to people varies based on their race, place of residency, and class status.

Student Debt

At a glance, the domain of student loans might appear to be equal and nondiscriminatory, but a racial debt gap exists in this domain as well. Federal student loans—seemingly not designed to be predatory—facilitate predation when black borrowers are disproportionately tracked into expensive, unaccredited, for-profit colleges. The recent sharp increase in the cost of tuition even at public universities (exacerbated by funding cuts) has also contributed to the racial student debt gap, where black and Latinx students graduate with greater debt loads than whites.

There are a number of reasons why an analysis of the debt economy using the framework of racial capitalism should focus on student loans and the racial student debt gap. Excluding mortgages, student loans make up the largest portion of consumer debt (exceeding that of credit cards and auto loan debt). In recent years, the composition of household debt has been changing such that mortgage debt is decreasing while student debt is increasing. Given the rapid explosion of the student

debt load, it is hardly surprising that student loans have the highest delinquency rate of any form of credit. When a student loan goes into default, the borrower's credit score will take a hit. Even for federal loans, a missed payment could have a negative impact on someone's credit score in about ninety days. But this is only the beginning of the potentially lifelong nightmare that is set into motion by student debt. The high delinquency rate would not only negatively affect what form of credit these people would have access to in the future (as well as their interest rates), but also their employment and housing prospects. In 2010, the Society for Human Resource Management found that 60 percent of employers surveyed ran credit checks when screening applicants, though in recent years some places have begun to outlaw this practice.²⁴ Thus, bad credit caused by student loan defaults can lead to exclusion from the labor market. The paradoxical nature of this maddening scenario is not lost on me: students borrow money to get degrees that are supposed to increase their employment prospects, only to become trapped in an endless cycle of debt that can destroy their financial futures and actually decrease their employment prospects. This could jump-start a process where, as a struggling borrower's credit score worsens, employment prospects grow ever distant, along with the possibility of repaying the

loans and improving credit scores. To make matters worse, it's basically impossible to wipe out student debt through filing for bankruptcy, which means that someone deep in the hole would have no way to reset their finances. These borrowers can also look forward to the federal government garnishing their Social Security checks as they age.

Student loans are also a powerful mechanism of social control because they track people into the debt regime at a young age—essentially, at the very moment they become adults. Significant class-based asymmetries exist between borrowers from financially “literate” households and borrowers from financially “illiterate” households. Such asymmetries could fracture borrowers into two camps: those who have the familial support, material means, or financial literacy to manage their student loans would be put on the path to potential wealth accumulation, while those who can't keep up with payments or lack knowledge about how to manage student loans would be put on the path to future economic marginalization. But even the first path has been partly obstructed by debt collection agencies such as Navient—the largest student debt collector in the country—which has a history of deliberately losing payments, preventing low-income students from getting on income-based payment plans, and obstructing disabled borrowers from getting their loans wiped.

Almost daily, new scandals emerge across all domains of borrowing. This points to an accumulation crisis that companies and lending institutions are trying to stave off through fraud, manipulation of interest rates, the automatic charging of fees, debt collection harassment, and naked expropriation.

Municipal Indebtedness

A racialized form of debt that is prevalent in black-majority cities across the country is criminal justice debt. Types of criminal justice debt include:

(1) Fines and assessments that are levied with a punitive purpose, (2) penalties levied with a restitution purpose, and (3) assessments levied by jails and other criminal justice agencies with a public cost-recovery purpose. The latter category includes (i) pre-conviction assessments, such as jail book-in fees, levied at the time of arrest, jail per diem fees and public defender application fees; (ii) post-conviction fees, such as a presentence report fee that helps defray the cost of gathering information, public defender recoupment fees, residential fees and cost of prison housing; (iii) post-release fees, such as monthly supervision fees, i.e. parole and probation fees.²⁵

In addition to court-related fines and fees, municipal debt accrues to subjects who are routinely fined and ticketed by the police. This type of debt is deployed neither for production nor consumption, but at *the point of policing*. You could also call these legal financial obligations a *racial surtax*; it is a form of extraction that funds the very government activities that are engaged in expropriating from black residents. Criminal justice debt affects not only the individuals ensnared in the criminal justice system but also their family members and loved ones, who sometimes go into debt to pay for criminal justice–related fees and fines, or to communicate with and financially support incarcerated loved ones. Over the last couple of years, galvanized by the Department of Justice investigation of the Ferguson Police Department, activists and lawyers have begun to contest the use of the police and the courts to generate revenue to cover the cost of government operations or to pay municipal bondholders.

Although debtors' prisons were outlawed in 1833, lawyers across the country have filed lawsuits claiming that these municipal fine farming practices amount to debtors' prison. *The Atlantic* found that 95 percent of outstanding arrest warrants are from unpaid fines.²⁶ In Texas, a staggering 650,000 people are locked up for failing to pay fines, though a court justice ruled that the jailing of indigent

people for failing to pay fines must cease by September 1, 2017. The city of New Orleans recently waived \$1 million in court fees with the hope of avoiding a federal civil rights lawsuit. In New Orleans, judges were also financially incentivized to find defendants guilty. I will return to this issue in greater depth in the next chapter, but for now I want to emphasize that this method of extracting revenue from black residents is not just limited to a few outlier cities such as New Orleans or Ferguson—*it is a systematic institutional practice*. A recent study that examined data for more than nine thousand U.S. cities found that “the use of fines as revenue is common and that it is robustly related to the share of city residents who are black.”²⁷ The racial discrepancy in the use of police fines to generate revenue was partially (but not completely) mitigated by black political representation and the presence of black people on city councils.

Racialized Mortgage Debt: From Redline to Subprime

In the last few decades there has been a lending paradigm shift in relation to black mortgage borrowing. Between 1934 and 1968, when the U.S. was rapidly suburbanizing, black Americans were largely excluded as borrowers. Federal Housing Administration (FHA) mortgage insurance loans

that enabled the suburbanization of white America and the building of the white middle class systematically barred black Americans from the most common path to wealth accumulation: homeownership. The policies of the FHA fostered racial segregation and codified racism on the institutional level by granting loans to borrowers moving to new neighborhoods on the periphery of cities and barring black borrowers in the inner city. The term “redlining” refers to the practice of using red lines to mark the boundaries of neighborhoods considered “risky” and thus unfit for investment by financial institutions. These zones were left to languish while white Americans rapidly fled cities and moved to the suburbs.

Eventually this paradigm shifted when risk itself was commodified through risk-adjusted mortgage rate pricing. In the years leading up to the 2008 housing market crash, black and Latinx borrowers who wanted to buy houses were targeted for sub-prime mortgage loans by lending institutions—which marks a move away from *financial exclusion* to *expropriation through financial inclusion*. This transition was facilitated by support for “market” solutions to structural problems: in particular, a belief in the idea that the racial wealth gap could be closed through the expansion of credit access. Yet these loans were not designed to offer a path to homeownership for black and brown borrowers;

they were a way of converting risk into a source of revenue, with loans designed such that borrowers would ultimately be dispossessed of their homes.

The standard, ideological narrative of the 2008 subprime mortgage crisis goes something like this: blacks and Latinxs clamored for access to mortgage loans but were unable to pay them back because they're too irresponsible or poor. Thus, they are not victims swindled by financial institutions, but the *cause of the crisis itself*. Another more "benevolent" reading of the crisis is that these demographics lacked the financial literacy to make smart choices when it came to taking out loans to buy houses. But both narratives fail to consider that subprime mortgages and mortgage-backed securities were a way for banks to generate revenue through financial speculation.

There is ample evidence that the banks committed racialized fraud during the lead-up to the crisis. In the years since the 2008 subprime mortgage crisis, a series of investigations into the lending practices of such banks as Bank of America, Wells Fargo, Citigroup, and the National City/PNC bank revealed the extent to which these banks were engaged in predatory practices by using race as a "central factor in determining higher fees and interest rates during the housing boom."²⁸ The authors go on to note that a DOJ investigation found that even when controlling for income and

other factors, “highly qualified black borrowers were four times as likely, and Latino borrowers three times as likely, to receive a subprime loan from Wells Fargo.”²⁹ However, there are subtle ways in which Francis and Dawson’s reference to the “highly qualified black borrowers” who were bilked by banks like Wells Fargo capitulates to a moral framework where deserving black borrowers are implicitly distinguished from high-risk, undeserving black borrowers. Although the intention behind highlighting qualified black borrowers may have been to emphasize that these lending practices were racialized and did not correspond to actual risk, such comments, though factually true, validate risk-based credit pricing as a legitimate and rational practice, so long as it is not racist. Yet legitimizing the practice of indexing people by risk renders structural inequality invisible and casts high-risk borrowers as irresponsible and amoral for failing to make good on their promise to pay back loans. Rather than challenging the explosion of the debt economy as a whole and viewing it as a symptom of a broader accumulation crisis, it turns a structural problem into an individualized moral problem and overlooks the ways in which racialized inequality increases the likelihood that black Americans are targeted for and exposed to predatory forms of credit (designed to fail) that would increase their likelihood of being sorted into the high-risk pool.

The Content of Your Creditworthiness and Not the Color of Your Skin: Risk and the New Color-Blind Racism

The use of the FICO credit score to determine loan pricing, which began in 1989 and took off in the 1990s, was viewed as a positive step toward enabling those who were formerly excluded from credit markets to access consumer credit. The scores would enable black Americans to participate in the system, albeit sometimes as high-risk borrowers. While the practice of redlining is now viewed as unfair and blatantly racist, risk-adjusted credit pricing—so long as it corresponds to a person's *actual* risk—is seen as fair. However, the practices that were used during the lead-up to the 2008 crisis were viewed as unfair because they relied on racial stereotypes to determine risk rather than individuals' actual risk. Thomas Perez, the assistant attorney general for the DOJ Civil Rights Division, said, "People with similar qualifications should be treated similarly. They should be judged by the content of their creditworthiness and not the color of their skin."³⁰ In this view, the solution is to eliminate human bias in lending practices as well as to eliminate mortgage industry strategies and a discriminatory banking culture that target blacks and Latinxs for bad loans. However, the idea that people should be "judged by the content

of their creditworthiness and not the color of their skin” capitulates to the association of creditworthiness with moral rectitude and responsibility. In other words, according to this view, good credit equals good character. Having a bad credit score is seen as a moral failing rather than merely an index of structural inequality. The “content of your creditworthiness” view also implicitly supports the idea that subprime lending is a justified and rational market practice to apply to (actual) high-risk borrowers. I hold that risk is a new color-blind racism, for it enshrines already-existing social and economic inequalities under the guise of equality of opportunity. When thinking about risk, we should ask ourselves if market mechanisms will have the capacity to redress hundreds of years of structural inequality. To accept risk scores as an index of personal competency is to embrace a liberal politics of personal agency, where those who work hard to maintain good credit get what they deserve.

Furthermore, risk scoring is a practice that fractures the population into the categories of *deserving* and *undeserving*. When a subject bears the marker of “high-risk borrower,” they are treated as fit for predation and expropriation. The use of expropriative credit instruments on high-risk borrowers does not register as a scandal because of the ways in which debt has historically been framed in terms of morality. David Graeber illustrates how this

framework operates using a memorable anecdote in the first chapter of his book *Debt: The First 5,000 Years*. He describes a conversation he had at a party about Third World debt with a stranger who was a socially-conscious lawyer:

“But what was *your* position?” the lawyer asked.

“About the IMF? We wanted to abolish it.”

“No, I mean, about the Third World debt.”

“Oh, we wanted to abolish that too. ... The more long-term aim was debt amnesty. Something along the lines of the biblical Jubilee. As far as we were concerned,” I told her, “thirty years of money flowing from the poorest countries to the richest was quite enough.”

“But,” she objected, as if this were self-evident, “they’d borrowed the money! Surely one has to pay one’s debts.”

...

Where to start? I could have begun by explaining how these loans had originally been taken out by unelected dictators who placed most of it directly in their Swiss bank accounts, and ask her to contemplate the justice of insisting that the lenders be repaid, not by the dictator, or even by his cronies, but by literally taking food from the mouths of hungry children. Or to think about how many of these poor countries had actually already paid back what they’d borrowed three or

four times now, but that through the miracle of compound interest, it still hadn't made a significant dent in the principal. I could also observe that there was a difference between refinancing loans, and demanding that in order to obtain refinancing, countries have to follow some orthodox free-market economic policy designed in Washington or Zurich that their citizens had never agreed to and never would, and that it was a bit dishonest to insist that countries adopt democratic constitutions and then also insist that, whoever gets elected, they have no control over their country's policies anyway. Or that the economic policies imposed by the IMF didn't even work. But there was a more basic problem: the very assumption that debts have to be repaid.

Actually, the remarkable thing about the statement "one has to pay one's debts" is that even according to standard economic theory, it isn't true. A lender is supposed to accept a certain degree of risk.³¹

For many, it is not the immorality of creditors' lending practices that are called into question, but the immorality of borrowers who cannot or do not pay back their loans. This example also draws my attention to how power asymmetries affect the terms of credit, and how the lenders always have the upper hand and are incentivized to exploit

people. They are the ones designing the debt instruments, they have a profit motive, and they are in possession of something that borrowers need: money. One might ask—can't these borrowers reject bad terms by refusing to borrow from unfair lending institutions? This is not possible in an economic context where wages in some sectors (e.g., the service sector) are below subsistence level, or in regions where the local economy is doing so poorly that people cannot find employment at all and so must borrow money to consume goods.

The idea that people have a moral obligation to make good on their promise to pay their debts is partly tied to the idea that freedom means personally bearing the risks of your actions and decisions. At the same time—beginning with seventeenth-century maritime trade insurance—instruments have been developed to off-load risk onto financial institutions. In *Freaks of Fortune*, the historian Jonathan Levy writes:

The thread that runs most consistently through risk's history is a moral one. [...] A generation—financiers, abolitionists, actuaries, jurists, preachers, legislators, corporate executives, philosophers, social scientists—developed a vision of freedom that linked the liberal ideal of self-ownership to the personal assumption of “risk.” In a democratic society, according to the new gospel, free and

equal men must take, run, own, assume, bear, carry, and manage personal risks. That involved actively attempting to become the master of one's own personal destiny, adopting a moral duty to attend to the future. Which meant taking risks. But it also meant offloading one's risk onto new financial corporations—like when a wage worker insured his productive labor against workplace accident, an ex-slave opened a savings account, or a Wall Street financier hatched a corporate profit-sharing and employee benefit plan. A new vision of what it meant to be a free and secure actor thus took shape in the new material and psychological reality created by the modern American corporate financial system.

Liberal notions of selfhood had long emphasized the need for self-mastery, even in the face of uncertainty. But only in the nineteenth century did self-ownership come to mean mastery over a personal financial “risk.” The moral conundrum that posed, and still poses, is that individual freedom required a new form of dependence. A dependence, that is, upon a new corporate financial system, the central nervous system of a rising capitalism that fed off radical uncertainty and ceaseless change.

Therefore corporate risk management time and again manufactured new forms of uncertainty and insecurity.³²

The financial instruments that have proliferated as of late are designed to manage risk and convert risk into a tradable commodity. Consider, for instance, how derivatives markets work. Let's take a brief look at the financial instruments that were popular during the lead-up to the 2008 crash: the mortgage-backed security (MBS) and the collateralized debt obligation (CDO). First, people took out mortgages, mostly from nonbank private entities and banks (nonbank private lenders such as Quicken Loans have taken over this market since the crash). Financial institutions then pooled these mortgages to create "securities" that are divided into "tranches." Imagine a building that is, say, five stories high. This building represents the payment structure of the mortgage-backed securities. People who purchased bonds from the top tranche would be paid first, while people who purchased bonds from the bottom tranche would be paid last. The bonds from the top floor (tranche) might be rated AAA, while the subsequent descending floors might be rated AA, A, BBB, BB-, or junk.

Why would anyone buy bonds from the lower tranches if they are considered riskier? High-risk bonds enable bondholders to collect more revenue because the "yield" (interest revenue from an investment) is higher on poorly rated bonds than on low-risk bonds. Bonds from the AAA-rated tranche might have a yield of 5 percent, while

bonds from the junk-rated bottom tranche might have a yield of 20 percent.

A CDO is a structured financial product that is backed by non-prime MBSs. It is created by pooling the lowest-rated bottom tranches of MBSs and repackaging them. One way to think of it: you take the junk from the bottom floors of, say, eight buildings and dump that junk into another building that is similarly divided into tranches that are rated. If everyone is paying their mortgages on time, the money would theoretically trickle down to the bottom tranches, then to the CDOs, and possibly even to the CDO-squared—a financial product that is created by pooling the junk-rated tranches of CDOs. In other words, you take the junk of the MBSs to make CDOs, then you take the junk of the CDOs to make CDO2s. The idea is that pooling mortgages and allowing shareholders to take on the level of risk they feel comfortable with would reduce the overall risk for everyone (as the risk would be spread thin). Investors gobbled up these financial products en masse, assuming that even if some people here and there defaulted on their mortgages, at the very worst, people who held AAA-rated bonds would still get paid. However, the mortgages that formed the foundation of this financial meta-structure were designed to maximize revenue by tracking so-called “risky” borrowers into mortgages with free-floating interest

rates that would balloon as soon as the “hook” rate expired. These mortgages were designed such that they would almost inevitably fail. As the amount due skyrocketed, borrowers would go into default and their houses would be foreclosed. When the payments stopped coming, the whole financial meta-structure erected on these underlying assets collapsed in on itself, and as large financial institutions held these toxic financial assets, the whole banking system began to crumble. In short, what those who designed these derivative financial products essentially did was take an underlying asset, hold it between two mirrors so that it appeared to proliferate to infinity, then mistake the multiplied reflection for the creation of new wealth.

The financial sector is not risk-averse; when there is a shortage of new domains for investment or when the interest rates set by the Federal Reserve are low, risk becomes a last-ditch method of capitalization. While the high yield on risky investments can make risk enticing for hedge funds during times of crisis, risk may also be enticing during boom periods because the market appears to be very stable. Risky investments bring with them the promise of rapid wealth expansion, while safe investments mature at a much slower pace. Beginning with Alan Greenspan, the Federal Reserve has followed the monetary policy of setting interest rates low as a way to heat up the economy,

enabling banks and other financial institutions to access cheap money. However, as the business press often reports, this increases investors' appetite for risk, as they seek to overcome low returns on bonds by seeking out risky, high-yield investments.

Riskier investments have higher yields because those making the investments are supposedly taking on the risk burden. That is not the case when the state apparatus expropriates from the masses to facilitate the transfer of wealth to the financial sector when their investments fail (the Puerto Rican debt crisis is an example of this). When considering the millions of people who lost their homes in the wake of the 2008 housing crisis, it is no stretch to say that expropriation is the hidden underside of our financialized economy of risk.

The Racialization of Risk

As I hope some of my examples have illustrated, finance capital is incentivized to increase the pool of people marked risky because this practice is more lucrative. Not only were those who tracked people into subprime mortgages given bonuses, but so-called risky borrowers also borrow at much higher interest rates: "For a homeowner taking out a \$165,000 mortgage, a difference of three percentage points in the loan rate—a typical spread

between conventional and subprime loans—adds more than \$100,000 in interest payments.”³³

Tony Paschal, a former mortgage loan officer at Wells Fargo bank, said that loan officers “received cash incentives to aggressively market subprime loans in minority communities.” Black borrowers were referred to by Wells Fargo employees as “mud people,” and the subprime loans the bank was pushing were referred to as “ghetto loans.” Both Paschal and another former loan officer, Beth Jacobson, said that the bank gave bonuses to loan officers who steered those who qualified for prime loans into subprime loans. A *New York Times* article reported, “Jacobson said that she made \$700,000 one year and that the company flew her and other subprime officers to resorts across the country.”³⁴ An investigation that led to a federal lawsuit also found that loan officers sometimes falsified borrowers’ credit reports or failed to collect income documentation so the loans would flip from prime to subprime.

Given that lending institutions are incentivized to charge the highest possible interest rate they can, recent scandals—revealing that banks and debt collection companies have been manipulating interest rates to boost revenue—are almost expected. Navient Corporation—the largest student loan collection agency in the United States—committed fraud en masse to keep people trapped in a

cycle of debt, adding as much as \$4 billion in interest rate charges to students' loans. The cases of Wells Fargo and Navient are not a deviation from the norm of good and fair lending practices; they represent a tendency inherent in capitalism itself. As finance capital's accumulation crisis intensifies, fraud and predation become a way to secure profits and maintain growth as there are fewer and fewer domains for expansion. Thus it is hardly surprising that in addition to Wells Fargo's racist subprime mortgage lending practices, the bank also opened up nearly two million sham credit cards and bank accounts, tampered with mortgage loan rates without borrowers' consent, and created unnecessary insurance charges to tack onto auto loans. The proliferation of hidden fees and charges is a symptom of this crisis, especially as banks play an increasingly expansive role in the consumer lives of Americans. Large corporations have become financial institutions in themselves and have taken over the traditional role of banks; namely, to lend capital to the private sector for the purpose of starting or growing a business (thus, banks must develop new ways to generate revenue). Since Wells Fargo exhausted all the "legitimate" ways to grow its business, a semblance of growth was created by literally fudging the numbers and using fraudulent surcharges and interest-rate manipulation to generate revenue.

As I have already mentioned, the credit system is legitimized by the moral framework that shapes our understanding of debt—whereby the creditor is framed as benevolent while the struggling debtors are viewed as lazy or irresponsible for defaulting on their loans. However, as lending practices become more predatory, this moral framework is at risk of unraveling. If predatory practices ever become fully generalized (in that they affect most people), such practice may eventually register as a scandal among the public. Perhaps that is why the most predatory practices—at least in the initial stages—are reserved for the most vulnerable segments of the population (it was specifically people of color, the elderly, students, and immigrants who were targeted by Wells Fargo for sham accounts).

The racist practice of targeting of black people (as well as Native Americans, Latinxs, and immigrants) for predatory loan products is coded in a color-blind discourse of “risk.” The subprime crisis showed us that in the U.S., creditworthiness itself is racialized, as there was an a priori association of blackness with risk. This is consistent with the general moral construction of race, which is undergirded by the assumption that black Americans are immoral (read: *criminal*) and that they don’t contribute to society or make good on social promises (read: *lazy* and *welfare-dependent*). Critiques of the

subprime crisis that appeal to creditworthiness and are focused on “highly qualified” black borrowers fail to deconstruct the racialized moral economy that underlies conceptions of risk. Not only does the credit system reinforce racial inequality, but moneylending itself is a racializing process, for it marks certain subjects as suitable for expropriation.

The debt economy’s moral edifice will hold so long as the population is fractured into deserving and undeserving borrowers, and the most predatory credit instruments are reserved for the most vulnerable segments of the population. However, as capitalism generally tends toward expansion, it is only a matter of time before these practices are generalized (as growth opportunities shrink). Indeed, in many areas of lending, we are already witnessing the generalization of these practices.

Given the expropriative and racist nature of the credit system, it is credit unworthiness and not creditworthiness that is the ethical position to occupy. A refusal to pay is a refusal to validate an illegitimate system propped up by predation.

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6. Against Innocence: Race, Gender, and the Politics of Safety

1. Saidiya V. Hartman and Frank B. Wilderson, "The Position of the Unthought," 189.

2. "Charges Dropped Against 5 in Juvenile Offender's Death," *CBS Baltimore*, March 29, 2012.

3. However, there was a critical response when the case *initially* broke.

4. This article assumes some knowledge of race-related cases that received substantial media attention in the last several years. For those who are unfamiliar with the cases:

The Jena Six were six black teenagers convicted for beating a white student at Jena High School in Jena, Louisiana, on December 4, 2006, after mounting racial tensions, including the hanging of a noose on tree. Five of the teens were initially charged with attempted murder.

Troy Davis was a black man who was executed on September 21, 2011, for allegedly murdering police officer Mark MacPhail in Savannah, Georgia, though there was little evidence to support the conviction.

Oscar Grant was a black man who was shot and killed by BART police officer Johannes Mehserle in Oakland, California, on January 1, 2009.

Trayvon Martin was a seventeen-year-old black youth who was murdered by George Zimmerman, a volunteer neighborhood watchman, on February 26, 2012, in Sanford, Florida.

5. During a speaking engagement at Morgan State University, Michelle Alexander described her disillusionment with legal responses to the problem of mass incarceration, which tend to capitulate to a politics of respectability. Alexander describes her experiences as a lawyer to illustrate her point. While she was

working as a civil rights lawyer at the American Civil Liberties Union, a young black man brought a stack of papers to her after hearing about their campaign against racial profiling. The papers documented instances of police harassment in detail (including names, dates, badge numbers, and descriptions), but the ACLU refused to represent him because he had a drug felony, even though he claimed that the drugs were planted on him. Later, a scandal broke about the Oakland police planting drugs on people of color, including an officer he identified.

6. Frank Wilderson, "Gramsci's Black Marx," 225–40.

7. Frantz Fanon, *The Wretched of the Earth*, 30.

8. In *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*, Lisa Marie Cacho discusses how, in American law, radicalized subjects are deemed guilty of status crimes, defined as "specific activities that are only transparently recognized as 'criminal' when they are attached to statuses that invoke race (gang member), ethnicity ('illegal alien'), and/or national origin (suspected terrorist)" (43). Cacho argues that a politics of respectability cannot be responsive to groups deemed "ineligible for personhood" (6).

9. Hartman and Wilderson, "The Position of the Unthought."

10. For Gilmore, the carceral state works by "mov[ing] the line of what counts as criminal to encompass and engulf more and more people into the territory of prison eligibility." See Ruth Wilson Gilmore, "Race, Capitalist Crisis, and Abolitionist Organizing" in Loyd, Mitchelson, and Burrige, *Beyond Walls and Cages: Prisons, Borders, and Global Crisis*, 43.

11. Ibid.

12. In "Methodologies of Imprisonment," Avery F. Gordon writes that "most of what passes as critical discourse today cedes first and foremost to the legitimacy of criminalization, the rule of law, and the morality of innocence" (653). See "Methodologies of Imprisonment," *PMLA* 123, no. 3 (2008): 651–57.

13. H. Rap Brown, *Die, Nigger, Die!*, 121.

14. Loïc Wacquant, "Social Identity and the Ethics of Punishment," Center for Ethics in Society (Stanford University, 2007).
15. Ibid.
16. Loïc Wacquant, "Deadly Symbiosis," 118.
17. Ibid., 120.
18. See Cassandra Shaylor, "It's Like Living in a Black Hole."
19. "Fear and Loathing: Public Feelings in Antiprison Work," *WSQ: Women's Studies Quarterly* 39, no. 1: (2011): 270–90.
20. Quoted in "From Civility to Self-Defense: Modern Advice to Women on the Privileges and Dangers of Public Space," *WSQ: Women's Studies Quarterly* 39, no. 1 (2011): 86.
21. Mary Conroy, *The Rational Woman's Guide to Self-Defense*, 8.
22. Georgina Hickey, "From Civility to Self-Defense," 86.
23. Kristin Bumiller, *In an Abusive State*, xii.
24. Wacquant, 95–134.
25. Frantz Fanon, *Black Skin, White Masks*, 8.
26. Hartman and Wilderson, 189.
27. Zygmunt Bauman described the rioters as "defective and disqualified consumers." Žižek wrote that, "they were a manifestation of a consumerist desire violently enacted when unable to realise itself in the 'proper' way—by shopping. As such, they also contain a moment of genuine protest, in the form of an ironic response to consumerist ideology: 'You call on us to consume while simultaneously depriving us of the means to do it properly—so here we are doing it the only way we can!' The riots are a demonstration of the material force of ideology—so much, perhaps, for the 'post-ideological society.' From a revolutionary point of view, the problem with the riots is not the violence as such, but the fact that the violence is not truly self-assertive."
28. Gayatri Chakravorty Spivak and Harasym Sarah, *The Post-Colonial Critic*, 109.

29. Riots erupted in LA on April 29, 1992, after three white and one Hispanic LAPD officers were acquitted for beating Rodney King, a black man, following a high-speed chase.

30. Zoe Williams, "The UK Riots: The Psychology of Looting," *The Guardian*, August 9, 2011.

31. "London Rioters: 'Showing the Rich We Do What We Want,'" *BBC News*. August 9, 2011.

32. Biopolitics and necropolitics are not mutually exclusive. While the two forms of power coexist and constitute each other, necropolitics "regulates life through the perspective of death, therefore transforming life in a mere existence below every life minimum" (Marina Grzinic). Writing about Mbembe's conceptualization of necropower, Grzinic notes that necropower requires the "maximum destruction of persons and the creation of deathscapes that are unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of living dead." Though Mbembe focuses primarily on Africa, other examples of these deathscapes may include prisons, New Orleans in the wake of Hurricane Katrina, Palestine, and so forth. See Mbembé, J-A., and Libby Meintjes. "Necropolitics," *Public Culture* 15 no. 1 (2003): 11–40.

33. Michel Foucault, *Discipline & Punish*, 301.

34. Joy James, *Resisting State Violence*, 34.

35. Maya Andrea Gonzalez, "Communization and the Abolition of Gender," 224.

36. Frank B. Wilderson, "The Prison Slave as Hegemony's (Silent) Scandal," 22.

37. Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982).

38. This paradigmatic and decidedly pessimistic view of race has come under scrutiny recently, most notably in the book *Race Defaced*. Drawing on examples from the United States and Great Britain, *Race Defaced* systematically critiques both left and right "pessimist" race doctrines, which render the project of human

emancipation impossible by asserting that racialized thinking is intrinsic to the modern capitalist world order. According to Kyriakides and Torres, pessimistic race doctrines, such as doctrines that psychologize racism and naturalize hatred, are politically untenable. See *Race Defaced: Paradigms of Pessimism, Politics of Possibility* (Stanford: Stanford University Press, 2012).

39. This tactic is also used to silence and delegitimize other people, such as femmes who are too loud or queers who engage in illegal actions.

40. Edward Ericson, "Occupy Baltimore Makes Up a Movement as It Goes Along," *City Paper*, October 12, 2011.

41. In "Fear and Loathing" Jessi Lee Jackson and Erica R. Meiners offer the following definition of affect: "Affect is the body's response to the world—amorphous, outside conscious awareness, nondirectional, undefined, full of possibility. In this framing, affect is distinct from emotion, which is understood as the product of affect being marshaled into personal expressions of feeling, as shaped by social conventions." Affect is useful to think of the way "the criminal" and "the terrorist" become linked to certain racialized bodies, and how people viscerally respond to the presence of those bodies even when they consciously reject racism. See "Fear and Loathing," 272.

42. These comments were posted to the "Occupy Baltimore" article in the *City Paper*.

43. "No Safer Spaces 2011," *Politics—Cph Queerfestival*, 2011 <http://www.queerfestival.org/politics.html>.

44. Post-leftists, perhaps responding to the way we are fragmented and atomized under late capitalism, also adamantly reject a collectivist model of political mobilization. In "Communization and the Abolition of Gender," Maya Andrea Gonzalez advocates "inaugurating relations between individuals defined in their singularity." In "theses on the terrible community: 3. AFFECTIVITY," the idea that the human "community" is an aggregate of monad-like singularities is further elaborated: "The terrible community is a human agglomerate, not a group of comrades. The members of the terrible community encounter each other and aggregate together by accident more than by choice. *They do not accompany one another,*

they do not know one another.” To what extent does the idea that the singularist (read, individualist) or rhizomatic (non-)strategy is the only option reinforce liberal individualism? In *One Dimensional Woman*, Nina Power discusses how individual choice, flexibility, and freedom are used to atomize and pit workers against each other. While acknowledging the current dynamics of waged labor, she shows how using the “individual” as the primary political unit is unable to grapple with issues like the discrimination of pregnant women in the workplace. She asserts that thinking through the lens of the individual cannot resolve the exploitation of women’s caring labor because the individualized nature of this form of labor is a barrier to undoing the burden placed on women, who are the primary bearers of child-care responsibilities. She also discusses how the transition from a feminism of liberation to a feminism of choice makes it so that “any general social responsibility for motherhood, or move towards the equal sharing of childcare responsibilities is immediately blocked off.” See Gonzalez’s “Communization and the Abolition of Gender” and Nina Power, *One Dimensional Woman*.

45. In *Black Is a Country*, Nikhil Pal Singh gives readers a “long view” of the Civil Rights Movement that focuses specifically on the creation of black radical counter-public spheres, which resist “institutionalized forms of national belonging” and eschew “the symbolic equality enshrined in citizenship” in favor of an emancipatory politics founded on “grassroots insurgency and global dreams” (220–21). In his discussion of the Black Power movement in the chapter “Decolonizing America,” Singh asserts that the Panthers “were a threat to the state not simply because they were violent, but because they abused the state’s own reality principle.” (204) For Singh, the power of the Panthers’ use of violence was primarily rhetorical: it symbolically appropriated the state’s monopoly on violence and revealed that violence is the state’s “very condition of possibility.”

46. Fanon, *The Wretched of the Earth*, 219.

47. Stokely Carmichael, *Stokely Speaks*, 170.

48. Andrea Smith, *Conquest: Sexual Violence and American Indian Genocide*.

49. See *Critical Condition: Women on the Edge of Violence* (ed. Amy Scholder) (San Francisco: City Lights, 1993) and Elizabeth Sisco's essay "NHI—No Humans Involved," paper delivered at the symposium "Critical Condition—Women on the edge of violence," San Francisco Cameraworks, 1993.

50. The New Oxford American Dictionary gives a peculiar definition: "the crime, committed by a man, of forcing another person to have sexual intercourse with him without their consent and against their will, esp. by the threat or use of violence against them." To what extent does this definition normalize male violence by defining rape as inherently male?

51. To what extent is individuality a precondition for the capacity to say "no" and be heard? How is individuality itself racialized? Dwight A. McBride's work on slave testimony examines the "impossibility" of slaves "speak[ing] of the self solely as an individual." McBride goes on to assert that racialization functions similarly in our society: "This logic goes far toward explaining why white bodies can signify individuality and why black bodies—with their limited access to the category of the individual—almost always signify as representative bodies. Individual slave experiences of horror, torture, and scarred bodies are not in themselves meaningful." See *Impossible Witnesses: Truth, Abolitionism, and Slave Testimony* (New York: New York University Press, 2001), 10–11.

52. Smith, *Conquest*.

53. Kimberle Crenshaw, "Mapping the Margins," 1251.

54. Because the sexuality of white women derives its value from its ability to differentiate itself from "deviant" sexuality, such as the sexuality of women of color.

55. Crenshaw, "Mapping," 1266.

56. Early rape laws focused on the "property-like" aspects of women's sexuality that liberal feminists are today attempting to reclaim. Liberal feminists frame debates about women's health, abortion, and rape around a notion of *female bodies as property*. But using bodily self-ownership to make our claims is counterproductive because certain bodies are more valued than others. Liberal

feminists also echo arguments for free markets when they demand that the State not intervene in affairs relating to our private property (our bodies), because as *owners* we should be free to do what we want with the things we own. In order to be owners of our bodies, we first have to turn our bodies into property—into a commodity—which is a conceptualization of our corporeality that makes our bodies subject to conquest and appropriation in the first place. Pro-choice discourse that focuses on the right for women to *do what they want with their property* substitutes a choice-oriented strategy founded on liberal individualism for a collectivist, liberationist one. (Foregrounding the question of choice in politics ignores the forced sterilization of women of color and the unequal access to medical resources between middle-class women and poor women.) While white men make their claims for recognition as *subjects*, women and people of color are required to make their claims as objects, as *property* (or, if they are to make their claims as subjects, they must translate themselves into a masculine white discourse). In the U.S., juridical recognition was initially extended only to white men and their property. These are the terms of recognition that operate today, which we must vehemently refuse. Liberal feminists try to write themselves in by framing themselves as both the property and the owners.

57. Maria Lewis in an interview with Amy Goodman, “Occupy Oakland: Over 400 Arrested as Police Fire Tear Gas, Flash Grenades at Protesters,” *Democracy Now*, January 30, 2012.

58. In contemporary liberal discourse, property destruction is considered a form of violence.

59. Carmichael, *Stokely Speaks*, 168.

60. Spivak, *The Post-Colonial Critic*, 41.

7. The Prison Abolitionist Imagination

1. Philippe Pignarre and Isabelle Stengers, *Capitalist Sorcery*, 137.

2. Keeanga-Yamahatta Taylor, *From #BlackLivesMatter to Black Liberation*, 154.

3. Jan Hoffman, "A New Vision for the Dreams of the Dying," *New York Times*, February 2, 2016.
4. Mahmoud Darwish, *In the Presence of Absence* (Brooklyn: Archipelago Books, 2011), EPUB e-book.
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6. Édouard Glissant, *The Collected Poems of Édouard Glissant*, 181.
7. Heather Ann Thompson, *Blood in the Water*, 88.
8. *Nostalgia for the Light*, directed by Patricio Guzmán (2010; Brooklyn, New York: Icarus Films, 2011), DVD.
9. W. E. B. Du Bois, *Dusk of Dawn!: An Essay Toward an Autobiography of a Race Concept* (New York: Routledge, 2017), EPUB e-book.
10. Jean Genet, "After the Assassination," in *The Declared Enemy*, 17.
11. George Jackson, *Blood in My Eye*, 181.
12. Walidah Imarisha, Alexis Pauline Gumbs, Leah Lakshmi Piepzna-Samarasinha, Adrienne Maree Brown, and Mia Mingus, "The Fictions and Futures of Transformative Justice."
13. Heather Davis and Paige Sarlin, "On the Risk of a New Relationality."
14. Assata Shakur, *Assata: An Autobiography*, 260.
15. "The Fictions and Futures of Transformative Justice," *The New Inquiry*, April 20, 2017.
16. Angela Davis and Dylan Rodriguez, "The Challenge of Prison Abolition: A Conversation," *History Is a Weapon*, <http://www.historyisaweapon.com/defcon1/davisinterview.html>.
17. Sonia Sanchez, "5 Haiku for Sarah Vaughan," in *Morning Haiku*, 68.
18. Robin D. G. Kelley, *Freedom Dreams*, 196.
19. Ibid.

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and feelings of isolation. While working on this project, I created a database of my research and wrote more than fifty drafts of sections and chapters but eventually trashed it all and decided to start my Semiotext(e) book from scratch. This is the book that was given a chance to live. The only trace that remains of the shadow book on revolutionary loneliness is an audio recording of a talk I gave at a conference on gender and militancy at the University of Waterloo in Ontario. But I want to believe that the shadow book lives somewhere in the world as a kind of *unrealized dream* that might one day be made flesh.

*

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— Jackie Wang

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