Notes

Introduction

4. Ibid.
5. In French, this is a common term often used in economic transactions: a direct debit or automated payment.
7. Foucault, “Society Must Be Defended,” 246. The pronoun originally translated in this passage as “he” has been replaced by “one” and should be understood as nonexclusive (in French, the gender of the pronoun follows the grammatical gender of the noun).
8. Foucault identifies four kinds of “technologies,” which together comprise what he calls “governmentality”: technologies of (1) production, (2) signs or significations, (3) power and domination, and (4) the self. See Michel Foucault, *Dire vrai sur soi-même: Conférences prononcées à l’Université Victoria de Toronto* (Paris: VRIN, 2017), 31. On governmentality, see chapter 3 below.
11. Foucault, *History of Sexuality*, 155–56; the translation has been modified to correct its gender-exclusive pronouns.
12. Ibid., 159.
16. My understanding of our “epochal” shift is more rhetorical than Foucault’s. My thinking has been informed by my reading of Hans Blumenberg’s *The Legitimacy of the Modern Age*, which first appeared in German in 1966 (the same year Foucault’s *The Order of Things* appeared in French). While Foucault speaks of epochal “discontinuities” and “ruptures,” Blumenberg will say “reoccupations” (*Umbesetzungen*, a military trope)—the rhetorical means by which perennial questions are answered differently from one epoch to the next, based on the shifting
plausibility of answer-positions. In a later text, Blumenberg clarifies: “The accomplishment and establishment of the reoccupation are rhetorical acts; ‘philosophy of history’ only thematizes the structure of this process, it is not the agency responsible for it” (Hans Blumenberg, “An Anthropological Approach to the Contemporary Significance of Rhetoric,” in After Philosophy: End or Transformation?, ed. Kenneth Baynes, James Bohman, and Thomas McCarthy [Cambridge, MA: MIT Press, 1987], 451).

17. Blumenberg argued that the modern age is distinctly characterized by the concept of “self-assertion” (Selbstbehauptung) and self-legitimation.


21. Ibid., 235.

22. Ibid., 237.


33. See Crouch, Post-Democracy.

34. I owe a footnote to Giorgio Agamben, who must be situated in the negative camp. I have been inspired by Agamben’s work, but on biopolitics I part ways with him precisely in his parting from Foucault. Agamben rejects Foucault’s thesis of epochal rupture and sees
in biopolitics little more than an ancient and abiding sovereign power. He draws on Nazi “Crown Jurist” Carl Schmitt, whose definition of sovereign power is succinct: “Sovereign is he who decides on the exception” (Carl Schmitt, Political Theology: Four Chapters on the Concept of Sovereignty, trans. George Schwab [Chicago: University of Chicago Press, 2005], 5). With the sovereign exception, Schmitt had in mind a severe economic or political crisis that would call for the application of extraordinary measures, such as martial law in a time of war, where the rule of law might (temporarily) be suspended, paradoxically, ultimately to preserve law and order. Agamben, however, has argued that nominally democratic modern states have come increasingly to use the state of exception as a normal paradigm of governance and securitization. In his appeal to sovereign decisionism, then, Agamben doesn’t quite see how biopolitics is, in Foucault’s terms, both a making live and a letting die. For him, Foucault’s distinction between sovereign and biopolitical power is “perfectly trivial” (Giorgio Agamben, Homo Sacer: Sovereign Power and Bare Life, trans. Daniel Heller-Roazen [Stanford, CA: Stanford University Press, 1998], 87).

35. See Fassin, Humanitarian Reason.


38. Ibid., 437.

39. Ibid., 439.

40. Ibid., 452.


46. See Jared Stark, A Death of One’s Own: Literature, Law, and the Right to Die (Evanston, IL: Northwestern University Press, 2018).

Chapter 1

For this chapter’s epigraph, I thank Kordestan Saadi and Jaffer Sheyholislami. A transliterated version of the original Farsi text reads as follows: Dar donyaa do chiz nadaarad, ‘ybe servatmand va marge geda.


3. In Canada, the majority of deaths have to date been women, who constitute the majority of personal care workers. Performing the immaterial labor of care, they are often racialized and work more than one job—a factor that contributed to the spread of COVID-19 among the elderly in long-term care facilities (Canada currently ranks first in the world in per capita deaths among the elderly, a veritable institutionalized culling.) In the US context, see Lazaro Gamino, “The Workers Who Face the Greatest Coronavirus Risk,” New York Times, Mar. 15, 2020, https://nytimes.com/interactive/2020/03/15/business/economy/coronavirus-worker-risk.html.


6. Ibid., 198.

7. Ibid., 207.


9. Ibid., 50.


15. Ibid., 255, 257, 261, 258, 260.


25. Ibid., 46.

26. Ibid., 50.


29. I am aware, too, that these ongoing protests have intersected in troubling ways with the global protests sparked by the murder of George Floyd on May 25, 2020 (I return to these particular protests in the Refrain). But I refuse to treat those protesting anti-Black violence and racism in the same breath as those protesting public health orders, even as both might be considered anti-state or anti-government.


35. I thank my friend Roland Klos for this formulation.


38. Roberto Esposito, *Bíos: Biopolitics and Philosophy*, trans. Timothy Campbell (Minneapolis: University of Minnesota Press, 2008), 10. Note that thanatopolitics is both a “culmination” and a “reversal.” Esposito is typically more nuanced than this, thinking thanatopolitics through the paradigm of autoimmunity; however, inasmuch as he remains committed to an “affirmative” biopolitics, thanatopolitics is always for him an aberration, even if it becomes normative, as in Nazi policy.


49. This was a familiar Nazi strategy used to domesticate hate and violence: “The Aryan is ‘constructive’; the Jew is ‘destructive’; and the ‘Aryan,’ to continue his construction, must destroy the Jewish destruction. The Aryan, as the vessel of love, must hate the Jewish hate” (Kenneth Burke, “The Rhetoric of Hitler’s ‘Battle,’” in *The Philosophy of Literary Form* [Berkeley: University of California Press, 1974], 204).

50. In the years since, it has become clear that, on US soil, Americans are more likely to be killed by homegrown radicals than by jihadis. See, for example, Scott Shane, “Homegrown Extremists Tied to Deadlier Toll Than Jihadists in U.S. Since 9/11,” *New York Times*, June 24, 2015, https://nytimes.com/2015/06/25/us/tally-of-attacks-in-us-challenges-perceptions-of-top-terror-threat.html.


52. Ibid.
53. In Iraq, this hinged on the existence of so-called Weapons of Mass Destruction and Saddam Hussein’s ties to Al Qaeda. These were eventually disproven, and the invasion arguably helped to propel the rise of ISIS and the ongoing conflicts and humanitarian crises in Syria, Yemen, and beyond. In Afghanistan, the war was sold to Americans as a moral cause against the Taliban: to ensure the right of young women and girls to an education—the same young women and girls who have been abandoned, nineteen years later, as the Taliban are invited to the negotiating table and are set to form part of Afghanistan’s government. If it was true that “we will not negotiate with terrorists,” we are now either willing to do so or the Taliban have been reclassified as a legitimate political organization.


55. International Physicians for the Prevention of Nuclear War, “Casualty Figures After 10 Years of the ‘War on Terror’: Iraq, Afghanistan, Pakistan,” Mar. 2015, http://www.psr.org/assets/pdfs/body-count.pdf. The Afghanistan body count was reported at 220,000 and the Pakistan count at 80,000. Meanwhile, US troop deaths in Operation Iraqi Freedom total 4,902 and 3,576 in Operation Enduring Freedom (Afghanistan). See “The Iraq Coalition Casualties Count,” http://icasualties.org, retrieved Sept. 22, 2020. As the Watson Institute at Brown University notes, roughly half of these deaths are due to enemy attack, by improvised explosive devices, for example, while the other half include death by “vehicle crashes, electrocutions, heatstroke, friendly fire, and suicides in theater”—with cause of death often simply listed as “nonhostile.” Moreover, the above counts do not include some 8,000 private contractors employed by the United States (the majority of whom were citizens of other countries, with many deaths unreported), as well as more than 110,000 coalition partners—uniformed Afghans, Iraqis, and other allies. See “Costs of War,” Watson Institute of International and Public Affairs, Brown University, updated July 2021, http://watson.brown.edu/costsofwar/costs/human/military/killed. The US Department of Defense website is labyrinthine and seems to be designed to obscure the cumulative statistics of casualties. For a detailed survey of the different and divergent body counts in the global War on Terror, see Roger Stahl, *Through the Crosshairs: War, Visual Culture, and the Weaponized Gaze* (New Brunswick, NJ: Rutgers University Press, 2018), 137–41.


66. Asad, On Suicide Bombing, 2.

67. Ibid., 3.


Chapter 2


3. Foucault and Bonnefoy, Speech Begins, 43.

4. Ibid., 40. This is no doubt one dimension of an “archaeology” of knowledge, the project to enter into the “historical a priori” or the “conditions of possibility” of another epoch, another culture. We begin to realize that we cannot will ourselves to think outside of our own episteme, but that this thought comes from outside, paradoxically, and transforms our relation to ourselves—also a form of death. Indeed, Foucault’s admission here suggests that his “history of the present” is always premised on death. See Michel Foucault, The Order of Things: An Archaeology of the Human Sciences (New York: Random House, 1970), xxii.
5. Foucault and Bonnefoy, *Speech Begins*, 44.

6. Ibid., 66.

7. Ibid., 71.


10. Solitary confinement functions extralegally as “administrative segregation.” This bureaucratic and rhetorical sleight of hand reframes cruel and unusual punishment—which would otherwise invoke legal protections under the Eighth Amendment—as an administrative, rather than punitive, exercise. Similar obfuscations plague Canada’s prison system.


12. (1) Eliminate group punishment; (2) abolish the debriefing policy and modify active/inactive gang status criteria; (3) comply with recommendations of US Commission on Safety and Abuse in America’s Prisons 2006 regarding an end to long-term solitary confinement; (4) provide adequate food; and (5) provide constructive programs and privileges for SHU prisoners. See “Prisoners’ Demands.”


14. By declaring invalid a prisoner’s prior DNR directives, it was unclear whether this court order surpassed the authorization of force-feeding and might be interpreted as permitting intravenous rehydration.


18. See Reiter, “Parole, Snitch, or Die.”


21. Early instances of the “right to life” in law are framed negatively (a freedom from), where life is not quite inalienable but subject to sovereign or juridical will. See, for example, the Magna Carta (1215), the Declaration of the Rights of Man and of the Citizen (1789), and the United
States Bill of Rights (1789), in which the Seventh Article states, “Nor shall any person . . . be deprived of life, liberty, or property, without due process of law.” More recent United Nations declarations frame the “right to life” more directly and positively (an inherent freedom to).

22. Following Giorgio Agamben, for whom biopolitics is an extension of sovereign power, Ewa Ziarek has theorized the hunger strike as the political resistance of “bare life.” See Ewa Płonowska Ziarek, “Bare Life on Strike: Notes on the Biopolitics of Race and Gender,” *South Atlantic Quarterly* 107, no. 1 (2008): 89–105.

23. The exception here is capital punishment, the last gasp of sovereign power, which has for decades been on a downward trend (see https://deathpenaltyinfo.org/executions/executions-overview/executions-by-state-and-year). Executions in the United States are increasingly controversial as states have in recent years found it difficult to obtain lethal drugs and have resorted to compounding pharmacies and more experimental formulas that have in some cases caused prolonged agony and slow death. See Erica Goode, “After a Prolonged Execution in Ohio, Questions of ‘Cruel and Unusual,’” *New York Times*, Jan. 17, 2014, https://nytimes.com/2014/01/18/us/prolonged-execution-prompts-debate-over-death-penalty-methods.html.


27. Ibid., 39–40.


31. Ibid., 13.

32. Ibid., 10–11. It is worth noting here that the “contentless slimness of ‘I speak’” calls to mind Marx’s definition of value, which he describes a “slight and contentless thing” because it is something purely social. For Marx, when two commodities are exchanged in the market, we must posit a third thing—a value that mediates them. Marx assigns a subjectivity, an agency, to value: it is “self-valorizing,” the “dominant subject,” and a “self-moving substance.” It is telling, then, that Foucault echoes a certain Marxian language, suggesting that the currency of speech,


34. Ibid., 91.


36. Austin’s example is marrying a monkey, which he labels a “mockery.” Fearful of shifting social conventions, certain American conservatives campaigning against same-sex marriage mockingly invoked the marriage of sheep, goats, and chickens as the inevitable outcome of extending marriage rights. For them, the “biology” of human sexual difference is as timeless and immutable as trans-species differences, and “biology” here figures as the basis of rigid conventions that determine and authorize permissible speech acts. While biological differences may be codified in law, the conventions of which Austin speaks are mutable and emerge—like law—in dialogue with culture, history, language, and the sciences.

37. Austin, How to Do Things with Words, 99.

38. Ibid., 113.


40. Austin, How to Do Things with Words, 148.

41. Ibid., 101; my emphasis is to show that perlocutions may but need not be executed with design, intention, or purpose behind them.

42. Ibid., 101–2.

43. “In speaking, I threatened you” is illocutionary, but it is incorrect to say, “In speaking, I intimidated you.” Intimidation is an effect or consequence of my speech, not performed in it. The perlocutionary speech act is, then, “By speaking, I intimidated you.” The intimidating effect of my speech is not contained in the speaking but may (or may not) be produced by it.

44. This insight should persuade (or convince, get, incite . . .) us to reevaluate rhetorical studies and what we mean by rhetorical invention, which commonly defers to a liberal “I” or “we” without taking account of the force of the perlocution.

45. Ibid., 110–11. Austin’s scare quotes around “physical” are to distinguish it, I suspect, from speech, which is technically a physical activity—moving our vocal cords, et cetera.

46. Ibid., 111n2.

47. Foucault and Bonnefoy, Speech Begins, 65–66.


49. To invoke this “preauthorization” might be the most succinct definition of identity politics.


56. Dayan, “Writing” 182.
59. Ibid., 590.
60. Cited in ibid., 600.
61. One outcome of this ‘conversation’ was a set of promised reforms, which ended the 2011 hunger strike protest. By 2013, claiming the CDCR had reneged on its promises, the prisoners once again went on a hunger strike.

Chapter 3

4. Ibid.
8. The ranking of cause of death is problematic because it is nearly impossible to say what a “natural” death is. Cancer and heart disease are “natural” if we ignore some of the wider socioenvironmental factors that might be causal, such as poverty, pollution, lack of health care, carcinogenic pesticide use, et cetera. However, even if death by cancer and heart disease is forestalled biomedically, we might still consider many of these deaths as “natural” occurrences—and in ordinary
language we might say that these people did not die “before their time.” With ICD codes, however, we are presumed to have died of something other than natural causes or old age. Of the 2,626,418 deaths in the United States reported in 2014, by far the largest demographic is eighty-five and over, accounting for 826,226 deaths. “Old age” and “senescence” figure discreetly under “Senility” (R54), but this category is rarely used in reporting and is not listed as a separate statistic (old age / senescence is included within the total combined deaths for one hundred distinct categories, from R00–99, totaling just 32,242—under 4 percent of those who died at the age of eighty-five and over). On the whole, 5 percent of Americans reportedly died in 2014 from influenza and pneumonia, and these “causes” also ignore old age / senescence.

In contradistinction to these presumably natural causes of death, we might assume that death by medical error is preventable, or “unnatural,” and we might say that these people died unnecessarily and “before their time.” In 2014, total deaths due to “complications of medical and surgical care” are reported as only 2,540 (under 0.1 percent) with an additional 7,130 due to infection by *Clostridium difficile*. The report is silent on medical errors or otherwise “preventable” and “untimely” deaths. See Kenneth D. Kochanek et al., “Deaths: Final Data for 2014,” *National Vital Statistics Reports* 65, no. 4 (2016): 1–120, http://cdc.gov/nchs/data/nvsr/nvsr65/nvsr65_04.pdf.


10. Makary and Daniel, “Medical Error.”


13. Ibid.


18. Ibid.


23. The likelihood of cure was inconsistently reported across the media, sometimes as high as 90 percent, and occasionally noting that prognoses are not based on Indigenous populations, who for genetic reasons may not respond as well to treatment. Makayla had been diagnosed with the “Philadelphia chromosome,” which would have made treatment less effective. For the purposes of this discussion, I do not address the problematic meaning of a “cure”—typically five years of life—in the temporalities of cancer and its treatment. See, for example, Connie Walker, “Makayla Sault, Girl Who Refused Chemo for Leukemia, Dies,” *CBC News*, Jan. 19, 2015, http://cbc.ca/news/aboriginal/makayla-sault-girl-who-refused-chemo-for-leukemia-dies-1.2829885.


26. Tim Alamenciak, “Coroner Will Look into Death of Makayla Sault,” *Hamilton Spectator*, Jan. 22, 2015, A1. The provincial Office of the Chief Coroner announced that it would investigate Makayla’s death. The results of this investigation are not publicly available, but we can presume nothing unusual because to date a public inquest has not been deemed necessary.


31. In a 2009 Supreme Court of Canada case, the Court ordered a fifteen-year-old Jehovah’s Witness to undergo life-saving blood transfusions against her will. For children under sixteen years of age, this implies a judgment of “maturity”: the greater the significance of the decision, the greater the burden of “proof,” and the more the state has a duty to intervene. See A.C. v. Manitoba, 2009 SCC 30, June 26, 2009, http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/7795/index.do. There have been similar cases at the provincial level in Ontario.


34. This was the “expert report” by Dawn Martin-Hill, chair of Indigenous Studies at McMaster University, who had tried (unsuccessfully) to “broker a deal” between McMaster Children’s Hospital and the Sault family. See Pecoskie, “Forcing Chemo on Girl.”
36. Ibid., 340.
37. Ibid., 334.
47. This is why the deconstruction or critique of biopolitics risks reduplicating sovereign structures: “Deconstruction or critique of biopolitics maintains the old relationship between the biological and the symbolic, the discrepancy, the separation that exists between them. This is what prevents such a deconstruction or such a critique from superseding the traditional or metaphysical approaches to life.” And conversely, it is why the deconstruction or critique of sovereignty also ends up invoking the very sovereign that is its object: “The critique or deconstruction of sovereignty is structured as the very entity it tends to critique or deconstruct . . . reaffirm[ing] the theory of sovereignty, that is, the split between the symbolic and the biological.” See Catherine Malabou, “Will Sovereignty Ever be Deconstructed?,” in *Plastic Materialities: Politics, Legality, and Metamorphosis in the Work of Catherine Malabou*, ed. Brenna Bhandar and Jonathan Goldberg-Hiller (Durham, NC: Duke University Press, 2015), 39.
48. I thank Tad Lemieux, whose outstanding PhD dissertation has been central to my thinking. See Tad Lemieux, “Arctic Rhetoric and Inuit Sovereignty” (PhD diss., Carleton University, 2019).
51. Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 23–24. See also the special issue of

52. Coulthard, Red Skin, White Masks, 22.


55. Ibid., Articles 3–4.

56. Ibid., Article 46.1, emphasis added.


58. Hegel, Phenomenology of Spirit, 113, 117.

59. Ibid.


61. See, for example, Mark Rifkin, Beyond Settler Time: Temporal Sovereignty and Indigenous Self-Determination (Durham, NC: Duke University Press, 2017). I would note, however, that Rifkin’s formulation of Indigenous “temporal sovereignty” yields to the liberalized ruses of sovereign power and misses the lessons of biopolitics.


64. Bataille, Accursed Share, 439n3.


68. Derrida, Writing and Difference, 256.


70. Ibid., 79–80.

71. Ibid., 80–81.

72. Ibid.

73. Ibid., 216.

74. Ibid., 217.

75. Ibid., 211.

76. Ibid., 203.


78. Nancy, Inoperative Community, 2.


80. Ibid., 40.

81. Ibid., 65.


86. Ibid., 89.


89. Bataille’s work on sovereignty and death, published only posthumously, represents his engagement with questions of community and communitarianism in the 1930s, written in the looming shadows of European fascism and its distinct biopolitical paroxysms. Nancy states that “Bataille has gone farthest into the crucial experience of the modern destiny of community,” even though interest in Bataille’s thought has been “meager and all too often frivolous.” He continues, “What has not yet been sufficiently remarked is the extent to which his thinking emerged out of a political exigency and uneasiness—or from an exigency and an uneasiness concerning the political that was itself guided by the thought of community” (*Inoperative Community*, 16). And Allan Stoekl, in his commentary on Bataille’s texts, writes, “It must be recalled when reading Bataille’s writings from 1935 to 1940 that there is an assumption that democracy in the West is doomed; the choice is between some form of communism and fascism” (*Visions of Excess: Selected Writings, 1927–1939*, trans. Allan Stoekl [Minneapolis: University of Minnesota Press, 1985], 261). In these years, Bataille was, for a time, fatefully drawn to both excesses (see Nancy, *Inoperative Community*, 16–21). And yet, if the uneasy question of community is today as exigent as ever, our choice is no longer quite framed in Bataille’s terms from the 1930s.

What would, in Bataille’s time, soon prove a false choice “between some form of communism and fascism” is perhaps today best conveyed by the “rational”—but equally false—choice between biopolitics and fascism. The operative assumption is that biopolitics represents humanity’s greatest hope for community freely chosen. Roberto Esposito goes so far as to say that while biopolitics poses a risk to democracy, this does not mean “that another kind of democracy is impossible, one that is compatible with the biopolitical turn” (*Terms of the Political: Community, Immunity, Biopolitics*, trans. Rhiannon Noel Welch [New York: Fordham University Press, 2013], 110). Between biopolitics and fascism, Esposito asserts that “affirmative” biopolitics is the only “democratic” option, the only form of communitarianism (if this is still the right word) that is viable today. I’m not persuaded by this “choice” and would invoke Blanchot’s question: Are we still willing—by biopolitical desire, ruse, or violence—to risk the “life” that we seek, through this risk, to prolong? In answer to this question, we should pay heed to Bataille’s false choice: Nancy reminds us that “fascism was the grotesque or abject resurgence of an obsession with communion; it crystallized the motif of its supposed loss and the nostalgia for its images of fusion. In this respect, it was the convulsion of Christianity, and it ended up fascinating modern Christianity in its entirety” (*Inoperative Community*, 17). Indeed, by the late 1930s, communism and fascism were ultimately conjoined. And I would recall Blanchot’s description of the 1930s, when Bataille had become so deeply preoccupied with the question
of community. At that time, Blanchot writes, there was “the premonition of what [was] already fascism but the meaning of which, and its becoming, elude[d] the concepts then in use” (*Unavowable Community*, 5). To what extent, then, is a “democratic” or “affirmative” biopolitics conjoined with a burgeoning (neo)fascism? And what concepts, today, what tropes, will elude our elusions and permit our own premonitions to speak?

90. Originally published in the journal *Aléa* 4 (1983), and republished as the first chapter in Nancy, *Inoperative Community*, 1–42.


95. Ibid., 14–15. Pierre Joris’s translation of *ordonnée* in this passage is “enjoined to death.” “Calibrated” sounds too mechanical or calculated; to be given or “enjoined to death,” *ordonnée*, is inordinate. See Blanchot, *Unavowable Community*, 10.


97. Ibid., 31. An alternate translation might be “One does not produce community, one experiences it as the experience of finitude (or, its experience makes us).”

98. Ibid.


Chapter 4

1. See http://youtube.com/watch?v=e3zD_Y2sGqY, posted on July 20, 2017, retrieved Nov. 19, 2020; the video has since been removed. The first newspaper account of the video is by Ariel Zilber, “‘Oh, He Just Died!’: Horrifying Video Shows Group of Teens Laughing


7. See, for example, the Southern Poverty Law Center’s “Hate Map,” http://splcenter.org/hate-map, which at the time of writing is tracking a total of 917 hate groups in the United States. Since 2015, the SPLC documents a 197 percent increase in anti-Muslim hate groups. And they document “an explosive rise in the number of hate groups since the turn of the century, driven in part by anger over Latino immigration and demographic projections showing that whites will no longer hold majority status in the country by around 2040.”

8. To offer just one example, consider how Facebook helped to fuel the ethnic cleansing of the Rohingya in Myanmar: “Facebook has become a breeding ground for hate speech and virulent posts about the Rohingya. And because of Facebook’s design, posts that are shared and liked more frequently get more prominent placement in feeds, favoring highly partisan content in timelines.” Megan Specia and Paul Mozur, “A War of Words Puts Facebook at the Center of Myanmar’s Rohingya Crisis,” New York Times, Oct. 27, 2017, http://nytimes.com/2017/10/27/world/asia/myanmar-government-facebook-rohingya.html.


13. Ibid., 18.


22. Ibid., 154.

23. Ibid., 156.


29. Heidegger, Being and Time, 283.


31. Hartman, Lose Your Mother, 17.

32. “Dasien’s going-out-of-the-world in the sense of dying must be distinguished from the going-out-of-the-world of that which merely has life [des Nur-lebenden]” (Heidegger, Being and Time, 284).


35. Weheliye, Habeas Viscus, 72.

36. Foucault, Archaeology of Knowledge, 127.

37. Hartman, Lose Your Mother, 115.

38. See Ann Laura Stoler, Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule (Berkeley: University of California Press, 2010).


45. Lawrence, “If He Hollers,” 452.

46. Even face-to-face encounters, such as public protests and events, are mediated by the interface, both explicitly and implicitly or stylistically: protestors view the protest through the lens of their mobile devices, uploading digital media content instantaneously, commenting, recirculating, and so forth. Increasingly, public face-to-face events seem to be hyperreal, made with social media and digital distribution in mind.


48. I thank Sarah Burgess for this formulation.

49. Although Butler’s more recent work, *Notes Toward a Performative Theory of Assembly*, refers frequently to the use of social media in public protest, Butler nevertheless privileges an analysis of the freedom of assembly—bodies in the street, their right to appear (an Arendtian theme) and to be addressed in the face-to-face. Tellingly, the early working title for Butler’s collection of essays was *Bodies in Alliance*. See Judith Butler, *Notes Toward a Performative Theory of Assembly* (Cambridge, MA: Harvard University Press, 2015), 24.


54. Ibid.


56. Ibid.

57. Ibid., 119, emphasis added.


59. Indeed, there are businesses that sell fake social media “followers” who will retweet and post automated responses: “Celebrities, athletes, pundits and politicians have millions of fake


63. Ibid., 23.

64. Ibid., 354.


70. McLuhan, Understanding Media, 8.

71. Ibid., 9.

72. In earlier work, I argued that McLuhan’s “Electric Revolution” resonates powerfully with the nineteenth-century paradigm shift that Foucault has charted, from sovereignty to biopolitics. The political dimensions of power and discourse, as understood by Foucault, are only intimated by McLuhan, while conversely, McLuhan’s understanding of media helps to fill in lacunae in Foucault’s analysis, since the rise of biopolitics is scarcely conceivable without an understanding of contemporaneous revolutionary advances in media technologies and telecommunications. See Stuart J. Murray, “Rhetorical Insurgents: Biopolitics and the Insurrectionary Rhetoric of McLuhan’s Cool Media,” Canadian Review of American Studies 42, no. 2 (2012): 123–41.

73. Hayles, My Mother Was a Computer, 41.
75. Foucault claims that although racism had already been in existence, “it functioned elsewhere [ailleurs]” (ibid.). For a critique of this ailleurs, again see Weheliye, Habeas Viscus, 54ff. See also Ann Laura Stoler, Race and the Education of Desire: Foucault’s “History of Sexuality” and the Colonial Order of Things (Durham, NC: Duke University Press, 1995).
77. Ibid., 255.
78. Ibid.
79. Ibid.
80. See, for example, Paul Rabinow, French DNA: Trouble in Purgatory (Chicago: University of Chicago Press, 1999).
82. Moten, Black and Blur, 280.
85. Harney and Moten, Undercommons, 92.
87. Sharpe, In the Wake, 38.
88. Ibid., 117.
89. Ibid., 5.
90. Ibid., 123.
91. “This is Black being in the wake. This is the anagrammatical. These are Black lives, annotated” (ibid., 77).
98. Foucault, Archaeology of Knowledge, 127.
106. Mbembe, Critique of Black Reason, 164.

Refrain

5. On March 18, 2005, Schiavo’s feeding tube was removed by court order. The next day, the US Senate delayed its Easter recess in order to reach a compromise with the House on S. 686, “For the Relief of the Parents of Theresa Marie Schiavo.” On March 19–20, the House returned from Easter recess to debate the bill and voted at 12:30 a.m. to suspend its rules and pass the legislation (203 yeas to 58 nays). It was signed into law by President George W. Bush at 1:11 a.m.
8. Cohen’s “Who by Fire” is a phrase taken from the Unetanneh Tokef, a liturgical poem traditionally chanted as part of Yom Kippur, the Day of Atonement. It, too, includes a litany of fates consonant with God’s judgment: “Who will live and who will die; who will die after a long life and who before his time; who by water and who by fire, who by sword and who by
beast, who by famine and who by thirst, who by upheaval and who by plague, who by strangling and who by stoning.”


16. Ibid., 63.


18. Ibid., 32.


20. Ibid.

21. Ibid., 267–68.

22. Ibid., 266, 263.


24. Ibid., 48, 47.

25. Ibid., 27, 28.

26. Ibid., 144, 11.

27. Ibid., 6.

28. Ibid., 149.


30. Ibid., 35.

31. Ibid., 34.

32. Ibid., 33.


38. I had had these conversations with my late friend and colleague Deborah Lynn Steinberg as she was dying from cancer. Our conversations remain with me, are echoed in these pages, and found their way into a posthumous coauthorship with the dead. See Stuart J. Murray and Deborah Lynn Steinberg (deceased), “To Mourn, To Re-imagine Without Oneself: Death, Dying, and Social Media/tion,” *Catalyst: Feminism, Theory, Technoscience* 4, no. 1 (2018): 1–31, https://catalystjournal.org/index.php/catalyst/article/view/29632.

40. Ibid., 125.


47. The apostrophic self-address in Foucault’s late work serves, on my reading, as an ethical response to the self-address, the “I,” of biopolitical racism discussed at the end of chapter 4.


52. Ibid., 153.

53. Ibid., 24.

54. Ibid., 113.

55. Ibid., 1.

56. Ibid., 127.

57. Ibid., 144, 193.

58. Ibid., 127, 234, 144.


60. See, for example, Jamelle Bouie, “The Police Are Rioting. We Need to Talk About It,” *New York Times*, June 5, 2020, https://nytimes.com/2020/06/05/opinion/sunday/police-riots.html.


64. Ibid., 163.

65. Ibid., 172, translation modified.

68. Ibid., 461–62, 468–69.
74. Ibid., 183–84.
77. Ibid., 185.
82. Stanley Cavell goes so far as to say that the perlocutionary expression “is not only not to do anything, it is in an obvious sense not so much as to say anything (yet).” Even so, for Cavell the perlocution produces an emotional state, which is not quite the same as the manifestation of ἔθος. Stanley Cavell, *Philosophy the Day After Tomorrow* (Cambridge, MA: Harvard University Press, 2005), 171.
84. Ibid., 270, 287, 184.