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# Introduction: Key Thinkers and Their Contemporary Legacy

Ned Curthoys

This special issue of *Humanities Research* journal draws on a selection of papers from The Australian National University's 'Key Thinkers' lecture series, which I convened in 2008 and 2009 under the aegis of the Research School of Humanities. As a postgraduate at the University of Sydney in the early 2000s, I had the pleasure of hearing Ghassan Hage give an inspirational lecture on the acclaimed French sociologist Pierre Bourdieu as a contribution to their successful Key Thinkers lecture series, which was popular with the general public. In his leisurely, explorative and amiably digressive style—replete with anecdotes from recent field trips to Lebanon and Venezuela—Hage brilliantly evoked Bourdieu as a critical thinker and public intellectual, illuminating the personal investments and emancipative politics of a thinker who has been overshadowed by the more luminous representatives of French high theory. That Hage had recently given a powerful exposition of the applicability of Bourdieu's concepts to the reassertion of a white Australian nationalist imaginary (*White Nation: Fantasies of white supremacy in a multicultural society*, 1998) gave his dynamic talk a real frisson of contemporary significance—a sense that we, his audience, were witnessing a living dialogue between two transformative social theorists.<sup>1</sup>

Not long after arriving at The Australian National University as an Australian Research Council postdoctoral fellow in 2006, and eager to contribute to the venerable research culture of the Humanities Research Centre and the Centre for Cross-Cultural Research, where I was then situated, I began to think about convening a Key Thinkers series that would utilise the interdisciplinary strengths of the College of Arts and Social Science as well as the many domestic and overseas visitors who enrich intellectual life at The Australian National University. The ANU Key Thinkers series began in April 2008. The brief I gave to speakers was to evoke the continuing significance and critical legacy of an important thinker; to give, as Edward Said demanded in *Representations of the Intellectual*, a textured evocation of the 'image, the signature, the actual intervention and performance, all of which taken together constitute the very

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<sup>1</sup> Hage, Ghassan 1998, *White Nation: Fantasies of white supremacy in a multicultural society*, Pluto Press, Sydney.

lifeblood of every real intellectual'.<sup>2</sup> I encouraged speakers to de-familiarise a received image of a contemporary thinker's stock ideas, all of which Hage had done so admirably that memorable evening.

In the two and a half years since the series began, speakers have responded dynamically to its premise. The series began fittingly with Geremie Barmé and Gloria Davies addressing the exemplary status and posthumous legacies of Mao Zedong and Lu Xun in China—a topical theme after the Mandarin-speaking Kevin Rudd's ascension to the prime ministership in late 2007. Indicating that much more than admiration was at stake in the evocation of a key thinker, in a lecture of October 2008 Ian Higgins analysed the 'political extremism' of Jonathan Swift's 'insurgent Irish polemic and satire', and contested, via an analysis of Swift's emphasis on religious confession, the conventionally secular account of Swift as a political thinker and writer. Debjani Ganguly restored to us a sense of Gandhi as a sometimes self-ironic activist intellectual, a self-styled 'inconsistent' thinker who endorsed Emerson's observation that 'foolish consistency is the hobgoblin of little minds'. Her lecture evoked the many personae of the Mahatma, analysing the globally minded, cosmopolitan Gandhi and the indigenous intellectual who imaginatively deployed an Indian ethical vernacular (*Ahimsa, Satyagraha*). She evoked Gandhi as a moral icon simultaneously relevant and irrelevant to late-modern India, important to India's intellectual life and popular culture, but regrettably peripheral to the domain of national politics.

In bringing together the papers for this issue of *Humanities Research*, I was mindful—like Debjani and the other speakers mentioned—of the contradictory and unresolved legacy of important figures of emancipative and humanist thought. I was also interested in the unstable combination of ethical universalism and Euro-centric parochialism that continues to generate fascination and disquiet with the 'Enlightenment project' and its aftermath. In particular, Cook's and Curthoys' essays contribute to a continuing historiographical discussion that pluralises our sense of the rhetorical inventiveness and suasive agility of Enlightenment discourse while acknowledging the imaginative limitations of particular thinkers. Like Debjani, the contributors to this issue are interested in the discursive innovations and mode of address of their chosen thinkers. In the lead essay, 'Volney and the science of morality in revolutionary France', Alexander Cook brings to life a now obscure figure, the French polymath Constantin François Volney (1757–1820). While not an important thinker in the accepted sense of the term, Volney, Cook argues, was a key thinker of the French Revolution, one of its most widely read intellectual exports, who can provide us with a 'key for unlocking, or understanding, issues in the intellectual and cultural history of his era'. Cook argues suggestively for Volney's significance in

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2 Said, Edward 1994, *Representations of the Intellectual: The 1993 Reith Lectures*, Vintage, London, p. 10.

‘transmitting a kind of vogue for ruin literature and a literary genre of secular prophecy to early nineteenth-century Europe’. Volney’s vibrant political discourse captured a popular mood and influenced a range of social movements. As Cook argues, Volney’s significance far exceeds Marx and Engels’ dismissive caricature of him as a bourgeois French materialist. Cook explains that Volney’s most influential work, *The Ruins*, was not a paradigm-creating philosophical exposition; it was, rather, ‘rhetorical, poetic, pragmatic, and political in intent’, which ‘enhanced its contemporary power but contributed to its long-term neglect’.

Ann Curthoys’ essay, ‘Mary Wollstonecraft revisited’, is also a reception-oriented reading of a key thinker and her contested intellectual and political legacy. Curthoys evokes Wollstonecraft (1759–97) as a constant guide in her own story of feminist activism, which included the founding of women’s studies as an academic discipline in Australia. Wollstonecraft, Curthoys writes, appealed to a 1970s feminist interest in ‘interdisciplinary approaches to large questions’, impressing motivated readers as the first to insist that ‘women’s subordination was a social product’. Similarly, in the experimental and liminal moment of 1970s feminism, Wollstonecraft’s life demonstrated a ‘free spirit, and an unconventionality, that most of us admire and aspire to’. Commentary on Wollstonecraft must start with her life, Curthoys suggests, invoking ‘biography, anecdote, vignette and social genealogy’. Like Cook, Curthoys is interested in the rhetorical strategies of Wollstonecraft, the interdependence of her reformist energy with a reductive figuration of the Orientalised Other. Curthoys’ essay is a nuanced contribution to a recent school of interpretation that situates Wollstonecraft as a leading proponent of ‘feminist Orientalism’. Citing contemporary instances of feminist discussions of Islam, Curthoys asks herself and her audience how contemporary feminism can articulate its concerns without ‘participating in the use of feminism as a strategy for Western domination’.

John Docker explores the ecumenical interests and complex commitments of the Polish-Jewish jurist Raphaël Lemkin (1900–59), who coined the term ‘genocide’ later enshrined in the 1948 UN Genocide Convention. Docker argues that Lemkin’s life and work are evidence that ‘historical reflection should also include an element that is extremely personal’. He evokes Lemkin as a world historical thinker with an ‘Andalusian sensibility’, who, ‘inspired by eccentricity, a personal vision and a synthetic imagination’, brought to world history a new concept and comparative perspective, transforming how we perceive the human condition and human history. Docker suggests that because Lemkin, a cosmopolitan émigré scholar, interpreted genocide as multifaceted, encompassing both destructive acts and longer-term processes such as settler colonialism, his ‘discursive definition of genocide’ is just as important as the

codified definition of the 1948 convention. Yet, as Docker points out, Lemkin did not remain faithful to his own protean conception of genocide, demeaning his own reputation by lending his authority as a genocide expert to 'help maintain the South in its white supremacism'. One of 'modern history's most interesting and creative thinkers', Docker argues, has thereby left us a 'productive if always contested concept'.

In 'Thinking with Stanner in the present', Melinda Hinkson addresses renewed interest in the work of the Australian anthropologist W. E. H. Stanner (1905–81). Hinkson is interested in the way Stanner's anthropological writings are currently being mobilised in public political debates about the future of Aboriginal culture. Yet Hinkson is cautious about instrumentalist readings of Stanner's work that mine his ethnographic gaze for political purposes. She highlights the reflexivity and cognitive modesty of Stanner's own writing on Aboriginal people. Hinkson cites Stanner's famous essay 'Durmugan: a Nangiomeri', which, she argues, was not written for the purposes of policy prescription but to give a sense of the lived experience of cultural contact through an individual biography. By passionately and evocatively conveying a 'conception of identity in the process of transformation', Stanner, Hinkson writes, defied the orthodoxies of his discipline and proved himself a uniquely powerful essayist. Nevertheless, as with Lemkin's personal vision, it is the rich texture and 'humanist quality' of Stanner's mode of 'life writing'—an approach foreign to the structural-functionalist methodology that he inherited—which leaves his work so open to divergent interpretations. For Stanner was not simply objectifying Aboriginal people but attempting to understand the ways in which, in the aftermath of colonisation, Aboriginal culture was taking forms that 'our own epistemological frameworks' are not yet able to grasp.

The final essay, from Fiona Jenkins, 'Judith Butler: disturbance, provocation and the ethics of non-violence', is also concerned with an influential contemporary thinker, Judith Butler (1956–), who wishes to dwell in the temporal flux of 'trouble', in doubt, uncertainty and ethical dilemma. Investigating Butler's ethical and political commitments over several decades, Jenkins argues that they have been shaped by challenging exclusionary articulations of which bodies matter, and which, conversely, are dematerialised and open to violence. Confronted and disturbed by the normative questions posed by the enigmatic cover to Judith Butler's famous early work *Gender Trouble*, Jenkins converses with Butler's thought to elaborate an account of 'apprehension' as an ethical mode in which a disturbing image is encountered but not yet recognised, its 'force-field' of claims registered so as to admit 'forms of disturbance that are productive and creative'. Jenkins argues that Butler's well-known articulation of the need for a 'performative reconfiguring' of gender norms is consonant with the description of non-violent response in her more recent work. Butler



offers a way of thinking about the ‘potentials opened by the experience of being disturbed’, which includes ‘accepting one’s relational dependence’ and vulnerability before the other—a vulnerability that enables an open-endedness of encounter and a futural passage into ‘unknowing’. Butler advocates a humanist ethos of temporal receptivity recognisable in all the key thinkers discussed in this volume—that is, a willingness to ‘allow the human to become something other than what it is traditionally assumed to be’. My hope is that this collection suggests that the thought and legacy of important thinkers of the modern era are always something more than they are assumed to be, exhibiting a relational dependence on interpretative interlocutors and openness to the future that will continue to stimulate productive debate.

Many thanks are in order to people who have supported the Key Thinkers series and assisted me with this issue. Special thanks go to Debjani Ganguly and Howard Morphy of the Research School of Humanities and the Arts for supporting the series since its inception. I thank all those speakers who have made such a wonderful contribution to the series, including James Chandler, Carolyn Strange, Dipesh Chakrabarty and Marilyn Lake. Last, my thanks to Karen Westmacott, Paul Pickering, Kylie Message and the rest of the board of *Humanities Research* for helping me bring this issue to realisation.

Ned Curthoys

August 2010



# Volney and the science of morality in revolutionary France

Alexander Cook

## Abstract

Today, Constantin François Volney (1757–1820) is an obscure figure. He was once one of the most notorious philosophers in Europe. Celebrated and reviled in equal measure, this philosopher, historian, linguist, travel writer and politician was for two generations the most widely read philosopher of the French Revolution. His work was banned in many countries, but it was distributed by networks of admirers across Europe and its colonial world. Throughout one of the most turbulent eras in European history, Volney sought to develop a philosophical system that would ground private morality and public governance in a scientific understanding of the physiology of the human body and the laws of collective life. His attempts to do so, and the context in which those attempts were made, shed light on the genealogy and early politics of the social sciences in Europe.

## Introduction

The subject of this article would not normally be considered a ‘key thinker’ in the accepted sense of that term. Constantin-François Volney (1757–1820) is not often cited as one of the great figures of European intellectual tradition. He has inspired no continuous movement that professes devotion to his philosophy. We do not speak of ‘Volneyism’ as we speak of ‘Marxism’ or ‘Kantianism’. From the perspective of canonical intellectual history, he is usually regarded as little more than a footnote. Yet I want to suggest in what follows that Volney can be thought of as a key thinker in another sense.

Today Volney is a relatively obscure figure in French history. He is known primarily to specialists on the 1789 Revolution or to students of European orientalism—a field in which he exercised considerable influence by virtue of his first book, an account of a three-year voyage to Egypt and Syria published in

1787.<sup>1</sup> Volney was, however, once one of the most notorious writers in Europe. As a consequence of a short book published in 1791, entitled *Les Ruines, ou Méditation sur les révolutions des empires*, he was internationally condemned as a religious infidel and a political incendiary. Even inside revolutionary France his work aroused controversy. Over ensuing decades dozens of books and pamphlets were written to combat his influence. Several of his works were banned. Yet, despite persistent hostility, his writings could be purchased in 14 languages. They were read, debated and strategically disseminated by supporters across Europe and the Americas. Indeed, while Volney developed increasing ambivalence towards the French Revolution, he became one of its major intellectual exports. Viewed from a global perspective, Volney was almost certainly the most widely read philosopher of the French Revolution until at least the 1830s.<sup>2</sup> It is this that has led the literary critic Marilyn Butler to label Volney 'the Foucault of his day'.<sup>3</sup> It is this, too, which means that, however obscure Volney has now become, this understudied philosopher can provide us with a key for unlocking, or understanding, issues in the intellectual and cultural history of his era. This essay is about one of those issues. It uses Volney as a case study for examining a quest to build a science of morality during the era of the French Revolution. More specifically, it uses Volney as a means of exploring one particular strategy for realising that quest. It is a strategy based on the desire to reconcile the selfish aspirations of individuals with the pursuit of the public good. For Volney, it was an attempt to align social life with natural law. Volney's efforts in this arena saw him become one of the most influential and controversial writers of his age.

## I

Volney was born Constantin-François de Chassebeuf to a family of provincial lawyers in Craôn in north-western France. His mother died when he was two and his family life was, by his own account, unhappy. Resisting paternal pressure to study law, he devoted himself to philosophy and ancient history before moving to Paris in his early twenties to study medicine and, unusually,

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1 Volney, C. F. 1787, *Voyage en Syrie et en Egypte*, Desenne, Paris.

2 According to estimates derived from the annual *Bibliographie de la France*, begun in 1811, *Les Ruines* never ranked lower than twenty-sixth position in the overall French bestseller lists in the years between 1816 and 1830. In the period from 1811 to 1850 in France, only Fénelon's *Telemaque* and the works of Voltaire and Rousseau consistently ranked higher than *Les Ruines* in popularity amongst publications containing substantial political or religious criticism. Among works published by revolutionaries, only Bernardin de Saint-Pierre's novel *Paul et Virginie* was more popular in France during the same period. See Lyon, M. 1983–86, 'Les best-sellers', in H. J. Martin and R. Chartier (eds), *Histoire de l'édition française*, [4 vols], Promodis, Paris, vol. III, pp. 369–79. Outside France, Volney's *Ruines* had few competitors for popularity among revolutionary texts.

3 Butler, M. 1990, 'Byron and the empire in the east', in A. Rutherford (ed.), *Byron: Augustan and romantic*, Macmillan, London, p. 71.

Arabic. There he adopted the name Volney.<sup>4</sup> And there he gained entry to the circles of philosophers such as Claude Adrien Helvétius and the Baron Paul-Henri Thiry d'Holbach, where he was introduced to a world of salon philosophy and political intrigue that would shape his views throughout his life.<sup>5</sup>

Over the succeeding 40 years, Volney played several roles in French history: scholar, public moralist and politician. In the first capacity he was, even by the standards of his contemporaries, an impressive polymath. He published on ancient history, linguistics and historical methodology as well as political and moral philosophy. Famous as a travel writer, he wrote detailed studies of the Levant and the United States that combined an eye for geography and natural history with a penchant for social analysis.

Volney also played a part in the world of practical politics, although this was a world he came gradually to despise. He was an important player in the early course of the French Revolution as a confidant of Mirabeau and first Secretary of the Constituent Assembly in 1789. As a journalist, he helped, together with figures such as Sieyès, Petion and Brissot, to develop the political rhetoric that came to dominate agitation on behalf of the Third Estate.<sup>6</sup> He was a founding member of the Jacobin Club, but he would become a staunch critic of Jacobin politics as it would later be understood. Like many of those who were too open in their criticisms, he was imprisoned in 1793.<sup>7</sup> Disillusioned, he left France for America only to return in 1798 under the misguided suspicion that he was an agent of French ambitions for expansion in North America.<sup>8</sup> In the same year, he contributed to the coup of *18 brumaire* that brought Napoleon to power and effectively brought the Revolution to an end.

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4 The reasons for his choice of pseudonym are unclear. According to Volney's friend Besnard it was an Arabic equivalent of Chasseboeuf (Besnard, Y. F. 1880, *Souvenirs d'un nonagénaire*, [2 vols], Lafitte, Marseille, vol. 1, p. 187). This is disputed by Arabists of my acquaintance. It has been suggested that it could be an adaptation of the Russian word for liberty or a compound of 'Voltaire' and 'Ferny'—the latter's residence in Switzerland. It could also have more obscure origins relating to Volney's family.

5 On those milieux, see Jaëcklé-Plunian, Claude and McMeekin, Sean A. 1999, *Studies on Voltaire and the Eighteenth Century*, The Voltaire Foundation, Oxford, p. 374; Guillois, A. 1894, *Le Salon de Mme Helvétius: Cabanis et les idéologues*, Levy, Paris; Kors, A. C. 1976, *D'Holbach's Coterie: An enlightenment in Paris*, Princeton University Press, NJ.

6 On Volney's role in the political agitations of 1788–89, see Barny, R. 1988, 'Les pamphlets du Volney', in J. Roussel (ed.), *L'Héritage des lumières: Volney et les idéologues (actes du colloque d'Angers, 1987)*, Presse de l'Université d'Angers, France, pp. 17–28.

7 This internment was notionally for debt acquired during the sales of church and crown land in 1790–91, but Volney's release at the end of the Terror in 1794 gives some indication of the political nature of the internment. See Gaulmier, J. 1980 [1951], *L'Idéologue Volney: Contribution à l'histoire de l'orientalisme en France*, Slatkine, Geneva, pp. 289–98.

8 Volney's correspondence with the directory during this period indicates that, although he was certainly providing advice to the French on conditions in America, he was strongly against attempts to expand French power in North America. Mathiez, A. 1910, 'Lettres de Volney à la Révellière-Lepeaux, 1795–98', *Annales révolutionnaires*, vol. 3, pp. 161–94.

Volney would serve as a senator during the Consulate and was made a count during the Empire. Yet he quickly lost his love for the regime. Although he had come to long for a degree of order in France, its price in lost liberty under Napoleon seemed to Volney too high to pay.<sup>9</sup> Largely as a consequence, he welcomed the Bourbon Restoration in 1815. Once again, however, he was unable to restrain his discontent and he became a public figure of opposition.<sup>10</sup> When he died, in 1820, he felt his country had learned much less than he had hoped from its years of social experimentation.

This history has not always won Volney friends. In the Jacobin/Marxist historiography that for many years dominated French scholarship on this period, Volney is often portrayed as a timid, bourgeois revolutionary—one too frightened to stay the course of a process he had helped to initiate.<sup>11</sup> Yet there is little evidence to suggest that Volney's loss of faith in the course of the Revolution derived from a belief that its program had become too radical or democratic. What is clear is that he disliked the violence, the factionalism and the intolerance of dissent. He had a philosopher's queasiness about *realpolitik*.

Despite the range of Volney's activities, much of his labour was devoted to a single, if multifaceted, project: throughout his life he sought to discover and promote principles of civil and self-government that he believed could provide the basis for a stable, contented and prosperous social order. His pursuit of this project made him a significant figure in the development of the social sciences in France. Fresh from his imprisonment during the Terror, he was the Thermidorian government's first nominee to the Class of Political and Moral Sciences at the newly created Institut national in 1795.<sup>12</sup> He was associated with a circle of thinkers, pejoratively labelled 'idéologues' by Napoleon, who did much to develop the conceptual and institutional framework of those sciences.<sup>13</sup>

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9 Volney fell out with Napoleon over the reconquest of Saint-Domingue, over the Concordat and over the inauguration of the empire—the last leading Volney to attempt a public resignation from the Senate.

10 The last work published in his lifetime was a polemical attack on attempts to re-establish divine-right monarchy entitled *L'Histoire de Samuel: Inventeur du sacre des rois* (1819).

11 Thus Volney 'appartient très précisément à ce milieu du Haut-Tiers qui cherchera dans la convocation des états Généraux le moyen de jouer un rôle politique égal à sa puissance sociale et à ses capacités; mais non pas la subversion totale d'un état économique dont il était largement bénéficiaire' (Gaston-Martin 1934, 'Esquisse biographique', introduction to Volney, C.F. *Loi Naturelle*, Paris, p. 5); or Volney represents 'la direction bourgeoise du mouvement révolutionnaire contre les tendances les plus populaires' (Barny, R. 'Les pamphlets de Volney', in Roussel [ed.], *L'Héritage des Lumières*, p. 23); or Volney revealed an 'étroitesse d'esprit des Lumières bourgeoises vis-à-vis des phénomènes historiques d'origine collective, populaire' (Deneys, H. 1991, 'La chronologie asiatique ancienne contre le "Roman Juif"', in M. Matucci [ed.], *Gli 'Idéologues' e la Rivoluzione*, Pacini, Pisa, p. 203); or Volney displayed a 'recul contre l'irruption des masses sur la scène historique' (Gusdorf, G. 1978, *La Conscience révolutionnaire: Les idéologues, les sciences humaines et la pensée occidentale*, Payot, Paris, p. 297).

12 *Etat de l'Institut de France* (2000, Institut de France, Paris, p. iv).

13 After falling out with Volney and other members of the group, Napoleon claimed the term 'idéologues', as distinct from Tracy's 'idéologistes', was his own invention: 'Les métaphysiciens sont mes bêtes noires. J'ai rangé tout ce monde-là sous la denomination d'idéologues...le mot a fait fortune, je crois parce qu'il venait de moi...Comment pourrais je m'entendre avec eux pour gouverner ainsi qu'ils le prétendent...ils ont la rage

Members of the group included Antoine-Louis-Claude Destutt de Tracy, whose ambition for a science of ‘idéologie’ provided inspiration for the collective noun—and, for reasons we will touch on, the future Marxist concept of ‘ideology’.<sup>14</sup> It also included the influential medical philosopher Pierre-Jean-Georges Cabanis, whose attempts to link physiological research to social philosophy would play an important role in the development of early nineteenth-century French social science.<sup>15</sup>

There were important philosophical and political distinctions within this group. Volney, unlike Cabanis, for example, was committed to a notion that human difference was largely the product of environment not heredity.<sup>16</sup> He shared with these men, however, an ambition to develop a politico-moral science that could provide an alternative to both the traditional authority structures of the *ancien régime* and the violent factional conflicts that had come to afflict the French Revolution.

The bases of this science were seen to lie in an analysis of the origins of ideas and an anatomy of the will. It was hoped that a purified theory of knowledge would permit a new understanding of humanity in relation to its physical and social environment. This in turn would provide guidance for an optimised system of public politics and private ethics designed to maximise collective and individual happiness. The roots of their approach lay in the ‘associationist’ epistemology of John Locke, as developed in France by Etienne Bonnot de Condillac, and in the ‘sensualist’ psychology that had been combined with the former in the work of figures such as Helvétius and Holbach. In Volney’s case, this aspiration yielded a program for a detailed comparative study of past and present civilisations aimed at detecting the political, cultural and moral conditions conducive to social health and decay. The goal was to develop what Volney called a ‘physiological science of government’.<sup>17</sup>

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de se mêler de mon gouvernement; les bavards!’ This public rhetorical battle led the ‘idéologues’, in return, to label Napoleon an ‘idéophobe’ (Iung, T. [ed.] 1882, *Lucien Bonaparte et ses Mémoires, 1775–1840*, [3 vols], Charpentier, Paris, vol. II, pp. 243–4).

14 The term was pioneered in 1797–98. The key text, although a late one, was Destutt de Tracy’s five-volume *Eléments d’idéologie* (1817–18).

15 Cabanis’ *Rapports du physique et du moral de l’homme* (1802) was a central work shaping period attempts to develop a physico-medical model of man as a private and social being.

16 Volney never explicitly endorsed the extreme Helvétian position that ‘éducation peut tout’, but both his political and ethnographic writings persistently emphasised underlying human unity, diversified by historical context. The work of Cabanis, in contrast, while it certainly acknowledged the power of society to shape the individual, showed a developed interest in biological human variation. Throughout his career, Volney remained an independent figure, sometimes to the frustration of his friends. Destutt de Tracy wrote to Cabanis in 1806 remarking that he wished Volney ‘soit un peu plus idéologiste’, although he added that ‘après lui et nous il serait plus facile de l’être’ (Guillois, *Salon*, p. 199).

17 Volney, C. F. 1989–98 [1795], ‘Leçons d’Histoire prononcées à l’Ecole Normale’, in H. and A. Deneys (eds), *C. F. Volney, Œuvres*, Fayard, Paris, vol. I, pp. 572–3. All translations from French editions of Volney’s writings in this essay are my own.

Aspects of this project contributed to a range of intellectual and political programs in France—and more broadly across Europe—throughout the first half of the nineteenth century. Yet from the beginning it was a subject of controversy. For many on the right, Volney was a dangerously utopian political rationalist of the kind that precipitated the revolutionary catastrophe. For some critics on the left, Volney's thought would eventually come to be associated with a narrow individualism and perhaps a latent social conservatism, which they believed had prevented the Revolution from fulfilling its promise. Thinkers across the spectrum of politics objected to the perceived 'materialism' of this system, its apparent refusal to concede a place for religion in the social order and a supposedly undignified emphasis on sensual pleasure as the goal of human action.

It is in large part a result of the cumulative effect of these criticisms that Volney came to be portrayed in many quarters as little more than a minor late-Enlightenment philosopher of dubious character and questionable political associations.<sup>18</sup> It is a testament to their impact that, despite an accumulating body of evidence for Volney's historical importance, he has been the subject of only one scholarly monograph, published in 1951.<sup>19</sup> While Volney has attracted somewhat more interest in recent years, he remains a figure whose place in history accords poorly with his place in historiography.

Among intellectual historians, Volney tends to be understood, together with the other *idéologues*, as a bridging figure between the natural-law paradigms of the eighteenth century and the social-scientific ones that would emerge in the early nineteenth century.<sup>20</sup> Among cultural historians, Volney tends to be understood as a bridging figure between the Voltairean scepticism of the French philosophes and the melodramatic literary mode of the romantics.<sup>21</sup> Among French political historians, Volney tends to be presented either as a species of liberal philosopher, advocating a society of private conscience and

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18 This perception is evident in an essay by Sainte-Beuve, which became the most influential treatment of Volney in the nineteenth century. Although Sainte-Beuve declared Volney the most original thinker of the school of Helvétius and Holbach, he distanced himself from Volney's theories on morality, psychology and religion—collectively characterised as the author's 'delit sociale' (1853, *Causeries du Lundi*, Third edition, Paris, vol. VII, pp. 389–433). See also Berger, E. 1852, 'Volney et ses Œuvres', *Revue de l'Anjou*, vol. 1, pp. 212–24, 254–76.

19 Gaulmier, *L'Idéologue Volney*. Gaulmier cleared a path through much accumulated myth about the author. He established the basic outlines of his political and private life and assembled an array of sources that has provided the basis for all subsequent commentary.

20 The most systematic presentation of this view is Kaiser, T. 1976, *The idéologues: from enlightenment to positivism*, Unpublished PhD dissertation, Harvard University, Cambridge, Mass. See also, Manuel, F. 1956, 'From equality to organicism', *Journal of the History of Ideas*, vol. 17, pp. 54–69.

21 Mongland, A. 1930, *Le Prérromantisme français*, Arthaud, Grenoble, vol. I, pp. 161–4; Ehrard, J. 1991, 'Volney ou la révolution mélancolique', in Bernard-Griffiths and Michaud (eds), *Revolutions, and the Advent Resurrections. Essays in honor of Paul Viallaneix*, Sedes, Paris, pp. 7–16; McCalman, I. 1994, 'The infidel as prophet: William Reid and Blakean radicalism', in S. Clark and D. Worrall (eds), *Historicizing Blake*, Macmillan, London, p. 33.



private property, or as an early exemplar of an emergent species of technocratic philosophy of the kind later advocated by Auguste Comte—a philosophy in which government by scientific experts would substitute for the uncertainties of democratic process.<sup>22</sup> Elsewhere in the world, however, Volney is often understood as a radical democrat advocating popular sovereignty and popular rights.<sup>23</sup> In all these cases, Volney’s failure to sit comfortably within established categories is suggestive of limitations within the categories themselves, and of an absence of detailed study of the sources.

## II

To understand Volney, we need to understand something of his intellectual and social context. Volney’s key concerns were generated by an attempt to meet the challenges of contemporary French history as he understood them. To do so, he used a matrix of political, social and moral thought inherited from pre-revolutionary debates which concerned the possibility of overcoming the perceived tendency of human societies towards entropy—an inevitable decline through decadence into anarchy or despotism.<sup>24</sup> These debates, whose origins can be traced back at least to Aristotle, developed a particular urgency in the eighteenth century. The causes of this urgency were complex. In part, they suggest a loss of confidence in the integrating power of traditional forms of temporal and spiritual authority. In part, too, they reflect anxiety about social changes linked with the development of commercial society.

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22 The vocabularies used differ slightly between these historians. Keith Baker claims that a ‘tension between scientific elitism and democratic liberalism’ lies at the heart of Condorcet’s philosophy. He suggests, however, that Condorcet consciously worked to resolve this tension (Baker, K. M. 1975, *Condorcet: From natural philosophy to social mathematics*, Chicago University Press, Ill., p. 386). Welch refers to a tension between ‘constitutionalism’ and ‘scientism’ inside a philosophy that is best considered a ‘transitional movement in liberalism’ analogous to utilitarianism in England (Welch, C. B. 1984, *Liberty and Utility: The French idéologues and the transformation of liberalism*, Columbia University, New York, pp. 3, 195). For Staum, it is a tension between ‘liberalism’ and ‘technocracy’ in which the former is embodied in a concern for ‘rights and guarantees’ and the latter by a utopian vision of a society in which the rational calculation of ends would replace democratic conflict (Staum, M. 1996, *Minerva’s Message: Stabilizing the French Revolution*, McGill-Queens University, Montreal, p. 4).

23 On the international reputation of Volney, see: Cook, A. 2007, ‘Reading revolution: towards a history of the Volney vogue in England’ in Charle et al. (eds), *Anglo-French Attitudes: Comparisons and transfers between English and French intellectuals since the eighteenth century*, Manchester University, pp. 125–46. See also Thompson, E. P. 1980 [1963], *Making of the English Working Class*, Penguin, London, pp. 107–8; L. Jobim, ‘L’Oeuvre de Volney et l’établissement du libéralisme au Portugal’, in Roussel, *L’Héritage des Lumières*, pp. 405–13; and Moses, W. 1998, *Afrotopia: The roots of African-American popular history*, Cambridge University Press, UK, pp. 6, 55, 83–94.

24 This is classically expressed in the oft-discussed ‘Polybian cycle’ (after the Greek historian Polybius), which provided the matrix not only for much classical historiography but for much early modern historical writing.

Volney's solution to the problem of entropy was to seek a means of anchoring society by harmonising it with the natural needs and inclinations of human beings. In this sense, he belonged to a tradition of eighteenth-century philosophy that argued that society would be more or less perfect as it approximated to, or deviated from, a certain 'natural form'. Yet Volney was no champion of primitive man or primitive society. He ridiculed the concept of the 'noble savage'. He despised Rousseau.<sup>25</sup> He believed that it was only through historical progress and scientific advance that humanity could *learn* to live in accordance with nature. In this sense, Volney was a modernist. He was, however, also a republican—in the eighteenth-century sense—and much of his political thought can be understood as an attempt to make republicanism viable in the modern world.

It was a widespread axiom of early modern political theory—from the time of Machiavelli to Montesquieu or Rousseau—that republican politics necessitated a small community with an economically and culturally homogenous citizenry. It was only in this environment that a sovereign people could be expected to cultivate *virtú*—the patriotic civic mentality that alone could provide the solidarity necessary for harmony within the State and unity against foreign foes.<sup>26</sup> By the late eighteenth century, it was widely accepted that contemporary society did not generate this crucial sentiment. The division of labour, the rise of commerce and the spread of material prosperity meant that modern men, not to mention modern women, were too individualistic, too egoistic, to submit to the rigorous demands of republican life.<sup>27</sup>

For some, this made republican politics folly in the modern age. For others, it meant the task of political legislation was to restore virtue to its rightful place. Others decided that alternative means had to be found for binding the individual to the collective—means requiring less rigorous notions of virtue and fewer demands for self-sacrifice. This position was the one adopted by Volney. It is for this reason that the major polemical targets of his work (apart from kings, clerics and aristocrats) were philosophers such as Rousseau, Mably and Montesquieu, who insisted that republican government must live or die by its capacity to instil a culture of classical virtue in its citizenry.

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25 In the *Loi naturelle* (1794), a passage implicitly directed against the Rousseauist account of history in the *Discours sur l'origine d'inégalité* claims that the 'sauvage' is an 'animal brute, ignorant ou une bête méchante et féroce à la manière des ours et des orang-outangs' (Volney, *Œuvres*, vol. I, p. 549). An account of native Americans in Volney's *Tableau du climat et sol des états unis* (1808) was also explicitly constructed as a polemic against the discourse of the noble savage (*ibid.*, vol. II, pp. 335–71).

26 As Montesquieu defined it in 1748, this virtue entailed 'de l'amour pour la patrie, du désir du vraie gloire, du renoncement à soi-même, du sacrifice de ses plus chers intérêts' (de Montesquieu, C. L. 1768 [1748], *De l'Esprit des lois: Nouvelle édition, revue, augmentée et corrigée par l'auteur*, [4 vols], Nourse, London, vol I, p. 46).

27 As Montesquieu put it—prefiguring Benjamin Constant's famous definition of modern liberty by more than half a century—the difference between ancients and moderns was that while once 'on étoit libre avec les loix', now 'on veut être libre contre elles' (*ibid.*, vol. I, p. 42).

It is possible to trace many influences on Volney's intellectual development. The chief factor shaping his approach to these issues was, however, his adoption, and to some extent his adaptation, of a politico-moral project articulated most clearly by Claude-Adrien Helvétius, whose ghost still presided over the salon at Auteuil where Volney passed much of his time. For Helvétius, the universal challenge of government was the problem of aligning individual with collective interests. It was only by appealing to the *self-interest* of citizens that government could motivate them in desirable directions and, ultimately, interest them in the survival of the State. The goal was to create conditions in which the private pursuit of happiness would coincide with the practice of virtue—the latter being understood as the performance of actions that promote the collective good of the community. Only in this way could a prosperous, harmonious and secure state be built on foundations that took into account the 'real' motives of human action.<sup>28</sup>

This psychological individualism is a major reason why Volney, together with the other *idéologues*, with Jeremy Bentham in England and predecessors such as Holbach and Helvétius, have persistently been associated by intellectual historians with an atomistic model of society and an instrumental view of human relations. It is frequently suggested that this model of the relationship of the individual to society reflects a calculating, contractually-oriented attitude to social interaction that corresponds at some deep level with the experience of commercial society, or that it helps to justify the existence of such a society.<sup>29</sup> While there is certainly truth to the suggestion that this model of the individual can be found in various apologies for unregulated capitalism, it is less clear that it inevitably produced philosophy of this kind. In the case of Volney at least, the model seems designed to serve different purposes. As we will see, it was certainly used, on occasion, to pursue other goals.

To explain what I mean, I want to elucidate Volney's thought a little by offering a brief discussion of Volney's most famous book, *The Ruins*.

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28 The pioneering text here was Helvétius's controversial work *De l'Esprit* (1758)—a work that set out to demonstrate how all human behaviour derived from the pursuit of self-interest and that sought to demonstrate how society could be reorganised in a manner to harness that motivation for the collective good. The work was condemned by the Sorbonne, it led to the sacking of the royal censor and it caused considerable unease among many of Helvétius's nominal allies among the *parti philosophique* (see Smith, D. W. 1966, *Helvétius: A study in persecution*, Clarendon, Oxford).

29 This was the position of the mature Marx: 'The apparent stupidity of merging all the manifold relationships of people in the one relation of usefulness, this apparently metaphysical abstraction, arises from the fact that, in modern bourgeois society, all relations are subordinated in practice to the one abstract monetary-commercial relation' ([1846] 'The German ideology', in D. McLellan [ed.], *Karl Marx: Selected writings*, Oxford University Press, UK, pp. 201–2). This position would become the dominant sentiment within Marxian historiography. Its classic expression in intellectual history can be found in an account of the origins of this tradition: Macpherson, C. B. 1962, *The Political Theory of Possessive Individualism: Hobbes to Locke*, Clarendon, Oxford.



*The Ruins* often seems a curious book to modern readers. It blends large passages of political and moral philosophy with a heavily poetic style, a first-person narrator and a fictional structure that includes dream sequences, genies and revelations about a future world. The narrative is set in 1784, before the French Revolution. The narrator is a traveller in the Levant—as Volney had been at the time. While wandering in the desert, he stumbles across the ruins of the ancient city of Palmyra. Faced with this spectacle of decay, the narrator experiences a metaphysical crisis. He concludes that a blind fate or some hostile god must rule the destiny of human kind; all is futility.<sup>30</sup> At this moment, roused by the narrator's lament, a 'genie' appears from the ruins. To console the narrator, the genie promises to reveal the hidden logic of human history. Humanity, he explains, is certainly subject to superior powers, but these powers are not the caprices of 'fantastic and bizarre beings'. Rather, 'like the world, of which he is a part, Man is ruled by *Natural laws*'.<sup>31</sup> To demonstrate this fact the *genie* raises the narrator into the heavens, revealing a panorama of life on Earth.<sup>32</sup> In a series of passages reminiscent of Buffon, human history is revealed as a subset of natural history.<sup>33</sup>

The genie goes on to explain that natural law reveals itself in essential properties imprinted on human beings. These derive from the fact that, for humans, any action dangerous to their existence causes pain or sadness, while any favourable action causes pleasure and happiness.<sup>34</sup> From this it follows that 'self-love, the desire for happiness, the aversion to misery' are 'the essential and primordial laws, imposed on man by Nature itself'; it is these that 'the designing power, whatever it may be' has 'established to govern man'.<sup>35</sup>

On this basis, the genie proceeds to set out a theory of history in which the rise and decline of states are related to the justice of their internal organisation. The ruin of ancient civilisations was a consequence of the failure of both legislators and peoples to understand their true interests and the means to pursue them within the logic of social life. The genie's claim is that, in the long term, a society is only as strong as the number of individuals with a personal interest in

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30 Volney, *Œuvres.*, vol. I, p. 179.

31 *Ibid.*, p. 195.

32 *Ibid.*, p. 189.

33 In a footnote, Volney explicitly embraced the idea of human history as part of natural history, suggesting that Buffon's attempt to relate the two 'ne fait que rendre saillante notre ignorance actuelle' (Volney, *Œuvres*, vol. I, p. 392). Buffon had insisted that humanity had another history, by virtue of its soul, that rendered it irreducible to natural history. For thinkers such as Diderot and Holbach, and also for Volney, humanity was very much a part of nature. On the naturalisation of history, see Duchet, M. 1995 [1971], *Anthropologie et histoire au siècle des lumières*, Paris, pp. 425–35.

34 Volney, *Œuvres*, vol. I, p. 196.

35 *Ibid.*, vol. I, p. 196.

maintaining it. The lesson for legislators is that injustice is an act of imprudence. Throughout history, civilisations rise on the basis of common interests and mutual needs. They thrive as long as they manage to service those interests and meet those needs. Their decline sets in as soon as one section of that society begins to pursue short-term gain at the expense of the collective good.

*The Ruins* depicts the history of social conflict as the perpetual battle of two classes: the ‘privileged classes’, parasites who wish to live off the labour of others, and the ‘people’, consisting of those who contribute by their labour to the national prosperity.<sup>36</sup> Volney claimed that ‘all vices, all political disorders reduce to this: men who do nothing and devour the substance of others’.<sup>37</sup> The origin of this conflict is unenlightened ‘amour-propre’—an imprudent desire to accumulate luxuries and leisure at the expense of others. It is stimulated by an ignorance of long-term interests. Thus, ‘Cupidity, daughter and companion of ignorance’, has become ‘the cause of all the evils that have desolated the Earth’.<sup>38</sup> The short-term consequence is that the strong unite to dominate the weak and steal the products of their labour. The long-term consequence has been an endless series of societies degenerating towards instability and ruin.

At last, however, an opportunity had arisen to break this cycle. The prerequisite for this achievement, according to the genie, was the enlightenment of The People concerning its true strength and interests and the enlightenment of legislators concerning the principles of good government. With the progress of science and, crucially, the invention of the printing press, this development was finally conceivable. For Volney, the engine of modernity was not the advancing division of labour, the technical mastery of nature or the emergence of a state monopoly of violence. It was a revolution in communication. This revolution would lead, inevitably if gradually, to the enlightenment of the entire species. This, in turn, would lead by an ineluctable logic to its moral elevation: ‘through experience Man will enlighten himself; through trial and error he will reform himself; he will become wise and good because it is *in his interest* to be so.’ In the end, all would recognise that ‘individual welfare is tied to the welfare of society’.<sup>39</sup> The result, according to the genie, would be that eventually ‘the entire species will become a great society, one family, governed by the same spirit, by common laws, and enjoying all the happiness of which human nature is capable’.<sup>40</sup>

36 Ibid., vol. I, p. 254. The ‘people’ comprised labourers, artisans, merchants and ‘toutes les professions utiles à la société’. Its enemy consisted largely of priests, courtiers and a rentier nobility, but it extended to include all the ‘agents civils, militaires ou religieux du gouvernement’.

37 Ibid., vol. I, p. 391. A footnote claims that this opposition ‘est l’analyse de toute société’.

38 Ibid., vol. I, p. 203.

39 Ibid., vol. I, pp. 243–4.

40 Ibid., vol. I, p. 245.

The main obstacle to the global realisation of this vision of the future, according to the genie, was the division of humanity into mutually hostile religious camps—each committed to its own prejudices and unwilling to tolerate free debate.<sup>41</sup> For this reason, almost half the book is devoted to an analysis of the genesis and history of religion, designed to reveal the common origins of religious belief while undermining the truth claims of all organised cults.

This intensive focus on religion has often seemed odd to modern readers. It has led some to see the book as one divided into multiple parts with different agendas.<sup>42</sup> It is important to realise, however, that, for Volney, as for many of those who sought to establish a social science in this era—from Saint-Simon to Auguste Comte—social science was a means both of transcending and of functionally replacing the integrating and ordering function of religion.

For Volney, in its elementary form, religion was primitive science. It was a product of the first human attempts to understand and describe the universe. These attempts had been limited by the immaturity of reason and by the inadequacies of primitive language.<sup>43</sup> In origin, the gods were nothing more or less than the physical forces of nature personified by the ‘necessary mechanisms of language’. Their history was a narrative of natural phenomena traced by the ‘first physicians who observed them’.<sup>44</sup>

With the beginning of agriculture, early humanity had noticed a correlation between the movement of the heavens and the cycles of nature. Supposing a causal relationship, philosophers had developed a system of religion based on the worship of the stars: ‘sabéisme’. Naming the constellations after the terrestrial activities associated with their appearance, they had developed the zodiac in its modern form. Aquarius, the water carrier, represented the season of floods. Taurus represented the season in which, at certain geographical locations, crops were sown with the aid of a bull. Libra represented the spring equinox, and so on. Volney cited a memoir by his friend the ex-priest and mythographer, Charles Dupuis, to show that the origins of this system could be traced back 17 000 years to the first Nilotic civilisations of upper Egypt.<sup>45</sup>

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41 Ibid., vol. I, pp. 247–51.

42 Gaulmier, *L’Idéologue Volney*, p. 117.

43 The entire genealogy of religion provided in the second half of *Les Ruines* is really an exercise in *analyse* in the manner advocated by Condillaç. It was designed to illuminate the genesis of a particular body of concepts in relation to the physical sensibility of early humanity and to locate the points at which the linguistic means of representation had become an obstacle rather than a solution to the problems they were developed to solve (see de Condillaç, E. B. 1746, *Essai sur l’origine des connoissances humaines*, Mortier, Amsterdam, pp. 88–93).

44 ‘Ruines’, in Volney, *Œuvres*, vol. I, p. 318.

45 Ibid., vol. I, p. 323. The source for this theory was Dupuis, C. 1781, *Mémoire sur les origines des constellations*, Veuve Desaint, Paris. The dating alone was subversive of traditional Christian chronology, as Volney stressed in a footnote. The reasons assigned for this dating were based on an assumption that Libra originally rose at the vernal equinox. By a complex series of astronomical calculations, Dupuis had arrived at a date of 15 194 BC for the period of the original alignment. Contemporary commentators noticed similarities



The proof of this genealogy, Volney argued, could be seen half-buried in the mythological systems that had survived across the world. These were allegories of natural processes filtered through a symbolic language derived, in large part, from the agrarian astronomy of ancient Egypt. The numerous stories of death and resurrection related to the natural cycles of the seasons and, in particular, to the passage of the Sun through the heavens. In Christianity, for example, the story of the Messiah as the conqueror of evil and the harbinger of the reign of virtue was merely one variant of an ancient myth that referred originally to the end of the season of dearth and the beginning of the season of plenty. The messiah figure was the Sun, born, according to ancient myth, at the winter solstice, passing a life in poverty and obscurity through the winter months, and resurrected in glory at the spring equinox. The secret of this natural code had been lost in the mists of time; the allegorical had been taken for the literal and modern religion had degenerated into a cynical exercise in social control.<sup>46</sup>

The key to creating a stable and prosperous society, in Volney's view, was for philosophy to develop a political and moral science that would provide a renovated system of ethics as a substitute for the pathological morality generated by the power-serving castes of the traditional priesthood. Based on the demonstrated union of individual and group interest (at least as it would exist in a properly organised society), this system would provide a more solid basis for morality than any system based on unproven metaphysical theories or vain appeals to self-sacrifice in the interests of the higher good—whether religious or secular.

The text culminates in a vision of the French Revolution, presented as a future event, in which it serves as a sign for the peoples of the world to rise up against their oppressors. A general assembly of peoples is summoned to determine the path to the future. It is here that religious hostility manifests itself most forcefully and it is in this forum that the demonstration of the history and failures of established religion is given. The book concludes with a demand that humanity should cease, at once, its fruitless metaphysical disputes. To live in peace and concord, it will be necessary to deprive religion and theology of all civil effects.<sup>47</sup> All efforts in this realm must instead be transferred to 'an examination of the physical and constitutive aspects of man, of the movements and the affections that rule him in the individual and social state'. The result would be a knowledge of 'the laws by which Nature, herself, has founded [man's] happiness'. In a passage whose revealing irony seems to have escaped the

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between Volney's theories on the genealogy of religion and those Dupuis would later set out in his seven-volume *Origine de tous les cultes, ou Religion universelle* (1795, Agasse, Paris). It has been widely suggested that Volney might have seen the manuscript of the longer work and essentially took his theories from Dupuis. This is quite possible, although both authors shared sources belonging to a wider debate.

46 Volney, *Œuvres*, vol. I, chs xxi–xxiii of 'Les Ruines'.

47 Ibid., vol. I, p. 378.

author, the text concludes with an appeal from the peoples of the world to the legislators of the regenerated French nation: 'teach us, after so many religions of illusion and error, the religion of evidence and of truth!'<sup>48</sup>

In 1793, Volney published a small additional tract designed to do just this. It was entitled *The Law of Nature, or Catechism of the French Citizen* (note the use of the term 'catechism'). It was an attempt to set out systematically the ethical system described above. It claimed to show how all the virtues—private and social—could be rationally justified to individuals as the behaviour recommended by an enlightened knowledge of private interest. Moderation of physical appetite was justified by the natural desire to preserve the body.<sup>49</sup> Sociable behaviour was justified by the psychological and physical benefits derived by the individual from harmonious communal life. In order to ensure peace, it was necessary that social interaction should be governed by an ethic of what Volney called 'reciprocity'. More broadly, this implied that all interpersonal exchanges should be regulated by a principle of equity, such that none felt themselves to be disadvantaged by the exchange. This system was anchored in a negative construction of the Christian golden rule: do not do to others what you do not want done to you.<sup>50</sup> As Volney expressed it in the final lines:

I conclude that...we are not happy except when we observe the rules established by nature for the purpose of our conservation; and that all wisdom, all perfection, all law, all virtue, all philosophy, consist in the practice of these axioms founded on our own organization:

Conserve yourself

Instruct yourself

Moderate yourself

Live for others so that they may live for you.<sup>51</sup>

The text also contained an explicit assertion of the religious character of the doctrine. Despite accusations of atheism, Volney claimed the 'sectarians of natural law' had 'stronger and more noble ideas of the Divinity than the hypocrites who calumniate them, because they do not soil it with a mixture of all the weaknesses and passions of humanity'.<sup>52</sup> By the end of the 1790s, this tract had been appended to *The Ruins*.<sup>53</sup>

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48 Ibid.

49 'Loi naturelle', in *ibid.*, vol. I, pp. 469–75.

50 *Ibid.*, vol. I, p. 487.

51 *Ibid.*, vol. I, p. 499.

52 *Ibid.*, vol. I, p. 451.

53 The public had no doubt been prepared for this action by the fact that the original edition of *Les Ruines* ended with the declaration 'fin de la premiere partie'.



At the moment when *The Ruins* was published, France was in turmoil. The National Assembly had committed itself to enshrining a king who had attempted to flee the country. The Jacobin Club had fractured over the status of the monarchy in the aftermath of his flight. The National Guard had opened fire on demonstrators calling for proclamation of a republic. Martial law had been declared, newspapers suppressed and public demonstrations outlawed. There was violent debate over the criteria for voting rights for imminent elections. Caribbean colonies were in revolt as slaves demanded access to the rights of man. The attempt to nationalise the Catholic Church was visibly failing. In this context, these works can be seen as an attempt to protect the Revolution from derailment by internal and external conflict over issues of faith—both spiritual and temporal.

Ironically, in pursuit of this goal, Volney produced an analysis of history and an imaginative framework for thinking about human destiny that would foster acrimonious debate for generations.

## IV

The first comment to make in relation to Volney's reception is that his period popularity relates in part to questions of form, rather than content. Volney was a key figure in transmitting a kind of literary vogue for ruin literature and a literary genre of secular prophecy to early nineteenth-century Europe. This was a subject of frequent comment among Volney's enemies. As one of them put it in 1825, the book 'is calculated to seduce the young and inexperienced...to them it is particularly dangerous, because it is written in the manner best adapted to their habits of thinking—it is a work of the imagination: a romance rather than a sober and patient investigation'.<sup>54</sup>

These remarks were sometimes echoed by Volney's supporters. In part, then, Volney's story is a lesson about the poetics of political discourse and the artifice of propaganda in a nascent romantic age.

Beyond those remarks, however, the most striking thing for anyone who studies the patterns of Volney's reception during this period is the variety of contexts in which it was taken up. Among both admirers and critics, there was very little consensus as to the underlying philosophical, religious and political implications of this work.

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<sup>54</sup> Hails, W. A. 1825, *Remarks on Volney's Ruins, or a Survey of the Ruins of Empires*, Seeley & Son, London, pp. 3–4.

Predictably, one of the major roles of Volney's work was as a resource book for historical arguments designed to undermine biblical Christianity. It was assimilated to a corpus of texts used to provide accounts of the scientific-allegorical character of early religion and its genesis in the study and worship of natural forces. As a consequence of this use, clergymen across Europe wrote fat books designed to refute Volney.<sup>55</sup> A footnote, in which he had asserted that there was no more evidence for the historical existence of Jesus than for that of Hercules or Osiris, became one of the most debated annotations in European history.

This critical utility had, however, little necessary connection with the positive aspects of Volney's philosophy. And on this latter subject, interpretations varied. In religion, Volney was assimilated to certain kinds of monistic but providential deism. The ex-Baptist minister Elihu Palmer was one of Volney's greatest champions in the Anglophone world. Founder of the Deistical Society of New York, Palmer believed that theology must be 'rendered pure' by the 'science of ontology'. This would lead to recognition of 'an eternal Being, whose perfections guarantee the existence and harmony of the universe'.<sup>56</sup> He claimed in his book *Principles of Nature, or, A Development of the Moral Causes of Happiness and Misery amongst the Human Species* (1801) that

[o]f all the books that ever were published, Volney's Ruins is pre-eminently entitled to the appellation of Holy Writ, and ought to be appointed to be read in Churches; not by his majesty's special command, but by the universal consent and approbation of all those who love nature, truth and human happiness.<sup>57</sup>

As it happens, Volney was read in churches—albeit of a somewhat unusual kind. Throughout the 1790s, public readings from *The Ruins* were common in

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55 Volney's theological principles were subject to concerted critique in both France and Britain. Among the major works directed against Volney in English were: Simpson, D. 1793, *An Essay on the Authenticity of the New Testament, designed as an answer to Evanson's Dissonance and Volney's Ruins*, Bayley, Macclesfield, UK; Priestley, J. 1797, *Observations on the Increase of Infidelity...To which are added, animadversions on the writings of several modern unbelievers, and especially the Ruins of Mr Volney*, Dobson, London and Philadelphia; Priestley, J. 1797, *Letters to Mr Volney, in answer to his book called Ruins*, Dobson, London and Philadelphia; *Testimonies to the Truth of Prophecy from the writings of Volney*, 1800, London; Cockburn, W. 1804, *Remarks on a Publication of M. Volney called 'The Ruins'*, Cambridge University Press, UK; Bellamy, J. 1819, *The Anti-Deist: Being a vindication of the Bible in answer to the publication called the Deist. Containing also a refutation of the erroneous opinions held forth in the Age of Reason, and in a recent publication entitled Researches on Ancient Kingdoms*, Longman, London; Nolan, F. 1819, *A Reply to Mr Volney's Ruins*, Nolan & Boone, London; *Fragments of a Civick Feast: Being a key to Volney's Ruins*, Bagster, London; Broughton, T. 1820, *The Age of Christian Reason: Being a refutation of the theological and political principles of Thomas Paine, M. Volney and the whole class of political naturalists*, Rivington, London; Emmett, J. B. 1823, *Remarks on...Count Volney's New Researches into Ancient History*, Alexander & Son, York; Hails, W. A. 1825, *Remarks on Volney's Ruins*, Seeley & Son, London.

56 Palmer, E. 1819, *Principles of Nature, or, A Development of the Moral Causes of Happiness and Misery amongst the human species*, Carlile, London, pp. 13, 11.

57 *Ibid.*, p. 90.

England in the free-thinking societies that formed the subject of a sensational exposé published in 1800: the *Infidel Societies of the Metropolis*.<sup>58</sup> In the late 1820s and early 1830s, Volney's book, together with a juvenile imitation of it by Percy Shelley entitled *Queen Mab*, were the preferred texts in a course of Sunday 'infidel services' performed at the Blackfriar's Rotunda in London by an ex-Anglican minister, Robert Taylor—known to contemporaries as the 'devil's chaplain'. At their peak, these services attracted 4000 people.<sup>59</sup> This kind of use for Volney was particularly prominent in Britain, where Volney attracted considerable interest among what we might consider the extreme fringe of the dissenting movement.

Religious dissent and, particularly, rationalist Socinianism were influential in campaigns for political reform in Britain throughout the eighteenth century. Its followers played an important role in the agitation that followed the early stages of the French Revolution.<sup>60</sup> And Volney's call for the separation of religious and civil power precisely matched the major plank of dissenting politics during this period. Volney's version of natural religion moved well past the bounds of even the Socinian brand of Christianity.<sup>61</sup> There was, however, widespread contemporary belief that radical dissent and natural religion were competing for the same market.<sup>62</sup> It is certainly clear that Volney made the greatest impact in Britain among social groups (skilled artisans, small businessmen and proprietors, workers in the printing trades) that had traditionally been the stronghold of 'rational dissent'.<sup>63</sup>

In France, too, Volney was assimilated to various forms of deistic or pantheistic religion, as well as to cults animated by an impulse towards religious syncretism. He was also highly influential within the speculative branch of French Freemasonry. As late as the 1880s, he was still being listed as a benefactor of humanity in French Freemasons' almanacs, together with Buddha, Zoroaster,

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58 Reid, W. 1800, *Rise and Dissolution of the Infidel Societies of the Metropolis*, Hatchard, London, pp. iii, 8.

59 For a detailed account of Taylor's infidel services, see: McCalman, I. 1992, 'Popular irreligion in early Victorian England', in R. W. Davis and R. J. Helmstadter (eds), *Religion and Irreligion in Victorian Society: Essays in honour of R. K. Webb*, Routledge, London, pp. 51–67; Cook, 'Reading revolution', pp. 125–46.

60 The most famous examples are Richard Price and Joseph Priestley. See, for example, the former's famous Discourse on the love of our country delivered at the Old Jewry in 1789; and Priestley, J. 1791, *Letters to Burke: A political dialogue on the general principles of government*. The latter prompted the burning of Priestley's house and laboratory by a loyalist mob.

61 There was also little room for the dissenting notion of 'conscience' in the moral schemes advocated by Volney and his predecessors. Philp, M. 1986, *Godwin's Political Justice*, Duckworth, London, pp. 38–57.

62 Volney's first publisher in Britain was the official bookseller for the Unitarian Society. The Unitarian minister Joseph Priestley was one of Volney's most committed opponents during the 1790s. He explicitly lamented that fact that there were many instances of conversion to 'French principles' within the Arminian and Socinian communities (Priestley, *Observations on the Increase of Infidelity*, p. 141). Priestley returned to the subject of Volney in: Priestley, J. 1794, *Letters Addressed to the Philosophers and Politicians of France*, Dobson, Philadelphia, and Priestley, J. 1797, *Letters to Mr Volney*, Dobson, Philadelphia.

63 Thompson, *Making of the English Working Class*, pp. 29–58.

Charles Dupuis and the physiocrat Dupont de Nemours.<sup>64</sup> In France, however, it was more common to read Volney as an implicitly atheist thinker. This was certainly the view of theocratic Catholics such as Louis de Bonald, Felicité de Lammenais and Joseph de Maistre. In 1828, one commentator went so far as to claim that Volney's catechism 'reigns almost entirely where that of the church is no longer law'.<sup>65</sup>

This was clearly an exaggeration. As I have already mentioned, Volney was from the outset subjected to serious attack. In both France and Britain, much of the philosophical criticism of Volney focused on his moral theory. The revolutionary deist Bernardin de Saint-Pierre and post-Protestant philosophers such as Madame de Stael and Benjamin Constant believed that a philosophy that sanctioned a psychology of self-interest and the pursuit of sensual pleasure was unable to sustain private or political virtue. They believed it diminished the dignity of the human struggle with the lower self.<sup>66</sup> As Kantian moral philosophy gained ground in France during the nineteenth century—through the work of Victor Cousin and his allies—that became an increasingly dominant judgment. As one of Cousin's followers, J. P. Damiron, put it, 'if the principles of morality are physical principles, all human dignity is destroyed'.<sup>67</sup> In 1820, the legal journal *Themis* carried an attack on Volney's *Loi naturelle*, in which the author was said to 'deify egoism'.<sup>68</sup> In Britain, those themes were carried less by secular philosophers than by professional clergymen, but the accusations were frequently the same.<sup>69</sup>

Volney's eschatology carried a popular politics with it too. And despite critics' focus on Volney's historiography, theology and morality, this politics played a crucial role in its reception. Contemporary evidence suggests that the single most influential part of the entire book was a stylised parable of popular liberation in which the people of France, and then the world, rise up to confront their oppressors and to demand social reform in the form of an adjustment of society to coincide with the dictates of natural law. This chapter, labelled 'The

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64 *Almanac de la Franc-Maçonnerie* (1886, Angers), cited in Mathiez, A. 1904, *La Théophilanthropie et le Culte Décadaire, 1796–1801*, Alcan, Paris, p. 610. In 1911, a lodge in the town of Laval in the Mayenne was named after Volney. It still operates. See: <[www.godf.org](http://www.godf.org)>

65 Damiron, J. P. 1828, *Essai sur l'Histoire de la philosophie au dix-neuvième siècle*, Ponthieu, Paris, p. 134.

66 See: de Staël, G. 1871 [1813], 'De l'Allemagne', in *Oeuvres complètes de Madame la Baronne de Staël-Holstein*, [3 vols], Didot-Freres, Paris, vol. II, p. 204; Bernardin de Saint-Pierre, J. H. 1818, 'De la nature de la morale', in *Oeuvres complètes de Jacques-Henri-Bernardin de Saint-Pierre*, [12 vols], Méquignon-Marris, Paris, vol. VII, pp. 424–30; Constant, B. 1824–31, *De la Religion, considérée dans sa source, ses formes et ses développements*, [5 vols], Bossange, Paris, vol. I, book 1, chs 1, 2 and 4, and book II, chs 5 and 7.

67 Perhaps the most extended critical treatment of Volney's work from among the followers of Victor Cousin can be found in Damiron, J. P. 1828, *Essai sur l'histoire de la philosophie au dix-neuvième siècle*, Ponthieu & Compagnie, Paris, p. 129.

68 Renouard, C. 1820, 'Enseignement du droit', *Thémis, ou Bibliothèque du jurisconsulte*, pp. 2, 292.

69 Perhaps the most developed philosophical reflections on Volney's moral system in Britain were contained in Priestley, *Observations on the Increase of Infidelity and Letters to Mr Volney*.

new age', was reproduced widely in the French press during the time of the Revolution—perceived as an allegory of the rise of the Third Estate in 1789. In Britain, it was reproduced almost endlessly as a popular pamphlet within the radical community from the mid-1790s until the 1840s. A catalogue of figures and groups who made use of this aspect of Volney's work during this period would list a substantial proportion of English radical activists. To name only the most prominent, we can find regular favourable reference to Volney among the London Corresponding Society, the Johnson circle and the followers of the agrarian socialist Thomas Spence during the 1790s. In the postwar era, Volney was embraced by Richard Carlile and his Zetetic movement, Thomas Wooler, John Wade, Thomas Davison, Robert Taylor and the Owenite and future president of the British secularist movement, James Watson. We could take this influence right through to Chartist groups associated with both Feargus O'Connor and George Julian Harney during the 1830s and 1840s.<sup>70</sup>

With a Manichean division between the industrious populace and the parasitic drones that fed on them, this chapter played an important role in shaping the rhetoric of various kinds of reformist and revolutionary politics in Europe throughout the first half of the nineteenth century. The historian Edward Thompson claimed that it was from this chapter that the sociology of British radical theory was derived. This is clearly an exaggeration. This rhetoric had longer-term origins in both Britain and France. This social typology, in which the key marker of division was between those who performed useful work and those who did not, fed, however, into not just British radicalism, but the *industrialiste* movement in France during the restoration and into the Saint-Simonian brand of socialism that followed it. In Britain, it fed into the cooperative libertarian politics of Thomas Hodgskin, the mutualist utilitarianism of William Thompson and the communitarian communism of Robert Owen.

What all these thinkers had in common was a belief that the interests of the individual and those of society could be made to coalesce and that for this reason, the morality and politics of 'virtue' in the classical sense—like the morality and politics of authority—were unnecessary and destructive. The practical implications of this doctrine were, however, often remarkably vague. For some thinkers in this tradition, the doctrine seemed to imply a kind of anarchic libertarianism, in which the political power of the oppressors was removed to allow the naturally benevolent dynamics of civil society to unfold. For others, it implied a managerialist approach to politics and economics, in which the mechanisms by which individuals were rewarded for social contribution would be carefully calibrated to ensure justice and fairness. There were prolonged and violent battles to determine the classification of specific social occupations into the categories of industrious citizen or exploitative parasite. In many cases,

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70 For an account of Volney's reception in England, see Cook, 'Reading revolution', pp. 125–46.

these debates came to centre on the figure of the capitalist entrepreneur or the mercantile middleman. More broadly, they focused on the question of how it might be possible to ensure equitable exchange in the commerce of social life. For many, by the 1820s, solving this problem was perceived to be the key to realising the new age of justice, liberty and global fulfilment fleetingly promised by the advent of the French Revolution and yet seemingly deferred.

## V

In 1844, when Karl Marx and Friedrich Engels wrote about the history of what they called 'French materialism', they argued that it had two strands. One, they claimed, derived from Cartesian physics and passed, by stages, through La Mettrie and Cabanis into the realm of modern medicine. The other was typified by Helvétius and by a moral philosophy of interest alignment that evolved, in their view, from Lockean associationism. This latter strand, they believed, led 'directly to socialism and communism'. They expounded the argument in some detail:

There is no need of any great penetration to see from the teaching of materialism on the original goodness and equal intellectual endowment of men, the omnipotence of experience, habit and education, and the influence of environment on man, the great significance of industry, the justification of enjoyment etc. how necessarily materialism is connected with communism and socialism...If correctly understood interest is the principle of all morality, man's private interest must be made to coincide with the interest of humanity...If man is social by nature he will develop his true nature only in society.<sup>71</sup>

In England, they traced this evolution from Helvétius through Bentham to Robert Owen. In France, they nominated Volney as an intermediary in a line of development culminating in figures such as Théodore Dezamy and Jules Gay.<sup>72</sup> They accompanied the analysis with lengthy quotations, approvingly presented, from Helvétius, Holbach and Bentham.<sup>73</sup>

By the next year, Marx and Engels had seemingly changed their minds. The role assigned to this tradition in their account of the evolution of socialism

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71 Marx, K. and Engels, F. 1975–2004, 'The holy family, or critique of critical critique', in K. Marx and F. Engels, *Collected Works of 1844–45*, [50 vols], Lawrence & Wishart, London, vol. IV, p. 130.

72 The former was an outspokenly 'materialist' communist, author of works such as *Code de la communauté* (1842, Paris) and an implacable opponent of Etienne Cabet. The latter was a French disciple of Robert Owen who founded the journal *Le Communiste* in the late 1840s. On these two in their context, see: Maillard, A. 1999, *La communauté des Égoux: Le communisme néo-Babouviste dans la France des années 1840*, Kimé, Paris.

73 Marx and Engels, 'The holy family', pp. 178–9.



was discarded. Instead, this philosophy was now the ‘historically justified philosophical illusion about the bourgeoisie just then developing in France’. In the two *philosophes*, Helvétius and Holbach, the ‘thirst for exploitation could still be described as a thirst for the full development of individuals in conditions of intercourse freed from the old feudal fetters’, but its destiny was Bentham, in whom the ‘complete subordination of all existing relations to the relation of utility’ was the ideological expression of a bourgeoisie in the flush of power.<sup>74</sup>

This account of the historical function of this tradition of political and moral thought would come to dominate later scholarship. Fused in the Anglophone world with the critiques by very different figures, such as Thomas Carlyle, Charles Dickens or William Blake, it evolved to the point where it became standard practice to link the critique of capitalism, however motivated, to a critique of utilitarianism, its predecessors and offshoots—a category to which all forms of sensationist moral and political philosophy were assimilated.

Despite the general retreat from rigorous forms of Marxism in recent times, this historical cliché has largely survived. As an analysis of the process of European intellectual history, however, it is flawed. Neither the account in *The Holy Family* nor that in *The German Ideology* captures the political and intellectual history of ‘French materialism’ or, more broadly, sensationist political philosophy. That history is too complex to be characterised by a teleology that links it directly either to socialism or to free-market utilitarianism. In the case of Volney, at least, the reception of his thought can be traced through paths that lead to both and to neither.

How do we explain the diverse political visions among those who expressed a debt to Volney’s work or made use of his texts? In part it reflects the practicalities of political struggle and the ambiguities of philosophical discourse.

Volney’s political eschatology was, like many others’, significantly clearer about the evils to be overcome in the future state than about the form that state might take. Throughout the first half of the century, many features of Volney’s world view remained central to campaigns for social reform. These include: the appeal to natural law against arbitrary convention; the designation of force and fraud as the principal tools of oppression; the insistence that all citizens should perform useful work; the notion of social reciprocity; and the dream of building a society in which the interests of all would be reconciled. Those who used this language did not, however, necessarily share social goals. The struggle between them took the form of conflict and negotiation over the definition, or implication, of terms whose normative power was largely unchallenged.

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74 Marx, ‘The German ideology’, pp. 203–4.

Understanding this process helps us to see why Volney's often vague parable of human emancipation and social perfectibility was able to retain affective force for a prolonged period. Although in some respects idiosyncratic, it tapped into a code of quasi-secular history and prophecy whose narrative force continued to inspire political theorists and political movements for generations. Its strategic silences, while they served a period purpose, had the consequence that its ultimate promise was, and to some extent remains, a matter of dispute.

Volney's most influential work, *The Ruins*, was not a paradigm-creating work of philosophical exposition. It was rhetorical, poetic, pragmatic and political in intent. This character enhanced its contemporary power but contributed to its long-term neglect. Volney is not remembered as one of the great intellectual system builders of his era. He is, however, a thinker who is worth more attention than he has been granted by modern scholars. Both his thought and the history of its reception offer us a way into thinking about some of the complex relationships between politics, religion and the emergent social sciences in a formative era for the modern history of all three. It is in this sense that it is appropriate to think of Volney as a key thinker.



# Mary Wollstonecraft revisited

Ann Curthoys

In 1976, I began teaching the first women's studies course at The Australian National University. That course had been fought for and won as a result of student agitation, supported by some academic staff, and I was fortunate enough to be appointed as the first lecturer in women's studies. I was then thirty years old and this was my first lecturing position. When I began teaching, I had little idea how to teach such a course, for I had never been a student in women's studies and my doctoral dissertation had been in another area—a study of race relations in nineteenth-century colonial Australia. What I did know, though, was what I had learnt as an activist in the 1970s women's movement, first in its women's liberation phase and then in its more general incarnation as simply the 'women's movement' or contemporary feminism. And that was in fact quite a lot. The early 1970s women's movement—or at least that part of it I was involved in, in Sydney—was the scene of much reading about women, their situation and their history. At the foundation of this frenzy of reading was a desire to understand why it was that women occupied a subordinate position in society. If their secondary status was not ordained by nature—and that was a fundamental position in 1970s feminism—it had to have some other cause. Our reading in search of a cause or causes extended in all directions and we were much less bound by discipline than we have all since become; we read women's history, philosophy, anthropology, sociology, literature and literary criticism, and much else.

So, when I came to create a women's studies course out of almost nothing in 1976, I used the knowledge I had gained as a women's movement activist. When I look over my old course outlines I am struck by how interdisciplinary they were, though I can detect a historian's distinctive interest in chronology and historical context for the discussion of ideas. One of the courses I created was called 'Changing concepts of woman's place in European thought'. This began with a discussion of Mary Wollstonecraft, and in particular her famous book *A Vindication of the Rights of Woman*, first published in 1792, when English society was being shaken by the events of the French Revolution. It continued by looking at John Stuart Mill and Harriet Taylor, the suffrage movement, Friedrich Engels and Simone de Beauvoir. One of the essay questions I set my students was 'How relevant are Mary Wollstonecraft's arguments today?' and this gives a clue to the feminist interest in Wollstonecraft. We read her as being the first to insist on

that fundamental proposition of 1970s feminism: that women's subordination was a social product and, as such, could be ended through social action. We saw her as—like us—interested in women's socialisation and education and as emphasising women's intellectual capacity and rights to freedom. We thought, rather condescendingly, that she did not follow her ideas through sufficiently, since she still thought women's primary responsibility was in the family, but she had made the breakthrough for others to build on.

When I left The Australian National University for the University of Technology, Sydney, in 1978, I continued to teach courses on women's history for several years, and Mary Wollstonecraft featured prominently in them. Gradually, however, my teaching changed to focus on other things, especially on histories of race relations and colonialism, and I rather forgot my knowledge of Wollstonecraft, Mill and the others. When I was invited in mid 2008 to contribute to the Key Thinkers lecture series, I thought of Mary Wollstonecraft, that key thinker for feminism that had so inspired me and my generation almost 40 years earlier. I wondered how she might look now, in the light of new questions and new intellectual frameworks for reading her.

In this rediscovery of Mary Wollstonecraft, I have found that interest in her has continued strongly since the 1970s, spread across a number of scholarly fields. These include political theory, philosophy, women's studies, literary studies and history. Reprising the 1970s feminist interest in interdisciplinary approaches to large questions, I want to use all of these to assist me in reading and rereading her work, especially her key text, *A Vindication of the Rights of Woman*.

First, however, some biography. For Mary Wollstonecraft, the tradition of reading her thought in relation to her life has been overwhelming, so much so that for many it is the life more than the thought that inspires. This is somewhat similar to much discussion of Simone de Beauvoir, whose life and especially her personal and sexual affairs have fascinated many readers at least as much as her ideas.<sup>1</sup> For many feminists in the 1970s and since, Wollstonecraft was not simply the person who said so early that women could have and be so much more than they currently were, but who in her own life demonstrated a free spirit, and an unconventionality, that most of us admire and aspire to.<sup>2</sup> So, before getting into Wollstonecraft's ideas in any depth, I will, like most commentators and in the spirit of Hannah Arendt's approach in *Men in Dark Times*, in which she discusses thinkers in terms of biography, anecdote, vignette and social genealogy, start with her life.<sup>3</sup>

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1 Curthoys, Ann 2002, 'Cultivating the arts of the female self: the micro politics of a re-fashioned feminism', in Jane Bennett and Michael J. Shapiro (eds), *The Politics of Moralising*, Routledge, New York.

2 As Cora Kaplan has noted, Wollstonecraft's 'life has been read much more closely than her writing' (Kaplan, Cora 2002, 'Mary Wollstonecraft's reception and legacies', in Claudia L. Johnson (ed.), *The Cambridge Companion to Mary Wollstonecraft*, Cambridge University Press, UK, p. 247).

3 Arendt, Hannah 1970, *Men in Dark Times*, Jonathan Cape, London.

## Biography

Although her many biographers have seen the life of Mary Wollstonecraft very differently—sometimes, for example, governed by ideas, other times by passion, sometimes as essentially secular and other times intensely religious—we can draw from them the following sketch. Mary was born in London in 1759 into a middle-class family, but, with the family's fall in fortunes, she had of necessity when she reached adulthood to earn her own living. After working as a lady's companion, she became a teacher and governess for several years before becoming a full-time writer. Like many genteel women without sufficient financial support, Mary, with her two sisters and a close friend, Fanny Blood, set up a private school. The school was at Newington Green, close to a meeting house for Dissenters—part of an English radical tradition, who sought to rid religion of superstition.<sup>4</sup> Her work as a teacher and her connections with the Dissenters both influenced her subsequent thinking and writing. When Fanny died several days after giving birth, and soon after the school failed, Mary spent a year in Ireland in 1786 as a governess. Here she began to write both fiction and non-fiction—her early published works including a conduct book called *Thoughts on the Education of Daughters* (1787) and a novel, *Mary: A fiction* (1788). At the age of twenty-eight, she abandoned teaching and moved to London, where she became a full-time professional writer. She wrote for the liberal publisher Joseph Johnson, translating texts from French and German and writing reviews for Johnson's journal, the *Analytical Review*. Through her writing, she mixed in radical circles, meeting people such as Thomas Paine, the English revolutionary pamphleteer, inventor and intellectual, who had participated in the American Revolution, and William Godwin, an English writer and radical philosopher. She now aspired, as she wrote to her sister in 1787, to be 'the first of a new genus': a self-supporting woman.<sup>5</sup> She came to prominence in 1790 when she wrote a fiery response to Edmund Burke's essay on the French Revolution—her essay called *A Vindication of the Rights of Men* (1790), of which more later. It caused a stir at the time and was soon followed by *A Vindication of the Rights of Woman*, completed early in 1792. While writing this work, she became passionately attached to the painter Henry Fuseli, but the friendship ended when Fuseli's wife angrily refused Wollstonecraft's suggestion she join the Fuseli household. While Mary had proposed a platonic living arrangement, she had also not hidden her strong feelings for Henry.<sup>6</sup>

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4 Todd, Janet 2000, *Mary Wollstonecraft: A revolutionary life*, Columbia University Press, New York, pp. 57–9.

5 Sunstein, Emily W. 1975, *A Different Face: The life of Mary Wollstonecraft*, Harper and Row, New York, p. 152.

6 Todd, *Mary Wollstonecraft*, p. 198.

Soon after, Wollstonecraft travelled to France and wrote about what was happening to the French Revolution, which she and her friends had so admired in its early stages. She wrote a history of this period called *An Historical and Moral View of the French Revolution*, which was published at the end of 1794. In France, she met an American, Gilbert Imlay, who had fought in the American War of Independence and was now in Paris for business reasons, and the friendship became a sexual affair. When France declared war on Britain in 1793, British citizens in France were in danger and, as a protective measure (at this point the United States and France were allies), Wollstonecraft took on the identity of Mrs Imlay, though she and Gilbert Imlay were not married. In May 1794, she gave birth to their daughter, Fanny Imlay. Soon after, Imlay left for London; when Mary also returned to London, in April the next year, and learned of the extent of his withdrawal from her and his infidelity, she attempted suicide. Only two weeks later, she travelled to Sweden with her baby and a maid to undertake some business dealings for Imlay, perhaps in the hope that they would be reunited. Her travels lasted from June to September and took her also to Norway and Denmark. Her letters to Imlay written during her travels were published as *Letters Written During a Short Residence in Sweden, Norway, and Denmark* in 1796. Part travelogue and part personal reflections, this book became her most popular during her lifetime. With its dramatic descriptions of landscape, events and people in a time of revolutionary turmoil, its popularity has endured and it is still in print today.<sup>7</sup>

On her return to England, Wollstonecraft rejoined London literary life and this time she and William Godwin became lovers. Godwin had read and admired her *Letters Written During a Short Residence in Sweden, Norway, and Denmark* and later famously wrote that '[i]f ever there was a book calculated to make a man in love with its author, this appears to me to be the book'.<sup>8</sup> When Wollstonecraft became pregnant, the couple married in March 1797, but, somewhat disastrously for Mary's social respectability, the marriage revealed she had never been married to Imlay. Mary and William lived in two adjoining houses in order to retain their independence, so their marriage was hardly conventional. Tragically, Mary died in childbirth in August 1797, at the age of thirty-seven. An unfinished novel, *Maria, or the Wrongs of Woman*, was published the next year, as was the first biography of her life, Godwin's frank and controversial *Memoirs of the Author of A Vindication of the Rights of Woman*.<sup>9</sup>

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7 Wollstonecraft, Mary 2009 [1796], *Letters Written in Sweden, Norway, and Denmark*, Edited and with an introduction and notes by Tone Brekke and Jon Mee, Oxford World's Classics, Oxford University Press, UK.

8 Godwin, William 1798, *Memoirs of the Author of A Vindication of the Rights of Woman*, J. Johnson, London, available in full text on Google Books, viewed 20 July 2010, <<http://books.google.com.au/books?id=7msEAAAAYAAJ&printsec=frontcover&dq=Memoirs+of+the+Author+of+A+Vindication+of+the+Rights+of+Woman&cd=1#v=onepage&q&f=false>>, p. 133.

9 Biographies of Mary Wollstonecraft include—in addition to Todd, *Mary Wollstonecraft*, cited above: Gordon, Lyndall 2005, *Vindication: A life of Mary Wollstonecraft*, Virago, London; and Tomalin, Claire 1992

## A Vindication of the Rights of Men (1790)

In a polemical age, Wollstonecraft's writing was as passionate and transgressive as her life. Before looking in detail at her most famous work, I want to discuss for a moment its immediate predecessor, *A Vindication of the Rights of Men*. This was written in response to Edmund Burke's famous *Reflections on the French Revolution*, itself a response to an address supporting the French Revolution by a member of Wollstonecraft's circle, Richard Price. Burke was a curious figure, having supported the American Revolution and spoken out fiercely against British imperial practices in India and Ireland.<sup>10</sup> Now he spoke clearly as a conservative, preferring continuity, tradition and hierarchy to revolutionary talk of the rights of man and the overthrow of one political regime by another. There were many responses to Burke's *Reflections*—the most famous being Tom Paine's *Rights of Man*—but in fact Wollstonecraft's *Vindication of the Rights of Men* was the first to appear. In its day it had a considerable impact, making Wollstonecraft instantly a well-known writer and commentator.<sup>11</sup>

Wollstonecraft's own approach to Burke is in part biographical, presenting him as a once admirable man, now grown old (he was sixty-one) and too ready to rationalise the interests of the rich and powerful. Where Burke urges respect for existing institutions and traditions, Wollstonecraft urges radical change. She draws some of her ideas from those of the Scottish Enlightenment—in particular, those thinkers who suggested a history of human improvement, as societies progressed through four stages, from savagery to pastoralism to agriculture to commerce and industry.<sup>12</sup> Societies in the most advanced stage should not, she thinks, base their arrangements on institutions developed in an earlier stage. So, for example, to Burke's appeal to the English Constitution, Wollstonecraft replies that 'the constitution, if such an heterogeneous mass deserve that name, was settled in the dark days of ignorance, when the minds of men were shackled by the grossest prejudices and most immoral superstition'.<sup>13</sup>

Wollstonecraft is scathing about Burke's defence of the rights of property. 'To this selfish principle [security of property],' she writes 'every nobler one is sacrificed.'<sup>14</sup> Furthermore, 'it is only the property of the rich that is secure; the man who lives by the sweat of his brow has no asylum from oppression...when

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[1974], *The Life and Death of Mary Wollstonecraft*, Penguin, Harmondsworth, UK; Johnson, *The Cambridge Companion to Mary Wollstonecraft*, also has considerable biographical information.

10 For a detailed discussion of Burke's views on India and Ireland, see: Pitts, Jennifer 2005, *A Turn to Empire: The rise of imperial liberalism in Britain and France*, Princeton University Press, NJ, ch. 3.

11 Wollstonecraft, Mary 1790, *A Vindication of the Rights of Men*, The Online Library of Liberty, viewed 30 March 2010, <[http://files.libertyfund.org/files/991/Wollstonecraft\\_0532\\_EBk\\_v5.pdf](http://files.libertyfund.org/files/991/Wollstonecraft_0532_EBk_v5.pdf)>

12 See Jane Rendall's excellent discussion in "'The grand causes which combine to carry mankind forward': Wollstonecraft, history and revolution", *Women's Writing*, vol. 4 no. 2 (1997), pp. 155–72.

13 Wollstonecraft, *A Vindication of the Rights of Men*, p. 10.

14 *Ibid.*, p.12.

was the castle of the poor sacred?'<sup>15</sup> She sees Burke as having contempt for the poor, when he says 'the people, without being servile, must be tractable and obedient', and also when he says that if some people find they have less than others, 'they must be taught their consolation in the final proportions of eternal justice'. Wollstonecraft replies that it is possible to make the poor happier in *this* world, as well as the next. 'They have a right to more comfort than they at present enjoy' and this will be achieved not through charity but through finding them work 'calculated to give them habits of virtue'.<sup>16</sup> She wants more economic justice, asking that large estates be divided into small farms and that the peasants have rights to what was common land.<sup>17</sup> The world she sees as often a place of misery: 'hell stalks abroad;—the lash resounds on the slave's naked sides; and the sick wretch, who can no longer earn the sour bread of unremitting labour, steals to a ditch to bid the world a long good night... Such misery demands more than tears.'<sup>18</sup> Her vision of slave and feudal society reminds us, perhaps, of Dante's phantasmagorical vision of the *Inferno*.

Invoking the principles of natural law, Wollstonecraft argues for the 'rights which men inherit at their birth, as rational creatures, who were raised above the brute creation by their improvable faculties'.<sup>19</sup> She is also scornful of the idea that one must submit to existing authority. Burke, she thinks, seems to defend slavery, and she responds that if we are to revere antiquity and self-interest as much as Burke does, it would follow that 'the slave trade ought never to be abolished'—the actions of our ignorant forefathers would have, in Burke's train of reasoning, to be supported and maintained.<sup>20</sup> She returns to the question of slavery later: 'is it not consonant with justice, with the common principles of humanity, not to mention Christianity, to abolish this abominable mischief?'<sup>21</sup>

Wollstonecraft is scornful of English social life, in which, largely as a result of the system whereby land and property are inherited, marriage is so often delayed. This means, she says, 'our young men become selfish coxcombs' and women 'flatter the spring of life away, without laying up any store for the winter of age, or being of any use to society'.<sup>22</sup> Her target is the aristocracy and even more those of the middle class who ape aristocratic manners. She scorns the 'luxury

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15 Ibid., p. 12.

16 Ibid., pp. 41, 42.

17 Ibid., p. 42.

18 Ibid., p. 43.

19 Ibid., p. 11.

20 Ibid., p. 12.

21 Ibid., p. 38.

22 Ibid., pp. 17, 18.



and effeminacy' that 'introduce so much idiotism into the noble families'.<sup>23</sup> Such men can hardly be educated in the arts of life when all their wants are so instantly supplied and 'invention is never sharpened by necessity'.<sup>24</sup>

Wollstonecraft was a devout dissenting Christian who we can place in a long Enlightenment tradition of Christian humanism that was critical of institutional Christianity. As Barbara Taylor suggests, the 'centrality of religion to Wollstonecraft's worldview is evident in virtually every aspect of her thought, from her uncompromising egalitarianism to her hostility toward British commercialism...to her ardent faith in an imminent age of universal freedom and happiness'.<sup>25</sup> Here, in *A Vindication of the Rights of Men*, Wollstonecraft argues that 'to act according to the dictates of reason is to conform to the law of God'.<sup>26</sup> She is, however, quite scathing about God's representatives on Earth—the British clergy—who are dependent on the aristocracy for their income and who practise their profession for money rather than conviction.<sup>27</sup> She is equally scornful of the British Parliament, in which most MPs have gained their seats through their fortune and hereditary rank.<sup>28</sup>

*A Vindication of the Rights of Men* also ponders a classic Enlightenment concern with the relationship between reason and the passions. Though often interpreted as positing a dualism between the two, Wollstonecraft in this text is arguing in the tradition of Spinoza that they are entwined.<sup>29</sup> Both reason and passion are necessary. Passions, she writes, 'are neither good nor evil dispositions, till they receive a direction'. The direction they need comes from reason and if reason directs passion, virtue is the result.<sup>30</sup> For virtue to become the aim of all, society will need to change and there will need to be less respect for rank. 'Such a glorious change,' she writes, 'can only be produced by liberty. Inequality of rank must ever impede the growth of virtue, by vitiating the mind that submits or domineers.'<sup>31</sup>

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23 Ibid., p. 19.

24 Ibid., p. 31.

25 Barbara Taylor, 'The religious foundations of Mary Wollstonecraft's feminism', in Johnson, *The Cambridge Companion to Mary Wollstonecraft*, p. 102.

26 Wollstonecraft, *A Vindication of the Rights of Men*, p. 38.

27 Ibid., pp. 26–8.

28 Ibid., p. 32.

29 See Gatens, Moira and Lloyd, Geneveive 1999, *Collective Imaginings: Spinoza, past and present*, Routledge, London, ch. 2. See also McCalman, Iain 1996, 'New Jerusalem: prophecy, dissent and radical culture in England, 1786–1830', in K. Haakonsen (ed.), *Enlightenment and Religion: Rational dissent in eighteenth century Britain*, Cambridge University Press, UK.

30 Wollstonecraft, *A Vindication of the Rights of Men*, p. 24

31 Ibid., p. 35.

## A Vindication of the Rights of Woman (1792)

With the success of her pamphlet, Wollstonecraft immediately sat down and wrote another. It took her six weeks and this was the famous *A Vindication of the Rights of Woman*, which first appeared in 1792.<sup>32</sup> It is in part a much more orderly and well-argued restatement of the themes of the first *Vindication*, but it also offers something entirely new in its focus on society's false dichotomy between the sexes. Addressing the French revolutionaries in particular, Wollstonecraft writes: 'If the abstract rights of man will bear discussion and explanation, those of woman, by a parity of reasoning, will not shrink from the same test.'<sup>33</sup> It was inconsistent for men seeking their own freedom, as the French revolutionaries claimed to be, to 'subjugate women'.<sup>34</sup> Indeed, to deny women their freedom, to refuse to acknowledge their capacity for reason and virtue, was to act like a tyrant. 'Do you not act a similar part,' she asked Talleyrand in the introduction, 'when you FORCE all women, by denying them civil and political rights, to remain immured in their families groping in the dark?' If women are granted their rights, 'the sexes will fall into their proper places'.<sup>35</sup>

She then turns to one of her main themes: that women, through lack of respect for their powers of reason, are rendered 'weak and wretched...The conduct and manners of women, in fact, evidently prove, that their minds are not in a healthy state'.<sup>36</sup> She is indeed very harsh on women. Men complain, she writes, 'and with reason, of the follies and caprices of our sex...our headstrong passions and groveling vices'. Her explanation, however, is that women are socialised to seek male protection rather than support themselves. 'Women are told from their infancy, and taught by the example of their mothers,' she rails,

that a little knowledge of human weakness, justly termed cunning, softness of temper, OUTWARD obedience, and a scrupulous attention to a puerile kind of propriety, will obtain for them the protection of man; and should they be beautiful, every thing else is needless, for at least twenty years of their lives.<sup>37</sup>

It is not only this debilitating and degrading socialisation of women that is at fault, it is also their subjection to 'a false system of education, gathered from the books written on this subject by men, who, considering females rather as women than human creatures, have been more anxious to make them alluring

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32 Wollstonecraft, Mary 1792, *A Vindication of the Rights of Woman*, viewed 30 March 2010, <<http://www.gutenberg.org/dirs/etext02/vorow10.txt>>

33 Wollstonecraft, *A Vindication of the Rights of Woman*, p. 7.

34 Ibid., p. 8.

35 Ibid., p. 8.

36 Ibid., p. 9.

37 Ibid., p. 20.



mistresses than rational wives'.<sup>38</sup> In her emphasis on education, Wollstonecraft was influenced by a long Enlightenment tradition—evident in the work of Lady Mary Wortley Montagu, Mary Astell and most importantly in Catherine Macaulay's *Letters on Education*, published only two years before—which argued against the system of trivial female upbringing and urged that girls be given a sound and serious education.

Wollstonecraft comes back to the point of women's socialisation and education throughout the *Vindication*. Again and again, she opposes the arguments of those who deduce from men's greater physical strength the necessity for women's inferior social position. 'In the government of the physical world,' she says, 'it is observable that the female, in general, is inferior to the male...But not content with this natural pre-eminence, men endeavour to sink us still lower, merely to render us alluring objects for a moment.'<sup>39</sup> She acknowledges that women's 'apparent inferiority with respect to bodily strength, must render them, in some degree, dependent on men in the various relations of life' but then goes on to question why this dependence should be increased by the unfounded prejudice that only men can attain virtue.<sup>40</sup>

Much of Wollstonecraft's text is taken up with exploring the details of what is wrong in the current social expectations of both men and women. She attacks the aristocratic lifestyle as much as the degradation of women, urging that middle-class women—growing in number and influence—refrain from imitating their aristocratic counterparts. She despises the rich and inveighs against them repeatedly: 'the education of the rich tends to render them vain and helpless, and the unfolding mind is not strengthened by the practice of those duties which dignify the human character. They only live to amuse themselves.'<sup>41</sup>

Men, says Wollstonecraft, address women 'as if they were in a state of perpetual childhood'. She wants women to be, and to be seen to be, humans with reasoning capacities the equal of men's. 'I wish to persuade women to endeavour to acquire strength, both of mind and body, and to convince them, that the soft phrases, susceptibility of heart, delicacy of sentiment, and refinement of taste, are almost synonymous with epithets of weakness.' As objects of pity, they are in danger of becoming objects of contempt.<sup>42</sup>

What women should be seeking, she suggests, is not elegance and beauty and male admiration, but virtue and strong character.<sup>43</sup> For Wollstonecraft, reason and virtue are what distinguish humans—men and women—from the brutes,

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38 Ibid., p. 10.

39 Ibid., p. 10.

40 Ibid., p. 13.

41 Ibid., p. 11.

42 Ibid., p. 11.

43 Ibid., p. 12.

from the animal world. The passions are implanted in humans so that man 'by struggling with them might attain a degree of knowledge denied to the brutes'.<sup>44</sup> Again reminding us of Spinoza, she writes that humans are God's creation: 'When that wise Being, who created us and placed us here, saw the fair idea, he willed, by allowing it to be so, that the passions should unfold our reason.'<sup>45</sup>

Wollstonecraft could be alternately cautious and bold. Disappointingly for twentieth-century feminists, she says little about women's political rights, apart from noting cryptically: 'I may excite laughter, by dropping a hint, which I mean to pursue, some future time, for I really think that women ought to have representatives, instead of being arbitrarily governed without having any direct share allowed them in the deliberations of government.'<sup>46</sup>

If later feminists were, however, to find Wollstonecraft wanting on the issue of formal citizenship, they could hardly fault her as a critic of what they came to call 'sex roles'. This time the laughter she feared her ideas would excite was loud indeed:

A wild wish has just flown from my heart to my head, I will not stifle it though it may excite a horse-laugh.—I do earnestly wish to see the distinction of sex confounded in society, unless where love animates the behaviour. For this distinction is, I am firmly persuaded, the foundation of the weakness of character ascribed to woman.<sup>47</sup>

In this second *Vindication*, Wollstonecraft again reprises Scottish Enlightenment stadial theory. She sees history as a story of progress from one stage to the next, starting with barbarism and continuing with the development of an aristocracy and monarchy. The transition towards more rational and democratic forms, however, is by no means simple. On the one hand, the people over time demand more power and their minds are expanded through 'wars, agriculture, commerce, and literature...Men of abilities scatter seeds that grow up, and have a great influence on the forming opinion; and when once the public opinion preponderates, through the exertion of reason, the overthrow of arbitrary power is not very distant'. On the other, she is intensely aware of the forces of reaction and the ability of despots to hold onto their power. The progress of reason is no simple matter. One problem is the continuing power of professions such as the military, the navy and the clergy ('the pestiferous purple') in which there is

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44 Ibid., p. 14.

45 Ibid., p. 16.

46 Ibid., p. 137.

47 Ibid., p. 54.

‘great subordination of rank’. As society becomes more enlightened, it should, she warns, be careful ‘not to establish bodies of men who must necessarily be made foolish or vicious by the very constitution of their profession’.<sup>48</sup>

A *Vindication* sometimes seeks to strengthen its argument against despotism—and for the importance of reason—through a contrast of Europe and the West. When it criticises the ways women are treated in Europe, it likens such treatment to practices in the East: ‘To preserve personal beauty...the limbs and faculties are cramped with worse than Chinese bands.’<sup>49</sup> Uneducated women are ‘weak beings only fit for the seraglio’.<sup>50</sup> It scorns the English ‘husband who lords it in his little harem’ and who ‘thinks only of his pleasure or his convenience’.<sup>51</sup> Sometimes there are specific references to ‘Mahometanism’, or Islam. It says of women generally at one point, for example: ‘in the true style of Mahometanism, they are only considered as females, and not as a part of the human species.’<sup>52</sup> A few pages later, Wollstonecraft remarks that she does not understand what the poet Milton meant when he ‘tells us that women are formed for softness and sweet attractive grace’, unless, she says, ‘in the true Mahometan strain, he meant to deprive us of souls’.<sup>53</sup> Though Mary Wortley Montagu had already disputed the idea that Islam accorded souls only to men, it had by this time become an Orientalist commonplace.<sup>54</sup> As Joyce Zonana suggests, Wollstonecraft is asking England to rid itself of Oriental ways and to become more rational, enlightened and reasonable.<sup>55</sup>

In this *Vindication*, Wollstonecraft also makes many references to slavery—more than 80, according to Moira Ferguson.<sup>56</sup> Some of these are direct references to the African slave trade and the movement for its abolition then under way, while others are metaphorical references comparing women’s subjected state with a state of slavery. The analogy becomes very clear when Wollstonecraft asks: ‘Is one half of the human species, like the poor African slaves, to be subject to prejudices that brutalize them?’<sup>57</sup> These references echo the views of the anti-slavery movement of the period, especially the idea that slavery degrades both

48 Ibid., pp. 18–19.

49 Ibid., p. 40.

50 Ibid., p. 12.

51 Ibid., p. 68.

52 Ibid., p. 10.

53 Ibid., p. 20.

54 See Andrea, Bernadette 2009, ‘Islam, women, and Western responses: the contemporary relevance of early modern investigations’, *Women’s Studies*, vol. 38, no. 3, p. 284. Andrea quotes Montagu as saying ‘our vulgar notion that they [Muslims] do not own women to have any souls is a mistake’, quoting from Wortley Montagu, Mary 1993, *Turkish Embassy Letters*, Edited by Malcolm Jack, University of Georgia Press, Athens, p. 100.

55 Zonana, Joyce 1993, ‘The sultan and the slave: feminist Orientalism and the structure of Jane Eyre’, *Signs*, vol. 188, no. 3 (Spring), pp. 592–617, esp. p. 602.

56 Ferguson, Moira 1993, *Colonialism and Gender Relations from Mary Wollstonecraft to Jamaica Kincaid*, Columbia University Press, New York, p. 9.

57 Wollstonecraft, *A Vindication of the Rights of Woman*, p. 135.

master and slave. Women, Wollstonecraft writes, 'may be convenient slaves, but slavery will have its constant effect, degrading the master and the abject dependent'.<sup>58</sup>

And so I could go on. Despite being somewhat repetitive, this is a lively text. It is so strong in its denunciation of both despotism and weakness and so intense in its moral seriousness that it carries the reader along. When I came back to this text after many years, I was captivated all over again by its passionate defence of reason and its reasoned discussion of passion. It is not, however, a simple or even an entirely consistent text and many different readings and responses are possible. It is not surprising that it has been interpreted and understood in very different ways in the two centuries since its first appearance. It is to these divergent readings that I now turn.

## How Wollstonecraft has been read and remembered

Several months after Wollstonecraft's death, as indicated earlier, William Godwin published *Memoirs of the Author of A Vindication of the Rights of Woman*. Though written affectionately, these memoirs, revealing to all the world as they did Wollstonecraft's turbulent love affairs, the fact that Fanny Imlay was illegitimate and her two suicide attempts in 1795, had an extremely damaging effect on her reputation. Her sexual life was seen as shocking at the time and this perception negatively affected the reception of her work. Few nineteenth-century English feminists read her, so unrespectable had she become. Barbara Caine tells us that 'Wollstonecraft was not so much unknown to mid-Victorian feminists...as carefully and consciously avoided, especially in their published and public work'.<sup>59</sup> For many decades, Wollstonecraft's work was also seen as poorly argued, as itself emotional and governed by passion rather than reason. Courageously, George Eliot in an essay in 1855 disagreed, seeing *A Vindication of the Rights of Woman* as 'eminently serious, severely moral, and withal rather heavy', suggesting that Wollstonecraft's scandalous private life should be seen as an entirely separate matter.<sup>60</sup>

It was not really until the 1880s that Wollstonecraft's reputation as a thinker began to revive, and new editions of the *Vindication* were published in the 1890s. Yet the 1890s women's movement had serious disagreements with Wollstonecraft. In particular, in contrast with her railing at the moral inferiority of women

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58 Ibid., p. 8.

59 Caine, Barbara 1997, 'Victorian feminism and the ghost of Mary Wollstonecraft', *Women's Writing*, vol. 4, no. 2, pp. 261–75, quote on p. 262.

60 Ibid., p. 267.

arising from their lack of education, Victorian feminists thought women *more* moral than men and argued for the greater influence of this morality in society. Furthermore, their focus was by this time on suffrage, and here Wollstonecraft was of little use, having made only fleeting references to the idea of women's political representation. It was only after the gaining of the vote that feminists began to read Wollstonecraft in more positive terms.

As Eileen Botting and Christine Carey indicate, Wollstonecraft's reputation fared somewhat better in America, though there too she was regarded as scandalous and was not widely read or discussed.<sup>61</sup> Some leading feminist figures in the United States, however, did read and learn from her. Hannah Mather Crocker wrote a treatise on women's rights in 1818 that refers to Wollstonecraft and which develops rather similar arguments—such as noting the theological basis for the idea of the equal intellectual capacities of the sexes, the belief in friendship as a foundation for marriage and a critique of women's superficial education. Margaret Fuller discussed Wollstonecraft in her landmark work on sex equality, *Woman in the Nineteenth Century*, published in 1843.<sup>62</sup> Lucretia Mott, an American Quaker minister, social reformer, advocate of the abolition of slavery and proponent of women's rights, was an admirer of Wollstonecraft's ideas. When she met Elizabeth Cady Stanton, another leading American feminist, in London at the World's Anti-Slavery Convention in 1840, she expressed her enthusiasm for Wollstonecraft, which Stanton soon came to share. Stanton's close friend Susan B. Anthony, another leading American feminist, also saw Wollstonecraft as an early proponent of the idea that men and women should share equal rights and an equal education and that women would be ennobled by economic independence. Mott gave many speeches encouraging women to study Mary Wollstonecraft, such as one at the National Woman's Rights Convention in 1866, and in the late 1860s Stanton and Anthony's women's rights newspaper, *The Revolution*, devoted many essays and letters to the analysis and interpretation of *A Vindication of the Rights of Woman*. Both Stanton and Anthony later wrote works drawing attention to Wollstonecraft's importance.<sup>63</sup>

The attachment of feminists to Wollstonecraft grew in the twentieth century. In 1911, leading anarchist Emma Goldman delivered a lecture in New York entitled 'Mary Wollstonecraft, the pioneer of modern womanhood', in which she expressed enormous admiration for and identification with her subject.<sup>64</sup> Possibly inspired by a new biography by G. R. Stirling Taylor, which had just

61 Hunt Botting, Eileen and Carey, Christine 2004, 'Wollstonecraft's philosophical impact on nineteenth-century American women's rights' advocates', *American Journal of Political Science*, vol. 48, no. 4 (October), pp. 707–22.

62 *Ibid.*, pp. 715–16.

63 *Ibid.*, p. 718.

64 The lecture is reprinted in Wexler, Alice and Goldman, Emma 1981, 'Emma Goldman on Mary Wollstonecraft', *Feminist Studies*, no. 1 (Spring), pp. 113–21.

appeared, she saw Wollstonecraft as a person ahead of her time, a pioneer and a pathfinder whose life could be an inspiration to modern women. Wollstonecraft's tragic life, Goldman said, 'proves that economic and social rights for women alone are not enough to fill her life, nor yet enough to fill any deep life, man or woman'.<sup>65</sup> Goldman's fascination was with the life at least as much as the text and the lecture concluded: 'had Mary Wollstonecraft not written a line, her life would have furnished food for thought. But she has given both, she therefore stands among the world's greatest, a life so deep, so rich, so exquisitely beautiful in her complete humanity.'<sup>66</sup>

After the vote for women was won in the United States (in 1920) and the United Kingdom (in 1918 for women over thirty, and in 1928 for women over twenty-one), feminism's focus shifted to include a range of economic, social and sexual issues. In this new situation, Wollstonecraft's lack of interest in political representation mattered less and her emphasis on issues such as reason and passion, education, marriage and independence counted more.<sup>67</sup> Virginia Woolf, for example, published an essay in 1932 that recounted Wollstonecraft's tragically short life and emphasised her interest in the French Revolution.<sup>68</sup> She wrote feelingly of Wollstonecraft's reaction when she learned, after her return to London in 1795, that her lover, Imlay, had been unfaithful to her: 'Mary at once soaked her skirts so that she might sink unflinching, and threw herself from Putney Bridge. But she was rescued; after unspeakable agony she recovered.'<sup>69</sup> One cannot help wondering about Woolf's own suicide by drowning, in which she filled her pockets with stones to ensure that her body sank. At the end of the essay, Woolf suggests that Wollstonecraft

has her revenge...as we read her letters and listen to her arguments and consider her experiments...and realise the high-handed and hot-blooded manner in which she cut her way to the quick of life, one form of immortality is hers undoubtedly: she is alive and active, she argues and experiments, we hear her voice and trace her influence even now among the living.<sup>70</sup>

Serious scholarly interest in Wollstonecraft, though, really had to wait until the 1970s, as feminism began its impact on the academy, and this was just the time when she and I, as it were, first became acquainted. As Cora Kaplan has said, 'Wollstonecraft as an historical icon had become deeply—too deeply perhaps—

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65 Ibid., p. 116.

66 Ibid., p. 121. For discussion of the influence of the Stirling Taylor biography, see Wexler, Alice 1981, 'Afterword', *Feminist Studies*, no. 1 (Spring), p. 123.

67 Caine, 'Victorian feminism and the ghost of Mary Wollstonecraft', p. 271-2.

68 Woolf, Virginia 1935, 'The four figures', *The Common Reader*, Second series, viewed 30 March 2010, <<http://ebooks.adelaide.edu.au/w/woolf/virginia/w91c2/chapter13.html>>

69 Ibid., p. 5.

70 Ibid., p. 7.

articulated with the hopes and fears of the second wave of the women's movement'. She was, to quote Kaplan again, 'simultaneously reinvented as the foremother of a radical brand of liberalism, a precursor of utopian socialism, a bold fore-runner of the sexual revolution and a more bounded and conservative proponent of bourgeois femininity'.<sup>71</sup> She was often chastised, in a very ahistorical way, for accepting women's role in the family, for her emphasis on women's shortcomings or for having no political program for change. Sheila Rowbotham is quite typical of second-wave feminism's view in her own groundbreaking book, *Women, Resistance and Revolution* (1972), when she says:

[W]hile Mary Wollstonecraft could observe so acutely the distress of bourgeois women...she falters when she tries to find the means of effecting the social change her analysis demands...she cannot conceive of women becoming the agents of their own liberation. She can only hope to convince reasonable men to assist in the emancipation of their companions.<sup>72</sup>

## Recent readings

Mary Wollstonecraft continues to be read today, but more by specialised scholars, in fields such as political theory, literary criticism, history and postcolonial theory, than by that broader feminist reading public that so warmed to her in the 1970s.<sup>73</sup> Her lesser-known works, in particular, are receiving increased attention.

Political theorists have sought to understand her not only as a feminist but also as an Enlightenment thinker. Virginia Sapiro emphasises the fact that she was part of a London-based community of intellectuals who were religious Dissenters and who thus personally understood the denial of civil and political rights, and who were furthermore avid supporters of the early stages of the French Revolution.<sup>74</sup> This circle, however, was not feminist, and Sapiro suggests that we might see Wollstonecraft not as one of the first feminist philosophers but rather as a pre-feminist struggling towards a feminist vocabulary. Her key terms were reason, independence, virtue, progress, education and enlightenment, and Sapiro reminds us that these terms had different meanings then from now. Reason, for example, was not some cold mathematical abstraction but a matter of the 'association of ideas'—the active process of reaching understanding from

71 Kaplan, 'Mary Wollstonecraft's reception and legacies', p. 2.

72 Rowbotham, Sheila 1974 [1972], *Women, Resistance and Revolution*, Penguin, Harmondsworth, UK, p. 44.

73 See Johnson, *The Cambridge Companion to Mary Wollstonecraft*, p. 5.

74 Sapiro, Virginia 1998, 'A woman's struggle for a language of enlightenment and virtue: Mary Wollstonecraft and Enlightenment "feminism"', in Tjitske Akkerman and Siep Stuurman (eds), *Perspectives of Feminist Political Thought in European History*, Routledge, London, pp. 122–35, quote on p. 125.



experience. Education did not refer only to formal training received in schools but to something more like what 'socialisation' means today. Sapero draws attention to Wollstonecraft's repeated emphasis on the wrongs of hierarchy and subordination, damaging the minds and character of both the dominant and subordinate partners.<sup>75</sup>

Wollstonecraft has been of great interest for literary critics focused on the 1790s and Romanticism. As the critic Simon Swift points out, recent British studies of the intellectual culture of this period 'abound with attempts to rediscover a lost relation between affect and reason', especially in literary forms that enable the rational self to be transported with enthusiasm without losing its sense of itself. These studies look at 'specific and significant moments of transaction between sensation and thought'. In this school of thought, Mary Wollstonecraft becomes significant for her discussion of the relationship between reason and emotion, or passion. Far from being trapped in a dualism of reason versus emotion, as many have assumed, Wollstonecraft in this view becomes part of the emergence of a liberated romantic enthusiasm that continues to negotiate with Enlightenment notions of reason.<sup>76</sup>

Especially important has been the intervention from post-colonial theorists. Drawing on Edward Said's notions of Orientalism, Joyce Zonana wrote a stunning and influential essay in 1993, drawing attention to the phenomenon of feminist Orientalism, in which Wollstonecraft can be recognised as a leading figure.<sup>77</sup> Zonana's reading has certainly influenced my own. Throughout the eighteenth century, Zonana says, images of despotic Eastern sultans and desperate slave girls became part of liberal discourse and, as feminism emerged, of liberal feminist discourse. Liberals and feminists consistently used the Orient as a vehicle to criticise the West, likening to the Orient those aspects of Western society they opposed. Their interest in the Orient was directed not towards understanding the East itself but towards transforming Western society. Zonana traces the Western use of the harem as a metaphor for Eastern life to Montesquieu's *Persian Letters*, published in 1721. This novel, structured through letters written by two Persian men travelling in Europe, constantly compares the domestic and political relations of East with West. It is especially concerned with the harem—an image of the domestic enslavement of women that functions as a metaphor for the political enslavement of men.<sup>78</sup> In both France and England thereafter, the harem came to function as a metaphor for the Western oppression of women—

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75 Ibid., p. 130.

76 Swift, Simon 2006, 'Mary Wollstonecraft and the "reserve of reason"', *Studies in Romanticism*, vol. 45, no. 1 (Spring), pp. 3–24, 153. See also Taylor, Barbara 2002, *Mary Wollstonecraft and the Radical Imagination*, Cambridge University Press, UK.

77 Zonana, 'The sultan and the slave', pp. 592–617.

78 Ibid., p. 598.

for example, in Samuel Johnson's *Rasselas* in 1759. It is, Zonana contends, in Wollstonecraft's *A Vindication of the Rights of Woman* that feminist Orientalism really emerges.

Since Zonana's article appeared, a number of scholars have further explored the history of feminist Orientalism and Wollstonecraft's place in it. In a 2009 article, Bernadette Andrea traces the genealogy of the Western trope that Muslim women were especially oppressed as far back as the early seventeenth century. She considers male travel writers such as William Biddulph, who in *The Travels of Certain Englishmen into Africa, Asia, Troy...and to sundry other places* (1609) introduced the idea that Muslim women were virtually slaves and that English women should feel grateful for their own much better situation.<sup>79</sup> William Lithgow wrote about his travels to 'the most famous Kingdoms in Europe, Asia and Affricke' in 1614, in which he deemed Turkish wives as like slaves, since the Qur'an permits men to marry as many women as they wish.<sup>80</sup> At some time during the seventeenth century, the idea of Eastern women's subjection entered the slowly emerging feminist discourse. At the end of the century, the anonymous writer of *An Essay in Defence of the Female Sex...Written by a Lady* (1696) wrote of 'the Eastern parts of the World, where the Women, like our Negroes, in our Western Plantations, are born slaves, and live Prisoners all their Lives'.<sup>81</sup> The idea took further hold during the eighteenth century, though it was also contested—notably by Mary Wortley Montagu.<sup>82</sup> In her *Turkish Embassy Letters*, Montagu writes that she had learned on her travels (in 1716–18) that Turkish women had property rights denied to Englishwomen, even aristocratic ones such as herself.<sup>83</sup> She is also impressed by women's right to privacy. When Mary Astell, a feminist writer of the late seventeenth and early eighteenth centuries, was asked in 1724 to write a preface to the *Letters*, she condemned the male travel writers responsible for the idea of Muslim women's virtual slavery.<sup>84</sup>

The idea of Muslim women's subjection, however, took hold. Bernadette Andrea directs our attention to *The Hardships of the English Laws in Relation to Wives*, written by an anonymous female author and published in 1735, which emphasises and critiques the power of men over their wives in England by comparing it with the despotic power of 'the Grand Seignior in his Seraglio'; they differ only in that while the Englishman has one vassal, the grand seignior has many.<sup>85</sup> Eighteenth-century women writers such as Penelope Aubin and

79 Andrea, 'Islam, women, and Western responses', p. 277.

80 Ibid., p. 278.

81 Ibid., p. 281.

82 Ibid., p. 274.

83 Ibid., p. 278.

84 Ibid., pp. 280–1.

85 Ibid., p. 285. See also Anonymous 1990, 'The hardships of the English laws in relation to wives', reprinted in Vivien Jones (ed.), *Women in the Eighteenth Century: Constructions of femininity*, Routledge, London, p. 218.

Eliza Haywood wrote popular narratives about 'white women living as captives in Islamic harems', while the plays of successful dramatist Susanna Centlivre also deployed the notion of the oppression of women in the East.<sup>86</sup> By the end of the century, when Mary Wollstonecraft was writing, the idea of Eastern, including Muslim, women's subjection was well known.

Post-colonial criticism also directs our attention to Wollstonecraft's use of anti-slavery discourse to strengthen her argument for the rights of women. Literary critic Deirdre Coleman points out that the existence of slavery in the British West Indies led feminist writers to expand their slavery analogies from the seraglios of the East to the sugar plantations of the West.<sup>87</sup> This is especially clear in *An Essay in Defence of the Female Sex...Written by a Lady* (1696), quoted above, which likens the slavery of women in the East to that of 'our Negroes, in our Western Plantations'.<sup>88</sup> As Andrea points out, this text supports Englishwomen's claims for individual liberty by contrasting them with both 'the imagined slavery of Muslim wives and the actual slavery of Africans in the "New World"'.<sup>89</sup> This discursive strategy, which lasted well into the nineteenth century in the context of US debates over slavery, has been criticised by recent scholars. Coleman, for example, criticises 'the emotive but clichéd analogy between their [white feminists'] own disenfranchised lot and the plight of enslaved Africans'.<sup>90</sup> She reminds us that bell hooks argued tellingly in 1981 that the analogy between the situation of white women and black people is a deeply conservative one aimed at upholding the racial hierarchy that places white people above black. It gains its charge from the idea that white women have been allowed to sink to the status of black people and must be rescued. I have argued previously that something similar occurs when modern feminists seek to adopt the metaphor of 'colonisation' to describe women's subjection; the notion of white women's 'colonisation' displaces, and makes it harder to understand, the drastic consequences of colonisation by European empires for indigenous peoples.<sup>91</sup>

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86 Andrea, 'Islam, women, and Western responses', p. 286. See also Long Hoeveler, Diane 2006, 'The female captivity narrative: blood, water, and Orientalism', in Diane Long Hoeveler and Jeffrey Cass (eds), *Interrogating Orientalism: Contextual approaches and pedagogical practices*, Ohio State University Press, Columbus, p. 52.

87 Coleman, Deirdre 1994, 'Conspicuous consumption: white abolitionism and English women's protest writing in the 1790s', *ELH*, vol. 61, no. 2, pp. 341–62, see esp. p. 351.

88 As quoted in Andrea, 'Islam, women, and Western responses', p. 281.

89 *Ibid.*, p. 283.

90 Coleman, 'Conspicuous consumption', p. 341.

91 Curthoys, Ann 1996, 'Visions, nightmares, dreams: women's history, 1975', *Australian Historical Studies*, vol. 27, no. 106, pp. 10–11.

## Conclusion: Wollstonecraft's relevance today

Wollstonecraft's influence extends well beyond the Anglophone world of feminist scholarship so far discussed here. In 2007, the *Women's Studies Quarterly* published a series of articles on Wollstonecraft's international reception, noting that her writings remain a key text for feminist activists and scholars around the world. One essay in the series, by Salma Maoulidi (executive director of the Sahiba Sisters Foundation, a women's development and advocacy network in Tanzania), sees Wollstonecraft's universal arguments as still relevant for women today. It is still important to seek 'the right to an education, the right to choose a spouse, the right to participation, and the right to a livelihood and to property'.<sup>92</sup> The idea that Wollstonecraft critiqued—that women require male protection—is still advocated by 'conservative forces in states such as Saudi Arabia and religious entities such as the Vatican'.<sup>93</sup> Maoulidi sees the most important part of Wollstonecraft's program as the demand for education—and a physical and moral environment conducive to learning. While she agrees that education is significant, she notes that the issue can be more complex, as women can be victims of repressive sexual politics and sexual harassment even on campus. The changes needed, she suggests, are not so much moral persuasion as institutional measures to prevent violations against women everywhere.

In the same issue, Dasa Duhacek in 'Mary Wollstonecraft in Serbia' also indicates her enduring importance, though in a very different context.<sup>94</sup> *A Vindication of the Rights of Woman*, we learn, was first published in Serbian 200 years after its first appearance—in 1992, in the midst of the violent break-up of Yugoslavia. Publication had been planned in peacetime as part of a project to establish women's studies. By the time the translation appeared, however, the country was breaking apart. The task for feminists in the former Yugoslavia, Duhacek suggests, had been to oppose those who wanted to reintroduce a patriarchal society as part of their desire to renounce *all* the values of the despised socialist regime, including women's equality. The reason for publishing *A Vindication* was originally to make the point that, in Duhacek's words, 'women's rights were not just a Marxist ruse, but a demand of modernity'.<sup>95</sup> Modernity in this context meant a subversion of traditional authority and a demand for educational reform, including the building of women's studies. The emphasis on education made Wollstonecraft highly relevant.

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92 Maoulidi, Salma 2007, 'Mary Wollstonecraft: challenges of race and class in feminist discourse', *Women's Studies Quarterly*, vol. 35, nos 3–4 (Fall), pp. 280–6, quote on p. 281.

93 Ibid., p. 282.

94 Duhacek, Dasa 2007, 'Mary Wollstonecraft in Serbia', *Women's Studies Quarterly*, vol. 35, nos 3–4 (Fall), pp. 292–5.

95 Ibid., p. 293.

Mary Wollstonecraft continues to be mobilised in debates over the position of women in both East and West. On the occasion of the two hundred and fiftieth anniversary of Wollstonecraft's birth, legal scholar Helen Irving, for example, used Wollstonecraft to assert the triumph of the ideas of the Enlightenment in the West as contrasted with the lack of rights of women in Afghanistan and a general picture in the Third World of 'subordination, compounded by ignorance, lack of education, and poverty'. For these legacies of the Enlightenment, we should, she writes, 'give thanks to pioneers like Wollstonecraft'.<sup>96</sup> I think we should too, but the issues are far from simple. In formulations such as Irving's, we can see that whereas the idea of Eastern subordination of women was used by Wollstonecraft as a tool for *demanding* women's rights in Britain and the West, now those rights are assumed to be already won. Furthermore, there is the more serious problem that in the hands of anti-Muslim supporters of American militarism, the idea of Eastern subordination of women becomes an alibi for Western aggression and intervention.<sup>97</sup> Suspicious of the assumptions of superiority and right embedded in these formulations, many Western feminists struggle to find a way to work together with non-Western feminists *without* participating in the use of feminism as a strategy for Western domination. Their struggle—so much more complex than those Western feminists faced or at least understood when rediscovering Wollstonecraft in the 1970s—reminds us that Wollstonecraft's legacy in the modern world is challenging indeed.

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96 Irving, Helen 2009, 'Let women be enlightened', *Sydney Morning Herald*, 24 April 2009, viewed 29 March 2010, <<http://www.smh.com.au/opinion/let-women-be-enlightened-20090423-agky.html?pag>>

97 See Eisenstein, Hester 2009, *Feminism Seduced: How global elites use women's labour and ideas to exploit the world*, Paradigm Publishers, Boulder, Colo.

# Raphaël Lemkin, creator of the concept of genocide: a world history perspective<sup>1</sup>

John Docker

Genocide is one of those rare concepts whose author and inception can be precisely specified and dated. The term was created by the brilliant Polish-Jewish and later American jurist Raphaël Lemkin (1900–59) in ‘Genocide’ in his book *Axis Rule in Occupied Europe: Laws of occupation, analysis of government, proposals for redress*, published in the United States in 1944.<sup>2</sup> Lemkin was also the prime mover in the discussions that led to the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide. The concept was immediately recognised worldwide as of contemporary significance and future importance, for it called attention to humanity at its limits. It is a major concept in international law, for its framework of group experience and rights challenges both a stress on the individual as the subject of law and the exclusive jurisdiction of modern nation-states.<sup>3</sup>

Lemkin as an intellectual figure and the concept of genocide have been a preoccupying interest for me since 2001 when I co-edited a special series of essays for the journal *Aboriginal History* called ‘“Genocide”? Australian Aboriginal history in international perspective’.<sup>4</sup> The spectre of genocide as a feature of Australian history in relation to its Indigenous peoples had, only a few years before, been raised by the Australian Human Rights Commission’s 1997 *Bringing Them Home* report, which argued that the Aboriginal child-removal practices

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1 My thanks to Ned Curthoys, of the Research School of Humanities and the Arts, The Australian National University, for inviting me to give a lecture on Lemkin in the Key Thinker series that he convenes; I gave the lecture at Old Canberra House on 27 May 2008; this essay is a revised and updated version.

2 Lemkin, R. 1944, *Axis Rule in Occupied Europe: Laws of occupation, analysis of government, proposals for redress*, Columbia University Press, New York, ch. IX, pp. 79–95.

3 Parts of this essay appeared in earlier form in Curthoys, Ann and Docker, John 2008, ‘Defining genocide’, in Dan Stone (ed.), *The Historiography of Genocide*, Palgrave Macmillan, London, pp. 9–41. Concerning the importance of what she felicitously refers to as the ‘ontology of the group’ in Lemkin’s conceptions of history and law: cf. Benhabib, Seyla 2009, ‘International law and human plurality in the shadow of totalitarianism: Hannah Arendt and Raphael Lemkin’, *Constellations*, vol. 16, no. 2, pp. 339–42 (the reference to ‘ontology of the group’ is on p. 333, also p. 340).

4 *Aboriginal History*, vol. 25 (2001). Apart from Ann Curthoys and John Docker (‘Introduction—genocide: definitions, questions, settler-colonies’), the essays are by Bain Attwood, Tony Barta, Larissa Behrendt, Anna Haebich, Rosanne Kennedy, Andrew Markus, A. Dirk Moses, Deborah Rose and Colin Tatz.

in the nineteenth and twentieth centuries fell within the definition of genocide used in the 1948 UN Genocide Convention.<sup>5</sup> In 2003, Ann Curthoys and I researched Lemkin's papers in the American Jewish Historical Society in New York and the New York Public Library, where we were especially eager to pursue the suggestions in his definition linking genocide with settler colonialism.<sup>6</sup> I think that Australian scholars are at the forefront of world genocide studies because historical investigation of settler colonialism is so intense, sustained and interrogative in Australia.<sup>7</sup> Inspired by Lemkin's work, the new genocide studies asks: are settler colonies inherently or constitutively genocidal?<sup>8</sup> And, if so, what does this say of the ethical character of post-1492 European settler colonialism and empires? After such knowledge, what honour?<sup>9</sup>

My essay will be in two parts. Part one will offer a sketch of Lemkin's life, outlining his ideas about genocide in his published and unpublished writings. My approach is influenced by Hannah Arendt's *Men in Dark Times*, which says we can best understand a thinker in terms of biography, sensibility, anecdote and social genealogy.<sup>10</sup> I am also influenced by Janet Abu-Lughod's world-history approach. Abu-Lughod suggests that the writing of significant historical narrative entails a number of qualities: it should be conceived in an anti-Euro-centric spirit, it should involve a 'synthetic imagination or vision' and it should engage in what the philosopher Hans Gadamer in *Truth and Method* refers to as a capacity for 'reflexivity and self-conscious awareness'. Historical reflection should also include an element that is extremely personal; indeed, Abu-Lughod values a mode of personal vision that is inspired by eccentricity and idiosyncrasy—the kind of vision, she feels, that leads to the finding of a particular pattern in history.<sup>11</sup>

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5 Cf. Moses, A. Dirk (ed.) 2004, *Genocide and Settler Society: Frontier violence and stolen Indigenous children in Australian history*, Berghahn, New York and Oxford.

6 Our genocide studies colleague Dirk Moses has also researched the Lemkin Papers in New York, as well as in The Jacob Rader Marcus Centre of the American Jewish Archives (JRMCAJA), 3101 Clifton Avenue, Cincinnati, Ohio. In his introductory essay, 'Empire, colony, genocide: keywords and the philosophy of history' (in Moses, A. Dirk [ed.] 2008, *Empire, Colony, Genocide: Conquest, occupation, and subaltern resistance in world history*, Berghahn, New York and Oxford, pp. 20–1), Moses quotes from a remarkable unpublished draft manuscript, 'Hitler case-outline', in the Cincinnati Lemkin Papers, in order to discuss Lemkin's notions of Nazism and the Holocaust in relation to the linking of genocide with colonisation and empire in his definition.

7 Cf. Curthoys, Ann, Genovese, Ann and Reilly, Alexander 2008, *Rights and Redemption: History, law, and indigenous people*, UNSW Press, Sydney, passim.

8 Cf. Stone, Dan (ed.) 2008, *The Historiography of Genocide*, Palgrave Macmillan, London; and Moses, *Empire, Colony, Genocide*.

9 Cf. Docker, John 2008, *The Origins of Violence: Religion, history and genocide*, Pluto, London, ch. 7, pp. 161–87.

10 Arendt, Hannah 1970, *Men in Dark Times*, Jonathan Cape, London; cf. Curthoys, Ned 2002, 'Hannah Arendt and the politics of narrative', *JNT: Journal of narrative theory*, vol. 32, no. 3, pp. 348–70.

11 Abu-Lughod, Janet 1995, 'The world-system perspective in the construction of economic history', *History and Theory*, vol. 34, no. 2, pp. 91–6. Cf. Curthoys, Ann and Docker, John 2010, *Is History Fiction?*, Second edition, UNSW Press, Sydney, ch. 12, pp. 247–9.



In part two, I offer some possible criticisms of Lemkin. In particular, a question mark hangs over his attitude to African Americans and indeed to Africa and Africans, raising disturbing questions that also haunt Arendt scholarship. I wish in turn to bring to the fore a more general problem: European or European-derived intellectuals, so committed to cosmopolitanism and inclusive notions of humanity, yet revealing a distressingly familiar Euro-centric failure of critical consciousness and reflexivity.

## 1. Raphaël Lemkin's life, contexts and the concept of 'genocide'

Lemkin was born on 24 June 1900 in Bezvodne, a village near Wolkowysk (now Vaulkovisk), a small city in what is now Belarus. In his unfinished autobiography, 'Totally unofficial man', Lemkin recalls that from childhood he was stirred by historical accounts of extermination. He read about the destruction of the Christians by Nero; the Mongols overrunning Russia, Poland, Silesia and Hungary in 1241; the persecution of Jews in Russia by Tsar Nicholas I; the destruction of the Moors in Spain; the devastation of the Huguenots. He confides that from an early age he took a special delight in being alone, so that he could feel and think without outer disturbances, and that loneliness became the essential condition of his life.<sup>12</sup>

Lemkin studied philology at the University of Lvov, then decided on a career in law. He gained his doctorate of laws in 1926 from Lvov and in the next year studied in Heidelberg, Rome and Paris, but received no further degrees. He then moved to Warsaw, where he became a public prosecutor. In 1933, the year of Hitler's election to government in Germany, Lemkin sent a paper to a League of Nations conference in Madrid on the unification of penal law. He proposed the creation of the crimes of barbarity and vandalism as new offences against the law of nations. Acts of barbarity—ranging from massacres and pogroms to the ruining of a group's economic existence—undermine the fundamental basis of an ethnic, religious or social collectivity. Acts of vandalism concern the destruction of the cultural heritage of a collectivity as revealed in the fields of science, arts and literature. Lemkin argued that the destruction of any work of art of any nation must be regarded as an act of vandalism directed against 'world culture'. Lemkin always regretted that the 1933 conference did not enact his proposals in international law. He felt that if they had been ratified by the 37 countries represented at Madrid, the new laws could have inhibited the rise of

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12 Lemkin, R. 2002, 'Totally unofficial man', in S. Totten and S. L. Jacobs (eds), *Pioneers of Genocide Studies*, Transaction Publishers, New Brunswick, NJ, pp. 366–9, 370, 379–80, 387–92.

Nazism by declaring that attacks on national, religious and ethnic groups were international crimes and that the perpetrators of such crimes could be indicted whenever they appeared on the territory of one of the signatory countries.<sup>13</sup>

In 1939, Lemkin fled Poland and reached Stockholm in Sweden, where he did extensive research on Nazi occupation laws throughout Europe. On 18 April 1941, he arrived in the United States via Japan. He thought help for European Jewry, including his own family, could come only from the United States, which he saw as a nation born out of moral indignation against oppression and a beacon of freedom and human rights for the rest of the world. Yet he also records that as he travelled by train to take up a teaching appointment at Duke University, he saw on the station at Lynchburg, Virginia, toilet signs saying 'For whites' and 'For colored'. Lemkin says that he asked the 'Negro porter if there were indeed special toilets for Negroes', but was met with a puzzled look mixed with hostility; later, after 17 years in the United States, he understood that the porter must have thought he was making fun of him.<sup>14</sup> An ambivalence about the moral history of the United States remained to his last days—revealed especially in his unpublished papers.

What was notable about Lemkin's 1933 proposals concerning barbarity and vandalism was the breadth of his formulations. In similar spirit, 11 years later, chapter nine of *Axis Rule in Occupied Europe* proposed his new concept of 'genocide', deriving the term from the Greek word '*genos*' (tribe, race) and the Latin '*cide*' (as in tyrannicide, homicide, fratricide). What is really important to stress is how wide-ranging Lemkin's definition is—far more wide-ranging than later definitions proffered in the decades that followed, especially definitions by North American sociologists from the 1970s to the 1990s who saw the Holocaust as paradigmatic of genocide. The North American sociologists narrowed genocide to intentional state-directed mass death.<sup>15</sup>

As Lemkin explains in the now famous chapter nine, genocide is to be regarded as composite and manifold; it signifies a coordinated plan of different actions aimed at the destruction of the essential foundations of life of a group. Such actions can but do not necessarily involve mass killing; they can be incremental, involving aspects that are cultural, political, social, legal, intellectual, spiritual, economic, biological, physiological, religious and moral. Such actions involve

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13 Ibid., p. 373; Lemkin, *Axis Rule in Occupied Europe*, pp. xiii, 92–3; Lemkin, R. 1947, 'Genocide as a crime under international law', *American Journal of International Law*, vol. 41, no. 1, p. 147.

14 Lemkin, 'Totally unofficial man', pp. 378–81, 385.

15 Cf. Curthoys and Docker, 'Defining genocide', pp. 26–32.

issues of health, food and nourishment, of family life and care of children and of birth as well as death. Such actions involve considerations of the honour and dignity of peoples and the future of humanity as a world community.<sup>16</sup>

In *Axis Rule in Occupied Europe*, then, Lemkin sees genocide as multifaceted. It can be constituted in a destructive act or episode or event. It can also encompass longer-term processes such as settler colonialism that can include destructive acts or episodes or events. A key passage on the opening page of chapter nine tells us:

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor's own nationals.<sup>17</sup>

Very importantly, Lemkin here defines genocide as a twofold process of destruction and replacement—a process that entwines genocide and colonisation.<sup>18</sup>

In the postwar years, Lemkin worked tirelessly in the circles of the fledgling United Nations to persuade relevant committees to pass a convention banning genocide.<sup>19</sup> At the same time, from 1947, he was writing a history describing many examples of genocide in history, which he could submit as memoranda to influential delegates.<sup>20</sup> Lemkin's book on the history of genocide remained unfinished and unpublished when he died in 1959. Yet the various manuscript chapters and research notes and cards make fascinating reading. In particular, Lemkin pursued the linking of colonisation with genocide made in chapter nine of *Axis Rule in Occupied Europe* to include European colonisation around the world, including of the Americas by the Spanish from 1492 and later in North America by the English, French and post-independence Americans. He also

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16 Lemkin, *Axis Rule in Occupied Europe*, ch. IX, pp. 79–95. For an extended evocation of chapter nine, see Curthoys and Docker, 'Introduction—genocide', pp. 5–11.

17 Lemkin, *Axis Rule in Occupied Europe*, pp. xi, 79–80.

18 Tony Barta, in his pioneering essays of the 1980s, recognised the importance of Lemkin's linking in chapter nine of genocide with colonisation as a twofold process: Barta, Tony 1984, 'After the Holocaust: consciousness of genocide in Australia', *Australian Journal of Politics and History*, vol. 31, no. 1; Barta, Tony 1987, 'Relations of genocide: land and lives in the colonization of Australia', in Isidor Wallimann and Michael N. Dobkowski (eds), *Genocide and the Modern Age: Etiology and case studies of mass death*, Greenwood Press, New York.

19 The story is told in some detail in Power, Samantha 2002, *'A Problem from Hell': America and the age of genocide*, HarperCollins Perennial, New York; and in Weiss-Wendt, Anton 2005, 'Hostage of politics: Raphaël Lemkin on "Soviet genocide"', *Journal of Genocide Research*, vol. 7, no. 4, pp. 551–9.

20 Power, *'A Problem from Hell'*, p. 54 ff.

included Australia within his linking of colonisation and genocide, and Ann Curthoys and I were fortunate to discover in his papers a remarkable essay on Tasmania as an example of genocide.<sup>21</sup>

Among Lemkin's papers is also a diagram, 'Revised outline for genocide cases', in which he lists detailed methodological categories by which to analyse historical genocides, though I think these categories can be deployed as well to analyse literary and cultural texts that in my view are concerned with genocide, such as Euripides' *Hecabe* or Shakespeare's *The Tempest*; such in any case I have attempted in my book *The Origins of Violence: Religion, history and genocide* (2008). In 'Revised outline for genocide cases', Lemkin suggests that the history of genocide could be explored in terms of categories such as historical background; methods and techniques of genocide—physical, biological and cultural; the attitudes of the genocidists; propaganda—that is to say, rationalisation of the crime; responses of victim groups—active and passive; responses of outside groups; and aftermath, which includes 'moral deterioration'.<sup>22</sup>

In my *The Origins of Violence*, I regard Odysseus in *Hecabe* and Prospero in *The Tempest* as genocidists whose actions and speeches reveal 'moral deterioration'—Lemkin's term here resonating with Hannah Arendt's notions in *The Origins of Totalitarianism* of the general ethical deterioration in those who conquer. In *Hecabe*, Troy having been conquered and its men and warriors massacred, including Priam, Queen Hecabe's husband, the Greeks demand further sacrifices of the Trojans. The ghost of Achilles asks that a young woman be sacrificed over his grave and Hecabe's daughter Polyxena is chosen, Odysseus insisting on her death by having her throat cut—in full view of the Greek army. Odysseus takes it on himself to go to Hecabe and tell her that he has come to take Polyxena to Achilles' tomb where she will be slain by Achilles' son. Hecabe, already traumatised by so much suffering in her family, attempts to appeal to Odysseus's compassion and humanity, but finds only mercilessness and indifference. Lemkin's term 'moral deterioration', and the chilling portrait of Odysseus in *Hecabe*, might remind us of Arendt's description of Adolf Eichmann as an impersonal functionary, banally efficient in his genocidal consciousness.<sup>23</sup>

In *The Tempest*—famous for its exploration of questions of colonisation—Prospero, the usurped Duke of Milan, and his daughter, Miranda, arrive at an island whose sole occupant is Caliban, who regards himself as its rightful owner. Prospero as coloniser immediately assumes possession and rights of settlement. Caliban passionately protests—in a great speech that has something

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21 Curthoys, Ann 2005, 'Raphael Lemkin's "Tasmania": an introduction', and Lemkin, R. 'Tasmania', in Ann Curthoys (ed.), *Patterns of Prejudice*, vol. 39, no. 2, pp. 162–96, reprinted in Moses, A. Dirk and Stone, Dan (eds) 2007, *Colonialism and Genocide*, Routledge, London, pp. 66–100.

22 Docker, *The Origins of Violence*, pp. 3, 62–4.

23 Ibid., pp. 69–73.

of the tragic grandeur of Shylock's anger at his belittlement and humiliation in *The Merchant of Venice*. Caliban points out that Prospero has dispossessed him of his world, his way of life that he enjoys and that he feels constitutes his distinctive existence, and that he had inherited from his mother. In terms of Lemkin's definition of genocide in *Axis Rule in Occupied Europe*—of genocide as destruction of the foundations of life of an oppressed group, subjugation of its local population and replacement by the new pattern of the oppressor—Prospero destroys Caliban's world and replaces it with his own, reducing the once proud and independent Caliban to slavery. Caliban experiences what Lemkin refers to as demoralisation in the victim of genocide, descending from a near-tragic figure revealed in his great speech of protest to a minor fool, cowed by Prospero into terror and drunkenness. We also observe Prospero's ethical deterioration as a genocidist coloniser: his resort to a language of insult with not only Caliban but his other slave, Ariel; his querulousness and authoritarianism, even with Miranda; and his use of torture and the pleasure he takes in cruelty in inflicting various kinds of punishment and pain on Caliban in his attempts to completely subjugate him.<sup>24</sup>

In the unfinished manuscript, Lemkin develops a sophisticated methodology—as in 'Revised outline for genocide cases'—that permits the possibility of intricate and subtle analyses of settler-colonial histories in relation to genocide. Lemkin is highly critical of Christopher Columbus as an egregious genocidist who set the historical example for the future of Spanish colonisation in the Americas, instituting slavery and catastrophic loss of life. He carefully distinguishes between cultural change and cultural genocide. He points out that the relationship between oppressor and victim in history is always unstable, and that in world history there are many examples of genocidal victims transforming into genocidists—the formerly persecuted into the persecutors of others. He points to recurring features in historical genocides: mass mutilations; deportations under harsh conditions often involving forced marches; attacks on family life, with separation of men and women and the taking away of the opportunity for procreation; removal and transfer of children; destruction of political leadership; death from illness, hunger and disease through overcrowding on reserves and in concentration camps.<sup>25</sup>

Lemkin's views on humanity and violence were double-edged—both pessimistic and optimistic. The concept of genocide has led to the sombre re-conceptualisation of the whole of human history as involving a history of

24 Ibid., pp. 181–6.

25 See Docker, John 'Are settler-colonies inherently genocidal? Re-reading Lemkin', in *Moses, Empire, Colony, Genocide*, pp. 81–101. See also Docker, John 2004, Raphael Lemkin's history of genocide and colonialism, Paper for US Holocaust Memorial Museum, Center for Advanced Holocaust Studies, Washington, DC, 26 February 2004.

genocide—that it occurs in relations between groups with a certain regularity just as homicide takes place between individuals. Yet Lemkin fervently hoped and believed that international law could restrain or prevent genocide.

In retrospect, we can see Lemkin's historical conceptions and legal thinking emerging from a 1930s and 1940s context in which émigré and exiled intellectuals were attempting to reprise and develop traditions of cosmopolitanism and internationalism that they saw being engulfed by Nazism—itsself a culmination of nineteenth-century nationalism and colonialism. Figures such as Walter Benjamin, Sigmund Freud, Lemkin, Hannah Arendt, Erich Auerbach, Albert Einstein and Leo Spitzer were concerned that humanity should establish a duty of care to all the world's peoples and cultures.<sup>26</sup>

We can see Lemkin's undeniable eccentricity in terms of Isaac Deutscher's portrait of the non-Jewish Jew as an intellectual figure whose distinctiveness—whose pathos and advantage—is to be between cultures, societies, civilisations.<sup>27</sup> Here, Lemkin's heritage could perhaps include the most famous of non-Jewish Jews: Spinoza, in the early Enlightenment, who himself reprises the figure of the Marrano so prominent in the history of the Spanish Sephardic diaspora in Portugal and Holland in the sixteenth and seventeenth centuries—a cultural figure whose inner consciousness was multi-contradictory, confused, dissonant, ambivalent, paradoxical, incomplete, doubting, self-doubting and potentially or actually heretical.<sup>28</sup> We can speculatively expand on this genealogy: Spinoza, with his Sephardic family ancestry, and in his inventiveness and creativity as a philosopher, builds on the intellectual brilliance of medieval Moorish Spain, al-Andalus or Andalusia—a society of *convivencia* between Muslims, Jews and Christians, for eight centuries a multi-religious and multi-ethnic part of Europe itself. As Maria Rosa Menocal in *The Ornament of the World* (2002) evokes it, Moorish Spain created a vibrant culture that profoundly influenced—and continues to influence—European and world history in terms of poetry, narrative, science, astronomy, mathematics, medicine, historiography, translation, religion, mysticism, architecture and philosophy.<sup>29</sup>

Beyond such particular features of al-Andalus there was, Menocal suggests, a kind of general Andalusian sensibility that was positive, productive and

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26 Cf. Clark, Katerina 2002, 'M. M. Bakhtin and "world literature"', *JNT: Journal of narrative theory*, vol. 32, no. 3, pp. 266–92; and Curthoys, Ned 2005, 'The émigré sensibility of world literature: historicizing Hannah Arendt and Karl Jaspers' cosmopolitan intent', *Theory and Event*, vol. 8, no. 3. Apropos Einstein, see Jerome, Fred 2002, *The Einstein File: J. Edgar Hoover's secret war against the world's most famous scientist*, St Martin's Press, New York.

27 Deutscher, Isaac 1968, *The Non-Jewish Jew*, Oxford University Press, London.

28 Cf. Docker, John 2001, *1492: The poetics of diaspora*, Continuum, London, pp. 88, 99–102; Yovel, Yirmiyahu 1989, *The Marrano of Reason*, Princeton University Press, NJ, pp. 19–22, 28, 41, 65, 83–4, 98.

29 Menocal, Maria Rosa 2002, *The Ornament of the World: How Muslims, Jews, and Christians created a culture of tolerance in medieval Spain*, Little, Brown and Co., New York, pp. 5–9, 27–30, 34, 59–61, 64, 75, 78, 205–6. See also Curthoys and Docker, 'Is a history of humanity possible?', pp. 251–3.



influential in European and world history—a capacity of living with possible irreconcilability and incongruity: ‘In the end, much of Europe far beyond the Andalusian world, and far beyond modern Spain’s geographical borders, was shaped by the deep-seated vision of complex and contradictory identities that was first elevated to an art form by the Andalusians.’<sup>30</sup> Menocal writes in *The Ornament of the World* that nineteenth-century German Jews ‘saw in those urbane, philosophically mature, and socially successful Jews of the eleventh and twelfth centuries a winning reflection of what they wished the European Jews of the nineteenth [century] to be’.<sup>31</sup>

Menocal’s observation here resonates with Ned Curthoys’ argument, in his 2010 essay ‘Diasporic visions: al-Andalus in the German-Jewish imaginary’, that there was a powerful affinity between Jewish cultural achievement in medieval Moorish Spain and a pluralist, diasporic vision of Jewish identity articulated by German-Jewish intellectuals in modernity. Such affinity is evident in a lineage extending from the philosopher Moses Mendelssohn in the eighteenth-century German Enlightenment through to writers, historians and theologians such as Heinrich Graetz, Abraham Geiger and Heinrich Heine in the nineteenth century. German-Jewish intellectuals, Curthoys reflects, feeling themselves estranged from normative identities, positioned themselves at the borders of different cultures; they often identified as well with the ‘cultured rationalism and resilient intellectual independence’ of Spinoza. Curthoys concludes by suggesting that the Andalusian ethos and heritage influenced twentieth-century critics such as Edward Said, Spitzer and Auerbach, the great Palestinian poet Mahmoud Darwish and, most recently, the American-Jewish philosopher Judith Butler.<sup>32</sup>

In these terms, there is, I suggest, an affinity between the ever-persisting stream of many-centuries-long ‘Andalusian’ intellectual life and sensibility and the resilience, independence and idiosyncrasy of Raphaël Lemkin. Central to Lemkin’s thought were notions of world culture and the oneness of the world—valuing the variety and diversity of human cultures.<sup>33</sup>

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30 Menocal, *The Ornament of the World*, p. 12.

31 *Ibid.*, p. 161.

32 Curthoys, Ned 2010, ‘Diasporic visions: al-Andalus in the German-Jewish imaginary’, in Christopher Wise and Paul James (eds), *Being Arab: Arabism and the politics of recognition*, Arena Publications, Melbourne, pp. 110–38. In an interview (‘Judith Butler: as a Jew, I was taught it was ethically imperative to speak up’, *Haaretz*, 24 February 2010), Butler tells an amusing anecdote of a conversation when she was just fourteen with her rabbi, who was taken aback by her independent spirit. Butler asked the rabbi ‘why Spinoza was excommunicated from the synagogue. I wanted to know what happened and whether the synagogue was justified.’

33 Lemkin, *Axis Rule in Occupied Europe*, pp. 91 and 91n.51; ‘Totally unofficial man’, p. 377; ‘Genocide—a modern crime’, *Free World: A magazine devoted to the United Nations and democracy*, April 1945, pp. 39–43, <<http://www.preventgenocide.org/lemkin/freeworld1945.htm>>



## The UN Convention on Genocide, 1948

Lemkin in effect produced, or influenced into being, two definitions of genocide: the discursive definition in chapter nine of *Axis Rule in Occupied Europe* and the codified definition of the 1948 UN Genocide Convention. A tortuous political process in a divided Cold War atmosphere meant that what emerged was a narrower definition than the one Lemkin originally proposed, omitting political and cultural genocide.<sup>34</sup>

The Articles of the UN Convention on the Prevention and Punishment of the Crime of Genocide (United Nations General Assembly, 9 December 1948) became widely known and quoted.<sup>35</sup> Article II sets out the key clauses of the definition:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group;
- Forcibly transferring children of the group to another group.

The omission of political and cultural genocide was a cause for regret in some quarters, and has remained an issue in scholarly and legal debate ever since. Lemkin especially regretted the exclusion of cultural genocide ('very dear to me'). In 'Totally unofficial man', Lemkin explains that he could not persuade the relevant UN committee meeting in Paris after World War II to include an article in the final convention on 'cultural genocide':

I defended it successfully through two drafts. It meant the destruction of the cultural pattern of a group, such as the language, the traditions, the monuments, archives, libraries, churches. In brief: the shrines of the soul of a nation. But there was not enough support for this idea in the Committee...So with a heavy heart I decided not to press for it.<sup>36</sup>

The case of cultural genocide is especially complex. The genocide historian Leo Kuper reflects that while cultural genocide was dropped from the convention

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34 See Kuper, Leo 1981, *Genocide: Its political use in the twentieth century*, Yale University Press, New Haven, Conn., ch. 2, pp. 19–39.

35 See, for example, Power, 'A Problem from Hell', pp. 62–3; also <<http://www.preventgenocide.org/law/convention/text.htm>>

36 Lemkin, 'Totally unofficial man', p. 393.

it survived in vestigial form in the prohibition on the forcible transfer of children from one group to another, and in the term ‘ethnic’ group, suggesting protection of groups with distinctive culture or language.<sup>37</sup> Ann Curthoys and I also argue that the notion of ‘mental harm’ was and is open to being interpreted as implying cultural as well as psychological genocide.<sup>38</sup>

We must also remember that in Lemkin’s 1944 definition in *Axis Rule in Occupied Europe* the cultural and political were both strongly present as part of the manifold ways the essential foundations of life of a group were being destroyed.<sup>39</sup> Lemkin’s 1944 definition and the Lemkin-influenced definition enshrined in the 1948 convention have acted in subsequent thinking about genocide like a double helix—neither reducible one to the other nor wholly separable. The definition of genocide, that is, always has a double character: both discursive and legal. In my view, we should not base the historical study of genocide on a legal definition alone; indeed, we should not base the historical study of any phenomena on a legal definition alone.

## 2. Disturbing aspects

Let us return to Lemkin’s biographical journey, this time questioning aspects of his thinking and attitudes in relation to African Americans, Africa and Africans.<sup>40</sup>

Genocide as a concept and UN legal convention proved almost immediately to be troubling and problematic in the context of the Cold War. In the United States in the early 1950s, two groups in particular competed to have the United Nations consider accusations of genocide: Eastern European émigrés wanted charges of Soviet genocide while radical African Americans sought charges of American genocide. As a public figure, Lemkin—the, as it were, father of the Genocide Convention—became involved in these disputes, though regrettably *not* on the side of the African-American intervention.

The disputes reached a peak in December 1951, when a petition entitled *We Charge Genocide* was presented by Paul Robeson and others to the UN Secretariat

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37 Kuper, *Genocide*, p. 31. Cf. Moses, A. Dirk, ‘Genocide and settler society in Australian history’, in Moses, A. Dirk (ed.) 2004, *Genocide and Settler Society: Frontier violence and stolen Indigenous children in Australian history*, Berghahn, New York and Oxford, pp. 22-3, and his chapter ‘The Holocaust and genocide’ in Stone, Dan (ed.) 2004, *The Historiography of the Holocaust*, Palgrave, London, p. 542.

38 Curthoys and Docker, ‘Defining genocide’, p. 14.

39 Cf. Kuper, *Genocide*, p. 30; Curthoys and Docker, ‘Introduction—genocide’, p. 10.

40 An earlier version of this section of my argument is in Curthoys and Docker, ‘Defining genocide’, pp. 15–21.

in New York.<sup>41</sup> At the same time, William L. Patterson, the petition's main author, presented it to the UN General Assembly in Paris.<sup>42</sup> In *Black and Red: W. E. B. Du Bois and the Afro-American response to the Cold War 1944–1963* (1986), Gerald Horne writes that Patterson would have liked Du Bois to fly to Paris to present the petition, but Du Bois' doctors advised against it; on 19 February 1951, Du Bois had been indicted as an 'unregistered foreign agent' and was handcuffed before appearing in court; he would subsequently be acquitted.<sup>43</sup> *We Charge Genocide* was not the first African-American attempt to seek redress through the United Nations. In 1947, Du Bois, in a statement entitled 'Appeal to the world', had petitioned it on behalf of the National Association for the Advancement of Colored People (NAACP). The 1951 *We Charge Genocide* petition, however, was the first attempt to charge the United States with genocide under the UN Convention.<sup>44</sup> In brief, it argued that the lynching and other forms of assault on the lives and livelihoods of African Americans from 1945 to 1951, especially the frenzied attacks on returning black American veterans, amounted to genocide.<sup>45</sup>

The originator of the petition was the Civil Rights Congress (CRC), a vigorous, fearless and always controversial communist-led organisation that fought for African-American rights.<sup>46</sup> Patterson was national secretary of the CRC from 1946 to 1956; he was also a lawyer and a member of the Communist Party.<sup>47</sup> The American Communist Party was itself a party with large African-American membership and support. In an essay concerning a visit by Du Bois to Warsaw, Michael Rothberg comments: 'During this era...Communism provided a discursive space in the United States in which the articulation of genocide and colonialism could first be attempted—and this long before the intellectual vogue for either Holocaust or postcolonial studies.'<sup>48</sup>

In her scintillating memoir, *A Fine Old Conflict* (1977), Jessica Mitford writes that when she moved to Oakland, California, in 1947, she became assistant to 'Hursel Alexander, a black organizer who was executive director of the East Bay

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41 Cf. Curthoys, Ann 2010, 'Paul Robeson's visit to Australia and Aboriginal activism, 1960', in Frances Peters-Little, Ann Curthoys and John Docker (eds), *Passionate Histories: Myth, memory and Indigenous Australia*, ANU E Press, Canberra.

42 Patterson, William L. 1971, *The Man Who Cried Genocide: An autobiography*, International Publishers, New York, p. 184.

43 Horne, Gerald 1986 *Black and Red: W. E. B. Du Bois and the Afro-American response to the Cold War 1944–1963*, State University of New York Press, Albany, pp. 151, 178, 181.

44 Patterson, *The Man Who Cried Genocide*, pp. 10–11, 171–7, 180, 183–4, 185 ff. The *We Charge Genocide* petition (p. 143) refers to 'Appeal to the world', prepared by Du Bois for the NAACP in 1947.

45 Civil Rights Congress 1951, *We Charge Genocide: The historic petition to the United Nations for relief from a crime of the United States Government against the Negro people*, Civil Rights Congress, New York, p. 8.

46 Horne, Gerald 1988, *Communist Front? The Civil Rights Congress, 1946–1956*, Associated University Presses, London and Toronto, pp. 13–21, 48, 69.

47 See Patterson, *The Man Who Cried Genocide*, pp. 9–10.

48 Rothberg, Michael 2001, 'W. E. B. Du Bois in Warsaw: Holocaust memory and the color line, 1949–1952', *The Yale Journal of Criticism*, vol. 14, no. 1, p. 174. See also Gilmore, Glenda Elizabeth 2009, *Defying Dixie: The radical roots of civil rights, 1919–1950*, W. W. Norton, New York.

Civil Rights Congress’, then a ‘dynamic, predominantly black organization with some five hundred active dues-paying members’; she later became its executive secretary. Patterson, she reports, often came from New York to meet with CRC chapters around the country and she describes him as a ‘formidable figure’.<sup>49</sup>

The CRC focused its campaigns on cases of racist oppression, and as well as Jessica Mitford (her married name was Decca Treuhافت), who became its East Bay leader in California, it attracted the support of well-known people such as Dashiell Hammett, who went to jail as a result of being a trustee of the CRC’s Bail Fund, and African-American entertainers such as Robeson, Josephine Baker and Lena Horne. In addition to skilled legal challenges, it engaged in picketing, demonstrations and petitioning—for example, in the cases of Willie McGee, Rosa Lee Ingram, the Trenton Six and the Martinsville Seven.<sup>50</sup> In *A Fine Old Conflict* and in letters of this time, Mitford evokes her 1951 visit to Mississippi prompted by the Willie McGee case, which was also protested by Albert Einstein and Josephine Baker.<sup>51</sup> The CRC strongly believed that a focus on Jim Crow laws and deprivation of blacks’ rights would be an embarrassment for the United States abroad and might hasten overdue reform, and in this it was prophetic; such tactics were successfully adopted by the American civil rights movement a decade later.<sup>52</sup>

*We Charge Genocide* is a remarkable document, very powerfully argued. The opening title pages reprinted Articles II and III of the 1948 Genocide Convention.<sup>53</sup> The list of names of the petitioners included Du Bois, Robeson, Mitford and Ben Davis.<sup>54</sup> In his introduction, Patterson noted that it was ‘sometimes incorrectly thought that genocide means the complete and definitive destruction of a race or people’. He pointed out that the Genocide Convention defined genocide as ‘killing members of the group’, and that genocide was any intent to destroy, *in whole or in part*—this phrase Patterson italicised—a national, racial, ethnic or religious group. Thus, as well as ‘killing members of the group’, genocide is constituted in ‘causing serious bodily or mental harm’. The petition would

49 Mitford, Jessica 1977, *A Fine Old Conflict*, Alfred A. Knopf, New York, pp. 104–7, 118, 127.

50 Horne, *Communist Front?*, pp. 13–21, 48, 69.

51 Mitford, *A Fine Old Conflict*, ch. 8, pp. 160–94. See also Mitford’s letters to her mother, Lady Redesdale, dated 2 April 1951 and 23 September 1951, in Sussman, Peter Y. (ed.) 2006, *Decca: The letters of Jessica Mitford*, Weidenfeld and Nicholson, London, pp. 139–42.

52 Cf. Dudziak, Mary L. 2000, *Cold War Civil Rights: Race and the image of American democracy*, Princeton University Press, NJ; and Von Eschen, Penny M. 1997, *Race Against Empire: Black Americans and anticolonialism 1937–1957*, Cornell University Press, Ithaca and London.

53 In *The Man Who Cried Genocide* (p. 179), Patterson provides brief biographical information for some of these co-authors: ‘Richard Boyer, historian and author; Elizabeth Lawson, biographer and pamphleteer; Yvonne Gregory, writer and poet; and Dr Oakley Johnson, scholar in British and American literature.’

54 Cf. Patterson, *The Man Who Cried Genocide*, p. 180. Apropos Davis, see Horne, Gerald 1994, *Black Liberation/Red Scare: Ben Davis and the Communist Party*, University of Delaware Press, Newark, NJ, pp. 9, 13.

maintain, Patterson said, that the 'oppressed Negro citizens of the United States' suffer from genocide as the result of the 'consistent, conscious, unified policies of every branch of government'.<sup>55</sup>

The petition called on the United Nations to 'act and to call the Government of the United States to account'.<sup>56</sup> Genocide, it contended, could not be sequestered as an internal affair of the United States, but was a problem for the world.<sup>57</sup> The world had fought the crimes of Nazism 'against the heroic Jewish people'; every word voiced by US Supreme Court Judge Robert H. Jackson in his opening address to the Nuremberg trial of the Nazi leaders 'applies with equal weight' to racist perpetrators in the United States.<sup>58</sup> The petition urged the world to consider the urgency of its request in terms of the US threat to world peace, because Hitler had already demonstrated that 'domestic genocide develops into the larger genocide that is predatory war'.<sup>59</sup> Already, it observed with 'peculiar horror', the 'genocidal doctrines and actions of the American white supremacists' against the African-American people—looting and burning of homes, killing of children, raping of women—are being exported to the 'colored people of Asia'.<sup>60</sup> Here, *We Charge Genocide* anticipates Sartre's similar suggestion in *On Genocide* (1967), his famous report to Bertrand Russell's International War Crimes Tribunal, in which he judges that the American war in Vietnam was genocidal and that the brutality and cruelty practised by American soldiers had deep historical roots in the United States, as in the anti-black racism of Southern whites.<sup>61</sup>

In reference to the 15 million black people of the United States, the petition indicts the US State at every level, arguing, for example, that 'more than 10,000 Negroes' have been killed. They are killed by the Ku Klux Klan—'that organization which is chartered by...several states as a semi-official arm of government and even granted the tax exemptions of a benevolent society'. Frequently, they have been framed and murdered by sham legal processes and a supportive legal bureaucracy. They are killed by police not only in the South but in every city in the United States: 'in the back rooms of sheriff's offices, in the cells of county jails, in precinct police stations and on city streets.' When the bodies of murdered African Americans are found, they have often been 'horribly

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55 Civil Rights Congress, *We Charge Genocide*, pp. xi–xiii, also 32.

56 *Ibid.*, pp. xii–xiii, also 31, 35–6.

57 *Ibid.*, p. xii.

58 Concerning the postwar use of the term 'holocaust' by the Communist Party and those close to it in referring to the Nazi genocide of the Jews, cf. Novick, Peter 2000 [1999], *The Holocaust in American Life*, Houghton Mifflin, New York, pp. 93–4.

59 Civil Rights Congress, *We Charge Genocide*, p. 31.

60 *Ibid.*, pp. 3, 7, also 57.

61 Sartre, J.-P. 1968, *On Genocide, and a Summary of the Evidence and the Judgments of the International War Crimes Tribunal*, A. El Kaim-Sartre (ed.), Beacon Press, Boston, pp. 78–82; Curthoys and Docker, 'Defining genocide', p. 25.

mutilated'. African Americans, the petition continues, live in a state of terror of being lynched or shot, which contravenes that part of the Genocide Convention forbidding the causing of serious mental harm to members of a group.<sup>62</sup>

The petition quotes the convention on genocide as 'deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part' and draws attention to the existence and effects of such conditions in the United States.<sup>63</sup> 'From birth to death,' it says:

Negro Americans are humiliated and persecuted, in violation of the Charter and the Convention. They are forced by threat of violence and imprisonment into inferior, segregated accommodations, into jim crow busses, jim crow trains, jim crow hospitals, jim crow schools, jim crow theaters, jim crow restaurants, jim crow housing, and finally into jim crow cemeteries.<sup>64</sup>

In violation of the convention, there is a mass of segregationist American law 'written as was Hitler's law': solely on the basis of 'race'. In many American states, it was a crime for a 'white person to marry a Negro'. There was no true democracy in the United States, because in 'huge and decisive areas' where African-Americans were the preponderant population, they were prevented from voting by 'terror' supported not only by governors, senators, judges and peace officers, but also by the Government of the United States, its Congress and its executive branch. The Supreme Court refused to intervene in blatantly framed cases leading to electrocution, and in general the Supreme Court has 'delivered a people—Americans it was supposed to protect—to degradation and violence'. The government, either by executive or judicial action, had done nothing to void the many 'racist anti-Negro laws of the several states', though it clearly had the power to do so.<sup>65</sup> The petitioners, recalling Shylock's anguished cry in *The Merchant of Venice* and Caliban in *The Tempest*, protested 'this genocide as human beings whose very humanity is denied and mocked'. 'We cannot believe,' they concluded, 'that the General Assembly will not condemn the crimes complained of in this petition.'<sup>66</sup>

The General Assembly did not adopt the petition. Given the limitations of UN power and responsibility at this time and the Cold War context, there was no way it could succeed in producing a UN indictment of the United States. Nevertheless, Patterson thought that the action itself of presenting the petition to the United Nations was a signal symbolic success in drawing attention to the situation of African Americans in the postwar world: 'An ideological and moral

62 Civil Rights Congress, *We Charge Genocide*, pp. 3–4, 6, 8–9, 19, 144.

63 *Ibid.*, p. 5.

64 *Ibid.*, p. 5.

65 *Ibid.*, pp. 6–9, 36, 57, 178–9, 182–3. Cf. Jerome, *The Einstein File*, pp. 72, 74.

66 Civil Rights Congress, *We Charge Genocide*, pp. 7–8, 195–6. Concerning Caliban, see the analysis of *The Tempest* in Docker, *The Origins of Violence*, pp. 182–6.



victory had already been won, the moral bankruptcy of US leaders even in the UN had been exposed.' He also reported that his visit to Paris had 'received a good European press' and that a total of 45 000 copies of the petition were sold in the United States.<sup>67</sup>

## **African Americans, Africa, Africans: Lemkin's hostility to *We Charge Genocide***

Within the United States, the reception of the *We Charge Genocide* petition was marked by two main features: race and the Cold War.<sup>68</sup> The racial divide was generally clear: while many African Americans supported the petition, most American whites did not. The Cold War divide was even clearer: pro-Soviet commentators were in favour of the petition and anti-Soviet opinion against. Without exception, law academics were adamantly opposed because any attempt to apply the Genocide Convention to the US situation would in their view affect the integrity of 'our nation'.<sup>69</sup> One of these legal academics was Lemkin himself, who, Patterson later wrote, 'argued vehemently that the provisions of the Genocide Convention bore no relation to the US Government or its position vis-à-vis Black citizens'. When *The New York Times* on 18 December 1951 asked Lemkin what he thought, he replied that the accusations were a manoeuvre to 'divert attention from the crimes of genocide committed against Estonians, Latvians, Lithuanians, Poles and other Soviet-subjugated peoples'. Patterson and Robeson, he declared, were 'un-American' elements, serving a foreign power.<sup>70</sup> Later, on 14 June 1953, Lemkin wrote an op-ed piece for *The New York Times* in which he declared that African Americans enjoyed conditions of increasing prosperity and progress in the United States; though they might experience discrimination, they had not suffered 'destruction, death, annihilation'—the essence of genocide—an odd narrowing of both his own original definition and that of the UN Convention. In response to *The New York Times* op-ed, Oakley Johnson, one of those who helped write *We Charge Genocide*, wrote to Lemkin protesting that scare tactics and discrimination were not a case of white Americans frightening individual black Americans but of creating anguish in a racial group as a group; it concerned the terrorising of a whole race of people.<sup>71</sup>

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67 Patterson, *The Man Who Cried Genocide*, pp. 197, 199, 207, 212; Horne, *Communist Front?*, p. 169.

68 See Rabinbach, Anson 2005, 'The challenge of the unprecedented—Raphael Lemkin and the concept of genocide', *Simon Dubnow Institute Yearbook* 4, pp. 401, 411–16.

69 Cf. Elder, Tanya 2005 'What you see before your eyes: documenting Raphael Lemkin's life by exploring his archival papers, 1900-1959', *Journal of Genocide Research*, vol. 7, no. 4, p. 470, concerning the strong opposition by the American Bar Association to treaties including the UN Convention.

70 Patterson, *The Man Who Cried Genocide*, pp. 179, 191.

71 Elder, 'What you see before your eyes', pp. 486–7.



Why was Lemkin so opposed to the *We Charge Genocide* petition? Samantha Power observes that Lemkin intensely felt that concerns about discrimination and prejudice were the province of the United Nations' Universal Declaration of Human Rights, which was passed by the General Assembly on 10 December 1948—a day after the Genocide Convention. In Lemkin's irritated view, the Universal Declaration of Human Rights dealt with individual problems, not with the group rights of peoples as demanded by the concept of genocide; for Lemkin, it represented a diversion from the Genocide Convention, with the added danger that the two conventions would be confused in the public mind.<sup>72</sup> Anson Rabinbach suggests that Lemkin, dismissing *We Charge Genocide* as concerned with discrimination not destruction, was also concerned that charges of racial genocide within the United States might mean the final blow to American ratification of the Genocide Convention.<sup>73</sup> Yet *We Charge Genocide* had made it very clear—in careful and detailed ways addressing the specific terms of Article II of the convention—that it was throughout speaking to African-American group experience.

Deeply unsettling questions remain concerning Lemkin and his attitudes to African-American history and people; perhaps there was a fundamental lack of sympathy. It might be fruitful to compare Lemkin in this regard with Einstein, who actively supported the struggle for African-American human rights and enjoyed longstanding friendships with intellectuals and cultural figures such as Robeson, Du Bois and Marian Anderson. In *The Einstein File: J. Edgar Hoover's secret war against the world's most famous scientist* (2002), Fred Jerome relates an incident of 16 April 1937 involving the African-American singer Anderson. After the great diva had given a concert to a standing-room-only audience at Princeton's McCarter Theatre, she was nonetheless refused a room in Princeton's Nassau Inn; Einstein immediately invited her to stay at his home and their ensuing friendship would last for the rest of his life. Jerome also writes that, on Robeson's invitation, Einstein in September 1946 became co-chairman of a group that Robeson was establishing: the American Crusade to End Lynching.<sup>74</sup>

Dominik J. Schaller, analysing Lemkin's unpublished manuscripts, expresses dismay at Lemkin's views on European colonial rule in Africa, commenting that Lemkin swayed between condemnation and admiration. In terms of the German colonial war against the Herero in Namibia, Schaller feels that there can be no doubt that Lemkin 'regarded his concept of genocide' as 'perfectly applicable to the events of 1904–1908'. Yet Lemkin also, he points out, fell in with a myth that the Herero, unable to reconcile themselves to subjection and loss of independence, chose to kill themselves in a kind of national suicide, with

72 Power, 'A Problem from Hell', pp. 74–5.

73 Rabinbach, 'The challenge of the unprecedented', pp. 413–14.

74 Jerome, *The Einstein File*, pp. 76–8, 82, 85, 126, 132–3.

particular blame being attached to the Herero women. Lemkin considered that the imposition of Belgian colonial rule in the Congo, and the forced labour of the indigenous population that accompanied it, was genocide, yet described the 'native militia' in the pay of the Belgians as 'savages' and 'cannibals'. Schaller says that Lemkin has to be recognised as an 'enthusiastic advocate of colonialism' by European powers in Africa, seeing it as a necessary task that Europeans bring 'civilisation' to the continent. The ways Lemkin perceived Africans, Schaller concludes, 'can only be described as racist': 'Africans are portrayed as either weak-willed and helpless victims or as bloodthirsty cannibals.'<sup>75</sup>

## Arendt and Black Power

Perhaps Lemkin can be compared here with Hannah Arendt, whose attitudes to African Americans and Africa are proving increasingly controversial.<sup>76</sup> We can focus on her 1969 book, *On Violence*, which has been devastatingly critiqued by Anne Norton, who highlights egregious sentences and passages on which I also will be commenting.<sup>77</sup> *On Violence* is certainly insightful in its focus on the 'all-pervading unpredictability' of violence.<sup>78</sup> Yet jostling in its text, footnotes and endnotes are claims and assertions that make uncomfortable reading. In *On Violence*, Arendt is responding to a general move in the New Left during the 1960s away from the Gandhian philosophy of non-violence that inspired Martin Luther King jr and the civil rights movement in the United States—and, we can add, the anti-nuclear campaigns in Britain.<sup>79</sup>

Arendt writes that the New Left generation seems everywhere characterised by 'sheer courage, an astounding will to action, and by a no less astounding

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75 Schaller, Dominik J. 2005, 'Raphael Lemkin's view of European colonial rule in Africa: between condemnation and admiration', *Journal of Genocide Research*, vol. 7, no. 4, pp. 531–8. See also Schaller, 'From conquest to genocide: colonial rule in German Southwest Africa and German East Africa', in Moses, *Empire, Colony, Genocide*, pp. 296–324; Jürgen Zimmerer, 'Colonial genocide: the Herero and Nama war (1904–8) in German South West Africa and its significance', in Stone, *The Historiography of Genocide*, pp. 323–43.

76 See King, Richard H. and Stone, Dan (eds) 2007, *Hannah Arendt and the Uses of History: Imperialism, nation, race, and genocide*, Berghahn, New York, pp. 10–11, 14.

77 See Norton, Anne 1995, 'Heart of darkness: Africa and African Americans in the writings of Hannah Arendt', in Bonnie Honig (ed.), *Feminist Interpretations of Hannah Arendt*, Pennsylvania State University Press, University Park, pp. 247–61.

78 Arendt, Hannah 1970 [1969], *On Violence*, Harcourt Brace Jovanovich, New York, p. 5.

79 *Ibid.*, pp. 3, 11, 13–14. Sean Scalmer (in his essay 'Globalising Gandhi: translation, reinvention, application, transformation', in Debjani Ganguly and John Docker [eds], *Rethinking Gandhi and Nonviolent Relationality: Global perspectives*, Routledge, London, p. 152) writes that the 'history of the Western Left in the 1960s is largely the story of the abandonment of nonviolence for more "radical", "revolutionary", and violent poses...Ho Chi Minh was preferred to Gandhi. Soon, Satyagraha seemed a creature of the past.' The move away from non-violence could, however, be difficult to date exactly, and might not in any case have been comprehensive. The 1965 Australian Freedom Ride was inspired by a philosophy of non-violence that drew on Martin Luther King jr's Gandhian inheritance. See Curthoys, Ann 2002, *Freedom Ride: A freedom rider remembers*, Allen & Unwin, Sydney.

confidence in the possibility of change'. Such qualities, however, we soon learn, apply only to white students. Arendt contrasts the 'disinterested and usually highly moral claims of the white rebels', whose 'student rebellion is a global phenomenon', with the Black Power movement on American campuses: 'Negro students, the majority of them admitted without academic qualification, regarded and organized themselves as an interest group, the representatives of the black community.' 'Their interest,' she adds disdainfully, 'was to lower academic standards.' In Arendt's contemptuous view, 'Negro demands' on universities are 'clearly silly and outrageous'. Black Power has introduced to the contemporary scene what she labels as serious violence and she reveals a curious note of what we might identify as white paranoia when she tells us that Black Power adherents entertain a 'dream world in which Negroes would constitute an overwhelming majority of the world's population'. Arendt feels that, lamentably, American university administrations have given in to Black Power violence, yielding to 'nonsensical and obviously damaging demands' such as the introduction of "'soul courses" and instruction in Swahili', which she refers to in a note as a 'nineteenth-century kind of no-language spoken by the Arab ivory and slave caravans'. Arendt bases this assertion on the 'Encyclopaedia Britannica, 1961'. In the same endnote, she also condemns a Black Power demand for other 'nonexistent subjects' such as 'African literature'.<sup>80</sup>

In this contrast, then, the white rebels reveal an admirable interest in global moral concerns, addressing all of humanity, while Black Power is merely self-interested and local. If we turn, however, to writing such as Stokely Carmichael and Charles V. Hamilton's 1967 book, *Black Power: The politics of liberation in America*, we quickly see that Arendt's characterisation of the movement—that it is incapable of universal moral values and vision—is bafflingly inaccurate and uncomprehending. In their preface, Carmichael and Hamilton say that they intend their book to be a contribution to the 'development of a viable larger society', which they see as possible only if white American society can be assisted to develop a historical consciousness shaped by 'clarity' and 'honesty' concerning how black people have been oppressed for centuries.<sup>81</sup>

In *Black Power*, we can see Carmichael and Hamilton engaging in a conversation with the early 1960s writings of Sartre and Fanon that seek to analyse the consciousness of the European colonisers and those colonised by Europe, asking how each can be transformed. In his 1961 preface to *The Wretched of the Earth*, Sartre had witheringly asked of his fellow Europeans that they should recognise that they all have benefited from 'the crime of colonialism'. Sartre invokes in particular the 'race murder', traumatising massacres (as at Sétif) and

80 Arendt, *On Violence*, pp. 15–19, 21n.37, 80, 96. Cf. Norton, 'Heart of darkness', pp. 249–52.

81 Carmichael, Stokely and Hamilton, Charles V. 1967, *Black Power: The politics of liberation in America*, Vintage, New York, pp. vii–viii.

torture deployed by the French in Algeria on behalf of the European settlers, as a way of challenging the 'narcissism' of Europe and 'that super-European monstrosity, North America' ('Chatter, chatter: liberty, equality, fraternity, love, honour, patriotism and what have you'). Such a challenge must engage all Europeans, including Sartre himself: 'With us, to be a man is to be an accomplice of colonialism, since all of us without exception have profited by colonial exploitation.' Addressing 'my fellow-countrymen', Sartre reflects: 'It is not right...you who know very well all the crimes committed in our name, it's not right that you do not breathe a word about them to anyone, not even to your own soul, for fear of having to stand in judgement on yourself.'<sup>82</sup>

In their preface to *Black Power*, Carmichael and Hamilton take up the question of how to characterise white historical consciousness. 'Camus and Sartre have asked: Can a man condemn himself? Can whites, particularly liberal whites, condemn themselves? Can they stop blaming blacks and start blaming their own system? Are they capable of the shame which might become a revolutionary emotion?' Carmichael and Hamilton believe that it is black people themselves who must do such work of historical consciousness not only for themselves but for whites as well, and here they feel they are continuing the epistemological tradition of *The Wretched of the Earth*, including its internationalism. They see themselves as part of the Third World and that their struggle is 'closely related to liberation struggles around the world'—for example, in South Africa. In chapter two, 'Black Power: its need and substance', Carmichael and Hamilton suggest that a basic need for the oppressed in history is to challenge language—the 'attempt by the oppressor to have *his* definitions, *his* historical descriptions, *accepted* by the oppressed'. This they also perceive as an international struggle. Thus black Africans have had to fight the white colonisers for the right to use the term '*Uhruru*', meaning freedom. In American history, they note that in the wars between the 'white settlers and the "Indians"', a battle won by the cavalry was described as a 'victory', whereas the military triumphs of the 'Indians' were called 'massacres'. Just as 'red men' had to be named 'as "savages" to justify the white men's theft of their land', so black men had to be vilified as 'lazy', 'apathetic', 'dumb' and 'shiftless'. Here they quote an amusing passage from Lewis Carroll on Humpty Dumpty assuming he is the master who can name things as he thinks fit. Black people, Carmichael and Hamilton contend, must take control of their own definitions: 'From now on, we shall view ourselves as African Americans and as black people who are in fact energetic, determined, intelligent, beautiful and peace loving.'<sup>83</sup>

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82 Sartre, Jean-Paul 1961, 'Preface', Frantz Fanon, *The Wretched of the Earth*, accessed 13 August 2010, <http://www.marxists.org/reference/archive/sartre/1961/preface.htm>

83 Ibid., pp. ix, xi, 35–8.

Carmichael and Hamilton call for the development among black Americans of a 'new consciousness' of their history—a history that 'pre-dates their forced introduction' to America: 'African-American history means a long history beginning on the continent of Africa, a history not taught in the standard textbooks of this country.' They feel it is essential for black people to develop an 'awareness of their cultural heritage', for they have been too long kept submissive by being told that they had 'no culture, no manifest heritage' before they 'landed on the slave auction blocks'. Taking up a suggestion of John O. Killens' *Black Man's Burden* (1965), they argue that African Americans, in recognising their long history, can play an important role in the world as a bridge between the West and Africa-Asia, so making possible a human reconstruction once much of humanity is released from the ruthless grip of white supremacy. By helping create a 'new consciousness' in Africa-Asia, in fostering political modernisation by 'broadening the base of political participation to include more people in the decision-making process' and by opposing the 'racist system' that subtends 'middle-class America', African Americans can help create 'an open society' and, more generally, 'the expansion of humanity'.<sup>84</sup>

In speaking for an open democratic society and the expansion of humanity as objectives of Black Power, Carmichael and Hamilton are situating their values and visions within a tradition of universal moral philosophy that is continuous with Martin Luther King jr, despite their moving away from King's Gandhian precepts of non-violence. Recall King's famous 'Letter from Birmingham Jail' of 16 April 1963, in which he relates his moral vision to the thinking of a wide array of world historical religious and philosophical figures. King writes that a concern for human rights must involve all humanity: 'Injustice anywhere is a threat to justice everywhere.' Here is a truth, King suggests, that was recognised by the 'prophets of the eighth century BC' and by the Apostle Paul when he left 'his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco-Roman world'. The contemporary non-violent resister, King notes, is following in the footsteps of 'nonviolent gadflies' such as Socrates, stirring discussion so that people can submit 'myths and half-truths' to 'creative analysis'. We must recognise how difficult a process this is—Reinhold Niebuhr reminding us that 'groups tend to be more immoral than individuals', not least, in King's view, the white segregationist groups of the American South. We have to oppose unjust laws such as segregationist statutes, for did not St Augustine say that an unjust law is no law at all? Segregation, King observes, 'distorts the soul and damages the personality', and here he refers to Martin Buber's argument that in our ethical relations with others we must substitute an I-thou for an I-it relationship. History, King feels, is made by such independent thinkers—Socrates' civil disobedience leading to the academic freedom of today.

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84 Ibid., pp. 38–40.

King goes on to admire a concern for universal justice in figures such as Paul Tillich, Martin Luther, John Bunyan, Abraham Lincoln, Thomas Jefferson and T. S. Eliot. King also sees the struggle for civil rights in America in the wider context of the nations of Asia, Africa, South America and the Caribbean moving towards political independence.<sup>85</sup>

King's admiration for Socrates as gadfly—a provoker of discussion and creative analysis—could well apply to Arendt herself in her interest in the figure of the pariah.<sup>86</sup> Clearly, however, Arendt could not recognise any thinking of value in African-American intellectual and cultural traditions. She could not see that a black liberation movement such as Black Power—like the other liberation movements of the late 1960s, including women's and gay rights—was encouraging and developing new thinking about race, gender, sexuality, colonialism and the post-colonial, as well as a massive expansion of university courses. In terms of historiography, such new thinking led to a diasporic awareness of many world histories, some of which might be related to Europe, others not, anticipating Janet Abu-Lughod's anti-Euro-centric world-history approach in her *Before European Hegemony: The world system A.D. 1250–1350* (1989).<sup>87</sup> Ironically, African-American intellectual traditions assisted, we might say, in the emergence of a post-colonial humanistic ethos, such as that advocated by Edward Said, by which Arendt and Lemkin would themselves come to be creatively analysed.

I agree, then, with Anne Norton's argument that Arendt's 'constructions of Africans and African Americans, her forgetfulness of Asians, and her efforts to sequester racism in the South' do not subvert or depart from what Arendt herself calls the common prejudices of Americans. Arendt, Norton points out, is following Hegel in regarding Africans and African Americans as outside world history.<sup>88</sup> Ned Curthoys suggests that Arendt 'adjudges the real tragedy of colonialism as its abrogation of European humanism and republican values, rather than its invasion and displacement of existing indigenous cultures', and that, unlike Sartre in relation to Algeria, Arendt refuses to acknowledge 'those dimensions of colonialism and imperialism that constituted physical and cultural genocide'. In Curthoys' view, Arendt consistently fails to acknowledge the 'dignity and complexity of non-Western societies' and the 'subjectivity of non-

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85 King, Martin Luther jr 2003 [1963], *Why We Can't Wait*, Signet, New York: 'Letter from Birmingham Jail', pp. 65, 67–72, 76–7, 82.

86 See Curthoys, 'The émigré sensibility of "world literature"'.

87 See Hofmeyr, Isabel 2007, 'The black Atlantic meets the Indian Ocean: forging new paradigms of transnationalism for the global south—literary and cultural references', *Social Dynamics*, vol. 33, no. 2 (December), pp. 3–32. On page 6, Hofmeyr refers to the millennia-long history of the Indian Ocean as an interregional arena, whose dominant written languages were Arabic, Persian, Gujarati and Swahili.

88 Norton, 'Heart of darkness', pp. 248, 252.



Western peoples'.<sup>89</sup> In relation to other exiled European intellectuals in the United States, we might also think of Adorno and Horkheimer's notorious judgment in *Dialectic of Enlightenment* that jazz was a mere manifestation of nature—nature interacting with the demands of the American mass entertainment industries; Adorno and Horkheimer refer to jazz as stylised barbarity and non-culture. In these terms, Adorno and Horkheimer—and, it would very much appear, their contemporaries and fellow exiles Arendt and Lemkin—were conforming to a long tradition of European superiority and contempt towards Africa. Cosmopolitanism was defeated by profound persisting Euro-centrism.<sup>90</sup>

## The Cold War

For Lemkin, then, in the late 1940s and 1950s, there was the ever-pressing Cold War context. Anton Weiss-Wendt suggests that from about 1949, Lemkin, in a desperate and futile attempt to get the United States to ratify the convention, increasingly aligned himself with the US side in the Cold War and accordingly adopted a strongly anti-communist stance. Furthermore, he became closely allied with, and financially supported by, particular organisations of Eastern European ethnic communities in the United States, who had enthusiastically adopted the new term 'genocide' in their denunciations of Soviet power and whom he advised for an exhibit titled 'Communism exterminates nations: exhibit of genocide in Lithuania' in 1951.<sup>91</sup>

It was not only Lemkin for whom Cold War considerations were relevant in terms of the rejection of the *We Charge Genocide* petition. Such considerations—which were to inflect most discussions of genocide from the 1950s to the 1980s—were so strong in relation to the petition that they fuelled intra-racial divisions in the Black anti-racist struggle. When he presented *We Charge Genocide* to the United Nations in Paris, Patterson encountered opposition on Cold War grounds from African-American members of the American delegation to the

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89 Ned Curthoys, 'The refractory legacy of Algerian decolonisation: revisiting Arendt on violence', in King and Stone, *Hannah Arendt and the Uses of History*, p. 125.

90 See Adorno, Theodor and Horkheimer, Max 1979, *Dialectic of Enlightenment*, London, Verso, pp. 127–8; Docker, John 1994, *Postmodernism and Popular Culture: A cultural history*, Cambridge University Press, Melbourne, p. 38. Also: Rabinbach, 'The challenge of the unprecedented', p. 409. For a different perspective, focusing on the question of anti-Semitism, see Benhabib, Seyla 2009, 'From "the dialectic of enlightenment" to "the origins of totalitarianism" and the Genocide Convention: Adorno and Horkheimer in the company of Arendt and Lemkin', in Warren Breckman, Peter E. Gordon, A. Dirk Moses, Samuel Moyn and Elliot Neaman (eds), *The Modernist Imagination: Intellectual history and critical theory essays in honor of Martin Jay*, Berghahn, New York, pp. 299–330.

91 Weiss-Wendt, 'Hostage of politics', p. 555; Elder, 'What you see before your eyes', p. 488.



UN Human Rights Commission, especially Channing Tobias, Edith Sampson and Ralph Bunche.<sup>92</sup> (Eleanor Roosevelt headed the American delegation and was also chair of the UN Human Rights Commission.)

Horne in *Black and Red* also refers to Du Bois' dislike of 'certain Blacks' such as Tobias and Sampson who travelled to Third World countries on behalf of the State Department in order to rebut charges that the United States was racist towards people of colour.<sup>93</sup> John D'Emilio in his biography of Bayard Rustin says that Rustin, a major African-American advocate of Gandhian non-violence—while he condemned in the postwar years the assault on civil liberties that right-wing anti-communism inspired—stayed away from any involvement with the Civil Rights Congress 'because its policies mimicked the line of the Communist Party'. Rustin also advised a North Carolina pacifist not to invite Paul Robeson to give a concert in Chapel Hill because Robeson was closely identified with the Communist Party.<sup>94</sup>

## Conclusion

In terms of Janet Abu-Lughod's world-history approach in her essay 'The world-system perspective in the construction of economic history' (1995), how should we assess Lemkin as a key thinker? Abu-Lughod writes that significant thought—including major transformations in how we think about the world—is inspired by eccentricity, a personal vision and a synthetic imagination. Here certainly Lemkin is a key thinker of world importance: he brought to world history a new concept and comparative perspective, transforming how we perceive the human condition and human history. Genocide as concept and law has inspired a whole field into existence—of genocide studies and, more recently, associated with it, massacre studies—and new international law concerned with protection of vulnerable groups and punishment of those who endanger their existence as groups, not only in the 1948 UN Convention but, later in the twentieth century, in new international legal bodies such as the International Criminal Court and tribunals to prosecute particular genocides.

Abu-Lughod urges world history to be anti-Euro-centric, and Lemkin, in a great deal of his work—published and unpublished—did write in far-reaching ways in an admirably anti-Euro-centric spirit valuing the oneness and diversity of humanity. We also remember, however, Lemkin's attitudes in relation to African Americans, Africa and Africans, especially his denunciation of the *We Charge Genocide* petition with its plea—a plea also made by Du Bois in his 1947 'Appeal

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92 Patterson, *The Man Who Cried Genocide*, pp. 189–9; Horne, *Communist Front?*, pp. 172–3.

93 Horne, *Black and Red*, pp. 280–1.

94 D'Emilio, John 2003, *Lost Prophet: The life and times of Bayard Rustin*, Free Press, New York, pp. 178–9.

to the world’—that the United Nations should recognise the plight of African Americans, in the South most desperately, but not confined to the South.<sup>95</sup> Abu-Lughod refers to her own practice in *Before European Hegemony* to pair wherever possible evocations of the Crusades by Muslim and Christian writers: ‘I was trying to de-center accounts, to view them ex-centrally.’<sup>96</sup> Lemkin—reminding us of Ned Curthoys’ critique of Arendt that she consistently failed to acknowledge the dignity, complexity and subjectivity of non-Western peoples and societies—did not seek to know or understand or evoke African-American attitudes, viewpoints and consciousness. He also did not seek to de-centre common Cold War assumptions when he publicly repudiated the *We Charge Genocide* petition in *The New York Times*.

In the Introduction to *Defying Dixie: The radical roots of civil rights, 1919–1950*, Glenda Elizabeth Gilmore tells us that when she was growing up in the white-supremacist South, in North Carolina, on family drives she would see roadside billboards declaring ‘THIS IS KLAN COUNTRY, IMPEACH EARL WARREN, and US OUT OF THE UN’.<sup>97</sup> In my view, when the creator of the genocide concept and the influential figure of the 1948 UN Genocide Convention spoke only a few years after 1948 against having the United Nations investigate whether American society was genocidal, he assisted the South—and the American society and institutions that historically supported it—to escape UN scrutiny and legal judgment. In effect, Lemkin lent his authority as a genocide expert to help maintain the South in its white supremacism, at the same time belittling those who courageously fought for civil rights. He also held back to this day, with rare exceptions, the field of genocide studies itself from scholarly investigation of African-American history in relation to genocide as concept and international law. Instead of—as Abu-Lughod’s world-history methodology urges—keeping his society’s pervasive beliefs, as in the bifurcatory terms of the Cold War, at a critical and self-reflexive distance, Lemkin succumbed to Cold War ideology, demeaning his own historical reputation.

I will not, however, end on a note of disappointment and disillusion. Rather, I will salute Lemkin as, for all the criticisms one might make, one of modern history’s most interesting and creative thinkers, bringing into being a concept that calls into question the most fundamental questions: the character of humanity as a species, history as progress, the ethical bases of societies, the honour of civilisations and nations.

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95 The full title of Du Bois’ petition is ‘An appeal to the world: a statement on the denial of human rights to minorities in the case of citizens of Negro descent in the United States of America and an appeal to the United Nations for redress’. See Gilmore, *Defying Dixie*, p. 408.

96 Abu-Lughod, ‘The world-system perspective’, pp. 91, 92, 94–6.

97 Gilmore, *Defying Dixie*, pp. 1–2.

When Lemkin died in New York on 28 August 1959, seven people attended his funeral. Most of his family had perished in the Holocaust.<sup>98</sup> Yet he left a rich legacy, for genocide quickly proved to be a protean and productive if always contested concept.

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98 Power, *'A Problem from Hell'*, pp. 78 and 535n.48.

# Thinking with Stanner in the present

Melinda Hinkson

In recent years the work of Australian anthropologist W. E. H. Stanner has enjoyed something of a revival. To mark the centenary of his birth in 2005, Jeremy Beckett and I organised a conference and then edited *An Appreciation of Difference*,<sup>1</sup> a volume of scholarly essays exploring various dimensions of Stanner's career and his legacy in the present. Just a few months after that book came out, Black Inc. published *The Dreaming and Other Essays*<sup>2</sup>—essentially a reissuing of Stanner's *White Man Got No Dreaming*, with an introductory essay by Robert Manne celebrating Stanner as the greatest essayist Australia has ever produced.<sup>3</sup> The attention paid to these books in the mainstream press reveals a deep and abiding interest in Stanner's work, especially the essays he wrote for a wide public, and suggests that his insights are well suited to be taken up in continuing debates about the place of Aboriginal people in Australian society. Marcia Langton writing in the *Australian Literary Review*,<sup>4</sup> Christopher Pearson in the pages of *The Weekend Australian*,<sup>5</sup> Inga Clendinnen in *The Monthly*<sup>6</sup> and Keith Windschuttle in *Quadrant*<sup>7</sup> all turned their attention variously to Stanner's work. And in their recent books, Noel Pearson<sup>8</sup> and Peter Sutton<sup>9</sup> have drawn on Stanner's writings to help sustain their critical attention to past policymaking and their visions for the future. In this essay, I explore Stanner's legacy as a key thinker, but not in the sense with which we tend to conventionally deploy this notion. Here, I am interested to explore how Stanner's work is being mobilised in current public political debate, to examine what kind of 'thinking *with*' Stanner is being undertaken in the politics of the present.

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1 Hinkson, Melinda and Beckett, Jeremy (eds) 2008, *An Appreciation of Difference: WEH Stanner and Aboriginal Australia*, Aboriginal Studies Press, Canberra.

2 Stanner, WEH 2009, *The Dreaming and Other Essays*, Black Inc., Melbourne.

3 Robert Manne, 'WEH Stanner: the anthropologist as humanist', in *ibid.*, p. 4.

4 Langton, Marcia 2009, 'Chronicler of a disaster foretold', *Australian Literary Review*, pp. 17–18.

5 Pearson, Christopher 2009, 'Stanner's Aboriginal essays show their age', *The Australian*, 21 March.

6 Clendinnen, Inga 2009, 'The good soldier', *The Monthly*, April, pp. 56–61.

7 Windschuttle, Keith 2009, 'Bill Stanner and the end of the Aboriginal High Culture', *Quadrant*, no. 5 (May), viewed 10 September 2009, <<http://www.quadrant.org.au/magazine/issue/2009/5/bill-stanner-and-the-end-of-aboriginal-high-culture>>

8 Pearson, Noel 2009, *Up From the Mission: Selected writings*, Black Inc., Melbourne.

9 Sutton, Peter 2009, *The Politics of Suffering: Indigenous Australia and the end of the liberal consensus*, Melbourne University Press, Carlton.

Running through my essay is a reflection on the issue of ‘presentism’—the use of scholarly work of an earlier era to address contemporary concerns. In an important essay on the theme, historian of anthropology George Stocking<sup>10</sup> describes presentism as a kind of ‘Whiggish history’ in which the end goal is judgment not understanding. From the perspective of the presentist, according to Stocking, history is taken to be ‘the field of dramatic struggle between children of light and children of darkness’.<sup>11</sup> In this characterisation, Stocking evokes nicely some of the tenor of Australia’s history wars and the culture wars that have followed. Indeed, a concern to reveal the presentism at work in recent history making has been a strong theme of post-Mabo critical scholarship in Australia. Bain Attwood’s critique of Henry Reynolds’ deployment of ‘juridical history’—representing the past in such a way that it might be made available to legal and quasi-legal judgments in recognition of Aboriginal rights in land—is the most well-articulated case.<sup>12</sup> While the use of aspects of Stanner’s work by contemporary writers needs to be distinguished from the kind of critique Attwood is making of Reynolds and the specificity of these issues as they concern historians, I want to suggest that at a formal level a similar process is in operation, and presentism is a useful concept with which to think about some recent readings of Stanner’s works.

Historically, Australians have imagined the cultural difference of remote-living Aboriginal people through two broad sets of representations: one positive, the other negative. While both positive and negative stereotypes coexist, it is by and large the case that one kind of image has dominated in any particular era and broadly influenced the public and policy attention to the Aboriginal problem. Since the mid-1990s, we have been witnessing the re-ascendency of the negative stereotype. Across this transition, two different possible readings of Stanner have been undertaken as his ideas have been appended to conflicting political projects. Before turning to consider these issues of the present, we must, however, lay the foundations for a broader understanding of the development and application of Stanner’s thinking.

## Beginnings

William Edward Hanley Stanner was born in Sydney in 1905, the second of three children, to a family of modest means. His father died when William

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10 Stocking, George 1968, ‘On the limits of “presentism” and “historicism”’, *Race, Culture and Evolution: Essays in the history of anthropology*, The Free Press, New York, pp. 1–12.

11 *Ibid.*, p. 4.

12 See Attwood, Bain 1996, ‘The past as future: Aborigines, Australia and the (dis)course of history’, *Australian Humanities Review*, April 1996, viewed 28 May 2010, <<http://www.australianhumanitiesreview.org/archive/Issue-April-1996/Attwood.html>> See also Curthoys, A., Genovese, A. and Riley, A. 2008, *Rights and Redemption: History, law and Indigenous people*, UNSW Press, Sydney, especially pp. 32–6, ch. 2.

was just three and, like others of his generation and class background, young Stanner left school early to help support the family. He found work in a bank before establishing himself in the more interesting world of journalism. He took himself off to night school and after matriculating enrolled in a degree at Sydney University in 1928. After a chance meeting early on with the newly arrived Alfred Reginald Radcliffe-Brown—the dashing foundation chair of anthropology—Stanner changed course from economics to anthropology.<sup>13</sup>

By all accounts, Radcliffe-Brown was an inspirational lecturer and Stanner's lecture notes attest to this. In reading these notes, there is a clear sense of a discipline in the process of being moulded by one of its founding figures; in many of these lectures, Radcliffe-Brown was in critical engagement with the work of Tylor, Durkheim and Malinowski, as well as introducing his students to the research that would go on to be published as his ground-breaking survey study of Aboriginal Australia.<sup>14</sup> He moved on from Sydney, however, before Stanner embarked on postgraduate fieldwork. So it fell to A. P. Elkin, then Raymond Firth to supervise Stanner's master's study. After two extensive periods of research in northern Australia, Stanner relocated to London in 1935 to undertake his PhD. For financial reasons, he ended up at the London School of Economics working with Malinowski and Firth, rather than Oxford, where Radcliffe-Brown was now chair. Firth employed Stanner as a research assistant and would become a significant figure in his professional life. While completing his PhD, Stanner continued his work as a journalist, notably for *The Times*, in which he also published important feature articles on the plight of Australia's Aborigines.<sup>15</sup>

In 1938, having completed his PhD, Stanner travelled to East Africa, where he spent time before and after the war.<sup>16</sup> Stanner's time in Africa was formative in a number of respects, particularly for the insights he gained into the fraught arena of development. In Africa, he was able to place something of the situation he had observed in northern Australia in wider perspective. The war and his time in Africa and further afield kept Stanner working outside Australia for more than a decade. Finally, in 1949, he secured his first tenured academic position when he was appointed Reader of Comparative Social Institutions in the Research School

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13 See Barwick, Diane, Beckett, Jeremy and Reay, Marie 1985, 'WEH Stanner: an Australian anthropologist', in Diane Barwick, Jeremy Beckett and Marie Reay (eds), *Metaphors of Interpretation: Essays in honour of WEH Stanner*, The Australian National University Press, Canberra, pp. 1–52.

14 See, for example, Stanner, W. E. H. 1930, 'Notes taken in Radcliffe-Brown's Social Anthropology II Lectures, 1930', MS 3752, Series 2, Item 2, W. E. H. Stanner Collection, AIATSIS Library, Canberra.

15 See, for example, Stanner, W. E. H. 1937, 'Dying races of Australia', *The Times* (London), 25 November 1937, p. 15.

16 See Melinda Hinkson, 'Stanner and Makerere: on the "insuperable" challenges of practical anthropology in post-war East Africa', in Hinkson and Beckett, *An Appreciation of Difference*, pp. 44–57.

of Pacific Studies at The Australian National University. In the next decade and a half, Stanner would re-immense himself in the anthropology of Aboriginal Australia and write his most important work.

Through the 1960s, he took on increasingly public roles—notably, on the Council for Aboriginal Affairs alongside H. C. ‘Nugget’ Coombs and Barrie Dexter; he appeared as expert witness in *Milirrpum versus Nabalco*, the unsuccessful challenge of the Yolngu against the establishment on their lands of a giant bauxite mine, in what we have come to know as the first land rights case; and, in 1968, he became the first anthropologist to be invited to give the Australian Broadcasting Commission’s Boyer Lectures. His series *After the Dreaming* has been referred to as among the most important Australian lectures ever given.

In our introduction to *An Appreciation of Difference*, Jeremy Beckett and I<sup>17</sup> suggest that Stanner’s career was a tussle between two kinds of commitments. He had a driving ambition to contribute to public life that was evident early on, cut across by a deep intellectual interest in the questions of social process with which anthropology is concerned. These two interests were not necessarily incompatible, as illustrated in the working lives of a number of Stanner’s contemporaries, but an increasing burden of public responsibility in his later life kept Stanner from writing the books he imagined he might complete. In fact, the corpus of published work Stanner left behind is relatively small; aside from various articles, we have his book about postwar reconstruction in the Pacific, *The South Seas in Transition*, his series of scholarly essays published as an *Oceania* monograph, *On Aboriginal Religion*, his Boyer lectures, *After the Dreaming*, and his collected essays, *White Man Got No Dreaming*. Of these, it is the Boyer Lectures and a small number of essays from *White Man Got No Dreaming* for which Stanner continues to be widely known.

## Structural functionalism and the ‘rotting frontier’

It is in the context of Stanner’s scholarly training that we find the issues that continued to animate and frustrate his anthropological interests for the rest of his working life. Stanner’s teachers were of the generation that established anthropology as a professional discipline. They rejected cultural evolutionism and were concerned with documenting the diversity of ways of being human in the present. Yet paradigm shifts in thinking occur through a series of stages, and scholars of Stanner’s generation and training encountered a paradox lodged in

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17 Jeremy Beckett and Melinda Hinkson, “‘Going more than half way to meet them’”: on the life and legacy of WEH Stanner’, in Hinkson and Beckett, *An Appreciation of Difference*, pp. 1–23.



the idea that anthropology was concerned with the present. That idea was cut across by the directive that social change could not be grappled with until culture itself had first been explained.<sup>18</sup> This idea presumed 'culture' to take some kind of original form against which the complex mess of colonial encounter might then be mapped. This idea—that anthropology recorded 'culture' first, then 'change'—was clearly articulated in Radcliffe-Brown's teachings, as Stanner's lecture notes make clear. Paradoxically, this idea ensured that anthropology would continue to look not to the present, but back through time, to some imagined pre-colonial order, as the space where the most valued forms of social life were to be sought and documented.

We might observe that this culture-centred approach entailed a particular twist on presentism. On the one hand, 'the present' was articulated as the focus of anthropological concern; this was what set ethnographic research apart from ethnology. In reality, however, 'the present' was itself eschewed in favour of a more graspable object: culture or society delineated and composed as a set of identifiable (or imagined) structures and practices. This was scholarship undertaken in the interests of the present in that it established a clear and legitimised field of practice, with its own ethical temper; cultures had to be documented 'before it was too late' (that is, before they were gone—the direction of cultural change was at this time still assumed to be inevitable). What this approach also ensured was a set of scholarly practices that need not account for the conditions of their own making; the colonial encounter was a secondary or even peripheral concern for anthropological description and analysis. It was not that Radcliffe-Brown and his contemporaries sought to make colonialism invisible; it was rather that they had no theoretical capacity to make sense of the processes of which they were themselves a part. They also did not have any real interest in doing so; social-scientific scholarship of this era was concerned with a different set of questions. Nevertheless, anthropologists of Stanner's generation encountered the practical implications (and unintended consequences) of such an approach.

Arriving at Daly River by boat in April 1932 to begin his first stint of ethnographic fieldwork for his master's thesis, Stanner was confronted with a situation vastly different from what he had expected. The linguist Gerhardt Laves had told him the area was home to 'half a dozen unstudied tribes who spoke no English'. On arrival, however, Stanner observed 'English was understood by nearly every native on the river, many of them speaking it with a fluency that makes pidgin

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18 Stanner, 'Notes taken in Radcliffe-Brown's Social Anthropology II Lectures, March 24, 1930', MS 3752, Series 2, Item 2, W. E. H. Stanner Collection, AIATSIS Library, Canberra; cf. Radcliffe-Brown, A. R. 1958 [1931], 'The present position of anthropological studies', in M. N. Srinivas (ed.), *Method in Social Anthropology: Selected essays*, University of Chicago Press, Ill., pp. 42–95, at p. 77.

a misnomer' and most were working for peanut farmers.<sup>19</sup> We might imagine that as an anthropologist in training, Stanner found himself immediately in a situation in which theory meets reality and finds itself wanting. And indeed his master's thesis might be read as a direct response to this conundrum. It also established the interests with which Stanner would continue to be occupied for the rest of his working life. So let us conjure up this environment that Stanner unwittingly wandered into and would come to describe as the 'rotting frontier'.

The history of cultural contact on the Daly River was replete with bloody, violent and complicated encounters between settlers and Aboriginal people of the region. Stanner wrote in his diary just a week after his arrival that he was 'already convinced' it would prove to be 'a most valuable key area for intensive enquiry into cultural contacts and dislocation'. The first explorers had named the Daly River in 1865; Chinese agriculturalists established the first farm in the area soon after. In the early 1880s, copper was discovered in significant quantities by five fossickers who set up a mine and permanent camp. In September 1884, four of them were speared to death. In the reprisals that followed, the Aboriginal Protector, Dr R. J. Morice, reported that as many as 150 men, women and children were shot and killed.<sup>20</sup> In the next decade, Jesuit missionaries failed in separate attempts to establish a viable mission at three different locations, before finally quitting the Northern Territory altogether. A series of agricultural experiments followed. In 1908, a large government farm was established in an effort to attract significant numbers of settlers to the area. Free blocks of land and generous financial payments were made to 34 settlers. Dairying, pigs, fruit trees and other crops were all tried unsuccessfully. In the years that followed, peanuts were successfully harvested, but this was far from fertile land and the 1930s worldwide depression served only to deepen the dire circumstances of the Daly farmers. By the time Stanner arrived, just 12 of the original settlers remained. All were growing peanuts; all relied on local Aboriginal labour; most were deeply in debt.<sup>21</sup> Hostilities between Aborigines and settlers intensified as the worsening financial situation meant that paying workers their allocations was becoming increasingly difficult. While the settlers were dependent on Aboriginal labour, these dependencies became mutual in light of Aboriginal people's strong desire for tobacco, sugar and tea. There were incidents of theft, quarrels over Aboriginal women and many antagonisms to do with maltreatment and underpayment of workers. In one noted episode, a settler was so determined to prevent his precious stores being raided that he planted dynamite under the boards of his hut so that any person entering

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19 See Hinkson, Melinda 2005, 'The intercultural challenge of Stanner's first fieldwork', *Oceania*, vol. 75, pp. 195–208, at p. 199.

20 Stanner, W. E. H. 1934, Culture contact on the Daly River. Draft for thesis, University of Sydney, MS 3752, Series 1, Item 9, W. E. H. Stanner Collection, AIATSIS Library, Canberra, p. 27.

21 This discussion is taken from Hinkson, 'The intercultural challenge of Stanner's first fieldwork', p. 199.

the house during his absence would trigger the charge.<sup>22</sup> This was a rough place—a ‘rotting frontier’ along which Stanner observed layers of cross-cultural misunderstanding leading to many conflicts and where social order appeared to be unravelling.

The circumstances of this first fieldwork had a profound influence on the trajectory of Stanner’s anthropology.<sup>23</sup> It was here that Stanner established a concern with the problem of change or cultural transformation. As he reflected later in life:

I have argued that Aboriginal life is not to be thought of (as some anthropologists seem implicitly to think of it) as naturally or inherently stable but, on the contrary, as prone to instability. I take the disposition to change, as it were, for granted, as something that does not really have to be accounted for.<sup>24</sup>

In this regard Stanner was a thinker ahead of his times. He was also, however, constrained by the conceptual tools available to him and more particularly by his continuing commitment to Radcliffe-Brown’s approach. What Stanner identified as his own failure to account for the problem of Daly River social organisation we might rephrase in terms of the impossibility of disentangling Aboriginal social organisation from the colonial context in which he found it. To put it in Radcliffe-Brownian terms, Stanner came up against the problem of sketching culture before tackling change. The two phenomena simply could not be approached separately. Stanner went on to wrestle with this conundrum variously across this work, but it is in two of his essays that have been taken up in the public domain that we find perhaps the most enduring reflections on the matter.

## Reading Stanner in the present

What is it that allows writings of an earlier era to acquire a special resonance in the present? In relation to Stanner’s corpus, it might be suggested that the public response to the 1992 Mabo case and the history wars that followed resonated closely with the central ideas put forward in his 1968 Boyer Lectures. In those lectures, Stanner laid down the case for grasping our history in terms of a ‘great Australian silence’. Through the public debates and legislative response triggered by Mabo over land-tenure uncertainty, Australia revisited the issues Stanner had identified as lodged at the heart of the nation. His analysis of

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22 Stanner, *Culture contact*, p. 55.

23 Hinkson, ‘The intercultural challenge of Stanner’s first fieldwork’, pp. 195–208.

24 Stanner, W. E. H. n.d., ‘The dreamers of Wali Wali’, MS 3752, Series 1, Item 162a, Unpublished manuscript, p. 1.

Australian race relations and of our 'history of indifference' was invoked by a new generation of writers and political activists to stimulate thinking about the moral dimensions of the case and its wider implications for national identity.<sup>25</sup> Stanner's Boyer Lectures are replete with material that might support this kind of political project. More recently, public debate in relation to Aboriginal affairs has gained a new focus. The urgent object of debate is now not so much history as culture. And it is with this shift in public orientation that new readings of Stanner's work—and in particular two of his essays—have been taken up in a differently oriented presentist project.

'Continuity and change' and 'Durmugam: a Nangiomeri' were written just a year apart, in 1958 and 1959, respectively. These two essays, as in the best of Stanner's writings, take much of their force from the way they reach simultaneously in two directions: into the heart of the Aboriginal life world and into the depths of the Australian psyche. Both essays are concerned with stark realities of cultural transformation and with our intellectual and administrative inability to come to terms with these. Let us turn first to 'Durmugam', which has received the most constant attention in recent public intellectual debate (by Manne, Clendinnen, Windschuttle and Sutton), and which Manne recently described as 'the finest essay by an Australian' he had 'ever read'.<sup>26</sup>

Stanner wrote this essay for a book edited by American anthropologist Joseph Casagrande on relationships between anthropologists and their informants. It is an anthropological exercise in life writing in the fullest sense: an individual life examined as a prism through which we might also glimpse the broader society around him, as well as the experience of the anthropologist (at least at the level of his own telling). And there is a sense in which this essay, more than any other, cemented Stanner's reputation as a humanist anthropologist.

The essay opens in dramatic fashion with a fight scene: Stanner describes Aboriginal men, 'garishly painted up' in 'savage, vital splendour', the air filled with flying spears.<sup>27</sup> After a period of watching the action, the anthropologist is able to discern a pattern in the chaos, as well as to identify a striking figure of a man who is 'peerless' in his 'display of skill and courage'.<sup>28</sup> At the end of the fight, as if stepping off a film set, this man walks over to Stanner and asks him if he 'liked the fight'. Stanner asks who he is and recognises Durmugam as the

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25 See, for example, Pearson, Noel 1994, 'Mabo: towards respecting equality and difference', *Voices from the Land: 1993 Boyer Lectures*, Australian Broadcasting Corporation, Sydney, pp. 89–101; Clendinnen, Inga 1999, *True Stories, Boyer Lectures*, Australian Broadcasting Corporation, Sydney, especially Lecture Six: 'What next?', viewed 29 May 2010, <<http://www.abc.net.au/rn/boyers/stories/s74430.htm>>

26 Manne, 'WEH Stanner', p. 4.

27 Stanner, W. E. H. 1979 [1959], 'Durmugam: a Nangiomeri', *White Man Got No Dreaming: Essays 1938–1973*, The Australian National University Press, Canberra, p. 67.

28 *Ibid.*, p. 69.

man known to Europeans as ‘Smiler’, the most ‘murderous black of the region’. In the weeks that follow, it becomes clear that Stanner has found in Durmugam his ideal informant.

In recounting Durmugam’s life story, Stanner reveals the harshness of life in remote northern Australia in the early decades of the twentieth century and the kinds of transformations that occurred in the lives of Aboriginal people as they became organised, through mutual dependency, around the peanut farms. ‘Many of the preconditions of the traditional culture were gone’, observes Stanner: ‘a sufficient population, a self-sustaining economy, a discipline by elders, a confident dependency on nature—and, with the preconditions, went much of the culture, including its secret male rites.’<sup>29</sup> But—and the ‘but’ is significant—he also recognised the ‘vital will’ of these people to ‘make something of the ruined life around them’.<sup>30</sup> Durmugam’s life emerges as a kind of metaphor for the larger tale of colonial encounter. A life shaped by migration, parental death, close and formative relationships with particular European settlers and, importantly, initiation into what Stanner terms the Aboriginal High Culture. In his estimation, this last experience provides the constitutional anchorage for his subject’s sense of self.

At the heart of this essay lies an implicit question: how are we to put together the portrait Stanner paints of this man of good character, who embodies all the qualities an Aboriginal person would put forward as making an honourable man (notably, as Inga Clendinnen has observed, these map very neatly onto our modern figure of the English gentleman),<sup>31</sup> with the known fact of his having killed four people? It is a question that Stanner can pose usefully for his own purposes, as it enables him to peel back some of the layers of mystique surrounding Aboriginal custom, to reveal some of its complexity and points at which it remained starkly at odds with European law, and moreover, to get at something mainstream Australia seemed unable to grasp: ‘what it is to be a blackfellow in the here-and-now of Australian life.’<sup>32</sup> It is this kind of conception of identity in the process of transformation—conveyed passionately and evocatively in terms that defy the orthodox interests of discipline-based writing—that makes this such a unique and powerful essay.

Stanner places the centre of his moral focus with Durmugam in the last years of his life when, after World War II, he returns to northern Australia and finds his old friend struggling unsuccessfully to hold the parameters of his world

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29 Ibid., p. 83.

Stanner [1958], ‘Continuity and change among the Aborigines’, in *ibid.*, pp. 41–66, at p. 42.

30 Stanner, ‘Durmugam’, p. 74.

31 Clendinnen, Inga 2005, ‘The power to frustrate good intentions’, *Common Knowledge*, vol. 11, no. 3, p. 423.

32 Stanner, ‘Durmugam’, p. 93.

together. Durmugam is surrounded by young people with little respect for the principles that frame his sense of the order of the world—nor do they respect the old man himself. His favourite wife has run off with a younger man—worse, she has run off with the son of his first wife, which is a ‘great humiliation to a man still alive’;<sup>33</sup> his eyesight and body are failing him. The system of law to which Durmugam subscribes seems to have lost its moorings, or at least it is unable to help him regain his dignity or repay his sense of justice in this situation. Similarly, Stanner shows us that Durmugam’s appeals to the European system of law to provide him with aid fall on deaf ears. Here, a tale emerges of a man caught between two worlds, or rather caught between two imagined orders, neither of which seems to hold traction in the world of the here and now.

Stanner mobilises Durmugam’s story as a prism through which to illustrate the senselessness of assimilation. The crucial insight he takes from Durmugam is that ‘the only thing he ever liked about Europeanism was its goods’.<sup>34</sup> He was a unified person who could bridge two worlds, but ultimately found the European way of life ‘saltless...and, at the end, bitter too’; ‘it never attracted him emotionally, it did not interest him intellectually, and it aroused only his material desires’.<sup>35</sup> And it is this analysis that lies behind Stanner’s confident assessment that ‘Aborigines like Durmugam can never be “assimilated”’. Towards the end of the essay, Stanner reflects on the issues of ‘treachery, hatred, bloodshed’ with which Durmugam’s story has been concerned and poses the question of whether these things are a product of culture or its decay. He concludes that it is not possible to say.<sup>36</sup> Significantly, this is the project that Peter Sutton has taken up in his recent book *The Politics of Suffering*, as I discuss later in this essay.

‘Durmugam’ is written not so much as an exercise in exploring what is to be done, but rather conjuring up through an individual biography a sense of the lived experience of cultural contact. There is no attempt to resolve the problem posed by the ‘flash’ young men who were ‘no longer listening to anyone or caring for anything’,<sup>37</sup> but rather to show that they posed a problem that neither existing system seemed able to deal with. The essay is as much a celebration of all that Stanner himself admired in Aboriginal society as it is his eulogy for a deeply admired friend. Both Inga Clendinnen and Jeremy Beckett have observed that this essay memorialises an Aboriginal society in a state of demise; in Beckett’s words, ‘here we are to understand the man and the social order going down together before a misguided policy’.<sup>38</sup>

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33 Ibid., p. 91.

34 Ibid., p. 98.

35 Ibid., p. 101.

36 Ibid., p. 105.

37 Ibid., p. 92.

38 Jeremy Beckett, ‘Frontier encounter: Stanner’s Durmugam’, in Hinkson and Beckett, *An Appreciation of Difference*, p. 98.



## The uses of Stanner

Given its themes and the literary flair with which the Durmugam essay is written, it is not surprising it has received so much attention in recent public debate. Keith Windschuttle,<sup>39</sup> writing in *Quadrant* in May 2009, observes at the outset that Stanner is ‘one of the most impressive essayists this country has ever produced’. In a rare moment of agreement with Robert Manne, Windschuttle declares ‘Durmugam’ to be Stanner’s ‘masterpiece’, but suggests further that it can be read ‘as an argument against the intellectual rationale behind the Coombsian package<sup>40</sup> that Stanner himself, wearing his hat as government adviser, had long supported’. In other words, Windschuttle reads Stanner the scholar somewhat provocatively to undermine the political vision of Stanner the policy adviser who worked alongside Coombs and Dexter on the Council for Aboriginal Affairs, and with whom the policy program of self-determination is closely identified. This move can be made only via a quite selective reading of ‘Durmugam’. Windschuttle starts by ignoring the complex picture Stanner paints of the rotting frontier, overlooking his descriptions of ‘mutual dependency’ to read that Aboriginal people were in the 1930s by and large living ‘customary lives as hunter-gatherers’, yet nevertheless ‘beleaguering’ the white settlers for their provisions. He deploys Stanner’s observation of Aboriginal people’s voluntary movement off their own lands as they were drawn to the ‘powerful magnet’ of white society as a counterpoint to Henry Reynolds’ model of invasion and resistance—and here Windschuttle reveals the prime motivation behind his attention to Stanner: it allows him to mobilise the work of a scholar who Reynolds credits with triggering his interest in Aboriginal history to directly contradict Reynolds’ thesis.

‘Instead of patriotically defending their territory and ancient way of life,’ Windschuttle writes, ‘the Aborigines have accommodated their behaviour and society to the white arrivals. Indeed, many had been positively seduced by the ability of the colonists not only to provide a permanent supply of food, but also the irresistible stimulants tea and tobacco.’<sup>41</sup> Windschuttle’s simplification of Stanner’s narrative of cultural contact allows him to make giant leaps: conflict was rare, ‘coming in’ the norm. If Windschuttle reads the “‘coming in” of their own accord’ narrative as that which the writing of Aboriginal history has overlooked, he highlights another theme in Stanner’s work as having been enthusiastically grasped in public discourse: Stanner’s supposedly ‘romantic view of traditional Aboriginal culture and his belief that in pre-contact times the

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39 Windschuttle, ‘Bill Stanner and the end of the Aboriginal High Culture’.

40 The ‘Coombsian package’ Windschuttle refers to was anti-assimilationist and broadly supportive of Aboriginal people having choice in the matter of their own futures. See Rowse, Tim 2000, *Obligated to be Difficult: Nugget Coombs’ legacy in Indigenous affairs*, Cambridge University Press, UK.

41 Windschuttle, ‘Bill Stanner and the end of the Aboriginal High Culture’, p. 2.



Aborigines had a sophisticated High Culture worthy of intellectual respect'.<sup>42</sup> Yet, Windschuttle continues, Stanner's work, and 'Durmugam' in particular, can be read in quite a different way. Honing in on Durmugam's status as a murderer who escaped retribution, Windschuttle posits Aboriginal society in terms of a Hobbesian state of nature and repudiates the idea that it contained a system of law that should be recognised as equivalent to that of European law.<sup>43</sup>

Windschuttle moves on to track Durmugam's demise in parallel with the demise of the High Culture. He declares that young people 'came to see their future lay more in assimilation than in the religion and values of traditional society'—an observation that again could be made only by passing over Stanner's pointed refutation—that is, that the ideal of assimilation could not deal with the lived experience of Daly River.<sup>44</sup> He then jumps abruptly from Daly River to Port Keats/Wadeye (two very different places with very different histories) and recounts a list of violent incidents reported in that township in the past decade and quotes at length from an ex-Wadeye schoolteacher's memoir (published in an earlier issue of *Quadrant*), an apocalyptic account of children running riot; we might simplify borrowing Stanner's words, an account of young people 'listening to no-one and caring for nothing'. Windschuttle puts Wadeye forward as 'one of the most typical' of remote communities (one wonders on what grounds he is able to generalise with such confidence)—a community where lives are being wasted while we southerners worry about the demise of the High Culture. And he ends with a juxtaposition: while the demise of the High Culture, he confidently states, could not have been 'halted by anyone'—as it was 'caused by an inevitable and irresistible force: the intrusion into traditional society of the modern world'—the tragedy of Wadeye was a different matter altogether. This was a 'product of optional policies, chosen and endorsed by white intellectuals and tertiary-educated Aboriginal activists either on the basis of political ideology, or in the case of those like Stanner, by a mistaken view of how to adapt to the outside world'. In conclusion, Windschuttle suggests, 'had Stanner lived to see the outcome of the policies he recommended, there is little doubt he would have looked on in horror and demanded a revaluation'.<sup>45</sup>

I suggested earlier that in Australian political debate the history wars have in some sense given way to the culture wars. Windschuttle, however, articulates their points of connection and continuity. His essay also demonstrates how two conflicting political projects can make productive use of Stanner's work by performing selective readings and deploying these in the public domain. The reason I pay Windschuttle's reading of Stanner so much attention is that he is

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42 Ibid., p. 3.

43 Ibid., p. 5.

44 Ibid., p. 6.

45 Ibid., p. 7.

by no means a lone voice. His approach in the *Quadrant* essay also exemplifies a certain way of reading scholarly work in contemporary public debate—as just one kind of source among many that might be given equal weight. Here Windschuttle typifies a mode of public discourse that emerged in the era of the Howard government and has continued since, in which anecdote—the view of the person on the street—becomes elevated over other kinds of evidence to legitimise certain kinds of policymaking.<sup>46</sup> In the past decade, Stanner’s work has been mobilised in support of diverse political projects—projects that at times are in direct contest with each other. This is the case if we read Ralph Folds’ book *Crossed Purposes*, for example, with its narrative of Pintupi defiance of the State’s attempts to coerce them into certain models of citizenship, against Peter Sutton’s argument in *The Politics of Suffering* that a considerable part of the explanation for the current crises of remote Aboriginal Australia is to be found in Aboriginal custom, and indeed Noel Pearson’s enlisting of Stanner in support of his argument for programmatic community development.<sup>47</sup>

Perhaps paradoxically it is the rich texture and humanist quality of Stanner’s work that leaves it open to be read so divergently. Quite simply, he provides us with a picture of Aboriginal social life that is unusually multifaceted, that documents and weighs up contradictory forces, while resisting the urge to generalise or reach some final point of judgment in accounting for that life. Those wishing to read Stanner in line with particular presentist projects have ample material to draw on, whether the skew of interpretation in regard to Aboriginal circumstances is positive or negative. To extract from Stanner in this way is of course to misread him. While ‘Durmugam’ might be particularly suited for mobilisation in current debates, I want to turn now to an essay Stanner wrote a year earlier, to give us a different handle on these issues, and indeed on Stanner’s legacy.

## Stanner’s rejoinder

‘Continuity and change among the Aborigines’ was written as the presidential address to the Australian and New Zealand Association for the Advancement of Science in Adelaide in 1958. Stanner starts off by observing that the focus of that conference is on the ‘Aborigines and the future’ and he makes some ironic comments about having just returned from fieldwork in the north where he was caught up studying ‘their past’. This reference is, however, more than a throwaway line; the central argument Stanner makes in this address is that

46 Hinkson, Melinda 2007, ‘In the name of the child’, in Jon Altman and Melinda Hinkson (eds), *Coercive Reconciliation: Stabilise, normalise, exit Aboriginal Australia*, Arena Publications, Carlton North, Vic., pp. 6–7.

47 Pearson, Noel 2009, ‘Radical hope: education and equality in Australia’, *Quarterly Essay*, no. 35, Black Inc., Melbourne.

while Aboriginal tradition is widely observed to be collapsing or already collapsed, there remain fundamental continuities from the past to the present that are 'likely to have force into the future'—in short, Stanner suggests, 'until Aborigines cease to be themselves'.<sup>48</sup> On his most recent visit to Daly River, which was also the time of his last meeting with Durmugam, Stanner had observed a deep generational divide between the interests of men Durmugam's age and their children and grandchildren. Where he wrote pessimistically about the implications of this divide in his 'Durmugam' essay, in 'Continuity and change' he insists that while such differences exist, young people's 'activities and interests are in many ways still recognisably Aboriginal'.<sup>49</sup>

'The Aborigines I know,' he tells his audience, 'seem to me to be still fundamentally in a struggle with us. The struggle is for a different set of things, differently arranged from those which most European interests want them to receive.'<sup>50</sup> The struggle is in part against the

official view that henceforth the Aborigines must be treated as 'individuals' and not as 'groups'. I am afraid this shows that authority does not know what it is doing. No policy or law can transform the Aboriginal from what he is in this region—a social person, tied to others by a dozen ties which are his life—into an abstract 'individual'.<sup>51</sup>

He goes on to observe the marked ontological distinctions between Aboriginal and European ways of being:

There is a sense in which The Dreaming and The Market are mutually exclusive. What is The Market? In its most general sense it is a variable locus in space and time at which values—the values of anything—are redetermined as human needs make themselves felt from time to time. The Dreaming is a set of doctrines about values—the values of everything—which were determined once-for-all in the past. The things of The Market—money, prices, exchange values, saving, the maintenance and building of capital—which so sharply characterise our civilisation, are precisely those which the Aborigines are least able to grasp and handle.<sup>52</sup>

So, here is an echo of his characterisation of Durmugam, but for the entire society: Aboriginal people were interested in the material vestiges of European

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48 Stanner, *Continuity and change*, p. 41.

49 *Ibid.*, p. 42.

50 *Ibid.*, p. 42.

51 *Ibid.*, p. 43.

52 *Ibid.*, p. 58.

culture, but thoroughly disinterested in the logic and principles that grounded them. They were, he suggested, 'as far as ever from grasping its rationale, its form, or its values. They still wanted to go their own way.'<sup>53</sup>

Stanner refutes what he calls the 'pathetic fallacy'—the idea that Aboriginal people were simply passive victims of history. He describes their active pursuit of European things and their voluntary movement off their customary lands. As we have seen, it is this aspect of Stanner's analysis that Windschuttle is particularly keen to emphasise—but note: Stanner refuses to interpret this in terms of a rejection of an Aboriginal way of life; 'here we have', he suggests, 'a people exploring a potential of their structure, a people taking advantage of its flexibility'.<sup>54</sup> Here Stanner gives short shrift to two dominant ideas: the idea that Aboriginal people were simply run over by the superior force of European society, and the idea that the decline of traditional culture resulted simply in a chaotic mess. 'The one thing that seems to continue,' he observed,

is the effort of the restless, if baffled, Aborigines to work out terms of life they know how to handle. This is why they develop rather than alter, substitute rather than forgo, and give in only to try and outwit. Plainly visible through the process is the fact that [Aboriginal life] has a system, as every process must. It is as plain as daylight that this system is still fundamentally Aboriginal in type.<sup>55</sup>

In Stanner's sights in this address is not only the misunderstanding of government and public, but anthropology as well. Most significantly, he suggests that grappling with these processes of change is beyond the conventional frame of interest and methods of structural functionalism. 'There is,' Stanner suggests, 'a wholesome fear in modern anthropology of overloading abstractions with reality.' And this can be read as his observation on the limits of structural-functional method and its concern with social structure. Again, Stanner's undergraduate lecture notes make clear where Radcliffe-Brown stood on such matters. He went to some lengths to spell out to his students what the scientific approach to anthropology did *not* include: paramount here was 'the observation of society on the basis of everyday life'. Descriptions of the every day, Radcliffe-Brown told his students, had no place in scientific inquiry.<sup>56</sup> Three decades after taking down these directions in the lecture theatre, Stanner was able to observe:

We thus sometimes beg the question whether we have consulted the right reality in the first place. Behind the forms we abstract are men with ideas...One of our problems is just the implicitness or wordlessness of

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53 Ibid., p. 62.

54 Ibid., p. 47.

55 Ibid., p. 62.

56 Stanner, Notes taken in Radcliffe-Brown's lectures, 18 March 1930.

some of the conceptions still powerfully affecting the Aborigines. Often one is not too sure even of the questions to ask, or of the right ways to ask them.<sup>57</sup>

While we might read pessimism into this reflection, it is clear that Stanner is asking us to see something else—not simply the demise of culture, but rather that culture itself was emerging to take forms that our own epistemological frameworks were not yet able to grasp. And accordingly, he ends his paper with the suggestion that '[w]e now need new minds and new points of view, even if only about old ideas';<sup>58</sup> it was time for a generational change at both theoretical and policy levels of engagement.

We cannot know where Stanner's thinking might have led him were he alive today. What we can do is look at the way in which his ideas are being taken up and the political work they are being mobilised to do in the present. Significantly, his observations on the limitations of modern anthropology's concern with abstractions evoke something that both Sutton and Windschuttle are attempting to grasp in their similarly framed critiques of self-determination policy. While it may appear provocative pairing Sutton with Windschuttle—especially given the former's deeply insightful work on Stanner published elsewhere<sup>59</sup> and the lack of scope to rehearse the argument of *The Politics of Suffering* in any detail here<sup>60</sup>—there is a clear sense in which Sutton's project in *The Politics of Suffering* and that of Windschuttle are attuned. Sutton draws on Stanner's descriptions of fighting in 'Durmugam' to support his thesis that pre-colonial Aboriginal society was violent. He identifies core tenets of Aboriginal culture, as described by Stanner, as maladapted to modernity. Like Windschuttle, Sutton's book calls for a rejection of the 'romantic view' of Aboriginal culture and for what he sees as an overcommitment to abstract principles of Aboriginal 'rights' that has got in the way of us caring for Aboriginal persons.

There is a sense in which Sutton can be read as working in the tradition of Stanner, in his espoused desire to expose aspects of Aboriginal experience to public scrutiny that heretofore had been hidden from view, but Stanner had his focus simultaneously trained on a confluence of contributing factors that Sutton overlooks. Windschuttle obfuscates in order to suit his political argument, ignoring scholarly work that might lead him to draw a differently inflected

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57 Stanner, *Continuity and change*, p. 63.

58 *Ibid.*, p. 66.

59 See Peter Sutton, 'Stanner's veil: transcendence and the limits of scientific inquiry' and 'Stanner and Aboriginal land use: ecology, economic change, and enclosing the commons', in Hinkson and Beckett, *An Appreciation of Difference*, pp. 115–25, 169–84.

60 See Hinkson, Melinda 2009, 'The trouble with suffering: review of Peter Sutton's *The Politics of Suffering*', *Arena Magazine*, no. 101, pp. 54–7.

picture of present-day circumstances at Wadeye, for example.<sup>61</sup> Lattas and Morris argue that Sutton has done the same in his construction of a narrative of Cape York history that selectively focuses on certain events, painting the influence of the mission in a positive light while overlooking the impact of mining and the state-directed removal of children.<sup>62</sup> Both Sutton and Windschuttle arrive at the same conclusion: seeing Aboriginal society as in a dire state requiring radical redevelopment—the remaking of Aboriginal personhood in line with mainstream individualist values.<sup>63</sup> Their selective reading of Stanner’s work is undertaken to help justify a contemporary politics of ‘practical care’.

The examples of presentist uses of Stanner’s work we have briefly considered here turn on particular conceptual moves. First, they eschew the more complex understanding of culture Stanner was reaching for. Second, they collapse important distinctions that need to be made between self-determination as Coombsian or Stannerian policy vision, as Aboriginal aspiration, and the way a set of government programs was in fact implemented on the ground. In relation to the first—the problem of culture—we have a model caught between two imagined forms: High Culture and its collapse. Here I have shown that while he documented these two types himself, Stanner was strongly of the view that it was limitations in our own capacity to grasp the complex messiness of Aboriginal ways of life in the present that led us to formulate things thus. If culture is understood as either whole or broken (as it is by Windschuttle and Sutton) then there *is* only one sensible political solution: assimilation, or mainstream integration. As Stanner himself put it pointedly, however, ‘we have persuaded *ourselves* we have only two options—the methods of the past and assimilation’.<sup>64</sup> Moreover, Tim Rowse has drawn attention to what he calls Stanner’s ‘characteristic dubiety’:<sup>65</sup> Stanner was circumspect on the question of what the future would hold for Aboriginal people. Contrary to what some of his critics suggest, Stanner’s writings offer ‘no manifesto for “self-determination”’.<sup>66</sup>

The conundrum of self-determination can of course be apprehended only from the perspective of our time, not Stanner’s. And here we should note that a growing body of anthropological work has revealed the points of articulation, contradictions and gaping crevices between policy ideas, their implementation

61 See, for example, Alberto Furlan, ‘Indigenous songs as “operational structures of transactional life”: a study of song cycles at Wadeye’, in Hinkson and Beckett, *An Appreciation of Difference*, pp. 151–65.

62 Lattas, Andrew and Morris, Barry 2010, ‘The politics of suffering and the politics of anthropology’, in Jon Altman and Melinda Hinkson (eds), *Culture Crisis: Anthropology and politics in Aboriginal Australia*, UNSW Press, Sydney, pp. 61–87.

63 Altman, Jon and Hinkson, Melinda 2010, ‘Very risky business: the quest to normalize remote Aboriginal Australia’, in G. Marston, J. Moss and J. Quiggin (eds), *Risk, Responsibility and the Welfare State*, Melbourne University Press, Carlton, pp. 185–211.

64 Stanner, *Continuity and change*, p. 55; emphasis added.

65 Rowse, Tim, ‘After The Dreaming: the Boyer lecturer as social critic’, in Hinkson and Beckett, *An Appreciation of Difference*, p. 252.

66 *Ibid.*, p. 259.

on the ground and the kinds of imperatives and aspirations Aboriginal people have in mind when they deploy the term 'self-determination'. Quite simply, to see self-determination as a concept that might simultaneously bear the weight of these different processes is—to borrow a phrase used by Stanner in another context—to ignore 'the vexing heterogeneity of...ethnographic facts'.<sup>67</sup>

This brings us back to the question of Stanner's own anthropological inheritance and his latter-day critical awareness of the limitations of that body of thought. Writing to his student and friend T. N. Madan in 1962, Stanner revealed his awareness of the limits of the thinking of his teachers in characteristically evocative terms:

I respect both [Radcliffe-Brown's] and [Malinowski's] memories: they taught me much, but neither ever really satisfied me. We have to use the natural science approach—but we have to avoid [Radcliffe-Brown's] effort of making human, man-made facts seem non-human; and we have to grasp more of the creative and aspirational side of man than [Malinowski] did. How odd the scheme of 'primary and derived needs' now seem! What 'derived needs' prompt me to write poetry in my private moments?<sup>68</sup>

Stanner both did and did not transcend the constraints of his time. So many years after he penned these essays they still mark gaps in our capacity to grasp the present and to imagine possible futures. Their richness ensures we will continue to mine these essays for interpretative insights and put them to work in support of diverse political programs for years to come. Indeed, recent public debate and policymaking indicate we have some considerable distance to travel before the full complexity of Stanner's ethnographic observations might be allowed to filter through to public thinking.

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67 Stanner, W. E. H. 1953, *The South Seas in Transition: A study of post-war rehabilitation and reconstruction in three British dependencies*, Australasian Publishing Company, p. 422.

68 Cited in Barwick, Beckett and Reay, 'WEH Stanner', p. 27.



# Judith Butler: disturbance, provocation and the ethics of non- violence

Fiona Jenkins

To be human seems to mean being in a predicament that one cannot solve.

— Judith Butler, *Giving an Account of Oneself*, p. 103

## Troubled thought

Judith Butler's *Gender Trouble* (1990) profoundly shaped critical inquiry in the decade that followed its publication across many intellectual fields, and it is undoubtedly Butler's most widely read book. When I came across it belatedly in 1995, I read it cover to cover in a day, intrigued and provoked by the ideas I encountered. Above all, however, I remember that I found myself repeatedly disturbed by the photograph on the cover, to which I would turn again and again, pausing from my reading, and puzzling over how what the image seemed to me to show might correlate with what I took the text to say. The front cover of the edition I read shows in grainy black-and-white a girl and a boy, aged about seven or eight, but the boy is in girls' clothing—a dress and ruffled pinafore matching those of the slighter taller girl next to him. At least, I took him to be a boy. It looked to me like a boy's face. Yet when I eventually turned to the back cover, I learnt that the photo is captioned 'Agnes and Inez Albright'. Are these, then, really two girls—one of whom looks like a boy—or does the boy not only wear girls' clothes but bear a girl's name? And why did it bother me that I neither knew the answer nor found it easy to square my experience of the image with what Butler seems to argue in this work?

In the discussion that follows, I take the trouble this image presents as a point of departure for an initial question about how best to read Butler's work—one that turns in important ways on what we make of the idea of trouble that is at the centre of her ethical and political thought.<sup>1</sup> I shall argue that to trouble and to be troubled, to be willing to remain in the space of trouble, are elements

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<sup>1</sup> A recent publication by Samuel Chambers and Terrell Carver notably takes up the idea of trouble in Butler's work as a way of positioning her distinctive contribution to political theory. See *Judith Butler and*

in Butler's valorization of and plea for the value of disturbance. Disturbance of the kind that Butler is interested in is often experienced as intolerable, indeed as a provocation or assault on the self that demands a violent reaction in return. In her most recent work, however, Butler has sought to elaborate how the experience of disturbance might be met with non-violence rather than violence, through a struggle to avoid threatening another, in reiteration of one's own experience of being threatened. We shall see that for Butler, violence belongs within reiterative patterns internal to our perceptions of what is normal or natural, and that non-violence foregrounds the ethical question of how to respond in a scene in which that question tends to vanish behind a sense of what it is 'necessary' to do. Let me begin, however, from the problem of reading and how a certain way of reading Butler would lead one to wonder about the nature of the disturbance presented by this image.

Perhaps the most obvious message one draws from reading *Gender Trouble* is that in this work Butler is advocating some kind of radical constructivism with respect to sexual difference—radical in the sense that she suggests the questions feminism has raised about the naturalness of gender differences must come to inflect sexual difference as well, making the very idea that there are two 'natural' sexes uncertain. *Gender Trouble* argues that we have to go beyond the tacit or explicit acknowledgment that feminism has made of the existence of two clear biological *sexes*, while holding that these are distinct from and indifferent to the acculturated *gender* differences we might properly take as the target of political change and re-education. For 'sex' is itself, Butler argues, a gendered category: 'Gender ought not to be conceived merely as the cultural inscription of meaning on a pre-given sex...gender must also designate the very apparatus of production whereby the sexes themselves are established.'<sup>2</sup>

If sex appears, as we might think, ordinarily, as an aspect of the natural or biological world, Butler's argument is that it is because it has been *constituted* as such. Sex has been constructed *as* the 'radically unconstructed', as that nature on which culture acts; and yet its delineation is profoundly shaped by modes of normativity that regulate a whole range of social and sexual behaviours. But—and this is one way in which the idea is so provocative—if the 'radically unconstructed' is itself a construction, it might seem as though the 'reality' of sexual difference (and in all that seems to be its biological or material *givenness*) simply disappears. Under the ruffled pinafore, behind the name, would lie no truth at all.

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*Political Theory: Troubling politics* (2008, Routledge, New York and Abingdon). Penelope Deutscher has a very useful discussion of Butler's use of 'trouble' in *Yielding Gender: Feminism, deconstruction and the history of philosophy* (1997, Routledge, New York and London: see ch. 1).

2 Butler, Judith 1990, *Gender Trouble*, Routledge, New York, p. 7.

The assumption that Butler's thought led to the denial of some crucial reality of sexual difference inspired the first wave of criticism of *Gender Trouble*. It seemed to Butler's critics that her application of deconstructive thinking to the question of gender had led to a kind of indifference to bodies; and the material as well as the ethically and politically salient aspects of embodied sexual difference had been collapsed into a plurality of possibilities. In Butler's version of things, it seemed, we might discover these to have been either absurdly reduced to the arrangements of 'X' and 'Y' chromosomes or narrowed purely by our cultural commitments to 'hetero-normativity'—that is, to the field of normalcy and intelligibility defined by a certain arbitrary arrangement of sexuality and bodily morphology, and privileging heterosexual arrangements of desire. Despite the apparent radicalness of this approach, however, this meant that Butler ended up in a position that echoed the lack of material thinking inherent to the legacies of liberal feminist politics she had herself set out to critique—and either lent an improbable degree of social malleability to all aspects of identity or gave credence to the idea of a social monolith constructing every aspect of what we are. Building on these objections, two further lines of criticism—whose mutual contradictoriness is itself revealing—shaped the response to *Gender Trouble*. These circled around the claim made in that work that gender is 'performative', or rather that gender is to be understood as 'an identity tenuously constituted in time, instituted in an exterior space through a stylized repetition of acts'.<sup>3</sup> On the one hand, this account was taken to indicate the presence of a subject who would control and deploy the 'appearances' of gender at will, as if selecting clothes from a closet; while on the other, Butler's account of the normative inscription of gendered life—which, she argues, is itself responsible for producing socially 'viable' subject positions—was taken to be deterministic, to strip the subject of any agency to contest the norms by which social existence constrains and captures us.<sup>4</sup>

There are answers to these objections in Butler's works subsequent to *Gender Trouble*, which I outline below.<sup>5</sup> For now, I simply want to note that my own first experience of the sense of unease Butler's radical text gives rise to was in some respects like Butler's critics, but centred on an odd experience of its cover image. My disturbance, however, did not exactly take the form of an objection;

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3 Ibid., p. 140.

4 The most scathing version of these latter objections was penned by Nussbaum, Martha C. 1999, 'The professor of parody', *The New Republic*, 22 February 1999, vol. 220, no. 8, pp. 37–46. Similar objections are mounted against Butler by Seyla Benhabib, in Butler, Judith, Benhabib, Seyla, Fraser, Nancy and Nicholson, Linda 1995, *Feminist Contentions*, Routledge, New York and London.

5 Also note that there are many excellent discussions in the secondary literature on Butler that aim to clear her of these charges. See, for instance, Chambers and Carver, *Judith Butler and Political Theory*, ch. 3, pp. 51–71; Lloyd, Moya 2007, *Judith Butler*, Polity, Cambridge and Malden, pp. 57–74. The objections do, however, still surface. See Kirby, Vicki 2006, *Judith Butler: Live theory*, Continuum, London and New York, for a sustained argument. See also my critical engagement with the latter: Jenkins, Fiona 2008, 'Giving an account of Butler', *Australian Humanities Review*, vol. 45.

rather, the image made me feel uneasy. Because I initially took *Gender Trouble* to argue for the radical contingency of gender norms in a sense that would imply that its text would itself produce a transformation in perception, my insistent sense of a question in response to the photograph on its cover—which exercised a compulsion that in no way dissipated through my reading—seemed to be misplaced and inept. Some of my response took the form of self-accusation. Was it my own implacable conservatism that was revealed in the recurrent *either/or* that seemed to me posed by the picture? Was I seized by homophobic norms? Why the depth of my evident attachment to the frame of gender reference that *forced* the *either/or*: *either* a boy with a girl's clothes and name *or* a girl with a boy's face? And yet, the materiality of sexual difference seemed to be evidenced in the force of this question and through the perceptual signs by which one reads the norm, even while acknowledging the possibility of deviation from it. Like Butler's first critics, to me, there seemed something dishonest in denying this. Nonetheless, and perhaps by virtue of the self-accusation that the narrowness of my response seemed to entail, I wanted the text to show me how I could stop seeing in this way. I wanted it to expose the limits of the discursive frame of the interpretation that compelled my question, as if to produce a revelation that would break with its force.

If I return now, however, to reconsider how to engage the girl/boy in the cover photograph of *Gender Trouble* with his/her anomalies of face, clothes and name, and to ask what my troubled experience with the photograph might show, it is because I find it important to the ethico-political terrain at stake here to register my *desire* for both some sudden Gestalt-switch provided through the argument of the text and the specific nature of its *thwarting* or failure. For it was not simply the case that multiple possibilities of gendered being opened up to my eyes as the force of the laws of intelligibility by which I read the image receded in the wake of criticism. Rather, exposed to the questions the photograph poses through the terms of engagement offered by the text, my sense of being compelled by the image precisely *intensified*. I turned to look at it again and again. Perhaps, then, what the image and my being troubled by it show is something that needs to be approached in another way. It is as if the image itself cannot *represent* anything that exceeds my normative frame for reading it (a frame registered in the insistent question: *boy or girl, boy or girl?*). But the thought I want to explore here is *that the image disturbs*, that I kept *returning* to it, is in a sense precisely what matters and what—rather than the *depiction* of a gender anomaly of one sort or another—makes it an apt image for the cover of this book, foregrounding the 'trouble' that is gender. The image does not 'depict' that trouble; rather, as indexed through the very gesture of unsettlement, something happens through the image—a movement whereby the image *exceeds* what it can represent and sets in motion a disturbance.

The question I am addressing here is what is at stake in the process of unsettling of norms, of seeing and relating to the world and finding one's own self a part of that circuitry. Butler often refers to the contingencies of the organisation of gender and other social norms in ways that intend to challenge the sense of necessity or naturalness that attaches to them. Yet when we speak of the 'contingent' organisation of social facts, we are very liable to presume an image of what this means that positions us in relation to the field of meaning as though we stand outside it, as conscious intentional subjects capable of 'seeing through' social illusions to reach a better truth, and of changing and remaking ourselves in its light. Yet, as I outline more fully below, it is just this picture of subjectivity (and the role it has played in feminist gender politics) that Butler rejects, along with its tacit positioning of selves outside the field of sociality structured as normative life. It is certainly the case that the project of social transformation is at the heart of Butler's work, and notably within this the aim of creating what she calls more 'liveable' spaces for those whose lives are systemically assaulted by the regulative action of norms—centrally including those of gender—which confer the fundamental terms by which we are recognised as subjects at all. The question of the liveable life is at once personal (what makes my life bearable?) and political (what makes the lives of others bearable?). Liveability is at risk where there are strong commitments to 'what constitutes the human, the distinctively human life, and what does not'.<sup>6</sup> The history of exclusion and punishment that has attended the sexual transgression of heterosexual norms is exemplary for Butler of the abjection and 'social death' by which certain lives are marked; and her ethical and political commitments are shaped by challenging the contemporary exclusionary articulations of which bodies matter, and which, conversely are 'dematerialised' and exposed to violence. Such violence goes unacknowledged to the extent that it is viewed as justified or warranted by its power to restore a normal or natural order; and in the next section, I chart Butler's treatment of how violence 'disappears'. The question that I am raising before this, however, is how Butler's critical and transformative project is best described. If we aim to create more 'liveable' spaces, are we aiming to increase the 'possibilities' of being in some numerical sense? And if not precisely this, what is intended to flow from opening up the social field to the sense of its own contingency? How, given Butler's interest in the question of what 'qualifies a body for life within the domain of cultural intelligibility'<sup>7</sup> (a question that touches constantly on the violence accompanying the normative), does a re-envisioning of ethical, political and critical thinking take place that can include her radical reassessment of the social terms of embodiment, of agency and of subjectivity?

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6 Butler, Judith 2004, *Undoing Gender*, Routledge, New York and London, p. 17

7 Butler, Judith 1993, *Bodies that Matter: On the discursive limits of 'sex'*, Routledge, New York and London, p. 2.

The idea I shall seek to develop in this essay (and as a way of approaching what I would characterise as a key dimension of Butler's contribution to contemporary thought, one that enables us to link her early writing on gender as a place of 'trouble' to her more recent concerns to sketch the contours of an ethic of non-violence in the context of a world obsessed by the 'war on terror') is that we need to pay attention to the unconventional terms of Butler's transformative critical project and to be very wary of reading her interest in revealing the 'contingency' of existing social arrangements as though this entails that these could simply be shrugged off or transcended.<sup>8</sup> Indeed, the idea that in postulating 'gender trouble' Butler is simply exposing a contingent social organisation of the gendered world, premised on the fact that such a world is socially 'constructed', is apt to mislead in consequential ways. In particular, the very idea of 'construction' belongs to a frame of intelligibility that is highly over-determined by the philosophical dualisms of freedom and necessity, subject and object, mind and body. Here we are led by the grammar of language itself to imagine: 1) a subject 'doing' the construction; 2) an agency whose freedom must be prior to constraints; and 3) a body whose existence is ultimately defined by its material recalcitrance to human making and opposed to subjectivity. These aspects of language and thought—first observed and analysed by Nietzsche as key elements in moral thinking<sup>9</sup>—conjoin to reassert the schema of thinking that Butler is in fact seeking to deconstruct.

Some of these issues are directly addressed in the introduction to *Bodies that Matter* (1993) (which reads as a 'reply to my critics') and argues for thinking the term 'construction' only through the term 'materialisation':

What I would propose in place of these conceptions of construction is a return to the notion of matter, not as site or surface, but as *a process of materialization that stabilizes over time to produce the effect of boundary, fixity and surface we call matter...*[C]onstruction is neither a single act nor a causal process initiated by the subject...Construction not only takes place in time, but is itself a temporal process which operates through the reiteration of norms; sex is both produced and destabilized in the course of this reiteration.<sup>10</sup>

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8 Penelope Deutscher (*Yielding Gender*, p. 15) puts the point neatly: 'showing gender to be a deconstructible category may mean resisting its naturalisation and normalisation. But there is a world of difference between this and the optimism that gender categories, because they are deconstructible are discardable fictions.'

9 These ideas about the relation of language and moral thought appear in a range of guises throughout Nietzsche's work, but see, in particular, a text that is often cited by Butler: *On the Genealogy of Morals* (First essay, section 13), which treats the 'misleading influence of language' in positing a subject or a 'doer' who stands behind the deed, and is the locus of a form of moral responsibility that enables someone who feels injured to blame another who is 'responsible' for it.

10 Butler, *Bodies that Matter*, pp. 9–10. For a highly critical discussion of this move in Butler, again see Kirby, *Judith Butler*, pp. 65–70.



It is only when we take seriously the idea of a process of materialisation that is simultaneously productive *and* destabilising that the ethical space Butler's thought seeks to open up begins to develop its contours. 'Boundary, fixity and surface' could be an 'effect', but they are, precisely for that, effective, not *mere* effects.<sup>11</sup> For this reason, it is necessary to register that the field of appearances is a force-field of relations—neither something superficial nor something supervening on a 'deeper' reality. Again, the ideas at stake here were integral to Nietzsche's thought and at the root of his profound influence on the French post-structuralist thinkers from whom Butler takes most direction in her work: Derrida and Foucault.

Thus, for instance, in this analysis, as elsewhere in Butler's thought, crucial work is being done by an account elaborated in Derrida's early work on the iterability of signs, which also tries to capture the 'force-field' of meaning by considering the performative dimensions of language. Thus Butler's treatment of gender as 'an identity tenuously constituted in time, instituted in an exterior space through a stylized repetition of acts' maps almost directly onto what Derrida has to say about the temporalised and spatialised structure of *writing*, whose character (he argues) emerges as fundamental for all meaning only when we give up on (or deconstruct) the assumption that the primary instance of meaning is one that owes its force to the intentional act of a conscious subject.<sup>12</sup> Derrida's argument comprises two elements that are especially important for Butler: *first*, that given the dependence of all meaning on iterative structures, meaning cannot ever be fully 'stabilised' over time, although the attempt to do so finds expression in 'ideals' imagined to be able to govern the field of meaning; *second*, that all signification has a 'material' inscription (as Derrida famously argues, it is like writing as opposed to speech, or rather, speech is like writing in its dependence on a material form that cannot be taken to be controlled or centred by intentional subjectivity).

The first point is taken up by Butler as part of her account of gender norms as 'idealisations' supposed to be able to stand above and 'govern' the field of meaning, rendering stable, regular and timeless what is unstable, irregular and temporal. But it also inspires her account of how a 're-signification' of norms becomes possible, in so far as the 'rupture' inherent to each re-instantiation constitutes an opportunity where things might happen differently. Iteration entails that meaning is always breaking with its 'original' context; indeed,

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11 Gayle Salamon has a useful discussion of how the mistake that is made here is bound up with the misconstrual of fantasy, taken to be a term opposed to, and inferior to, reality, rather than rendering fantasy in the psychoanalytic sense as an enabling condition of the subject. See Salamon, Gayle 2004, 'The bodily ego and the contested domain of the material', *differences: A journal of feminist cultural studies*, vol 15, no. 3 (Fall), p. 115.

12 See Derrida's essay 'Signature, event, context' (1982, *Margins of Philosophy*, Harvester Press, Sussex, pp. 307–30).



it entails that there is no 'original' context but only an imaginary attempt to stabilise discourse by imputing to a founding moment the capacity to govern the unknowable future set of inscriptions of the sign. The material inscription of signs is also the scene of their mutability and deformability. The second point is taken up, then, when in *Bodies that Matter* Butler elaborates an account of the body that aims to refine the theory of the social inscription of gender by appealing to the passage of signification and materiality through one another, in a rhetorical figure of 'chiasmus' or crossing. To come back to the idea of a body's 'boundary' as 'effect', Butler argues that the norms of sex performatively constitute the sexed materiality of the body as a result of the reiterative and citational practice by which discourse *produces the effects that it names*; but such materialisation is never quite complete—'bodies never quite comply with the norms by which their materialization is impelled'.<sup>13</sup> Here we encounter a doubled thought about how norms 'work' and thus might be 'unworked'. On the one hand, the very failure of the norm to fully materialise explains the compelling sense of needing to fulfil it, to 'realise' what it demands. On the other hand, this temporal inscription of the norm allows for another possibility of response.

For the *unworking* inherent to the life of norms to take place, Butler argues, it is necessary that norms become 'rattled, display their instability, and become open to resignification'.<sup>14</sup> I want to suggest that the experience of looking at the image on the cover of *Gender Trouble*, of undergoing the disturbance it provokes, offers an allegory not only for the provocation that can be taken to inhere in such an 'anomalous' scene but also for what we might think of here as the compulsion of response bound to the inherent failure of the norm to fully constitute the 'real'. At times, this failure urges the conservative attempt to maintain the idealities of the norm as reality; at others, as signification and materiality fail to pass through one another seamlessly, as we undergo a dissonance or interval, we might become aware of our own disturbance and the question of how to respond. I might sense my own precarious place in the recitation of gender and respond to that in a range of different ways. There is thus a vital ethical aspect to this question of the 'way of returning' in an unstable field of meaning.<sup>15</sup>

The compulsion of response is a site of potential violence, which might manifest itself as an aggression against the other who does not 'fit' the order of objects in a world in which I find my place, the other whose presence thus disturbs me, and in which context I reaffirm the laws of gendered being or, more broadly, of a social order that gives me my place (consider the likelihood that the girl who

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13 Butler, *Bodies that Matter*, p. 2.

14 Butler, *Undoing Gender*, p. 28.

15 Compare Sara Salih's account of an 'ethics of difficulty' and especially its bearing on the 'difficulty' critics have regularly encountered in reading Butler's texts (Salih, Sara 2003, 'Judith Butler and the ethics of difficulty', *Critical Quarterly*, vol. 45, no. 3).

looks like a boy or the boy in a girl's clothes will be bullied at school). I outline these aspects of Butler's treatment of violence in the next section, alongside Butler's account of non-violence in works such as *Precarious Life* (2004), *Undoing Gender* (2004), *Giving an Account of Oneself* (2005) and *Frames of War* (2009). Butler stresses that non-violence is a way of undergoing disturbance that matters vitally in the context of experiences of aggression, vulnerability and injury that are irreducible in life. Non-violence, in this account, is not a principle governing action; on the contrary—and in a way that conforms to the account given here of how we might undergo disturbance in the force-fields of normative life—non-violence can be experienced as a 'claim', alongside other rival claims, within a situation that demands response.<sup>16</sup> This marks the site of a struggle that engages and touches on the conditions of one's own formation, the way in which one's own self appears in the circuitry of norms in ways that never are quite 'one's own'. In Butler's analysis, violence typically inheres in the social formation of selves; however, such formation is not a 'once and for all' process and this affords an ethical opportunity:

We are at least partially formed through violence. We are given genders or social categories, against our will, and these categories confer intelligibility or recognizability, which means that they also communicate what the social risks of unintelligibility or partial intelligibility might be...But...a certain crucial breakage can take place between the violence by which we are formed and the violence with which, once formed, we conduct ourselves...The normative production of the subject is an iterable process—the norm is repeated, and in this sense is constantly 'breaking' with the contexts delimited as the 'conditions of production'.<sup>17</sup>

One way in which Butler characterises the ethical practice of non-violence is as 'making good use of the iterability of productive norms and, hence, of their fragility and transformability'<sup>18</sup> in a context in which we must recognise ourselves as 'mired in violence'. Non-violence, she argues, is a struggle against performing our sensed needs for self-preservation, which we might often seek to secure by 'returning' action in a way that confirms or reiterates violence. In what follows, I aim to connect the idea Butler develops here of the nature of ethical responsibility in scenes characterised by unease, anxiety and ambivalence with a reflection on the experience of what troubles—even in seemingly 'mild' cases, such as the experience of the image on the cover of a book. My argument will be that it would be a mistake to imagine provocation or the sense of trouble simply disappearing from such scenes as we 'see through' the falsity of claims within

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16 Butler, Judith 2009, *Frames of War: When is life grievable?*, Verso, New York and London, p. 165.

17 Ibid., p. 168.

18 Ibid., p. 170.

them. Instead, I shall elaborate an account of ‘apprehension’ as the ethical mode in which a disturbing image is encountered. I attempt a reading of Butler here that stresses ways of ‘unworking’ (as opposed to overcoming) the moralised forms of power that are embedded in a sense of the necessity or naturalness of prevailing social or gender arrangements. This practice of unworking entails occupying ‘conflict in a different way’,<sup>19</sup> and it aims, I suggest, to expose or register the ‘force-field’ of claims and a continuing relation between ‘trouble’ and forms of disturbance that are productive and creative—a testimony not only to the ever present possibility of violence, but to the social bonds that at once maintain and undo us.

## II: violence and non-violence

As a queer activist and as a member of the board of the San Francisco-based International Gay and Lesbian Human Rights Commission, Butler has taken a significant interest in the multiple forms of violence occasioned against the sexually anomalous, across a wide range of instances—from the phenomenon of gay-bashing to forced corrective surgery for the intersexed: ‘What astonished me, time and again,’ she writes, ‘was how often the organization was asked to respond to immediate acts of violence against sexual minorities, especially when that violence was not redressed in any way by local police or government in various places in the globe.’<sup>20</sup> Discussing violence against the ambiguously gendered (though the form of the account is, as we shall see, extended to other instances), Butler writes:

The desire to kill someone, or killing someone, for not conforming to the gender norm by which a person is ‘supposed’ to live suggests that life itself requires a set of sheltering norms, and that to be outside it, to live outside it, is to court death. The person who threatens violence proceeds from the anxious and rigid belief that a sense of world and a sense of self will be radically undermined if such a being, uncategorizable, is permitted to live within the social world. The negation, through violence, of that body is a vain and violent effort to restore order, to renew the social world on the basis of intelligible gender, and to refuse the challenge to rethink that world as something other than natural or necessary.<sup>21</sup>

In this passage, violence is being thought about as a process of enforcing the boundaries of what can be regarded as real and permitted to exist; as such, it

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19 Ibid., p. 175.

20 Butler, *Undoing Gender*, p. 34.

21 Ibid.

participates in actively refusing what is 'contingent, frail, open to fundamental transformation in the gendered order of things'.<sup>22</sup> Within the frame that seems to its perpetrators to legitimate their actions, the victims of such violence are deemed to 'bring it upon themselves', indeed to 'court death' by virtue of their deviancy. The violence enacted against such victims 'disappears' to the precise extent that it is successful in shoring up or restoring an order of intelligibility that denies reality to what seems anomalous, deviant or simply unworthy of living. Such violence marks what it is to be unsupported as a body or life that 'matters', and this in a way that extends beyond these examples of violence related to sexual identity, to many ways of discounting human life—for instance, in the relations of the First to the Third World or in the context of war. The normative conditions under which certain forms of violence become not only possible, but are, in one way or another, tacitly or explicitly considered justified, link both agencies of the law and those who seemingly act outside it. This is not strictly, then, a psychological thesis about what motivates such violence in individual cases; rather, it rests on ideas about the fundamental constitution of the social world, as the site at which 'reality' is being made and unmade and in ways that are bound up with certain moralising processes. To 'matter' is at once to materialise and to be of some importance; its converse is a process of dematerialisation that simultaneously negates the value and the very possibility of an existence. The moralisation at work in this process intervenes in the realm of appearances to secure a sense of the goodness or rightness of what is always and already there: the real, the natural, the unchangeable, the necessary, the hegemonic order.

There is no question here of there simply being different opinions about what it is right or wrong to do or be (questions of 'morality' in that sense). Rather, something that is in the process of appearing or manifesting itself is quashed, as the very possibility of its taking on embodied form, or existing as a life, is refused (and, importantly, is refused even as the possibility deemed 'impossible' in fact *manifests* itself). Violence accompanies the life of norms, inhering in their literal enforcement, as well as in the productive shaping of the field of their application; it inheres, moreover, in modes of *justification* that constitute a warrant for the necessity of action by invoking a certain circularity between how things are and how they must be, where this generates practices and ways of thinking that attempt to conform reality to its 'proper' normative shape. This circular movement takes the meaning of violence beyond that of coercive force and into a field of social power with much broader reach. Nonetheless, as Butler writes in the passage cited above, such violence is 'in vain'; something in it fails. This point is important both in terms of identifying sites at which

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22 Ibid., p. 35.

another response becomes possible and in tracing, as it were, negatively, a kind of testimony to the failure of violence to secure the aims it claims for itself.<sup>23</sup> We might consider in this light the following example.

One vivid illustration of how normative violence responds to the 'inconceivability' of certain gender configurations is provided in Butler's analysis of what supports a sense of the necessity of the corrective surgery that is practised on intersex children. This assigns a sex to a body that fails to belong 'properly' to either pole of a dimorphic vision of gender. The intervention is deemed essential to achieving social identity and requires remaking the body in the social image of one gender or the other.<sup>24</sup> Yet the surgery that is performed in the name of creating a viable identity and a 'normal-looking' body typically leaves scars and mutilations, rendering it very questionable how far it will 'pass' for normal at all. To conform to what is supposed to be normal turns out to require significant, often violent, force to bring about what might be no more in the end than a crude approximation. Further, the effort to align bodily appearance with an 'inner' sexual identity—determined by the presence or absence of a 'Y' chromosome—presumes the existence of a natural arrangement of sex that is belied by precisely these instances. The naturalness of the sex binary is at once presupposed and restored as ideal in this process. Butler is led to comment, therefore, on the paradoxes whereby the

norms [that] govern intelligible gender...are those that can be forcibly imposed and behaviorally appropriated, so that the malleability of gender construction...turns out to require forceful application. And the 'nature' that the endocrinologists defend also needs a certain assistance through surgical and hormonal means...So in each case, the primary premise is in some ways refuted by the means by which it is implemented. *Malleability is, as it were, violently imposed. And naturalness is artificially induced.*<sup>25</sup>

Despite, or rather through, these paradoxes, the sense that it is necessary to intervene, to act to align this person, this body, with a fixed and recognisable gender identity, acquires a palpable force. Intervention seems to be required if this being is to enjoy the life of a recognisable human being. This process can then take place with good conscience, indeed righteousness. Although Butler does not deny that these cases pose complicated personal and political dilemmas, she nonetheless wishes to point here both to the social conditions shaping them and to the powerful ideological frame that transmutes a dilemma into a clear mandate for action. There are moral frames that can make the violence of an

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23 For a further elaboration of this concept of 'testimony', see: Jenkins, Fiona 2007, 'Toward a nonviolent ethics: a response to Catherine Mills', *differences*, vol. 18, no. 2.

24 Butler, *Undoing Gender*, p. 63.

25 *Ibid.*, p. 66.

intervention 'disappear', as violence becomes the justified means to a valid end. Thus, for instance, within this frame, if we do the violence of extensive and imperfect surgery it is *not* violence because it brings about a good, and the good is good because within it a natural order of being, a 'truth' of identity both resides and is by this process *restored*. In this intervention, there is a response not only to an individual but to a field of disturbance, some 'gender trouble', assumed to be in need of pacification through correction. So what would it mean to not see this intervention as necessary? How would this transform the social field of gender?

It is easy to see in this example how this moral scripting of gender might lead those who inhabit its norms to see themselves as bearing only a limited range of possibilities. Butler is respectful of those who choose to try to conform their gender to prevailing norms, while nonetheless raising questions about how we might consider such choices to be 'forced', not merely by external constraint but by the very fundamental desire to appear as recognisable—a recognisability that, as we have seen, could even be a condition of a person's survival.<sup>26</sup> This issue is at stake not only for the likely victim of social violence, but also for the perpetrator of violence, whose sense of social recognisability also depends on maintaining the norms of intelligibility in place.<sup>27</sup> The sense of being invested in certain terms of social order is not a superficial or dispensable aspect of the self, on this account; on the contrary, it is a vital dimension of occupying the position of a 'subject':

Bound to seek recognition of its own existence in categories, terms and names that are not of its own making, the subject seeks the sign of its own existence outside itself, in a discourse that is at once dominant and indifferent...Subjection exploits the desire for existence, where existence is always conferred from elsewhere; it marks a primary vulnerability to the Other in order to be.<sup>28</sup>

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26 See especially the essays in *ibid.*: 'Doing justice to someone' (pp. 57–74) and 'Undiagnosing gender' (pp. 75–101). Salamon ('The bodily ego and the contested domain of the material', p. 120) comments that 'to insist upon the livability of one's own embodiment, particularly when that embodiment is culturally abject or socially despised, is to undertake a constant and always incomplete labor to transfigure more than just the materiality of our bodies. It is to strive to create the lived meanings of those materialities.'

27 Another illustration of how in a proximate but disavowed relation the other secures a sense of privilege for the self is given by Butler in a reading of Nella Larsen's *Passing*. Butler examines the dependencies of the figure of the white racist within this novella, married to a woman who 'passes' for white, but is nicknamed by him 'Nig': 'If he associates with her, she cannot be black. But if she associates with blacks, she becomes black, where the sign of blackness is contracted, as it were, through proximity. The added presumption is that if he were to associate with blacks, the boundaries of his own whiteness, and surely that of his children, would no longer easily be fixed. Paradoxically, his own racist passion requires that association; he cannot be white without blacks and without the constant disavowal of his relation to them. It is only through that disavowal that his whiteness is constituted, and through the institutionalization of that disavowal that his whiteness is perpetually—but anxiously—reconstituted' (Butler, *Bodies that Matter*, p. 171).

28 Butler, Judith 1997, *The Psychic Life of Power: Theories in subjection*, Stanford University Press, Calif., p. 21.



According to the theoretical position elaborated here, gender is not merely a secondary aspect of a person; rather, gender regulations simultaneously make regular, discipline and survey subjects who are thus, as Foucault argues, produced within normative life and not merely constrained by it.<sup>29</sup> The subject does not precede such normative regulation, as in the idea that we are inclined to have of ourselves as individuals and moral beings, assuming that we precede the fields of normative claims that stand over against us with their 'oughts' and 'musts'. Rather, normative regulation does not only subjugate, but *brings into being* and sustains the subject—the 'who'—that turns towards an address in a process of 'subjectivation' that is continuing in a person's life.<sup>30</sup>

This thesis has a number of consequences. For one, it suggests that the field of social power is such that our sense of self is fundamentally at stake in our way of turning towards the 'terms of existence' that a discursive social order offers.<sup>31</sup> This does not, however, entail a deterministic process if we pay heed to the possibilities of response that open around a way of being addressed. This was a point that became very important for Foucault in his late work on ethics and which is taken up very centrally in the ethical approach elaborated in Butler's *Giving an Account of Oneself*. Another consequence is that progressive politics cannot be conceived in straightforward terms as the liberation of the 'who', the 'I' or subject from the restrictive constraints of external norms; and that however social life is to be transformed, it must be, in some sense, from *within the texture of social and discursive relations*. It is thus necessary to register the paradoxes of the fundamental dependency of the subject on relations that it never chose, but that sustain and condition its existence in ways that simultaneously subject and confer agency.<sup>32</sup> One cannot liberate a 'person' from the strictures of regulatory power, because persons are produced through such power. The question then becomes how (from within) we might rework and undo the capturing effects of norms and the congealment within frames of power that *give the appearance of being* forms of necessity. This corresponds to the de-centring of a subject that is able to take itself for a 'free' agent only by disavowing these conditions of dependency and the inherent vulnerability they establish.

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29 See 'The subject of power' and the 'Two lectures' in Foucault, Michel 1980, *Power/Knowledge*, Pantheon, New York. Also Foucault, Michel 1977, *Discipline and Punish*, Pantheon, New York, and Foucault, Michel 1978, *History of Sexuality. Volume 1*, Vintage, New York. See also Butler's discussion of 'Gender regulations' in *Undoing Gender*, pp. 40–56.

30 G. W. F. Hegel is clearly another major influence on this set of ideas for Butler, though for reasons of space I cannot go into that here. For an excellent discussion of Hegel's ideas, as relevant to Butler's work, see Lloyd, *Judith Butler*, pp. 13–23.

31 Butler, *The Psychic Life of Power*, p. 4.

32 *Ibid.*, p. 2.



The subject, on Butler's account, *exceeds* but does not *escape* social power.<sup>33</sup> It is in this excess that, she argues, agency lies, inhabiting an uneasy practice of 'repetition and its risks':

The subject is compelled to repeat the norms by which it is produced, but that repetition establishes a domain of risk, for if one fails to reinstate the norm 'in the right way' one becomes subject to further sanction, one feels the prevailing conditions of existence threatened. And yet, without a repetition that risks life—in its current organization—how might we begin to imagine the contingency of that organization, and performatively reconfigure the contours of the conditions of life?<sup>34</sup>

Butler's critical project is one of unsettling and de-centring those forms of circular reasoning that produce a sense of necessity, as exemplified by the reading of gender-assignment intervention given above, treating these as a foreclosure of the demand that we respond to the 'challenge that difference delivers'.<sup>35</sup> Her invocation here of the demand for a 'performative reconfiguring' of the conditions of life echoes the description of non-violent response in her work, offering a way of thinking about the potentials opened by the experience of being disturbed that I began to sketch in the previous section. We have seen that in the crudest case of victim and perpetrator and in social relations of power more generally, it becomes important to think about how the grip of attachment to established ways of ordering the realm of intelligibility must be loosened or reworked if certain forms of violence are to be opposed. This account extends to address a wide range of instances, in which disturbance is experienced as provocation and leads to a reaction that seeks to restore those configurations of social power that allow the self a sense of transcending its own vulnerabilities.

Many of Butler's readings of scenes of violence point to the tacit presumption that the victim of violence has provoked an attack. This sense structures the legitimation of violent response, including the retributive response of the United States against Afghanistan in the wake of the attacks of 11 September, in ways that render the military action as a form of self-defence. The analysis of violence in Butler's work thus often begins from outlining what is *prima facie* a compelling instance of violence, to ask how it 'disappears' as violence, in significant part through a reversal placing the victim in the position of provocateur. In one legal judgment of which Butler gives a detailed rhetorical analysis, what begins as the prosecution *condemning* as hate speech a certain intimidating action (whereby the Klu Klux Klan placed a burning cross in a black family's backyard) comes in the course of the passage of judgment to be read as a sign that the black family, *in*

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33 Ibid., p. 17.

34 Ibid., p. 29.

35 Butler, *Undoing Gender*, p. 35.

*prosecuting*, seeks to 'burn' the principle of the First Amendment—the principle protecting freedom of speech. Vulnerability and aggression change places, such that the black family, whose vulnerability initiated the case, transmutes into provocation—the sign of black aggression against the State.<sup>36</sup> In a reading of the 1992 trial following the beating of Rodney King by police officers in Los Angeles, Butler demonstrates how King is consistently figured throughout the trial of the police officers involved as an inherently threatening figure. Despite video evidence suggesting that there was nothing obviously provocative in King's helpless succumbing to the extraordinarily violent assault inflicted on him, Butler notes that the prefiguration of King as a profoundly threatening figure who thus 'brings the violence on himself' (who deserves, warrants or demands such 'defensive' violence) structures the original police response and the subsequent considerations of the police officers' trial.<sup>37</sup> One might also consider here the large number of legal judgments on gay-bashing cases that invoke a 'provocation defence'—that is, a defence arguing that a defendant may be excused from enacting violence against a gay man if he was so provoked or simply *sensed himself asthreatened* (perhaps by some sort of sexual advance) so that his violent reaction becomes 'understandable'.<sup>38</sup>

This sense of provocation certainly demands critique, but perhaps it should not be dismissed as wrong or interpreted as simply being based on false beliefs. Without doubt, racism or homophobia could be said to be at work here. The question of whether critique would be about enabling us to 'see through' the prejudices that shape racist and homophobic fears, or some other kind of work, is, however, analogous to the question I raised at the beginning about the response to *Gender Trouble's* cover image. My argument here is that part of the importance of Butler's theorisation of these questions is that the deep roots of the sense of provocation in a sense of self and one's dependent status within a wider social order are registered in a significant way. The question then becomes how that provocation and the aggression that accompanies it might be moderated, redirected or un-worked at the level of a transformation in social norms, as well as through work on the self that engages the sense of disturbance.<sup>39</sup>

The conditions of possibility of entering this process include accepting one's relational dependence, one's vulnerability before the other, one's 'haunting' by the inassimilable remainders of socially coherent subject positions. These

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36 Butler, Judith 1997, *Excitable Speech: A politics of the performative*, Routledge, New York and London, pp. 54–61.

37 Butler, Judith 1993, 'Endangered/endangering: schematic racism and white paranoia', in Robert Gooding Williams (ed.), *Reading Rodney King/Reading Urban Uprising*, Routledge, New York.

38 For an excellent discussion of this and its links to the Rodney King case, see Mills, Catherine 2003, *The politics of mere life*, Unpublished PhD thesis, The Australian National University, Canberra, pp. 5–9.

39 It is worth stressing Butler's insistence on the point that aggression is irreducible, such that non-violence is the struggle with one's own aggression—to redirect it as concern for justice, rather than fully suppress it. See especially Butler, *Frames of War*, ch. 5.

conditions are particularly foregrounded in some recent writing that seeks to establish the terms on which we might think responsibly without beginning from the idea of a subject who 'contracts' this relation to others through an act of will.<sup>40</sup> Instead, Butler foregrounds the constitutive vulnerability of the subject as the mode of ethicality, and this is a way of reaching towards

a more general conception of the human...one in which we are, from the start, given over to the other...hence, vulnerable to violence; but also vulnerable to another range of touch, a range that includes the eradication of our being at the one end, and the physical support for our lives at the other.<sup>41</sup>

The conception of the human outlined here and elsewhere in Butler's work couples a figure of vulnerability to a kind of open-endedness or futurity. Acknowledging that the subject is always in process—never simply a self-identical being, but incurring and sustaining vital social bonds by virtue of being 'thrown' into sociality—Butler approaches the sites of disturbance and the claims they seem to generate from another side. As we saw earlier, the form of violence that engages in the repeated effort to restore the 'order' of normative life, she argues, proceeds from an 'anxious and rigid belief that a sense of world and a sense of self will be radically undermined if such a being, uncategorizable, is permitted to live within the social world'.<sup>42</sup> We might say this disturbance proves intolerable or we might say that the desire to preserve the social order in which the self finds its place is powerfully reasserted; in either case, it issues in a violence that is reiterative and law maintaining in character. To open the possibility of another response, Butler suggests, we must ask:

What might it mean to learn to live in the anxiety of that challenge, to feel the surety of one's epistemological and ontological anchor go, but to be willing, in the name of the human, to allow the human to become something other than what it is traditionally assumed to be?<sup>43</sup>

Butler formulates this ethical transition as a passage into 'unknowing', which is also a suspension of a definitive answer to any question about 'what we are'. The *acknowledgment* of vulnerability within it (the impossibility of fully securing the self or restabilising the social order) marks this thinking as immediately ethical, insofar as refusal of that acknowledgment is at the heart of disavowed violence. Moreover, there is a difference between knowledge and the 'unknowing' of acknowledgment that is important here; the human as 'becoming

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40 See especially Butler, Judith 2005, *Giving an Account of Oneself*, Fordham University Press, New York.

41 Butler, Judith 2004, *Precarious Life: The powers of mourning and violence*, Verso, New York and London, p. 31.

42 Butler, *Undoing Gender*, p. 34.

43 *Ibid.*, p. 35.

something other than what it was traditionally assumed to be' is futural. The terms on which we might become attuned to our common vulnerability thus escape representation; to reach them we must try to subvert the 'constitutive power' of our own discourse<sup>44</sup> in the direction of accepting the open-endedness of encounter.<sup>45</sup> We must learn to engage the other in the open-endedness of the question *who are you?* As Butler elaborates this thought, a non-violent response to disturbance must learn to

live with its unknowingness about the Other in the face of the Other, since sustaining the bond that the question [*'Who are you?'*] opens is finally more valuable than knowing in advance what holds us in common, as if we already have all the resources we need to know what defines the human, what its future life might be.<sup>46</sup>

To illustrate one way we might imagine the futural bond sketched here, let me return again to my opening discussion. Perhaps the photograph also creates a space in which the question is presented of how to respond in ways that do not ask 'what is this?' but ask 'who are you?' and thereby refuse to reinstate the existing law of identity but wonder about an unknown future, unfolding from alterity. Thus, although it might well be that my 'captivation' by this image could take the form of a disturbance that will see the boy in girls' clothes or the girl with a boy's face as monstrous, anomalous or in need of correction, this sense of compulsion might also take on another energetic dimension, perhaps one of critical questioning, perhaps one in which this anomalous face starts to look at me in another way. The potential that appears here, however, is perhaps not well captured by the term 'contingency', unless we inscribe this very clearly as what might open in the gesture of return itself—that is, in the way of returning to a troubling or problematic image, one that shows something its own frame cannot quite manage or contain. Contingency in this latter sense emerges, not out of the fact that there are multiple possible identities that the law of gender's either/or somehow conceals,<sup>47</sup> but rather, out of the very instability of the field of meaning, as an uncertain futural dimension that is irreducibly a part of normative life. This can be figured as the rupture of normativity with itself, its self-fissuring that is the condition of its reproducibility. At stake in it is a political futurity that is not simply a function of the proliferation and pluralisation of identities, but rather an insistence on the importance of the disorientation that comes from losing a certain *centring* effect of knowledge. In this account, then, it is not that we must simply 'value all possible permutations of the human', but rather it is

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44 Butler, *Precarious Life*, p. 43.

45 Ibid., p. 44.

46 Butler, *Undoing Gender*, p. 35.

47 See *ibid.* (p. 43) for Butler's comment on the problems of viewing gender as a question of number—that is, 'the multiplication of genders' that displaces the binary scheme, and her preference for Luce Irigaray's theorisation of sex as non-quantitative or of interstitial and transitional modes of 'passage' between genders.

necessary to avow, as Butler puts it, 'that one's own position is not sufficient to elaborate the spectrum of the human, that one must enter into a collective work in which one's own status as a subject must...become disoriented, exposed to what it does not know'.<sup>48</sup>

This avowal works less against than *within* the desire to normalise the scene, to discern its underlying reality, to find the 'right' answer. It might be described as an 'un-working' of that desire, its release or transformation through an exposure to or a mode of undergoing an experience. Instead of contingency as simply the antithesis of necessity, contingency is better figured in this frame as the sensate opening within the norm, the mobilisation of what it 'touches' on, an *engagement otherwise* with the claim within it. To figure this again in terms of the disturbance of the photograph, the image stages a certain experience of a decision or of the desire for a decision based on the claim to know what is right, brought face to face with its own impossibility, its sensate limitations. This point is put in another of Butler's essays (*Precarious Life*) in terms of the image that 'must not only fail to capture its referent but *show* this failing'.<sup>49</sup> In my reading, this is another rendering of the 'trouble' that links some of the elements of Butler's early work to themes that appear in her most recent work, and this, as I explore in the next section, pays notable attention to the life and power of images.

### III: Apprehension and the critical image

In *Frames of War* (2009), Butler is very explicitly interested in the questions posed by the images and frames through which 'reality effects' are conveyed and she seeks to articulate what a 'critical image' would look like. These questions were initiated in *Precarious Life* (2004). In the context of a discussion of the mainstream media's portrayal of war, Butler suggests that the critical image counters the 'triumphalist image' when the latter is an image that allows us a clear point of identification with a 'we' and that 'captures' the human being by making it stand for an idea.<sup>50</sup> Contrasting and undoing this, the critical image 'must not only fail to capture its referent, but *show* this failing'.<sup>51</sup> Invoking Levinas, Butler extends his account of the ethical relation to the face of the other to suggest that the key issue here is the dissonance between the face and the work of representation, generating a paradoxical space. When we seek to

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48 Butler, *Undoing Gender*, p. 36.

49 Butler, *Precarious Life*, p. 146.

50 Ibid., p. 145.

51 Ibid., p. 146.

approach the human, 'there is something unrepresentable that we nevertheless seek to represent, and that paradox must be retained in the representation that we give'.<sup>52</sup>

In the account that I have been giving of Butler's work, the relation to others is always inhabited by traces of trouble and thus by the ethical dimension of disturbance. In her work in the past decade, this is increasingly mapped onto what Levinas calls the 'radical alterity' and the futural unknown-ness of the other. Here the claims of desiring affective life come to the fore as elements of ethical sensibility, involving both *sensitivity* and *resilience* in the face of that which troubles us in the other and a willingness, moreover, to 'carry on' or continue to inhabit this space, which is one of anxiety and struggle with our own murderous desires.<sup>53</sup> Clarifying, in the context of a discussion of non-violence, that her claim is not that norms act in deterministic ways, Butler argues that the post-structuralist idea of iterability involves a 'preoccupation with notions such as *living on*, *carrying on*, *carrying over*, *continuing*, that form the temporal tasks of the body'.<sup>54</sup> Within the futural life of norms, we might seek to survive without clinging to the given (and often hostile) terms of self-preservation. The ambivalences attendant on occupying such spaces find a characterisation in a term she has begun to foreground and treat thematically as cutting across the given terms of recognisability. In *Frames of War*, 'apprehension' is contrasted with 'recognition'; we can apprehend what we cannot yet recognise.<sup>55</sup> Apprehension registers a corporeal attunement to that which does not quite appear. In this way, to be apprehensive could be to sense a threat—to be troubled by something approaching, even simply to feel the desire to flee. I suggest that forming around such apprehension, Butler develops an ethics of disturbance that has a vital resonance in the contemporary world—an ethics that seeks out the remaindered bodies of specifically moralised forms of violence and the occlusion of this violence in 'triumphalist' representations.

The violence such an ethics opposes is accompanied by a sense of righteousness or entitlement, and one should recall that the latter is also the site of good conscience regarding violence as legitimate means to valid ends. Yet intrinsic to it is the privilege of one body's needs, security and rights over those of another, one self's sense of its place in the world to the exclusion of that of others and the resolution of disturbance into the maintenance of established order. In this context, one might think of ethical *apprehension* as attending to what exceeds the nexus of power/knowledge that forms the frames of legitimating privilege. Such apprehension might seem to be a kind of perceptiveness; yet in

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52 Ibid., p. 144.

53 Butler, *Frames of War*, ch. 5.

54 Ibid., p. 169.

55 Ibid., pp. 4–5.



consequential ways, this risks mis-describing apprehension as the *capacity* of a subject who might see, feel and be moved or as an element in a sentimental response. An ethics of disturbance, however, evokes conditions that precede capacities attributable to a subject. Apprehension, I suggest, is a modality of ethical corporeality that is internally bound to the critique of violence against remaindered or 'unliveable' lives, insofar as it subsists in a tarrying with, or being exposed to, their disturbance. Beginning in response, at stake in it is a form of responsibility characterised rather by its temporal and material inscription than by reference to the emotive or cognitive states of a subject of experience. Responsibility, as I have sketched Butler's account of it here, inheres in the way of returning to or inhabiting a site of disturbance; and within this, importantly, ethical apprehension responds to the remaindered bodies of righteous violence not primarily by asserting another form of privilege, another right, but by acknowledgment of a social bond, of being in a shared space and time, which, for the very reason of being shared, is futural and responsive. This is the 'bond' of which Butler speaks as being premised on 'unknowing' and of bringing us to awareness of a common corporeal vulnerability.<sup>56</sup>

Thus, in her most recent works on war, Butler places heavy stress on the part that images play in bringing a polity to experience the bodily affects of exposure; shock, outrage, remorse and grief can change the landscape of opinion overnight. What ends public support for a war could even be just one image: the child running, burning and wounded from napalm in Vietnam; the hooded victim of torture at Abu Ghraib. Through such an image, somehow the moral world capable of legitimating war collapses—and not simply, on this account, because the moral sanctity of the nation's involvement in the war has been brought into question by particular, unconscionable acts. Rather, something shows in the image that disrupts the visual field on which the confidence of identity is built, that field in which 'I' or 'we' can believe we are who we are because the image of ourselves is given back to us on terms we acknowledge and recognise. Support for the war evaporates as the nakedness of its violence becomes visible; but further, it dissolves through the temporary incapacity of a shocked public to return the world to a former state of imagined order.

This collapse, which is bodily and visceral and can be only very temporary, is analysed by Butler in terms of an encounter with what lies outside the 'frame' by which the world is presented to the view of a spectatorial public. These images that have become emblematic of a morally 'failed' war are 'pictures we were not supposed to see'.<sup>57</sup> If this aspect of the account seems to stress an overtly censorial function of the nexus of media and state in providing the legitimating frame of war, we should again be wary of relying too heavily on the

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<sup>56</sup> See especially the essay 'Violence, mourning, politics' in Butler, *Precarious Life*, pp. 19–49.

<sup>57</sup> Butler, *Precarious Life*, p. 150.



idea of suddenly seeing through the falsehoods of a normative frame in order to arrive at the truth, for this does not fully account for the collapse in the attitude of righteousness, which after all is capable of upholding its stance through disavowal, even in the face of massive contradictory evidence. If we take up the term 'apprehension' to think through this question, however, perhaps one can say that what takes place in a collapse induced by the critical image bears its ethical significance and political potential in and through the image's capacity to convey a certain sort of awareness of the body and its common vulnerability. This is something that is figured *through* the image, rather than shown as such; 'despite their graphic effectivity', Butler writes of the Vietnam War images, they 'pointed somewhere else, beyond themselves, to a life and to a precariousness that they could not show'.<sup>58</sup> We apprehend vulnerability through the disturbance of the image, and not, as it were, as an element of the content depicted.

Thus, in a world in which our cultural frames for thinking the human are, like our framing of gender, constituted such that some lives do not count as lives, Butler is not first and foremost engaged in arguing the idea that *representation* must be extended to include those hitherto excluded from the image of the human, or expanded by multiplying possibilities that have an abstract form. Rather, as I have sought to illumine here, what she is seeking to theorise is something taking place at the borders of representation, at the point of its failure and marking the antagonism that attends the questions 'What is real? Whose lives are real? How might reality be remade?'<sup>59</sup> As Butler remarks in *Bodies that Matter*, here we encounter a limit of 'construction' that must be elaborated by thinking as much about how bodies are *not* constructed as how they are, and to what ends, within what economies of validation.<sup>60</sup> And perhaps, I have been suggesting, it is this vulnerability of the body within continuing processes of realisation and de-realisation that shows up in the dissonant image, the picture at odds with itself that captures, disturbs and moves us. In Butler's account, ethics requires us to risk ourselves precisely at such 'moments of unknowingness; when what forms us diverges from what lies before us; when our willingness to become undone in relation to others constitutes our chance of becoming human'.<sup>61</sup> It is this, to return us to my epigraph, that places us in a 'predicament' we cannot solve, but which lays us open to the claims of others. As such, a kind of contestability of oneself lies at the heart of this ethics—an openness to the claims of others that is correlative with the experience of vulnerability.

This essay, then, has sought to give some indication of how, in an extensive body of writing that has branched out from a focus on the questions of sexuality, sex

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58 Ibid.

59 Butler, *Precarious Life*, p. 33.

60 Butler, 'Endangered/endangering', p. 16.

61 Butler, *Giving an Account of Oneself*, p. 136.

and gender (for which she is undoubtedly most famous) to consideration in recent work of the frames of justification that serve to legitimate wars, Butler offers a broad interrogation of the violence that structures and haunts many aspects and manifestations of contemporary political and ethical life. The issue I have tried to clarify is the centrality to Butler's argument of the question of what sorts of *relationship* we are able to establish with that which claims us, or, in other words, with that which has authority for us, that which compels us within the space of normative life. Perhaps this would amount to asking: how might we open this life out to a future that is not 'unknown' in a purely abstract sense, but responds to the troubling experience of difference non-violently? Can we exist in a way that is exposed to dissonance and yet able to imagining surviving, even flourishing, within its living potentiality? And can our apprehension be endured and undergone in ways that mark our opening to exposure, in lieu of its anxious, often violent, refusal? Butler's answer to these questions is not an easy 'yes'. It would be better to say that her work offers an invitation to the struggle.

