

Studies into Darkness

The Perils and Promise of
Freedom of Speech



Edited by Carin Kuoni
and Laura Raicovich

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Vera List Center for Art and Politics
The New School

Amherst College Press

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Foreword
Carin Kuoni

Freedom of speech is at the core of the formation and self-understanding of the United States. The colonizers were religious refugees, political opportunists, economic migrants, and entrepreneurs who regarded free speech as vital in securing their futures, even as they settled on stolen land. “Freedom”—for themselves, white men—was the goal, and their right to “speech” the sine qua non, the necessary tool to get there: to pronounce oneself. Such contradictions lie dormant in the Constitution, the First Amendment of which enshrines free speech. Passed by Congress in 1789, the Constitution consists of the Preamble, seven articles, and twenty-seven amendments, including the Bill of Rights, which comprises the first ten amendments. The first of those concerns the “Freedom of Religion, Speech, Press, Assembly, and Petition”: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Two hundred and fifty years later, we have a better understanding of how American power formed on the foundations of colonialism and slavery that far predate the founding fathers. 1619 is a marker in that chronology, the landing on the shores of Virginia of the first ship with enslaved people from Africa, as is the arrival of the first settlers centuries earlier. Too often, freedom for some means its opposite for others. And as demands to decolonize academic curricula and cultural institutions intensify, freedom of speech—linked to freedom of expression—is a crucial area to investigate for a transdisciplinary research organization such as ours, the Vera List Center for Art and Politics at The New School. Emerging from the Trump era and the president’s incitements to violence and insurrection by white supremacist groups, we cannot conceive of a more urgent task than to evaluate, illuminate, and teach notions of free speech. We are offering this book, *Studies into Darkness: The Perils and Promise of Freedom of Speech* as an art-informed overview of recent debates on freedom of speech to serve as a guide to these discussions while opening new possibilities of thinking and enacting, or indeed withholding, speech. Rather than a comprehensive tome on the subject, our intention was to gather these meditations as highly specific tools to reconsider the meanings of freedom of speech altogether, to sit in darkness beside them and their authors, and emerge with alternate understandings.

Recent scholarship, critical writing, and art practices are deconstructing the terms of speaking. Some thinkers are addressing and even embracing language’s inherent incapacity to represent an individual, while others expand the concept of a speech act to include organizations, going as far as the U.S. Supreme Court in 2010 when it reversed an earlier decision (*Austin v. Michigan Chamber of Commerce*, 1990), lifting financial restrictions on a corporation’s right to political speech. The metaphor of darkness, so perceptively and generously

offered by the artist Amar Kanwar, has been useful to acknowledge our compromised ability to see and understand what we had accepted as a given, freedom of speech. It has charged us with looking harder and looking elsewhere, and the contributions assembled in this book are the result: a range of voices, registers, and perspectives for fundamental questions. Whose freedom to speak are we talking about? Where do our individual freedoms end and collective freedoms begin? Is language culturally specific; can we in fact understand other languages and, therefore, people? How can we speak of history as the not-past and even the future?

Laura Raicovich has been the essential companion to our extended exploration of such questions, first for the Vera List Center Seminars on freedom of speech and now for *Studies into Darkness: The Perils and Promise of Freedom of Speech*. Her astute perceptions, expansive mind, and exuberance have propelled forward both our seminars and this book, and I thank her for her rigor, generosity, and friendship.

Many of the contributors to this book participated in the seminars; others provided important perspectives via subsequent discussions. Laura and I are deeply grateful to all of the artists, writers, poets, activists, and historians who have passionately contemplated freedom of speech with us, and produced irresistible contributions—you have been the most generous guides: Zach Blas, Mark Bray, Aruna D'Souza, Gabriela López Dena, Natalie Diaz, Abou Farman, Silvia Federici, Jeanne van Heeswijk, shawné michaelain holloway, Prithi Kanakamedala, Svetlana Mintcheva, Obden Mondésir, Mendi + Keith Obadike, Vanessa Place, Michael Rakowitz, Kameelah Janan Rasheed, Lyndon and Deborah, and Nabiah Syed.

From the outset, sensitivity to poetry and art was one of our priorities in this project. That is thoroughly evident in the design of this book, gorgeously envisioned and created by artists Nontsikelelo Mutiti and Julia Novitch. In their hands, the

blackness of the printed word is arrived at through layering of spectral color inks so that, as they say, “things may be shining through.” We are grateful for the intelligence and thoughtfulness of Zachary Small, whose editorial guidance and finesse was remarkable and sustained. Marian Goodman and Leslie Nolan of Marian Goodman Gallery provided essential support throughout our work. The seminars themselves were the source material for this book, and we are deeply appreciative of our partnerships with Judy Taing, Head of Gender and Sexuality, ARTICLE 19; Rob Fields, President and Executive Director, and Obden Mondésir, Oral History Manager, both formerly at Weeksville Heritage Center; Anne Marie McFadyen, Restorative Justice Program Manager, and Anna Keye, Development and Research Officer, New York Peace Institute; Svetlana Mintcheva, Director of Programs, National Coalition Against Censorship; as well as all of the other contributors to the seminars who are individually listed in the “Indices and References Towards a Curriculum” section. It has been a particular pleasure to share the outcome of our work with Amherst College Press, and we would like to thank ACP Director Beth M. Bouloukos and Hannah Brooks-Motl, Assistant Acquisitions Editor, for this publishing partnership.

The entire team at the Vera List Center has contributed to making this project a reality. In particular, we would like to thank Curator Eriola Pira and Assistant Director of Editorial Initiatives Re’al Christian. Eriola lent crucial, generous support, first to the development of the seminars and then the conceptualization of this publication. Taking over from her predecessor, Wen Zhuang, Re’al has helped guide the publication toward our partnership with Amherst College Press while overseeing the final stages of production to ensure that the book is finding you, our reader. Assistant Director of Operations Adrienne Umeh added grace and ease to procedural processes; Gabriela López Dena offered expertise and ingenuity, first as a Vera List Center

Graduate Student Fellow, and later as curatorial assistant. Tabor Banquer, VLC Director of Strategy and Advancement, has provided his thoughtful attention to secure support for this publication.

The Vera List Center itself is a speech act! Through our programs and classes many others speak and lend us their insights, networks, and wisdom. I am deeply grateful to the resourceful and generous members of the Vera List Center Board listed in the back and chaired by James Keith Brown, assisted by board officers Norman L. Kleeblatt and Megan E. Noh. Mary Watson, Executive Dean of the Schools of Public Engagement, has been a steadfast advocate; it has been tremendously exciting to pilot alternative forms of pedagogy such as the public and free VLC Seminars under her aegis. And it is a particular pleasure to salute with our book Dwight McBride, The New School's new president. Our funders are our thought partners, and I would like to especially thank those who supported two years of programming on freedom of speech and now this book: They are The Andy Warhol Foundation for the Visual Arts, the Ford Foundation, the Kettering Fund, and the Sigrid Rausing Trust.

Finally, our deepest gratitude goes to Amar Kanwar whose prompt to consider a retreat, a moving into darkness, not only presaged the realities of our current times, but also offered an opportunity to contemplate freedom of speech together.

Introduction

Carin Kuoni and Laura Raicovich

In the fall of 2017, artist Amar Kanwar offered us a provocation: Is there an idea, concept, or social construct that would benefit from a retreat “into darkness”—into a space of profound reconsideration and rethinking? In the wake of the release of Kanwar’s film *Such a Morning* earlier that year, his prompt suggested the film’s narrative of withdrawal as a point of departure to reconsider contested societal conditions.

As we contemplated Kanwar’s question, less than a year into the Trump presidency in the United States, freedom of speech was our unequivocal subject of choice. The American president and his administration had instrumentalized the First Amendment rights of the American Constitution—Freedom of Assembly and Speech—and within a few months, hate crimes were rising dramatically against ethnic minorities within the country, immigrants, foreigners, and women in general. In no time, Trump’s populist approach found reinforcement in various countries with authoritarian, albeit “democratically” elected regimes such as Hungary, Russia, the Philippines, and many others. Up close, we witnessed the power of words and the

enormous danger they pose when not applied with consideration, care, and respect. As a topic of investigation, speech itself could also embody intersectional thinking from artists, Indigenous peoples, feminists, and innumerable other perspectives, to question current circumstances, and to confront the inequities and uncertainties of our time. So fruitful was this provocation that several years hence—and in the wake of an insurrection against democracy in Washington, D.C.—not only have we developed a yearlong series of public seminars and a substantial body of research and cultural production of yet deeper reflections for this publication, but also, we feel that our confrontation of the darkness of freedom of speech remains as urgent as ever, and should perhaps continue indefinitely. Through its five sections, this book traces increasingly complex thinking about the freedom of speech, starting with a foundational analysis of free speech and expanding to more imaginative understandings of appeals of expansion on expression speech, while a timeline of legal conceptions of freedom of speech in the U.S. that meanders through the entire publication ties these pronouncements together.

Amar Kanwar's *Such a Morning* is, in the artist's words, "a modern parable about two people's quiet engagement with truth.... *Such a Morning* navigates multiple transitions between speech and silence, democracy and fascism, fear and freedom. In the cusp between the eye and the mind, shifting time brushes every moment into new potencies. Each character seeks the truth through phantom visions from within the depths of darkness." Rather than a qualifying statement, "darkness" here holds the promise of complexity, discovery, and, in Kanwar's words, "visions from within the depths of darkness." All of this has animated our thinking. As we delved further into the film and the artworks surrounding it, the invitation contained in Letter 7 became a guidepost, and both profoundly inform this publication.

In consultation with Kanwar, and in collaboration with partner organizations ARTICLE 19; the National Coalition Against Censorship; New York Peace Institute; and Weeksville Heritage Center, we envisioned an open curriculum to be offered at The New School via the Vera List Center for Art and Politics. A series of seminars unfolded over a year's time from fall 2018 to fall 2019, each examining a particular aspect of free speech, reflecting on and shaped by recent debates around hate speech, censorship, and racism in the U.S. and elsewhere. Each seminar built on the conversations started in previous sessions, and was accompanied by selected readings, detailed programs, and video documentation, which can now be found as an archive on the Vera List Center website.

Out of these seminars, and the many debates and conversations they instigated, this book has emerged as an offering to reconsider freedom of speech deeply, from a diversity of registers. We begin with a contribution from Amar Kanwar, his reflections on the journey that brought him to create *Such a Morning*, and iterations of darkness he has endeavored to explore. The images of the silent crows are directly lifted from his film. The subsequent, interconnected five chapters loosely map conditions to states that might lead to the transformation alluded to in Letter 7. We arrive at such a transformation or new calibration of the perils and power of “speaking” as we move from one chapter to the next, increasingly entering metaphorical, poetic, and artistic territories—not as areas of opacity or abstraction but realms that hold real promise and warrant scrutiny, close attention, and nurturing.

In title and direction, the chapters of the book follow the progression of Kanwar's Letter 7. The first chapter, “Arrival and Context,” presents the legal frameworks for individual bodies, and the body politic, in relation to freedom of speech. It includes formative moments in free speech history from both legal and activist perspectives. The second chapter, “Anticipation,”

addresses how we make ready or prepare for desired futures. In the third chapter, “Order and Disintegration,” we examine existing structures of speech and their logics, alongside proposals to interrupt or subvert them. The essays in “Silence and Transformation” are the intellectual and artistic core of the book, and imagine withdrawal and silence as generative sites for thinking and future action, as well as the potential for transformation made possible through these conditions. And finally, as chapter five, we include “Indices and References Towards a Curriculum on Freedom of Speech,” a lesson plan for seminars that could be held again, with guest lecturers, partner organizations, and extensive bibliographical references for a curriculum for studies into the darkness of freedom of speech. We hope these useful elements may inspire others to take on this subject.

From the outset, we were committed to this project as one of poetry as well as theory, a sensibility that is thoroughly evident in the seminars and this book. We complicated the historical and legal underpinnings of free speech with art and poetry that drink deeply from the waters of what language, utterance, proclamation, and withholding can produce. This comes from a steadfast belief that the assembled thinkers and artists bring to our world not only fleeting respite from the harshness of life, but they also connect us deeply to the everyday, revealing both the magic therein, and radical paths forward, should we be bold enough to hear them and take them up. Art is essential to imagining and enacting the worlds in which we want to live, and therefore requires primacy in this volume on how we contemplate all manner of darkneses, especially freedom of speech.

The artists who contributed to the seminars and the book each bring their particular art of charting paths through darkness. Their impact, we hope you agree, is extraordinary, in the power of each to oscillate between past and present, dreamspace and reality, bending forms of language to their meanings, creating visions for how to be together and understand our world

differently. If there is one thing we desire from entering the darkness of free speech, it is to re-surface with new potential imaginaries. You will find their contributions entwined into every chapter of the book, starting with “Anticipation.”

Amar Kanwar’s insistence on poetry as potentially effective evidence of criminal acts undergirds his offerings about retreat and transformation, and his poetry provides the skeleton for our project. The darkness he proposes is the environment from which possible imaginaries emerge and in which we invited those who gathered—and those who now read this book—to consider the possibilities. Natalie Diaz’s image and poetry weave a presence of absence with truth-telling and confrontations between the self and the state. She demands that her presence, spoken or not, be an agent of remembrance and reality. shawné michaelain halloway makes art that sits in a space of longing and desire for connection and intimacy through the potential anonymity of the internet and an appeal to its utopian origins. Her self-reinvention and disguise make space for her to be seen in this digital space, on terms she determines. The poignancy of halloway’s tender presentations belies the power she exerts as the definer of her own self, a radical act of self determination and speech. Jeanne van Heeswijk defines yet another kind of liminal space for collective negotiation, that of the “Not-Yet.” In her artwork seeking collective care, van Heeswijk creates circumstances that make space for tension and exchange. These situations, whether in the form of a bakery in Liverpool, a marketplace in Rotterdam, or a collective dream-making in Philadelphia, invariably tap into the Not-Yet to seek the potential of doing today what we desire from tomorrow, attempting to prefigure what we hope for the future. Vanessa Place’s position in this panoply is one of contradiction. She highlights the abject and criminal as a site of freedom. Place insists that society’s freedoms are inextricably tied to and dependent on its acceptance of the rights of the deplorable as

central to true freedom. Zach Blas's commitment to queer theory and practice as a fly in the ointment of surveillance and control technologies creates spaces wherein obfuscation and opacity nurture collective politics of resistance. With the backdrop of Guy Fawkes masks popularized by Occupy Wall Street to the anonymity of the hacker, Blas's art uses illegibility as a primary space for the dissolution of the individual into a collective, and the struggle to get beyond totalizing worlds, including capitalism and the universality of the internet. Mendi + Keith Obadike sing and map their freedoms. Their poetry fills the air with music and words, and the page with ant trails of text that form grids, or lighting strikes, and speak of the teachings of the ancestors, the realities of the present, and what might be. Kameelah Janan Rasheed is devoted to the imbrication of history into the present to negotiate the future. Language, in its visual and textual forms, conjoins to reveal democratically produced knowledges that are mispronounced and misread to undo canonized learnings, all while refusing the erasure of personal and quotidian histories. Michael Rakowitz is another truth-teller, one who uses recent and deep pasts to reflect back histories of dispossession, migration, and war. His poetry applies highly specific histories and coincidences of time and space, to propose rituals of healing, often connecting unexpected publics to one another through shared space, meals, conversations, and symbols, both real and imagined.

The cultural production of radical spaces for reimagination is central to what is so profoundly necessary in 2022. *Studies into Darkness: The Perils and Promise of Freedom of Speech* provides a multitude of entry points into the darkness or uncertainty of reimagination. We invite you to travel together with us, with a commitment to the transformation of this most precarious of freedoms, freedom of speech.

Such a Morning
Amar Kanwar

Looking back at India—the country’s birth as a nation and the later execution of its imagination—it’s hard not to see large-scale violence at every stage. In the last few months and years we have returned to 1947 almost as if to replay the massacres of its conception only to kill the ones who somehow survived.

Often the scale and spectrum of violence have been so widespread that it’s difficult to get a sense of it. When you cannot see all parts of the violence, some of it becomes invisible; the rest becomes normalized even when people don’t necessarily like it or fully approve, because they come to terms with it, accept it, and forget. And then, accidentally, you suddenly get a little insight.

Once on a research tour in a rural part of India, sometime late in the 1990s, I came across a tarmac road that began from nowhere and ended nowhere between the fields, forests, and sloping hills. No one knew why this road was made. Some said it was supposed to connect rural tribal markets with the city, but that didn’t make sense because there was nothing at either end of the road. Perhaps it was an administrative error. People

eventually stopped wondering and talking about it. Ten years later, the rationale for the road became clear. The line of tarmac connected two parts of an industrial mining complex. To understand, all you needed to do was to follow the mineral veins and sources of water. What kind of a modern state was this that could conceive of such deception nearly a decade in advance? This was not about acquiring a small plot of land but about taking over entire hill ranges, rivers, and agricultural lands based on geological surveys of mineral deposits. It was clear that the government had never asked for the permission of affected communities. A bewildered population had only just begun to slowly grasp the meaning of what had occurred. It is stunning to imagine the scale and impact of such violence and even tougher to accept. How can we understand the uprooting of these communities and the destruction of their lands, forests, and rivers by toxic waste? Now, the ecological, social, and cultural devastation is clear to see. What kind of a state does this to its own people?

Alongside this process of acquisition and extraction has been a series of popular nonviolent and violent resistances, but often the more powerful—local and central governments, individual politicians, corporate lobbyists, mercenaries—have pushed through, either by complex manipulations or directly with force using the police and various armies. This dynamic causes one to feel inspired and outraged but also broken, indifferent, exhausted, or helpless. The scale and complexity of the violence are too large and one looks away—remains silent—and lets the madness continue.

In the last decade, there have been about two hundred thousand suicides by Indian farmers. Unofficial figures are a lot higher. It is hard to accept that there has been no political or civil society initiative, no activist force of any kind, that could have brought this nation to a grinding halt because of these suicides. Quite obviously we have failed at many levels. We

haven't been able to offer a viable alternative political, cultural, and economic vision of the future. Even though the state often comes across as a brutal and amorphous system, it is quite clear that the system doesn't just act on its own. It obfuscates even as it continuously builds systemic impunity. Some real people make several small decisions every day within this system to make it work the way it does.

Why are we able to discriminate, kill each other, and destroy the earth with such regularity and ease? It is difficult to comprehend our recurring silent desire for violence, the unshakable prejudice, and our bewildering selective indifference to a series of crimes enacted on humans, animals, birds, and the earth. How can we keep harnessing all our strength and capacity to argue for and sustain this seeming death wish regardless of its obvious consequences? In the last decade, our multiple neuroses have been tapped into digitally; we've experienced the real-time transmission, use, and manipulation of our inner selves across the world. How does one now proceed or live in this context? Are we missing something here? Is there a blind spot by any chance? Have we forgotten what we have forgotten? Another sense perhaps?

When the monks looked into their own hearts and in their own pain for a way out, they said to themselves, "Whatever the way may be, I must not return pain for pain, evil for evil. The action is the embryo from which the future will arise. There are no priorities, no short-term gains; the action is as important as the future and the future is as important as the action."

But then I asked, "What is the action?"

And a monk said that the action is first the decision to be nonviolent. And I asked, "How is that the action?" And he said that to be nonviolent is not to withdraw from conflict but to actively intervene.

"But then what tools do I have to intervene?" I asked. And he said the greatest tool is the decision itself, for once you

make the decision then you devise the strategy. The nonviolent decision calls for an extreme position where violence is understood, sometimes even excused, but never ever justified. But this is only half the decision. The other half means active intervention because it has to change the script of the play, otherwise the victims and aggressors will justifiably keep changing clothes forever.

I have a thousand new questions now.

“Only if you make the decision can you have new questions,” he replied.

“Can the nonviolent decision create an entirely different technique for intervention?” I asked.

“Use reason, and not force,” he replied.

“But if reason finds no response?”

“Use every opportunity to push your position and retreat the moment you realize that you are wrong.”

“How can I push my position if I do not demonstrate my strength without force?”

The old monk took a while before he replied but did so with a question. “Can you find a way to persuade your opponent to retreat and, at the same time, genuinely enhance the dignity of the opponent?” he asked.

“I could answer but can you tell me how to triumph without being victorious?”

“By showing that you are prepared to die for your cause but without destroying your opponent.”

“How can I be so deeply committed without believing that I hold the absolute truth?”

“You can, because your absolute truth is in fact the relativity of truths and it can only be achieved by perfecting the art and practice of nonviolence.”

I went silent for a while and then began to question again, this time only inside my head. What if a crime continues to occur in spite of patience, humility, and dialogue? And what

does one do if a crime continues to occur regardless of the enormous evidence available? Then is the crime invisible or the evidence invisible or are both visible but not seen? Maybe the crime has become an expanding and accumulating process? If I do not understand the meaning of loss, its scale, its extent, its multiple dimensions, how can I even know what it is that is lost? How would I really know? Which language has the capability to sense and reveal this spectrum of intergenerational loss? Sometimes language is inadequate, it doesn't even know how to say it. Sometimes you need multiple languages, various vocabularies, and a range of sensations to be able to just enter that zone of comprehension. But often the terrain is fixed, a bureaucracy of violence punishes every articulation, expression becomes transgression, the consequences of which are fatal, and the silence that follows becomes invisible again.

Central to the notion of crime is the question of evidence. When you look at any crime, it is investigated by an agency, the police, or the criminal justice system of any society. The process of justice is based on an investigation that is in turn based on the collection of evidence. Only evidence defined as permissible by law is presented in court—all other evidence is dismissed as invalid. The carefully crafted texts of the law tell us what is permissible and what is not. They analyze the “permissible” evidence; they then come to an understanding and make a conclusion that all must finally accept.

Is legally valid evidence adequate to understand the meaning and extent of a crime? What if the given definition of what is “permissible” and “impermissible” evidence is incorrect? What vocabulary is needed to talk about a series of simultaneous disappearances occurring across multiple dimensions of life?

What if poetry was presented as evidence in a specific criminal or political trial? Not metaphorically or esoterically but poetry formally presented as evidence in one of its multiple forms? What if we could consider, evaluate, and compare the

nature of the insights and forms of comprehension that you may then acquire about the scale, meaning, and implications of the crime? Would there be a sudden moment of comprehension? Would we then pause?

But what does one do if the crime *still* continues to occur? Could it be that we have been looking in the wrong direction? Maybe the scene of crime is elsewhere? Maybe one needs to rewind and think again, find another way.

What might be a collective strategy and structure of our response in such a future? How can it address the desire for violence, the pleasure of vengeance, the delusion of self-deception by those of us who claim to work towards greater justice? When I asked this question recently, to a nomad in India, a camel and sheep herder, he replied immediately without a pause, “There is so much blood now, accumulated here, deep in the soil, all over, that the only way to begin is with generosity.”

The journey from the mountains to the plains is not too far. It is easy to see the long river winding down in the shining yellow light of the setting sun. Night falls quickly; dislocated voices are heard across the somber gray spread of water where tall reeds rustle and possibly a boat passes by. Everyone holds their breath, every thought is gifted in an endless exchange; all senses are honed by someone else’s patience and a softly sung song that lingers on the now dark, endless, black expanse of water. I am grateful to all the teachers, secret and known, outspoken and silent, from far into the past and all the way down the slopes until this morning.

I look back and see a white dusty dog, almost see the golden oriole, can hear the crows even though I know they are silent. I have no option but to begin again, without knowing how it is going to end and lean this or that way, and wait for a sign

before I take a step. It seems that I may have forgotten what I have forgotten. I am no longer sure what blindness is; the eyes, the mind, or the body?

The next morning, the sun rises as before and an invisible moon begins to move along with its shadow, carefully following its destiny. Just before all traces of the sun are lost, in that last silent minute, sparkling curved slivers suddenly appear all over the ground, beautiful crescents of light and shade, a million silent signs before the total eclipse begins.

In the darkness that follows a famous mathematician withdraws from life and becomes a recluse. He leaves his home, his job, and shifts into an abandoned train coach somewhere in the wilderness, isolated and living alone, but not too far from his city. Many speculated on the spiritual or political reasons for such a severe move, though some also felt that perhaps the old master was losing his eyesight. In order to soften the pain he decided to move into a zone of darkness so as to get accustomed to darkness before it descended finally and completely. What could be the vision from a zone of nonvision, he wondered?

An intense process of acclimatization with darkness begins. Soon the professor realizes that if there is no light, you see nothing; you need some light to even see darkness. Then the wind begins to blow bringing in a tiny drop of light from nowhere, more darkness becomes visible, time passes, small events occur, and he learns to wait, to look, and to allow other senses to live and grow.

Word spreads about a learned man of sciences, a professor of mathematics, all alone, having visions in the dark. That night, the professor began to keep track of his hallucinations, adding them to his almanac of the dark. Every single day there was a coincidence. The wind changed direction like an oracle of chance. Nothing could be measured anymore. Every light became a spectrum, every sliver an open door. Meanwhile a war broke out, it ended, and immediately began again. People were

confused because everyone was celebrating and every now and then a roar swept across the valley. The living were killed rapidly and the dead came back to fight again. Gangs of possessed men slipped out into every street and then it all became quiet again because no one was quite so sure who was who anymore. Sons of sons of sons, unknown brothers, mothers, brides of an estranged family in a bloody property dispute, re-enacting, with pleasure and bewildering indifference, massacres of a time long gone by. Words began to play that game again. The whistle blew, dogs barked, sticks, knives and guns, machetes, grenades and traitors, children of trauma, mothers of vengeance, patriots and the golden dawn, mighty saints, and their lone rangers. Multiple disaffections followed by solitary delusions, and then finally came the long silences. So long the silences were that they became an entire world of their own.

Inside that world on a beautiful hill was a large old wooden house, with pink, blue, and white flowers all around watered only by the moisture of clouds that passed through twice a day. A middle-aged woman, armed with a rifle, lived there all by herself, eternally on guard. The gun never left her side, her finger always on the trigger, even when she slept.

Days, months pass and perhaps even years go by, until one day a group of men, workers, appear suddenly and begin to dismantle her house brick by brick, window by window. Why didn't she fire when they dismantled her house? Why did she keep on reading her book? What was she reading? Was it about the professor in the train? Did the destruction occur in real time? Was it in the past or something yet to happen? Did she get destroyed or was she actually released and freed? Could it be that there was no house there at all, and it was just a construct in her mind? Or was the house her mind? Or his? Was he her, or was she him? Was the eclipse real or only in their minds? Why do all possibilities seem valid? How could that be true? Who is the author of the story? Who is telling? At times it seems that

I am the author, then he is and then she is and then again it becomes uncertain and we keep inter-changing this role.

Suddenly the professor climbed up on top of the train and began to write. He first wrote the lines: "What is it that lies beyond, when all arguments are done with? What conversations begin then and with whom?" Then he wrote a series of letters. The crows delivered them, working furiously like a post office. These are the letters.

Dear Chancellor

I write to you from the depths of darkness. May I humbly inform you that I think the curriculum of the university needs to be changed. It is now clear to me that there are 49 types of darkness. 21 of these are within and the rest are on the outside. I would recommend base studies in all of these so as to prepare for a new journey of learning. Without such, we will continue on this path of self-destruction.

Dear Colleagues

In the face of your brutality, may I say with the utmost respect that all numerals are only patterns; that these patterns are simply replications, that each replication is deeply interconnected, that all interconnections are in a constant flux, and that within this flux, what is permanent is that nothing is permanent.



Dear Students

There is a train in the wilderness within which the further you go the closer you get.

Dear Children

High up on a mountain above the clouds is a house with many windows. Adjacent to the house is a patch of the beautiful Cosmos flower. Originally from Mexico, the flower now grows wild all over the world. When it rains, the petals curve inwards to protect the center; when the storm winds blow, the tall stems dance and bend, but never snap. There is a little white one growing there, with special nectar that cures all who cannot see anymore.



Dear Sir,

The word drifts away, a distant mark in the ocean.
The soft light of the moon slides along the surface of the water,
tracing its path.

In the darkness a mass of land silently dislodges, slips into the
water, and floats away in quiet pursuit.

I have been guided by your light for long. My eyes fixed on
your halo, my ears tuned to your voice, my mouth formed by the
shape of your word.

At daybreak your word reaches the edge of the horizon, tips
over, and free-falls into space.
In a while, the mass of land tumbles over with all its people, cars,
and buildings.

And following it, in the far distance, is you.

Sincerely yours,
A former disciple



The sixth letter was without written words.



The invitation for the meeting was short and cryptic. You could take a train, bus, or even a plane to a nearby town, but from there on other ways of travel would need to be planned. It was obvious that duration and the slowness of travel was part of the objective. Time was inconsequential but the state of mind was not.

Like all mountains this one too seemed much closer than it really was. Before sunrise, it would often appear to be in a calm, strong, grey-blue mood, its immense distance now easy to see. An hour after sunrise with the snow fresh, visible and uncertain, it was almost younger by a few lifetimes. In the afternoon you could sense thick sloping forests and just before dusk, for a brief moment, when the light and colors change rapidly, you could see that it wasn't a single mountain but a series of concentric slopes, folds eventually rising up and within to become an unknown and difficult peak.

The actual base of the mountain was remarkably quiet, even the streams seemed to swish softer. You could hear the breeze because every tree sounded different. The leaves twirled, shook, and shuddered in their own little ways.

The bamboo forest was planted in such a way that it formed a huge, endless structure with corridors, rooms, gardens, even a large hall. Some parts were filled with light, shade, and patterns; others were damp and dark with streams visible and flowing underneath.

There were rooms for thinkers to sit, for tellers to tell, and singers to sing.

There were rooms for writers, too. There was a large space with heating and cooling systems for the ink makers who had come from all over with their powders and liquids. There were some who would only listen. The listeners: they would talk only in response to a question. They seemed to know exactly what was happening. Twice every day, all who came would gather. The listeners would often sit separately.

The agenda oscillated between being ordered and fluid. You had to listen carefully to trace the structure and follow its



Amar Kanwar

Such a Morning, 2017

Video stills

Single channel video, color, sound, 85 minutes

Courtesy the artist and Marian Goodman Gallery

disintegration. Every such cycle would leave behind a meaning that was touched, brushed, watched for a while, and then left alone to grow or change or disappear.

The first day began on the question of maybe. It seemed perhaps that something was possible, though it could also be said to not be so.

Several discussions were like two tangents on an invisible circle. Their eventual meeting point was carefully observed and noted. A psycho-historical analysis of the omnipresent phenomenon of arrogance was combined with the living habits of unknown birds. Sudden transformations of intuitions and comprehensions into images, sounds, or words were immediately noted.

Calculations to derive the location, dimensions, probability of occurrence, possible trajectory, and methodologies to predict, sense, and analyze the impact of “the blind spot” were combined with the study of visible and invisible institutions.

Strategies used by individuals and communities to camouflage, conceal, deceive, adapt, survive, and resist were studied along with the experiences learned from the growing and trading of potatoes, onions, and medicinal plants.

The study of dictators—their personal lives and the ideological systems that create them—was paired with the knowledge gained from the annual and intergenerational travels of a pastoral community on a particular route across several fields, forests, and nations.

Such an intermingling often created a vast silence that spread long into the night. The urgency of multiple streams racing down the slopes into the rice fields seemed for a moment to be the only contact with people.

Night was surprisingly spectacular. The stars were near and up close. The wind kept changing directions making the bamboo corridors whistle. The wooden whispers of nightlong tunes and the fragrance of passing clouds cleansed everyone as they slept.

Rules, hierarchies, and systems of negotiations between humans, humans and nonhumans—or nonhumans and nonhumans—were presented in four languages. Three that had scripts and one that did not. The transformation of meanings between them was examined carefully.

Then began three days and nights about murders. Carefully selected but across all beings. Described carefully, analyzed in great detail, and lamented in verse and song too.

By now the inks were ready: crushed, mixed, boiled, diluted, thickened, and tested. In total, 49 inks were created. Hard black, blue-black, brown-black, grey-black, soft crusty black, striped sparse black, reddish black, and so on. The little bottles kept getting filled and the writing began. A teller and a singer would accompany each set of texts for all that was not possible to write. The second invitation was drafted, and the date for the next meeting was announced. Four seasons of time were allocated. Just a little over a year was left to search, identify, make collaborations, and develop the curriculums for the 49 base studies into darkness.

Arrival and Context

This chapter addresses the legal frameworks of free speech with regard to individuals and the body politic. It lays the foundation for subsequent chapters and spells out the conditions that shape the current understandings of free speech, especially in the United States.

The timeline of formative moments in free speech history, from both juridical and activist perspectives, starts here and winds itself through the pages of this book. It is a continuous subtext with which the other contributions contend. And as the book progresses, the contributions provide increasingly radical and imaginative alternatives to these supposed boundaries of free speech.

“Arrival and Context” corresponds to the first episode in Amar Kanwar’s Letter 7. In it, the scientists, scholars, artists, and writers arrive equipped with their tools, expertise, skills, and specific systems of knowledge needed to tackle the challenge of the unknown. And while the artist does not make explicit references to traditional educational forms, the parallels are there. At American universities, freedom of speech has recently been

pitted against “cancel culture,” the misguided assumption that all speech is sacred and must be protected at all costs, even in the absence of accountability for that very speech. Academic and free speech activist Svetlana Mintcheva’s introduction precedes an essay by the lawyer Nabiah Syed, which maps the legal history of freed speech in the U.S. with a particular focus on how notions of speech have shifted over time alongside political and social change. Historian Mark Bray concludes this first chapter with an implicit response to “cancel culture” and a succinct reflection on free speech on campus.

Brief Reflection on Free Speech in the U.S. and
Introduction to Free Speech Timeline
Svetlana Mintcheva

Free speech protections in the United States, while not absolute, are far broader today than they were one hundred years ago when state censorship boards controlled film screenings and the 1918 Sedition Act forbade any criticism of the U.S. government, the Constitution, or the flag. However, in recent years, the principle of free speech, together with the “marketplace of ideas” theory, which posits free speech as essential to democracy and progress, is met with growing skepticism.

The “marketplace of ideas” theory claims that the free circulation of ideas is beneficial to society as a whole. Yet the social benefits of free debate are hard to see in a society where polarization—economic and political—has reached unprecedented levels; where social media bubbles amplify disinformation, conspiracy theories, and racism; where the utopian promise of the internet to give everyone a voice has morphed into a dystopian nightmare of hatred and harassment; and where marginalized groups, in spite of political ground won, still endure discrimination and violence. Worse, the right to free speech has become

the banner under which violent racist and xenophobic groups spew messages of hate.

In this tense environment, a new generation of progressives has come of age, a generation with a deep commitment to social justice and no personal memory of major government efforts to suppress speech such as the rampant censorship of the 1950s McCarthy era or the battles over public funding for "offensive" art of the 1980s and 1990s "culture wars." This generation questions the social usefulness of protecting speech that is emotionally hurtful to marginalized groups or that voices pernicious ideas.

Admittedly, the right to free speech is not inherently progressive. Free speech is best seen as a neutral tool. It can inspire hatred or revolutionary fervor, subvert support for law enforcement, remind of past traumas, or question the status quo. It can be used to promote ideas that we find appalling, as well as ideas we find inspiring. But it is not possible to uphold freedom of speech principles if we are only ready to support speech we like. The fact that even offensive and hateful speech is protected allows us,

for instance, to read books criticizing religious dogma, advocating armed revolution, or challenging property rights.

Limiting the civil right to free speech necessarily constitutes a demand for more centralized authority, more control. But do we trust those in power to decide what is offensive or hateful and what constitutes true information?

Indeed, the political evolution of free speech consists of limiting government powers to control speech and dissent. It harkens back to a key historical document, the 1215 Magna Carta, which set limits to royal power and recognized the rights

June 15, 1215

Magna Carta is ratified

Abuses by England's King John cause a revolt by nobles, who compel him to recognize rights for both noblemen and ordinary Englishmen. This document, known as the Magna Carta, establishes the principle that no one, including the king or a lawmaker, is above the law, and creates a framework for future documents such as the U.S. Declaration of Independence and the Bill of Rights.

or subjects. The First Amendment of the Bill of Rights encodes this limitation in the context of a republican government and as applied specifically to speech by stating, "Congress shall make no law... abridging the freedom of speech."

As the timeline that follows, based on material gathered by Foundation for Individual Rights in Education, demonstrates, the interpretation of this short sentence and what exactly it protects has taken thousands of pages of legal opinion. In the last hundred years, free speech rights have shifted from protecting citizens against federal action to protecting them against state and local governments; they have extended to cover art and entertainment, which were previously widely censored; and they have gradually included speech that peacefully advocates

against war or government. During recent decades, the U.S. Supreme Court has tackled questions concerning the expressive value of widely divergent things, such as sexually explicit material and money spent on election advertising, while also outlining the principles of regulating broadcast media and the internet.

We can expect legal protections on speech to continue to evolve as our society changes. Will existing laws on hateful speech change to conform to those in other Western countries? Will sexually explicit (obscene) material be eventually seen as deserving of the same protections enjoyed by representations of

June 7, 1628

The Petition of Right is ratified

The Petition of Right is a statement of the objectives of the 1628 English legal reform movement that led to the English Civil War and the deposing of King Charles I in 1649. This document sets out the rights and liberties of the “common man” as opposed to the prerogatives of the crown and expresses many of the ideals that later led to the American Revolution.

violence? How will the law handle the growing problem of disinformation? And what will our legislature and courts do in recognition of the fact that the flows of information and opinion today are, to an ever-larger extent, subject to the arbitrary regulations and censorship of private companies? There are multiple stakes involved in answering these questions and the answers have broad consequences for our individual lives and social coexistence. If a crystal ball could show us the continuation of this timeline into the next century, it is likely that we see, reflected in free speech debates, the state of our political, cultural, and economic future.

The timeline that begins here and threads throughout the book is excerpted and adapted from “The History of Free Speech,” with permission of the Foundation for Individual Rights in Education.

December 10, 1641 Massachusetts Body of Liberties is adopted

The Massachusetts General Court formally adopts the first broad statement of American liberties, the Massachusetts Body of Liberties. The document includes a right to petition and a statement about due process.

August 4, 1735 John Peter Zenger is acquitted after being tried for libel

New York publisher John Peter Zenger is tried for libel after publishing criticism of the Royal Governor of New York. Zenger is defended by Andrew Hamilton and acquitted. His trial establishes the principle that truth is a defense to libel and that a jury may determine whether a publication is defamatory or seditious.

July 4, 1776 Declaration of Independence is adopted

The Continental Congress adopts the final draft of the Declaration of Independence.

September 17, 1787 The U.S. Constitution is adopted into law and then ratified by the states

Adopted into law by the Federal Constitutional Convention, the Constitution is ratified by the states on June 21, 1788.

January 1788

The Federalist is reprinted in newspapers throughout the United States

Originally published in New York newspapers as “The Federalist,” the paper is widely reprinted in newspapers throughout the United States. “The Federalist Papers” is a unique collection of eighty-five essays written by Alexander Hamilton, James Madison, and John Jay urging ratification of the Constitution. In Federalist No. 84, Alexander Hamilton writes on the subject of the liberty of the press, declaring that “the liberty of the press shall be inviolably preserved.” The exact date of the reprints could not be established.

December 15, 1791

Virginia approves the first ten amendments, ratifying The Bill of Rights

Virginia becomes the eleventh state to approve the first ten amendments to the Constitution, thereby ratifying the Bill of Rights.

July 14, 1798

President John Adams signs the
Sedition Act into law

President John Adams oversees the passage of the Alien and Sedition Acts. In response, Thomas Jefferson introduces the “Kentucky Resolution” and James Madison issues the “Virginia Resolution” to give states the power to determine the constitutionality of the Alien and Sedition Acts. On September 12, newspaper editor Benjamin Franklin Bache, the grandson of Benjamin Franklin, is arrested under the Sedition Act for libeling President John Adams.

March 3, 1801

Sedition Act expires

Congress lets the Sedition Act of 1798 expire, and President Thomas Jefferson pardons all persons convicted under the act. Among other things, the act had punished those who uttered or published “false, scandalous, and malicious” writings against the government.

- May 1, 1836 U.S. House of Representatives adopts “gag” rules
- The gag rules prohibit discussion of antislavery proposals. The House repeals the rules in 1844.
- January 1859 John Stuart Mill’s essay “On Liberty” is first published
- The essay expands John Milton’s argument that if speech is free and the search for knowledge unfettered, then eventually truth will rise to the surface. The exact date of the essay’s publication in 1859 has not been established.

May 17, 1864
Fake letter ordering draft prompts
General Andrew A. Dix to suppress
the press

By order of President Lincoln, General John A. Dix, a Union Army commander, suppresses the New York Journal of Commerce and the New York World and arrests the newspapers' editors after both papers publish a forged presidential proclamation purporting to order another draft of four hundred thousand men. It was later discovered that Joseph Howard, a known prankster, was behind the forged document. Lincoln withdraws the order and the papers resume publication two days later.

Dangerous to Whom?

The Uneven Evolution of Free Speech Culture

Nabiha Syed

Free speech is “essential to the poorly financed causes of little people,” or so Supreme Court judge Hugo Black wrote in 1943. In theory, the First Amendment of the United States Constitution houses an expansive promise of free speech, and with good reason: restrictions on speech make self-governance difficult, especially for individuals invested in challenging inequality.

In practice, however, and as a matter of legal doctrine, the First Amendment only restricts government censorship. But as a social matter, the First Amendment is imagined as a set of commonly held values that are foundational to American identity. When someone says something “violates the First Amendment,” they are envisioning a public sphere that protects the ability to freely share opinions and organize for social change.

That makes uneven approaches to free speech all the more fascinating. What do we make of a free speech culture that appears to protect while abandoning others? Why are some people quick to protect the free speech rights of white supremacists marching in Charlottesville while condemning athletes who kneel in protest of police brutality? Is this simply because our

lived experience is an imperfect application of an otherwise perfect doctrine? Hardly. A brief tour of First Amendment precedent reveals how uneven protection—especially for those seriously challenging the status quo—is commonplace.

Protected Speech or Prohibited Threat?

The line distinguishing protected speech from punishable speech has never been obvious. But we can begin to understand its rough contours if we travel back a century or so, starting with the 1917 court case *Masses Publishing Co. v. Patten*.

Against the backdrop of World War I, radical journal *The Masses* published political cartoons criticizing capitalism, Congress, and conscription. The journal's approach to conscientious objection raised the ire of the New York City postmaster, Thomas G. Patten. Patten refused to circulate *The Masses*. The journal's approach to the draft, he argued, violated the new Espionage Act of 1917 by "causing" insubordination. The Espionage Act—the same Act used to charge Chelsea Manning and Edward Snowden almost one hundred years later in 2011—forbade statements that "would willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military." *The Masses* responded saying that while they certainly praised those who were conscientiously opposed to the draft, they were not causing draft-dodging. Federal district court judge Learned Hand agreed. Hand reasoned that the government needed to distinguish "the keys of persuasion" from the "triggers of action," and while perhaps unpopular to some, *The Masses* had fallen on the protected side of the line. The publication was not actually a threat to national security. Their publication and their praise of conscientious objection could continue.

This seems like an obvious outcome—especially if one believes that American free speech protection is broad and all-

March 3, 1873 Comstock Law is passed by Congress

Antibscenity reformer Anthony Comstock successfully lobbies Congress to pass the Comstock Law. This is the first comprehensive antibscenity statute enacted at the federal level. The law targets the “Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use” and makes it illegal to send any “obscene, lewd, or lascivious” materials as well as any information or “any article or thing” related to contraception or abortion through the mail.

encompassing. Praising individual political action (like conscientious objection) hardly seems like it should be the basis of imprisonment. And yet, this was an unusual decision at the time. Nor did it hold. A federal appeals court reversed Judge Hand’s reasoning soon thereafter, reasoning that the postmaster had the discretion to determine that *The Masses* circulated objectionable matter encouraging insubordination and obstructing military recruitment, and that the postmaster was within his authority to restrict circulation on that basis.

As World War I dragged on, courts remained hostile to criticism of the war, even from politicians. Eugene Debs, a labor leader and five-time presidential candidate, learned this the

hard way. In his Canton speech, he indicted the war on general socialist grounds, encouraging individuals to listen to their own conscience above all else. “Don’t worry about the charge of treason to your masters,” he said, “but be concerned about the treason that involves yourselves.”

The Supreme Court looked to the Espionage Act and concluded that these words had “as their natural tendency and reasonably probable effect to obstruct the recruiting service.” What one might consider persuasion today was criminal for Debs. And so if a man as prominent as Eugene Debs could be

sentenced to serve ten years in prison for a public speech, an ordinary man might want to be wary.

A week later, the Supreme Court doubled down on that logic. This time, the Court confronted the antiwar organizing activity of Charles Schenck, the general secretary of the Socialist Party of America. Schenck organized the distribution of fifteen thousand leaflets to prospective military draftees, which included arguments that the draft was involuntary servitude because “a conscripted citizen is forced to surrender his right as a citizen and become a subject.”

The leaflet warned Americans that their civil liberties were in danger, reminded them to vote for officials who were opposed to conscription, and quoted the Thirteenth Amendment, which outlawed slavery and involuntary servitude. By today’s standards, this know-your-rights approach seems mild. But Schenck was convicted under the Espionage Act in 1919, and the Supreme Court unanimously found that the conviction did not violate his First Amendment right to freedom of speech. He was sentenced to more than six years in prison.

Helpfully, the Court laid its logic bare. While “in many places and in ordinary times” the leaflet would have been protected, “When a nation is at war, many things that might be said in a time of peace...will not be endured so long as men fight.” Put differently, dangerous situations justify curtailing freedom of speech. The standard created by the Court was limiting speech in light of “clear and present danger”—prompting one to ask who determines such terms.

The Court itself struggled with that broad standard later that year. Hyman Rosansky, along with six other Russian Jewish emigrants, were arrested for distributing English and Yiddish flyers protesting American interference with the Russian Revolution and arguing for the importance of a general strike. Seven justices agreed that these leaflets were a “clear and present danger” because they went beyond “candid discussion” to

“create an attempt to defeat the war plans [of the United States] by bringing upon the country the paralysis of a general strike.” Two justices argued that this standard was insufficiently protective of speech after all. In their vigorous dissent in *Abrams v. United States* (1919), Justices Oliver Wendell Holmes and Louis Brandeis unveiled one of the great hallmarks of modern free speech theory:

The best test of truth is the power of the thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out.

This passage describes the “marketplace of ideas,” which has come to be recognized as the “theory of our Constitution,” in *United States v. Alvarez* (2012). Under this theory, the corrective for bad speech—like marching white supremacists—is more speech. However, this vision predictably tilts away from regulation on the logic that intervention would harm the marketplace’s natural and dynamic progression. Since it was first articulated in 1919, the concept has leapt from a single dissent to the main stage of judicial precedent and popular reference.

Here, one might be tempted to find a narrative of straightforward progress. One could theorize that perhaps in war time, the Court had not yet developed the permissive approach to free speech that we recognize today. But that kind of linear history argument would be incorrect. After *Abrams*, the Espionage Act was used as justification to execute communists Julius and Ethel Rosenberg, and more recently, to charge whistleblowers like Daniel Ellsberg, Chelsea Manning, and Edward Snowden as traitors. Concepts that are bedrock to our modern understanding of free speech are rooted in this troubled history—and they do not always stay in the past.

April 15, 1907

Patterson v. Colorado

Patterson v. Colorado is the first free press case. The Supreme Court determines it does not have jurisdiction to review the “contempt” conviction of U.S. Senator and Denver newspaper publisher Thomas Patterson for articles and a cartoon that criticized the state supreme court. The Court writes that “what constitutes contempt, as well as the time during which it may be committed, is a matter of local law.” Leaving undecided the question of whether First Amendment guarantees are applicable to the states via the Fourteenth Amendment, the Court holds that the free speech and press guarantees only guard against prior restraint and do not prevent “subsequent punishment.”

Take, for example, the 2010 Supreme Court case *Holder v. Humanitarian Law Project*. At issue in that case was the support provided by the Humanitarian Law Project to groups like Turkey’s Kurdistan Workers’ Party (PKK) and Sri Lanka’s Liberation Tigers of Tamil Eelam (LTTE). HLP’s assistance included teaching on issues like peaceful conflict resolution. But PKK and LTTE were organizations that engaged in lawful, nonviolent activity as well as activity deemed by the U.S. government to be terrorist activity. The

question in front of the Court was whether support provided by the HLP constituted material support of terrorism, even though the underlying activity was lawful. The Court ultimately ruled that even providing lawful instruction on peaceful conflict resolution could help “legitimate” the recipient organizations, and potentially free up resources for PKK and LTTE to direct more terrorist activity. The three dissenting justices reasoned that the government simply had not provided a compelling enough interest to prohibit the “communication and advocacy of political ideas” or “lawful means of achieving political ends. And

June 15, 1917 Congress passes the Espionage Act

The Espionage Act makes it a crime to “willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States,” or to “willfully obstruct the recruiting or enlistment service of the United States.” The Civil Liberties Bureau, the forerunner of the ACLU, is founded in October of 1917 in response.

yet, here is a recent example of the Court deciding that some danger—even when avowedly nonviolent—was simply not within the boundaries of free speech protection.

How does this outcome square with our understanding of the modern “marketplace of ideas” theory? In popular imagination, the American commitment to free speech is near-absolute. To many, the reference point is the Supreme Court’s decision in *Brandenburg v. Ohio* (1969), more colloquially described as the “KKK rally” case. In *Brandenburg*, the Court found that a display of firearms, burning crosses, and speeches vowing “revengeance” against Blacks and Jews was all protected by the First Amendment. Unless this activity intended to precipitate “imminent lawless action,” it would be protected. This new standard was more speech-protective than the “clear and present

danger” standard, and encouraged using the marketplace of ideas to resolve ideological disputes. Decades later, this was the cultural reference for those defending participants in the 2018 “Unite the Right” rally in which white supremacists and neo-Nazis marched in Charlottesville, Virginia.

And yet, we still have outcomes like *Holder v. Humanitarian Law Project*, which bans providing lawful instruction, communication, and the advocacy of political ideas. Who, therefore, is allowed to participate in the marketplace of ideas,

and who is left out? And what does that tell us about “danger” and political change?

The Marketplace Works for the Market

For all of its illustrious history, the marketplace of ideas concept does not neatly address questions of power. Perhaps this is not surprising. The marketplace metaphor sprang forth at a time when the power to reach the general population through “more speech” was confined to a fairly homogeneous, powerful few. This included broadcast journalists and high-profile figures. Individuals may have had their own fiefdoms of information—a pulpit, a pamphlet—but communicating to the masses was unattainable to most. Accordingly, the marketplace never needed to address power differentials when only the powerful had the technology to speak at scale. This is hardly the tool of “little people” as Justice Black envisioned.

In the middle of the twentieth century, the media industry took up the mantle of free speech litigation to protect their ability to inform the public. This was a means of serving the marketplace of ideas on behalf of the public. While this continues, the technology industry has long adopted the mantle to justify limited deletion of racist or sexist content. As the law professor Kate Klonick details in her research, platforms like Facebook, Twitter, and YouTube pledged early to uphold free speech norms from their outset. Consequently, these platforms have claimed that their free speech commitments limit their ability to regulate hateful content, harassment, and coordinated disinformation campaigns. But even here, the uneven application of free speech norms abound. These corporations were early to censor images of child abuse, revealing an ability to police their own platforms. Shortly thereafter, platforms also started to delete “terrorist content,” although the definition of what counts as terrorist talk remains opaque.

Over the last fifteen years, an expansive interpretation of the First Amendment has been used to strike down economic and regulatory policies in favor of big business. Justice Elena Kagan described an effort to weaponize the First Amendment and use it as a deregulatory tool in cases like *Janus v. American Federation of State, County, and Municipal Employees* (2018), in which the Court overturned a forty-one-year-old precedent requiring public-sector employees to pay nonpolitical union fees.

As Justice Kagan argued in her dissent, because “almost all economic and regulatory policy affects or touches speech,” judges can use expansive definitions of speech as a tool to dismantle regulations. Her warning is well-supported. In recent years, the Supreme Court struck down a Vermont law regulating the sale of subscriber information to pharmaceutical companies to protect “speech in aid of pharmaceutical marketing,” and appeals courts have struck down rules requiring companies to post federal labor protections and include graphic warning labels on cigarettes. All because these regulations compel companies to speak.

As concern for corporate speech has risen in the courts, we have seen less concern for those with limited economic power. In *Morse v. Frederick* (2007), also known as the “Bong Hits 4 Jesus” case, the Supreme Court ruled that students have limited rights to political speech while in school, and that public-school students do not enjoy the same free speech rights as adults. ↪1

Nor do government employees enjoy broad speech rights. In *Garcetti v. Ceballos* (2006), the Supreme Court ruled that speech by a public official is only protected if it is engaged as a private citizen, and not if it is expressed as part of the official’s public duties. Critics argue that this chills whistleblowers and other attempts for accountability. And the disdain for free speech rights extends to those seeking to access information, not only to speak. In *Beard v. Banks* (2006), the Supreme Court ruled that a prison did not act unreasonably in denying prisoners

Congress passes the Sedition Act

May 16, 1918

The Sedition Act forbids spoken or printed criticism of the U.S. government, the Constitution, or the flag.

access to newspapers, magazines, and photographs. One dissent argued that this was “perilously close to a state-sponsored effort at mind control,” but fifteen years later, we see a widespread restriction on library materials accessible in prisons after all.

And now, across the country, institutions are prohibiting employees and contractors from boycotting Israel, an issue which has become the latest terrain of conflict for free speech scholars. For example, a speech pathologist is suing Texas because her contract with a local school district asks her to certify that her business is not boycotting Israel, and an Arkansas newspaper is suing a local community college whose advertising contract contains a similar requirement.

The legal question at hand is whether a boycott is a form of protected expression or whether it is action that can be regulated without harming free speech norms. This is not a new question. In 1982, the Supreme Court ruled that political boycott is expressive conduct under *National Association for the Advancement of Colored People v. Claiborne Hardware Company*,

which considered the right of Black citizens to boycott white Mississippi merchants during the civil rights era of the 1960s. In *Claiborne*, the Court explained clearly that “boycotts and related activities to bring about political, social and economic change” are political speech, enjoying “the highest rung of the hierarchy of First Amendment values.” And yet states across the country are passing laws prohibiting this particular form of boycott. Lawmakers are encouraging these bans on boycotts, often while endorsing boycotts of companies like Nike that support Colin Kaepernick and others speaking out against police

brutality. So far, the courts have upheld the *Claiborne* holding, striking down the boycott bans.

Conclusion

What should be clear is that our commitment to free speech—whether as interpreted by the Supreme Court or in terms of popular discourse—is contingent, complicated, and deeply contested. We struggle with what is or is not speech, and what is or is not too dangerous for the marketplace of ideas. These are subjective judgment calls. What is punishable fluctuates against the backdrop of perceived threat—as perceived by the state or other powerful actors.

And so the abiding belief that American free speech helps along social progress—the “poorly financed causes of little people”—has serious shortcomings. Unfortunately, free speech protection is not always afforded to those agitating for social change.

1 Private school students don't have any claim to the First Amendment because there's no government nexus. So they could have more rights or they could have fewer, but it's outside the bounds of First Amendment questions.

March 3, 1919

Schenck v. United States

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Studies into Darkness

Schenck and others had been accused of urging draftees to oppose the draft and to “not submit to intimidation.” Supreme Court Justice Oliver Wendell Holmes sets forth his clear-and-present-danger test: “Whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has the right to prevent.” Holmes also writes that not all speech is protected by the First Amendment, citing the now-famous example of falsely crying “fire” in a crowded theater.

March 10, 1919

Debs v. United States

The Supreme Court upholds the conviction of socialist and presidential candidate Eugene V. Debs under the Espionage Act for making speeches opposing World War I. Justice Oliver Wendell Holmes claims to apply the “clear and present danger” test; however, he phrases it as requiring that Debs’ words have a “natural tendency and reasonably probable effect” of obstructing recruitment. In December of 1921, President Warren Harding commutes Eugene Debs’s sentence to time served.

March 3, 1921

Congress repeals the Sedition Act of 1918

By the end of 1933, President Roosevelt pardons those convicted under the Espionage and Sedition Acts.

June 8, 1925

Gitlow v. New York

The Supreme Court upholds under the New York criminal anarchy statute Benjamin Gitlow's conviction for writing and distributing "The Left Wing Manifesto." The Court assumes, however, that the free speech clause of the First Amendment applies to the states through the due process clause of the Fourteenth Amendment. Gitlow is subsequently pardoned by New York Governor Al Smith late in the same year.

June 27, 1927

Whitney v. California

The case involves Charlotte Anita Whitney, a member of the Socialist Party and former member of the Communist Labor Party. The Supreme Court upholds California's criminal syndicalism law. Justice Louis Brandeis writes in his concurring opinion a passage that becomes a fundamental First Amendment principle: "If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence." The case was explicitly overruled by *Brandenburg v. Ohio* in 1969.

November 19, 1928 New York ex rel. Bryant v.
Zimmerman et al.

The Supreme Court upholds a misdemeanor conviction of an individual who belonged to the Ku Klux Klan (KKK) knowing that the organization had more than twenty members, required a secret oath, and had not registered with state authorities as required by state law. The Court dismissed due process and equal protection claims by the KKK, establishing a New York law that mandates that organizations requiring their members to take oaths file certain organizational documents with the secretary of state.

May 18, 1931 Stromberg v. California

The Supreme Court reverses the state court conviction of twelve Yetta Stromberg, a nineteen-year old member of the Young Communist League, who violated the state's Red Flag Law, which prohibits the display of a red flag as "an emblem of opposition to the United States government." Legal commentators cite this case as the first in which the Court recognizes that protected speech may be nonverbal or a form of symbolic expression. The Court also formally holds that the free speech guarantee of the states applies to the states. Two years later, California repeals its Red Flag Law.

April 11, 1938 Life magazine is banned in the
United States

The magazine is banned for publishing pictures from the public health film *The Birth of a Baby*.

March 18, 1939 Georgia, Massachusetts, and Connecticut ratify the Bill of Rights

April 22, 1940 Thornhill v. Alabama

The Supreme Court strikes down an Alabama law prohibiting loitering and picketing “without a just cause or legal excuse” near businesses. The Court writes: “The freedom of speech and of the press guaranteed by the Constitution embraces at the least the liberty to discuss publicly and truthfully all matters of public concern without previous restraint or fear of subsequent punishment.”

June 29, 1940 Congress passes the Smith Act

The Smith Act, Title I of the Alien Registration Act of 1940, makes it a crime to advocate for the violent overthrow of the government.

December 19, 1941 Congress authorizes President Franklin D. Roosevelt to create the Office of Censorship

March 9, 1942 *Chaplinsky v. New Hampshire*

The Supreme Court determines “fighting words” are not protected by the First Amendment. The Court defines “fighting words” as “those which by their very utterance inflict injury or tend to incite an immediate breach of peace.” The Court states that such words are “no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.”

May 10, 1943 *National Broadcasting Co., Inc. et al. v. United States et al.*

The Supreme Court states that no one has a First Amendment right to a radio license or to monopolize a radio frequency.

Antifa and Free Speech on Campus ↪1
Mark Bray

In 2017, the “sacred” tradition of free speech was said to be under attack from the infamous “antifa.” The birthplace of the Free Speech Movement of the 1960s—the campus of the University of California at Berkeley—was paradoxically spawning a “No Free Speech Movement” a half century later, according to the *Los Angeles Times*. ↪2 The Berkeley College Republicans found themselves under siege as their invited guests, the alt-right celebrities Milo Yiannopoulos and Ann Coulter, saw their speaking engagements challenged by hundreds of antifascist and antiracist protesters. “F—ing babies,” the comedian and political pundit Bill Maher said on his HBO show, describing the activists as carrying out what he called “the liberals’ version of book burning.” ↪3 Journalist Peter Beinart claimed it was a horrifying alliance of “masked hoodlums who arrived from off-campus.” ↪4 Other pundits said the administrators were weak-kneed and had turned universities into “propaganda training grounds for the next generation of Brown Shirts.” ↪5 In a clear Nazi reference, CNN commentator Marc Randazza warned, “If you don’t stand up for Coulter’s liberty today, someone will

West Virginia State Board of
Education et al. v. Barnette et al.

June 14, 1943

The Supreme Court rules that a West Virginia requirement to salute the flag violates the free speech clause of the First Amendment.

come for yours tomorrow. And, more importantly, the Enlightenment will die a violent and pathetic death.” ↪6

The campus clashes of 2017 brought antifa, the “masked self-styled anarchists bent on wreaking havoc,” as one critic described it, back into the public spotlight. ↪7 Much of the controversy swirling around antifa on campus has pertained to their pursuit of a strategy of depriving the far right from establishing any presence in public discourse. But is this illiberal strategy, originally termed “no-platforming” by British antifascists in the 1970s, really an infringement upon freedom of speech? ↪8

Short for antifascist in many languages, antifa or militant antifascism is a politics of social revolutionary self-defense applied to fighting the far right and traces its heritage back to the radicals who resisted Mussolini and Hitler in Italy and Germany a century ago. With what appears to be a complete lack of historical or theoretical knowledge, pundits conclude that

anti-fascism is a greater threat to free speech than even fascism itself. Antifascist opposition to far-right politics on campus has converged with growing feminist, anti-racist, and queer and trans liberationist demands and the advocacy of “safe spaces” free from oppressive values. Especially after President Donald Trump argued that “antifa” should be labelled a “terrorist organization”—despite the fact that antifa is neither terrorist nor an organization—in the midst of the Black Lives Matter protests against the police murder of George Floyd and other Black people, antifa has become a catch-all bogeyman that allegedly

aims to destroy “freedom of speech” and impose its radical views on all who disagree.

Ultimately, militant antifascists and likeminded campus radicals refuse to engage in terms of debate that developed out of the precepts of classical liberalism that undergird both “liberal” and “conservative” positions in the United States. Instead of privileging allegedly “neutral” universal rights, the anti-fascist position prioritizes as a political project the destruction of fascism, white supremacy, and hetero-patriarchy and the protection of the vulnerable regardless of whether their actions are considered violations of the free speech of fascists or not.

DO ANTIFASCISTS AGREE THAT
“NO PLATFORMING” FASCISTS—
THAT IS, DISRUPTING THEIR PUBLIC
ORGANIZING—VIOLATES THEIR
FREEDOM OF SPEECH?

Some do and some don’t, though most don’t even publicly engage with the argument. When I asked the Dutch antifascist Job Polak, he shrugged and smirked saying it was a “non-argument that we never felt we should engage with...you have the right to speak but you also have the right to be shut up!” ↪9

Much of the antifa reluctance to engage with this issue stems from their rejection of the classically liberal terms of debate that limit political questions about personal and group expression to the confines of legalistic rights-based discourse. For liberals, the prime question is the status of the free speech rights of fascists. For revolutionary socialist antifa, the prime question is the political struggle against fascism; from their perspective, the rights promoted by capitalist parliamentary government are not inherently worthy of respect. There are antifa groups, however, that make an effort to publicly address the argument that antifascism infringes upon the free speech of fascists.

Terminiello v. Chicago

May 16, 1949

The Supreme Court limits the scope of the “fighting words” doctrine. Writing for the majority, Justice William O. Douglas says that the “function of free speech...is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger.”

Other antifascists argue that “no platforming” does infringe upon the free speech of fascists, but is justified by virtue of their being fascists.

The perspectives that antifascists hold, or at least how they articulate them, vary by national context. Since most of the countries of continental Europe have laws against inciting racial hatred or Holocaust denial, impeding fascist propaganda is less controversial. The historical legacy of fascism and Nazism are far more palpable for people who grew up under such regimes or had parents and relatives who did. Moreover, European left political culture is more inclined to conceive of the struggle against fascism in politically oppositional terms as opposed to a test case for individual civil liberties.

In the United States, while it is true that the First Amendment focuses on protecting citizens from the government, when people argue that knocking over the podium of a fascist speaker violates their freedom of speech, “free speech” is usually understood as an ethical value, not simply a constitutional protection. When understood as a value rather than a law, it is clear that antifascism opposes this principle in its absolutist form (i.e., that all abridgements of speech are wrong). Instead, many anti-fascists make the illiberal argument: “No free speech for fascists.” From their perspective, the safety and well-being of marginalized populations is the priority. In my opinion “no platforming” fascists often infringes upon their speech, but this

infringement is justified for its role in the political struggle against fascism. It's important to note, however, that the vast majority of people who oppose limiting speech on political grounds are not free speech absolutists. Most of them have their exceptions to the rule, whether obscenity, incitement to violence, copyright infringement, press censorship during wartime, or restrictions for the incarcerated.

Regardless of how they articulate themselves, these anti-fascists value the free and open exchange of ideas—they simply draw the line at those who use that freedom to promote genocide or question people's humanity. In reality, liberal criteria for limiting speech is heavily steeped in the pervasive logic of capital, militarism, nationalism, colonialism, and the institutional racism of the criminal "justice" system, as well as the immigration system. Every time one or more of these factors limits the ability of human beings to express themselves it is political. Rather than reducing a complex discussion to a Manichean distinction between allegedly "pro" and "anti" factions, it makes far more sense to compare competing criteria for limiting speech in the public interest.

WHAT ABOUT THE "SLIPPERY SLOPE"?

The "slippery slope" argument is commonly used against restricting speech on political grounds in general, and against antifascism in particular. As journalist Kevin Drum wrote in *Mother Jones*:

Whenever you start thinking these are good reasons to overturn—by violence or otherwise—someone's invitation to speak, ask yourself this: *Who decides?* Because once you concede the right to keep people from speaking, you concede the right of somebody to make that decision. And that somebody may eventually decide to

shut down communists. Or anti-war protesters. Or gays. Or sociobiologists. Or Jews who defend Israel. Or Muslims. I don't want anyone to have that power. No one else on the left should want it either. ↳10

So the question is: Where do you draw the line? The argument rests on the assumption that there is no non-arbitrary line to be drawn—once one starts down this path, the slope is so slippery that it inevitably slides into “totalitarianism.” Better not to start sliding down that path.

At first glance, this argument seems especially convincing when it comes to fascism. If scholars and activists struggle to define a phenomenon that often branches out to garner the support of conservatives and to infiltrate leftist circles, then how is it possible to pinpoint the phenomenon with sufficient clarity to suppress it without endangering nonfascist discourse? This point is not entirely without merit, but despite some divergence in interpretation, antifascists generally agree on the broad strokes of fascism such as patriarchy, white supremacy, authoritarianism, and so on. Such criteria represent a tangible political line to prevent the premise of the “slippery slope” argument from developing. “No platforming” fascists only run the risk of devolving into “no platforming” underrepresented groups like the queer community if you entirely divorce a tactic from its politics—a specialty of liberal commentators.

But “Who decides?” Drum asks in his *Mother Jones* article, and it's a fair question. Fundamentally, however, this question revolves around the source of political legitimacy. Militant antifascism challenges the state monopoly on political legitimacy by making a political case for popular sovereignty from below. In so doing, it does not shy away from asserting the righteousness of anti-fascist politics. Rather than buying into the liberal notion that all political “opinions” are equal, antifascists unabashedly attack the legitimacy of fascism and institutions

that support it. From an antifascist perspective, the question is not about establishing a neutral line beyond which right-wing politics cannot cross, but about entirely transforming society by tearing down oppression in all its forms. For revolutionary socialist antifascists, the question to ask is, “Who will win the political struggle?”

The fact that the specific circumstances of antifascist organizing never enter into the considerations of “free speech” critics demonstrates how they address the matter on exclusively analytical grounds. If, according to their analytical philosophizing, suppressing white-supremacist organizing inevitably slides into suppressing “everyone you disagree with,” or “sociobiologists,” as Drum suggests, then it stands to reason this must have happened quite frequently over the past century of antifascist militancy. But liberal pundits don’t even consider making such an empirical inquiry because they know so little about what they are talking about. They address the notion of “no platform for fascists” as if it were a new proposition that crazy radicals spontaneously decided to try out without any track record.

If we take a look at the track record of antifascism, however, a consistent pattern emerges: When local fascist organizing declines, so does local antifascist organizing. When the British antifascist 43 Group had sufficiently pummeled Oswald Mosley’s fascist Union Movement into oblivion, they didn’t turn their sights on conservatives, they disbanded. Writing in 2003, Anti-Racist Action organizer Rory McGowan wrote, “where there is no visible or active Nazi presence, ARA groups fall into a state of inactivity.” ↪¹¹ After Norwegian fascism was largely stamped out in the late nineties, the country’s antifa have spent most of their time monitoring Swedish fascists with their Scandinavian comrades rather than moving on to the next most right-wing political faction.

The fact that the life spans of most antifa groups are determined by the activities of their fascist enemies is so well-known

Dennis et al. v. United States

June 4, 1951

The Supreme Court upholds the convictions of twelve Communist Party members convicted under the Smith Act of 1940. The Court finds that the Smith Act, a measure banning speech that advocates the violent overthrow of the federal government, does not violate the First Amendment. The case has yet to be overruled.

that it actually constitutes a common critique of how antifa organize. Many organizers lament the difficulty of maintaining membership when local fascist organizing is minimal. If anti-fascism is just about silencing those holding “alternative points of view” then over the past hundred years some tangible examples of antifa groups sliding down this allegedly slippery slope should have been seen. Instead, the historical record points in the opposite direction.

The liberal alternative to militant antifascism is to have faith in the power of rational discourse, the police, and the institutions of government to prevent the ascension of a fascist regime. As we have established, this formula has failed on several notable occasions. Given the documented shortcomings of “liberal anti-fascism” and the failure of the allied strategy of appeasement leading up

to World War II, a more convincing argument can be made that allowing fascism to develop and expand runs the documented risk of sliding into “totalitarianism.” If we don’t stop them when they are small, do we stop them when they are medium-sized? If not when they are medium-sized, then when they are large? When they’re in government? Do we need to wait until the swastikas are unfurled from government buildings before we defend ourselves?

Let’s also take a step back to acknowledge that the worst-case scenario that liberal critics fear entails the complete elimina-

May 26, 1952

Joseph Burstyn, Inc. v. Wilson,
Commissioner of Education of New
York et al.

The Supreme Court, for the first time, finds that motion pictures are included within the free speech and free press guarantee of the First Amendment. The Court finds a New York statute that permits the banning of motion pictures on the ground that they are “sacrilegious” to be unconstitutional after the New York State Board of Regents rescinds the license of the distributor of the film *The Miracle to show the film in the state.*

tion of fascism and explicitly white-supremacist organizing. How did that prospect become more horrifying than allowing such groups to flourish? A recent psychological study from the University of Kansas concluded that “explicit racial prejudice is a reliable predictor of the ‘free speech defense’ of racist expression...It’s racists defending racists.” ↪¹² This conclusion does not inherently invalidate the liberal argument, but it should encourage us to think beyond the mere principles under consideration to realize a very common underlying motive of racism.

Finally, it’s worth adding that militant antifascism is but one facet of a

larger revolutionary project. Many antifa groups organize not only against fascism, but aim to combat all forms of oppression such as homophobia, capitalism, patriarchy, and so on. From this perspective, fascism is only the most acute version of larger systemic threats. This does not mean that antifa groups necessarily intend to apply the exact same tactics to larger and larger segments of the political landscape but that anti-fascists are, simply, revolutionaries. It’s surreal to watch liberal pundits lambast antifascists for disrupting a fascist speech, when their revolutionary socialist ideology advocates the global expropriation of

the capitalist ruling class and the destruction (or capture) of all existing states by means of an international popular uprising that most believe will necessitate violent confrontation with state forces.

If they are critical of “no platform,” wait ’til they hear about class war.

MUSTN’T “TRUTH” BE CONFRONTED BY “ERROR”?

One objection to the “no platforming” of fascists or restricting their speech in general comes from the British philosopher John Stuart Mill’s influential *On Liberty*. In this impassioned defense of free speech, Mill argues that even when the suppressed opinion is entirely false, “unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice.” According to Mill, “The clearer perception and livelier impression of truth [is] produced by its collision with error.”

This would suggest, though, that we should present pro- and antislavery perspectives, for example, as equally legitimate moral positions for society to consider. But instead of simply presenting such positions equally without normative valuations, an antifascist method teaches the Holocaust, slavery, or the genocide of Indigenous populations through primary sources from slaveholders, Nazis, or colonists in a larger antiracist, anticolonial context—a way in which the antiracist perspective would be enriched and deepened without reinscribing the violence of genocide and white supremacy through a “vigorous and earnest” contestation of the humanity of Indigenous, Black, or Jewish people.

Moreover, despite the rationalistic aspirations that drove Mill and his colleagues of the era, as Mill himself put it, the majority of what most people believe is always “held in the manner of

a prejudice.” Few really examine the philosophical, political, and sociological underpinnings of their most deeply felt values, and even most who do are far less self-reflexive than they imagine. Societal norms are not changed through a rational process of analysis; they gradually transform through the ongoing struggle of competing interests, which are perpetually shaped by shifting economic and social factors. Though they certainly vary in how they interpret it, the widespread recognition on the part of most people that “racism is wrong” developed out of generations of struggle by people of color.

Today this notion pervades society, along with the historical agreement that slavery and the Holocaust were grave atrocities. Ideally, everyone would devote a significant amount of time and mental energy toward internalizing why these tragedies occurred and how they reflect upon history. But since most people won’t engage in such reflection, the success of social movements in establishing baselines of antiracist sentiment in the passive “prejudice[s]” of society represents an important bulwark against the attempts of the alt-right to shift the center of gravity toward passive prejudices of white supremacy. “Passive” antiracism is preferable to active white supremacy.

ANTIFASCIST PRINCIPLES IN THE UNIVERSITY

Since the 1960s, waves of popular social movements, from the civil rights movement to the gay and lesbian movement to the more recent mobilizing for transgender rights, have pushed universities to become more inclusive and “diverse.” Although most American liberals infuse the notion of “diversity” with antiracist and antisexist political content, when the term diversity is understood as an apolitical abstraction it can be taken in reactionary directions. For example, in *Time* magazine, the director of the conservative Young Americans for Liberty lauded

Roth v. United States

June 24, 1957

The Supreme Court determines that obscenity is a category of speech not protected by the First Amendment. In his opinion, Justice William Brennan writes: "Obscene material is material which deals with sex in a manner appealing to prurient interest." A five-part test is set up in Roth to determine obscenity in written works. Only the "dominant theme" of the "work as a whole" using "community standards" can justify a ban based on obscenity.

the advance of racial and gender "diversity" in higher education—because, he argued, "diversity of thought" understood as laissez-faire speech is an analogous social good, even if that speech is intended to roll back racial and gender "diversity." ↪¹³ He uses the apolitical abstraction to undermine the political content that progressives have attempted to invest in the term.

Despite mainstream portrayals of campus social justice victories as apolitical updates to our collective morality, each generation that has pushed administrations to establish ethnic studies departments, to form women's and gender studies departments, to hire more faculty of color, has known that these struggles and the values they promote are entirely political. These

advances do not represent a more perfect "neutrality" but rather the adoption of certain basic feminist and antiracist principles. As universities were increasingly forced to care about diversity, their gradual adherence to the demands of the marginalized became opportunities to sell their profit-driven institutions in a new market of liberal pluralism.

But institutional commitments to providing resources and support for LGBTQ+ students, or the establishment of African cultural houses, or the creation of scholarships for undocumented students, are entirely hollow if the very same

The People of the State of California
v. Lawrence Ferlinghetti

October 3, 1957

California Municipal Judge Clayton Horn rules that Allen
Ginsburg's poem "Howl" is not obscene.

institutions also provide space for individuals and groups that not only deny the humanity of those populations, but are actively organizing movements to physically deprive them of their existence. How can a university publicize the mental health resources it offers for trans students and then allow Milo Yiannopoulos to publicly incite hatred against a transgender student?

If universities did not claim to have any normative values there would be no contradiction. Yet, those of us who have spent years on campuses across the country know how liberal multiculturalism has been institutionalized and, perhaps more importantly, monetized. Administrators don't get to say they care about the marginalized when schmoozing with donors, while they're also supporting the right of bigots to preach about the biological inferiority of those same people. Attorney Noah Schabacker also points out that universities have a "legal obligation" to ban speakers like Yiannopoulos in order to conform to the mandates of Title VI and Title IX, which

require schools to eliminate discrimination based on gender and race. ↳14

Regardless of such legalistics, however, the right to call into question the humanity of others has consequences. On May 20, 2017, a white-supremacist student at the University of Maryland who belonged to an "Alt-Reich" Facebook group fatally stabbed African American student Richard Collins III. This murder followed an escalating series of racist propaganda and nooses around campus that began to emerge after Donald Trump's inauguration. Many Maryland students connected the dots

between the administration’s “milquetoast attitude to the racist flyers, calling hate speech ‘free speech’” and Collins’s murder. ↪¹⁵ Fighting back against white-supremacist violence on campus requires activist movements to push institutions of higher education to openly and unequivocally embrace antiracism even if that means infringing upon the speech and sensibilities of bigots.

The process of establishing what kinds of words or behaviors are sexist or racist—and therefore ought to be banned from the university—has always been messy and conflictual. Campus policies against sexual harassment or discrimination attempt to render apolitical the outcomes of generations of struggle. But the messiness of these struggles should not stop us from pressing forward. The success of campaigns to de-platform far-right provocateurs like Milo Yiannopoulos and Richard Spencer, whose frequent campus tours have disappeared as the result of antifascist and antiracist resistance, demonstrate how resistance outside of the confines of university policy not only works, but also has the power to create an avalanche of opposition that empowers administrators to take a stand against oppression. ↪¹⁶

1 Excerpted and edited from Mark Bray, “So Much for the Tolerant Left!”: “No Platform” and Free Speech,” in *Antifa: The Antifascist Handbook* (New York: Melville House Publishing, 2017), 268–298.

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that paved the way for university activism across the United States; “The No Free Speech Movement at Berkeley,” *Los Angeles Times*, February 2, 2017. <http://www.latimes.com/opinion/editorials/la-ed-milo-berkeley-20170203-story.html>.

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July 30, 1958

National Association for the
Advancement of Colored People v.
Alabama

The Supreme Court allows the NAACP of Alabama to withhold its membership list from Alabama lawmakers. The Court states that the demand by Alabama officials for the NAACP to provide them with a membership list violates members' associational rights.

February 23, 1959

Bates et al. v. City of Little Rock et al.

The Supreme Court strikes down a City of Little Rock license tax ordinance that required the compulsory disclosure of any local organization's membership list in order to verify its tax-exempt status.

June 8, 1959

Barenblatt v. United States

The Supreme Court upholds the conviction of a college professor who refuses, on First Amendment grounds, to answer questions before the House Un-American Activities Committee. The Court states that “where First Amendment rights are asserted to bar governmental interrogation, resolution of the issue always involves a balancing by the courts of the competing private and public interests at stake in the particular circumstances shown.” The Court concludes that the investigation is for a valid legislative purpose and that “investigatory power in this domain is not to be denied Congress solely because the field of education is involved.”

December 5, 1962

Lenny Bruce arrested for Obscenity
and is convicted

Comedian Lenny Bruce is arrested for obscenity for his performance at the Gate of Horn in Chicago. Judge Ryan sentences Bruce to one year in jail in March of 1963 and Illinois sends a fugitive warrant to California requesting Bruce's extradition. His Illinois obscenity conviction, however, is overturned by the Illinois Supreme Court on November 24, 1964, in *People v. Bruce*.

March 9, 1964

New York Times Co. v. Sullivan

The Supreme Court overturns a libel judgment against the *New York Times*. The Court rules that public officials may not recover damages for a defamatory falsehood relating to their conduct unless they prove the statement was made with actual malice. The Court defines actual malice as “with knowledge that it was false or with reckless disregard of whether it was false or not.” In what would become one of the most famous passages in First Amendment history, Justice Brennan announces that First Amendment freedoms represent a “profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.”

Jan 18, 1965

Cox v. Louisiana

The Court overturns disturbance of peace and obstruction of public passageways convictions for peaceful demonstrators and concludes that the petitioner’s First Amendment rights to freedom of speech and assembly were violated.

May 24, 1965 Lamont, DBA Basic Pamphlets v.
Postmaster General

The Supreme Court declares for the first time that a federal law is unconstitutional on First Amendment grounds. It is also the first case in which the precise phrase “marketplace of ideas” is employed, albeit by Justice Brennan in his concurrence.

April 18, 1966 Elfbrandt v. Russell

The Supreme Court invalidates an Arizona statute requiring the dismissal of any state employee who knowingly becomes a member of the Communist Party or any party whose intentions include overthrowing the government.

January 23, 1967 Keyishian et al. v. Board of Regents of
the University of the State of New York

The Supreme Court invalidates a New York law prohibiting the employment of public school and university teachers who belong or had belonged to “subversive” groups such as the Communist Party. Justice Brennan’s majority opinion helped to boost the importance of academic freedom, writing: “Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned.”

Anticipation

Not unlike the unfolding story in Kanwar's Letter 7, this second chapter makes a decisive jump, leaving behind existing legal conditions of free speech and turning to desires and expectations. What forms of speaking are sought? What platforms and outlets might be chosen to speak more effectively, more truthfully? How can people prepare for desired futures? What kind of free speech do we advocate for? How does speech advance civil society and individual freedoms?

With the invitation to imagine, the chapter "Anticipation" assembles contributions that consider historical events as well as speculations of the future by doing away with chronological sequencing and instead embracing and reflecting on moments of utopian invention. Philosopher Silvia Federici and Gabriela López Dena, an architect and curator, discuss feminist manifestos from different periods with a special focus on Federici's groundbreaking contributions to those of the Wages for Housework Committee. Similarly, artist shawné michaelain holloway reflects on the promise of the internet in its origin, and how, in the face of rampant commercialization, artists are still holding on to

notions of an egalitarian digital space. Artist Zach Blas expands on these approaches and points to how queerness might transform the internet into a space for free speech; meanwhile, artist and activist Jeanne van Heeswijk closes this chapter with the fundamental question of speech as a form of community building that constitutes a political act. How do we practice free speech for a moment we do not yet know, the “Not-Yet”? How do we get ready for that which hasn’t yet manifested itself? How can speech support the condition of collective readiness or anticipation?

The Politics of the Commons:
Manifestos in Action
Silvia Federici and Gabriela López Dena

In 1972 a group of women from across Europe and the United States gathered at the International Feminist Conference in Padova, Italy, where they launched Wages for Housework, an international campaign demanding domestic work to be recognized as labor and paid by the state. Among the initiators of this movement was philosopher, writer, and scholar Silvia Federici, who a year later started the New York Wages for Housework Committee, a small independent organization that operated from a storefront in Brooklyn until 1977. As part of its work the committee produced a significant number of printed documents and materials like flyers, posters, and pamphlets, which could be reproduced easily and cheaply; these were an important vehicle for getting the committee's message across in a clear, concise, and accessible way. By articulating their demands through printed matter this small organization created a free speech platform that set a revolutionary vision forward. One of the texts that best synthesizes this movement is *Notice to All Governments*, a manifesto illuminating the political dimension of housework by reconceptualizing activities like raising children,

cooking, and cleaning as the basis for the accumulation of capital and not as an act of love as they are usually presented.

In the summer of 2020 in Brooklyn, amid the coronavirus pandemic, Federici and I discussed this text and its relevance today, along with her vision for a future in which we transform from a society of permanent crisis into one that prioritizes life over private profit.

Gabriela López Dena

The first paragraph of this manifesto states, “In return for our work, you have only asked us to work harder,” referring to the double exploitation that began with the inclusion of women in the workforce during the 1960s and 1970s. You have said that it “was not a right to work that was gained, but a right to work more.” Nowadays the tendency to perform long unpaid shifts—inside and outside the home—continues to expand and permeates every aspect of our lives. At the same time exploitation in its different forms and economic inequality only keep growing. How have things changed on the feminist agenda since this manifesto was published, and how have the urgencies shifted from 1975 when you wrote that wages for housework was the only revolutionary perspective from a feminist viewpoint?

Silvia Federici

There’s been a change in the concerns, the strategies, and the objectives of most feminist movements across the world in terms of what they see as the main ground of their organizing and the main issues and problems that women are confronting. This has to do with a shift from the question of liberation and emancipation through gaining a waged job outside the home, to changing radically

the conditions of women by dealing first with the question of reproduction, whether it is care work—which has become a big issue across the world—or issues related to ecology, land struggles, housing, education, health, and food production. There is a whole spectrum, and certainly reproduction today goes way beyond housework. ↳1

In the 1970s in Europe and particularly in the United States, large sections of the feminist movement focused on the second job, and many of the struggles over reproduction were conceived through that lens. For instance, having an abortion when you did not want to have too many children or didn't have access to a day-care center so you could have more time to work. And I'm not saying that these are not necessary, but I think that in *Wages for Housework* we were critical of that perspective—not because we were against working outside the home—because it seemed to us that unless we dealt with the question of domestic work in all its different aspects we wouldn't be able to have any real power.

Today we have decades of experience, and we have seen that the majority of jobs that women get do not give us economic autonomy or any real sense of satisfaction or self-realization. We're not talking about the creative jobs that a few women achieve; most women are stuck with jobs that are underpaid and consume a tremendous amount of time, making it very difficult to reconcile having children and having a life of one's own. And women who have jobs outside the home also carry enormous amounts of debt because their job rarely gives them enough to take care of their needs. So,

with the entrance of women to the waged workforce we also saw the growth of structures like pay day loan companies. On the pay day you got your salary and then a loan because the salary was never enough. There was a precarization of life.

GL

Based on the experience you acquired by collaborating with groups of women all around the world, here in the United States, obviously, but also in other places like Nigeria, Mexico, and Argentina, where do you think we should be putting our energy in order to move forward and improve these precarious conditions under which we currently work and live?

SF

There is an understanding that we need to look at the issue of reproduction as very central, not only in the case of women, but in the case of everybody. Unless we begin to struggle also—if not primarily—on that, we're not going to be able to change the conditions of our lives in any situation in which we find ourselves. How do we claim, reclaim, and expand our access to resources to be placed at the service of our reproduction? Whether monetary, land, or services; the whole question of forcing a change of policies and beginning a process of reclamation of resources, that's number one. I call it the politics of the commons. Number two is reclaiming the decision-making. Who makes the decisions involving health or education? One political perspective says, "Well, we go to the state, and we ask the state to give us these services." Another perspective, particularly

strong in Latin America, says, “No, we also want to have a saying; how do we define what it means to be healthy?” What kind of health care do we want so that we don’t allow or simply rely on the state to organize our life? And how do we work it out? It’s a non-state centered conception of how we organize society in terms of the kind of infrastructure we need.

GL

And in this reclamation process what are some specific practices or structures you have seen? Do they have a common thread? Is that thread precisely the redistribution of resources that you’re talking about or the decision-making mechanisms?

SF

I have been very interested in the construction of alternatives that, on one side, are able to break the isolation in which women have traditionally been forced to reproduce their lives and the lives of their families and, on the other, do not depend on the market and the state.

Being with women and women’s organizations in Mexico and Argentina, I’ve noted that many times these alternatives are almost imposed on them by necessity. Often women are forced to move from rural areas or Indigenous communities and urbanize. And they have to invent a way of reorganizing their lives because they have nothing. Often they begin with occupying space, occupying territory, taking over certain pieces of land, and building a community through a garden or a place for the children. They organize collectively to

reconstruct old forms—or new forms—of health-care and knowledges about procreation, herbs, plants, and all kinds of remedies.

In Brazil, for instance, there is a landless people movement, the Sem Terra, who have reclaimed access to land and constructed schools and all kinds of collective forms of reproduction. And in addition to what they have built on that land, they have opened shops and centers in many cities of Brazil where they sell what they produce in the rural areas. These centers are also places of knowledge production; and it's really important that in these experiences, you always find that the collectivization of the production of subsistence goes hand-in-hand with the production of knowledge.

Throughout Latin America *comedores populares* (popular kitchens) is something which has spread. Women take turns to cook and serve food on a rotating basis, so you may have fifteen women working one day and another group of fifteen the next day, and they may cook seven hundred meals. This goes hand in hand with a lot of discussion assemblies, so it's not just a service, it's an experience in self-government.

Wages for Housework concentrated on the question of domestic work because that is where we came from. Most of us were women in urban environments from typical families with the man going out to work and the wife staying home. But at the same time, we were aware of touching on something bigger because we had a window into the unpaid labor of capitalism. And from the very beginning we saw that capitalism was actually accumulating in a way that was very different from what we had

read in Marx, and that the area of unpaid labor was much wider. Then, we began to connect with anti-colonial struggles, colonialism, slave labor, and we began to see the bridges.

GL

By talking about domestic work, you could talk about other forms of oppression that were happening then; it was sort of the entry point. And one of the things that you connected through Wages for Housework was how violence against women's bodies happened, right?

SF

Yes, in the 1970s the issue of violence against women was already very important and we realized it was directly related to unpaid labor. Women who lived with violent men often could not leave because they depended on the men, especially if they had children. And without the man, they would not be able to survive. It also turns out that when women have debt, that indebtedness increases the likelihood of violence against them and makes them much more vulnerable. The issue of violence cannot be reduced to this, obviously, and it cannot be resolved only through the ability of women to have resources of their own, but it is a very important step.

GL

So violence is only a symptom. I mean, would you say that today's violence against women is a symptom of an economy or a system in which reproductive labor remains unrecognized and unwaged?

SF

Absolutely. And, you know, violence has many sources, and we're just beginning to see that there is a map, but all of its forms are connected. I also think we need to distinguish between institutional violence—the violence of the state—which for me is the first and most important one, and it takes many forms. I am inclined to see certain economic policies as violence; for instance, when a woman is forced to retire against her will or when a woman lives in a situation where all her life is work for minimum wages that do not allow her to have any form of autonomy. Then there is public violence like in Latin America: the paramilitary, the death squads. And that type of violence has increased enormously because women are the ones leading the struggle for the defense of the environment. So if there is a goldmine that comes to town or an oil-drilling operation, it's mostly women who are saying, "No, we don't want these to come in; they're poisoning our land." If you look at the last years in Latin America, many women who are leading struggles have been killed. So there is that violence, which has increased in the last twenty years.

GL

And in Mexico, there is obviously the state and public violence that you're talking about, but also femicides, which have tremendously increased in prevalence every year. At the beginning of the month just this year, we had massive strikes and protests about it.

SF

Yes, violence has been growing exponentially and, of course, that includes domestic violence; they are all connected. In fact, Mexico is a good example; I know women who have been working a lot around these issues and once they know the number of women being killed by episodes of public violence, they can tell the ratio of domestic violence. State violence and public violence give men a cover for the devaluation of women and a sense that you can beat them, you can kill them, and you're not going to be punished.

GL

And this is, in fact, what has strongly shaped many of the recent feminist strikes and protests around the world. What do you think the role of strikes and protests is in this context, and what role do they play in tackling the origins of violence and patriarchy?

SF

I would like to distinguish between the strike and the protest, even though they are kind of the same thing. I think of the protest as the presence of women in the street. I've had goosebumps all over my body these last weeks looking at the images coming from Mexico, Chile, Argentina, and Uruguay. Their presence has been so powerful and it's been incredible to see women saying to the state, "*Tú eres el violador*" (You are the rapist), having that courage and reclaiming space. The government in Argentina is soon going to vote on the legalization of abortion, which was a direct consequence of the amazing demonstrations that

women have led. I mean, they calculated half a million women in Buenos Aires just on March 8.

And the other thing is the strike, which has generated really interesting debates about reproduction. Many times, women have people who are depending on them, and this has forced us to see how different the situation for women and men is. Women are not just producing cars; when you're dealing with people, your forms of protest have to be different. When you are saying "no" to a job, what is it that you are saying no to? Because we are reproducing the state, we are reproducing capitalism, we are reproducing our own exploitation, but we are also reproducing ourselves; reproduction has that double face. This is a situation where you begin to connect the form of struggle that you make with the vision of the society that you want to build. How am I going to strike? What is it that I am refusing to reproduce? What are those aspects that are making this a form of exploitation and something that imprisons us? If I cannot strike because I have a child, what is it that I can do?

GL

I feel that there's also a kind of tension between the strike and the protest that was especially clear in the events that just took place in Mexico during March 8 and 9. The first day you had thousands of women taking over the streets, making their struggles visible with their bodies and their speech. And the next day, the opposite was happening. You saw no women in the street at all, there were no women performing any kind of labor, they went on strike. Those are two very different and con-

trasting ways of saying “no” and “this is enough, enough of the state killing us, enough of men abusing their power, and enough of not being paid for the work we do.”

SF

Right, exactly.

GL

But they are both forms of expression that point out unacceptable circumstances and demand change. In that sense, I would like to go back to the manifestos because they also propose a path forward, which I think is a key element of this genre. What do you think should be the medium of manifestos now, and what platforms do you think we should for manifestos today?

SF

Any kind of platform is good. The main point of creating a manifesto is that you propose strategies and a vision of how social change is to be achieved. With manifestos you have an immediate struggle and an immediate concern, but then there is a horizon where they can be interpreted in a more expansive way. If you look at some of the most powerful manifestos and the visions that are included in them, they always take you beyond that immediacy. Once you have the vision, the platform is everywhere.

GL

If you had to write a new manifesto what would it be about? And what aspects of the original one would you keep?

SF

The Wages for Housework manifesto is still very good in terms of putting the government on notice; at the same time, it's not a manifesto that wants to make a deal with the state. Wages for Housework was tackling the question of resources for our reproduction and that meant not accepting housework as if it was a natural thing for women. I think dealing with unpaid labor and working for free under capitalism is still a very important topic; however, a new manifesto would address a broader experience. The movement has internationalized and now includes Indigenous women and looks at issues of coloniality, imperialism, ecology, violence, and the destruction and poisoning of the environment. It also looks at capitalism with its constant production of scarcity and debt. What is happening today with the coronavirus pandemic is the confirmation that this system does not guarantee our lives. And when people talk about defunding the police, it is somehow what we were saying with Wages for Housework: take money away from the destruction of life and put it at the service of the production of life.

The fundamental task today is that of building communal forms of reproduction and the kind of society that we want. There's an understanding among women across the world about what society should look like when we say "putting reproduction at the center." We want a system that prioritizes our lives, and whatever strategies we use, that system is one where human beings are not tools for the accumulation of private wealth—where we are not continuously living a life that is precarious, not

knowing what will happen when we discover a lump in our breast, or when we are thrown out of our jobs. Now we feel that our survival is at risk every moment. Capitalism is destroying us, and we need—whatever we do—to put on the agenda the construction of a different society. That would be the manifesto that I would write today.

1 For the last forty years Federici's work has been focused on the issue of reproduction, a broad concept she defines as "the complex of activities and relations by which our life and labor are daily reconstituted." This includes—but is not limited to—childbearing, cooking, cleaning, and caring for others and the environment. Reproduction also refers to processes related to housing, health, education, culture, and other systems that allow society to recreate itself.

Feminist Manifestos
Selected and Introduced by Gabriela López Dena

A Manifesto, 1969
Agnes Denes

Through this manifesto, Hungarian-American artist Agnes Denes announced her commitment to an art form whose objective was to serve others and not herself. It is, as she has said, “a philosophical statement referring to all humanity, regardless of sex, origin, color.” The text is part of her site-specific work *Poetry Walk: Reflections–Pools of Thought* from 2000, in which she carved the words of poets and philosophers onto twenty pieces of granite wand and embedded them on the lawn of the University of Virginia, Charlottesville. Denes is a primary figure among the concept-based artists who emerged in the 1960s and 1970s; her ecofeminist perspective is reflected in works where science, philosophy, linguistics, psychology, poetry, history, and music meet. A recent example is her 2017 site-specific commission for The New School Art Collection, *Pascal’s Perfect Probability Pyramid & the People Paradox–the Predicament*.

A MANIFESTO

working with a paradox

defining the elusive

visualizing the invisible

communicating the incommunicable

not accepting the limitations society has accepted

seeing in new ways

living for a fraction of a second and penetrating light years—measuring time in the extreme distances—long before and beyond living existence

using intellect and instinct to achieve intuition

striving to surpass human limitations by searching the mysteries and probing the silent universe, alive with hidden creativity

achieving total self-consciousness and self-awareness

probing to locate the center of things—the true inner core of inherent but not yet understood meaning—and expose it to be analyzed

being creatively obsessive

questioning, reasoning, analyzing, dissecting and re-examining

understanding that everything has further meaning, that order has been created out of chaos, but order, when it reaches a certain totality must be shattered by new disorder and by new inquiries and developments

finding new concepts, recognizing new patterns

understanding the finitude of human existence and still striving to create beauty and provocative reasoning

recognizing and interpreting the relationship of creative elements to each other: people to people, people to god, people to nature, nature to nature, thought to thought, art to art

seeing reality and still being able to dream

desiring to know the importance or insignificance of existence

persisting in the eternal search

©1969 Agnes Denes

The Campaign for Wages for Housework, 1974
Wages for Housework Committee

This manifesto by the Wages for Housework Committee, positioned as a “notice to all governments,” is discussed in detail in the preceding contribution, “The Politics of the Commons: Manifestos in Action” (p. 87). Originally a flyer, the drawings are by Nicole Cox of the New York Wages for Housework Committee, and the text is authored by Judy Quilan of the Toronto Wages for Housework Committee. Silvia Federici was a founding member of the group.

WAGES FOR HOUSEWORK

NOTICE TO ALL GOVERNMENTS

The women of the world are serving notice. We clean your homes and factories. We raise the next generation of workers for you. Whatever else we may do, we are the housewives of the world. In return for our work, you have only asked us to work harder.

We are serving notice to you that we intend to be paid for the work we do. We want wages for every dirty toilet, every painful childbirth, every indecent assault, every cup of coffee and every smile. And if we don't get what we want, then we will simply refuse to work any longer.

We have brought our children to be good citizens and to respect your laws and you have put them in factories, in prisons, in ghettos and in typing pools. Our children deserve more than you can offer and now we will bring them up to EXPECT more.

We have borne babies for you when you needed more workers, and we have submitted to sterilization when you didn't. Our wombs are not government property any longer.

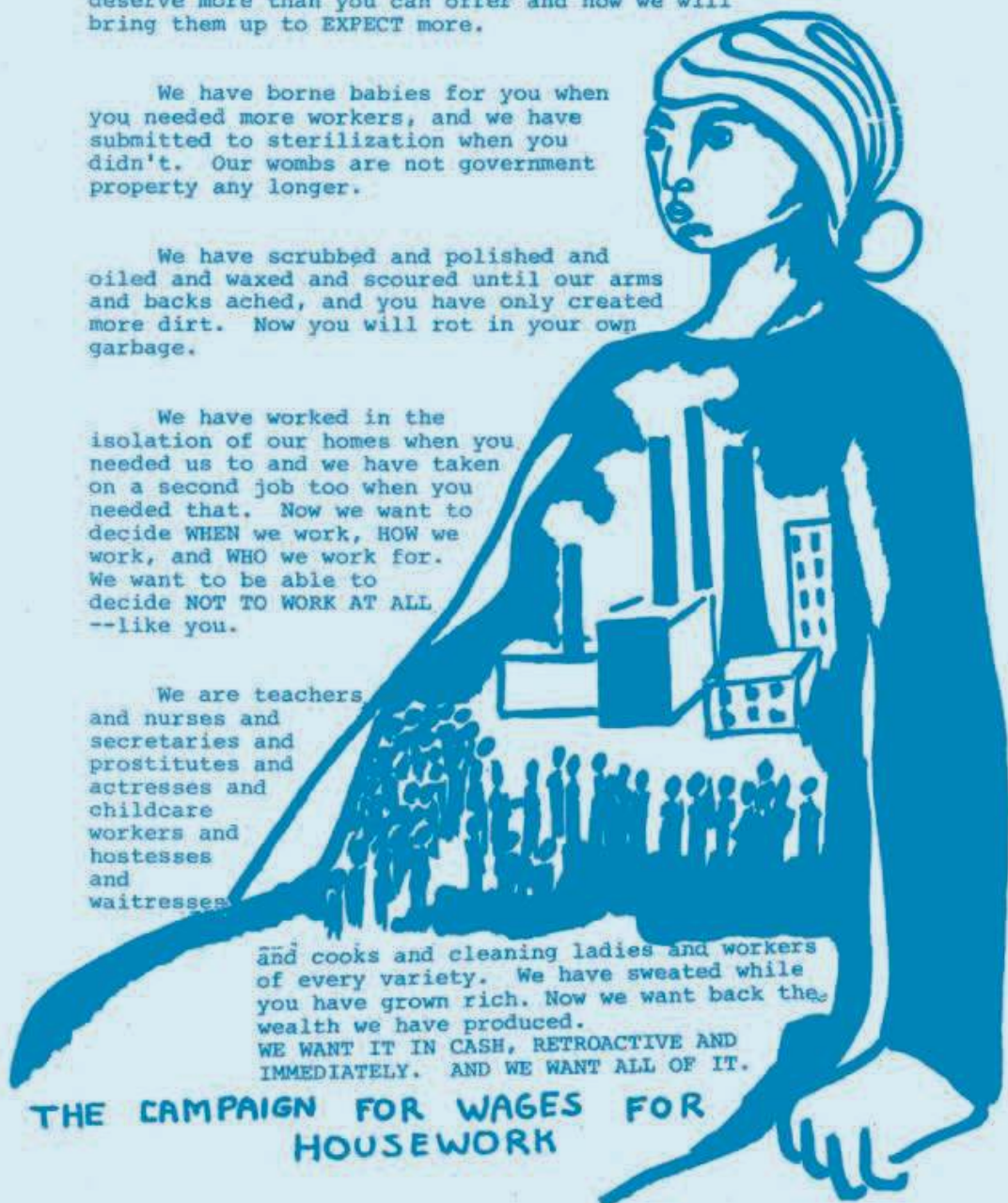
We have scrubbed and polished and oiled and waxed and scoured until our arms and backs ached, and you have only created more dirt. Now you will rot in your own garbage.

We have worked in the isolation of our homes when you needed us to and we have taken on a second job too when you needed that. Now we want to decide WHEN we work, HOW we work, and WHO we work for. We want to be able to decide NOT TO WORK AT ALL --like you.

We are teachers and nurses and secretaries and prostitutes and actresses and childcare workers and hostesses and waitresses

and cooks and cleaning ladies and workers of every variety. We have sweated while you have grown rich. Now we want back the wealth we have produced. WE WANT IT IN CASH, RETROACTIVE AND IMMEDIATELY. AND WE WANT ALL OF IT.

THE CAMPAIGN FOR WAGES FOR HOUSEWORK



LOVE
DOESN'T
PAY THE
BILLS

MONEY
IS
CHOICE

THE CAMPAIGN FOR WAGES FOR HOUSEWORK



The New York WAGES FOR HOUSEWORK COMMITTEE is part of a nationwide organization that is campaigning for WAGES FOR HOUSEWORK from the government for

ALL WOMEN

married or not with or without children with or without
native or immigrant lesbian or straight a second job

HOUSEWORK IS OUR COMMON PROBLEM LET'S MAKE IT OUR COMMON STRUGGLE

We demand WAGES FOR HOUSEWORK because we cannot afford to work endless hours in the home and then depend on a man or on welfare or have to take a second job BECAUSE WE HAVE NO MONEY we can call our own. Nobody works as much as we do. WE ALL NEED MORE MONEY NOT MORE WORK.

WE'RE NEVER UNEMPLOYED WE'RE JUST

Business and Government profit from our work - THEY SHOULD PAY FOR IT. We know they need us so we can set the terms.

WE DEMAND WAGES FOR HOUSEWORK

To cut down on housework - to eat out, get machines to do some of the work, and refuse to be slaves to the house

To be able to decide working conditions and wages on the second job, and if we want it in the first place

To stand up to men when we work WITH them and when we work FOR them - if we had our own money we could

To decide what our sex lives should be like

To decide if, when and under what conditions to have children

To give our children what we want them to have

To demand and WIN paid holidays away from ALL work

To demand and WIN decent housing

JOIN OUR CAMPAIGN

All over the US and in several other countries of the world women are organizing speak outs, rallies, marches for WAGES FOR HOUSEWORK. We speak in different languages but we are all saying the same thing.

WE HAVE
SACRIFICED
ENOUGH
OF OUR
LIVES

WE ARE OPENING OUR CAMPAIGN OFFICE IN A STOREFRONT
288 B 8th Street (off 5th Ave) in BROOKLYN
Come and visit us while shopping

SAT. 11 a.m. to 2 p.m. WED. 9:30 a.m. to 12 a.m.
New York WAGES FOR HOUSEWORK COMMITTEE - We have discussion groups, video tapes, cassettes, literature, speakers available to talk with your group. Call 625 0780 or 788 2822

The Combahee River Collective Statement, 1977

A fundamental document in the history of contemporary Black feminism, the Combahee River Collective Statement coined the term “identity politics” and articulated how systems of oppression intertwine, paving the road for the contemporary concept of intersectionality. Based in Boston, The Combahee River Collective held seven Black feminist retreats whose discussions informed the statement. A small Black lesbian feminist organization, the collective was active between 1974 and 1980 and included among its members Cheryl Clarke, Demita Frazier, Akasha Hull, Audre Lorde, Chirlane McCray, Margo Okazawa-Rey, Barbara Smith, and Beverly Smith.

The Combahee River Collective Statement

Combahee River Collective

We are a collective of Black feminists who have been meeting together since 1974. [1] During that time we have been involved in the process of defining and clarifying our politics, while at the same time doing political work within our own group and in coalition with other progressive organizations and movements. The most general statement of our politics at the present time would be that we are actively committed to struggling against racial, sexual, heterosexual, and class oppression, and see as our particular task the development of integrated analysis and practice based upon the fact that the major systems of oppression are interlocking. The synthesis of these oppressions creates the conditions of our lives. As Black women we see Black feminism as the logical political movement to combat the manifold and simultaneous oppressions that all women of color face.

We will discuss four major topics in the paper that follows: (1) the genesis of contemporary Black feminism; (2) what we believe, i.e., the specific province of our politics; (3) the problems in organizing Black feminists, including a brief history of our collective; and (4) Black feminist issues and practice.

1. The genesis of Contemporary Black Feminism

Before looking at the recent development of Black feminism we would like to affirm that we find our origins in the historical reality of Afro-American women's continuous life-and-death struggle for survival and liberation. Black women's extremely negative relationship to the American political system (a system of white male rule) has always been determined by our membership in two oppressed racial and sexual castes. As Angela Davis points out in "Reflections on the Black Woman's Role in the Community of Slaves," Black women have always embodied, if only in their physical manifestation, an adversary stance to white male rule and have actively resisted its inroads upon them and their communities in both dramatic and subtle ways. There have always been Black women activists—some known, like Sojourner Truth, Harriet Tubman, Frances E. W. Harper, Ida B. Wells Barnett, and Mary Church Terrell, and thousands upon thousands unknown—who have had a shared awareness of how their sexual identity combined with their racial identity to make their whole life situation and the focus of their political struggles unique. Contemporary Black feminism is the outgrowth of countless generations of personal sacrifice, militancy, and work by our mothers and sisters.

A Black feminist presence has evolved most obviously in connection with the second wave of the American women's movement beginning in the late 1960s. Black, other Third World, and working women have been involved in the feminist movement from its start, but both outside reactionary forces and racism and elitism within the movement itself have served to obscure our participation. In 1973, Black feminists, primarily located in New York, felt the necessity of forming a separate Black feminist group. This became the National Black Feminist Organization (NBFO).

Black feminist politics also have an obvious connection to movements for Black liberation, particularly those of the 1960s and 1970s. Many of us were active in those movements (Civil Rights, Black nationalism, the Black Panthers), and all of our lives were greatly affected and changed by their ideologies, their goals, and the tactics used to achieve their goals. It was our experience and disillusionment within these liberation movements, as well as experience on the periphery of the white male left, that led to the need to develop a politics that was anti-racist, unlike those of white women, and anti-sexist, unlike those of Black and white men.

There is also undeniably a personal genesis for Black Feminism, that is, the political realization that comes from the seemingly personal experiences of individual Black women's lives. Black feminists and many more Black women who do not define themselves as feminists have all experienced sexual oppression as a constant factor in our day-to-day existence. As children we realized that we were different from boys and that we were treated differently. For example, we were told in the same breath to be quiet both for the sake of being "ladylike" and to

make us less objectionable in the eyes of white people. As we grew older we became aware of the threat of physical and sexual abuse by men. However, we had no way of conceptualizing what was so apparent to us, what we knew was really happening.

Black feminists often talk about their feelings of craziness before becoming conscious of the concepts of sexual politics, patriarchal rule, and most importantly, feminism, the political analysis and practice that we women use to struggle against our oppression. The fact that racial politics and indeed racism are pervasive factors in our lives did not allow us, and still does not allow most Black women, to look more deeply into our own experiences and, from that sharing and growing consciousness, to build a politics that will change our lives and inevitably end our oppression. Our development must also be tied to the contemporary economic and political position of Black people. The post World War II generation of Black youth was the first to be able to minimally partake of certain educational and employment options, previously closed completely to Black people. Although our economic position is still at the very bottom of the American capitalistic economy, a handful of us have been able to gain certain tools as a result of tokenism in education and employment which potentially enable us to more effectively fight our oppression.

A combined anti-racist and anti-sexist position drew us together initially, and as we developed politically we addressed ourselves to heterosexism and economic oppression under capitalism.

2. What We Believe

Above all else, Our politics initially sprang from the shared belief that Black women are inherently valuable, that our liberation is a necessity not as an adjunct to somebody else's may because of our need as human persons for autonomy. This may seem so obvious as to sound simplistic, but it is apparent that no other ostensibly progressive movement has ever considered our specific oppression as a priority or worked seriously for the ending of that oppression. Merely naming the pejorative stereotypes attributed to Black women (e.g. mammy, matriarch, Sapphire, whore, bulldagger), let alone cataloguing the cruel, often murderous, treatment we receive, indicates how little value has been placed upon our lives during four centuries of bondage in the Western hemisphere. We realize that the only people who care enough about us to work consistently for our liberation are us. Our politics evolve from a healthy love for ourselves, our sisters and our community which allows us to continue our struggle and work.

This focusing upon our own oppression is embodied in the concept of identity politics. We believe that the most profound and potentially most radical politics come directly out of our own identity, as opposed to working to end somebody else's oppression. In the case of Black women this is a particularly repugnant, dangerous, threatening, and therefore revolutionary concept because it is obvious from looking at all the political movements that have preceded us that anyone is more worthy of liberation than ourselves. We reject pedestals, queenhood, and walking ten paces behind. To be recognized as human, levelly human, is enough.

We believe that sexual politics under patriarchy is as pervasive in Black women's lives as are the politics of class and race. We also often find it difficult to separate race from class from sex oppression because in our lives they are most often experienced simultaneously. We know that there is such a thing as racial-sexual oppression which is neither solely racial nor solely sexual, e.g., the history of rape of Black women by white men as a weapon of political repression.

Although we are feminists and Lesbians, we feel solidarity with progressive Black men and do not advocate the fractionalization that white women who are separatists demand. Our situation as Black people necessitates that we have solidarity around the fact of race, which white women of course do not need to have with white men, unless it is their negative solidarity as racial oppressors. We struggle together with Black men against racism, while we also struggle with Black men about sexism.

We realize that the liberation of all oppressed peoples necessitates the destruction of the political-economic systems of capitalism and imperialism as well as patriarchy. We are socialists because we believe that work must be organized for the collective benefit of those who do the work and create the products, and not for the profit of

the bosses. Material resources must be equally distributed among those who create these resources. We are not convinced, however, that a socialist revolution that is not also a feminist and anti-racist revolution will guarantee our liberation. We have arrived at the necessity for developing an understanding of class relationships that takes into account the specific class position of Black women who are generally marginal in the labor force, while at this particular time some of us are temporarily viewed as doubly desirable tokens at white-collar and professional levels. We need to articulate the real class situation of persons who are not merely raceless, sexless workers, but for whom racial and sexual oppression are significant determinants in their working/economic lives. Although we are in essential agreement with Marx's theory as it applied to the very specific economic relationships he analyzed, we know that his analysis must be extended further in order for us to understand our specific economic situation as Black women.

A political contribution which we feel we have already made is the expansion of the feminist principle that the personal is political. In our consciousness-raising sessions, for example, we have in many ways gone beyond white women's revelations because we are dealing with the implications of race and class as well as sex. Even our Black women's style of talking/testifying in Black language about what we have experienced has a resonance that is both cultural and political. We have spent a great deal of energy delving into the cultural and experiential nature of our oppression out of necessity because none of these matters has ever been looked at before. No one before has ever examined the multilayered texture of Black women's lives. An example of this kind of revelation/conceptualization occurred at a meeting as we discussed the ways in which our early intellectual interests had been attacked by our peers, particularly Black males. We discovered that all of us, because we were "smart" had also been considered "ugly," i.e., "smart-ugly." "Smart-ugly" crystallized the way in which most of us had been forced to develop our intellects at great cost to our "social" lives. The sanctions in the Black and white communities against Black women thinkers is comparatively much higher than for white women, particularly ones from the educated middle and upper classes.

As we have already stated, we reject the stance of Lesbian separatism because it is not a viable political analysis or strategy for us. It leaves out far too much and far too many people, particularly Black men, women, and children. We have a great deal of criticism and loathing for what men have been socialized to be in this society: what they support, how they act, and how they oppress. But we do not have the misguided notion that it is their maleness, per se—i.e., their biological maleness—that makes them what they are. As Black women we find any type of biological determinism a particularly dangerous and reactionary basis upon which to build a politic. We must also question whether Lesbian separatism is an adequate and progressive political analysis and strategy, even for those who practice it, since it so completely denies any but the sexual sources of women's oppression, negating the facts of class and race.

3. Problems in Organizing Black Feminists

During our years together as a Black feminist collective we have experienced success and defeat, joy and pain, victory and failure. We have found that it is very difficult to organize around Black feminist issues, difficult even to announce in certain contexts that we are Black feminists. We have tried to think about the reasons for our difficulties, particularly since the white women's movement continues to be strong and to grow in many directions. In this section we will discuss some of the general reasons for the organizing problems we face and also talk specifically about the stages in organizing our own collective:

The major source of difficulty in our political work is that we are not just trying to fight oppression on one front or even two, but instead to address a whole range of oppressions. We do not have racial, sexual, heterosexual, or class privilege to rely upon, nor do we have even the minimal access to resources and power that groups who possess any one of these types of privilege have.

The psychological toll of being a Black woman and the difficulties this presents in reaching political consciousness and doing political work can never be underestimated. There is a very low value placed upon Black women's psyches in this society, which is both racist and sexist. As an early group member once said, "We are all damaged people merely by virtue of being Black women." We are dispossessed psychologically and on

every other level, and yet we feel the necessity to struggle to change the condition of all Black women. In "A Black Feminist's Search for Sisterhood," Michele Wallace arrives at this conclusion:

We exists as women who are Black who are feminists, each stranded for the moment, working independently because there is not yet an environment in this society remotely congenial to our struggle—because, being on the bottom, we would have to do what no one else has done: we would have to fight the world. [2]

Wallace is pessimistic but realistic in her assessment of Black feminists' position, particularly in her allusion to the nearly classic isolation most of us face. We might use our position at the bottom, however, to make a clear leap into revolutionary action. If Black women were free, it would mean that everyone else would have to be free since our freedom would necessitate the destruction of all the systems of oppression.

Feminism is, nevertheless, very threatening to the majority of Black people because it calls into question some of the most basic assumptions about our existence, i.e., that sex should be a determinant of power relationships. Here is the way male and female roles were defined in a Black nationalist pamphlet from the early 1970s:

We understand that it is and has been traditional that the man is the head of the house. He is the leader of the house/nation because his knowledge of the world is broader, his awareness is greater, his understanding is fuller and his application of this information is wiser... After all, it is only reasonable that the man be the head of the house because he is able to defend and protect the development of his home... Women cannot do the same things as men—they are made by nature to function differently. Equality of men and women is something that cannot happen even in the abstract world. Men are not equal to other men, i.e. ability, experience or even understanding. The value of men and women can be seen as in the value of gold and silver—they are not equal but both have great value. We must realize that men and women are a complement to each other because there is no house/family without a man and his wife. Both are essential to the development of any life. [3]

The material conditions of most Black women would hardly lead them to upset both economic and sexual arrangements that seem to represent some stability in their lives. Many Black women have a good understanding of both sexism and racism, but because of the everyday constrictions of their lives, cannot risk struggling against them both.

The reaction of Black men to feminism has been notoriously negative. They are, of course, even more threatened than Black women by the possibility that Black feminists might organize around our own needs. They realize that they might not only lose valuable and hardworking allies in their struggles but that they might also be forced to change their habitually sexist ways of interacting with and oppressing Black women. Accusations that Black feminism divides the Black struggle are powerful deterrents to the growth of an autonomous Black women's movement.

Still, hundreds of women have been active at different times during the three-year existence of our group. And every Black woman who came, came out of a strongly-felt need for some level of possibility that did not previously exist in her life.

When we first started meeting early in 1974 after the NBFO first eastern regional conference, we did not have a strategy for organizing, or even a focus. We just wanted to see what we had. After a period of months of not meeting, we began to meet again late in the year and started doing an intense variety of consciousness-raising. The overwhelming feeling that we had is that after years and years we had finally found each other. Although we were not doing political work as a group, individuals continued their involvement in Lesbian politics, sterilization abuse and abortion rights work, Third World Women's International Women's Day activities, and support activity for the trials of Dr. Kenneth Edelin, Joan Little, and Inéz García. During our first summer when membership had dropped off considerably, those of us remaining devoted serious discussion to the possibility of opening a refuge for battered women in a Black community. (There was no refuge in Boston at that time.) We

also decided around that time to become an independent collective since we had serious disagreements with NBFO's bourgeois-feminist stance and their lack of a clear political focus.

We also were contacted at that time by socialist feminists, with whom we had worked on abortion rights activities, who wanted to encourage us to attend the National Socialist Feminist Conference in Yellow Springs. One of our members did attend and despite the narrowness of the ideology that was promoted at that particular conference, we became more aware of the need for us to understand our own economic situation and to make our own economic analysis.

In the fall, when some members returned, we experienced several months of comparative inactivity and internal disagreements which were first conceptualized as a Lesbian-straight split but which were also the result of class and political differences. During the summer those of us who were still meeting had determined the need to do political work and to move beyond consciousness-raising and serving exclusively as an emotional support group. At the beginning of 1976, when some of the women who had not wanted to do political work and who also had voiced disagreements stopped attending of their own accord, we again looked for a focus. We decided at that time, with the addition of new members, to become a study group. We had always shared our reading with each other, and some of us had written papers on Black feminism for group discussion a few months before this decision was made. We began functioning as a study group and also began discussing the possibility of starting a Black feminist publication. We had a retreat in the late spring which provided a time for both political discussion and working out interpersonal issues. Currently we are planning to gather together a collection of Black feminist writing. We feel that it is absolutely essential to demonstrate the reality of our politics to other Black women and believe that we can do this through writing and distributing our work. The fact that individual Black feminists are living in isolation all over the country, that our own numbers are small, and that we have some skills in writing, printing, and publishing makes us want to carry out these kinds of projects as a means of organizing Black feminists as we continue to do political work in coalition with other groups.

4. Black Feminist Issues and Projects

During our time together we have identified and worked on many issues of particular relevance to Black women. The inclusiveness of our politics makes us concerned with any situation that impinges upon the lives of women, Third World and working people. We are of course particularly committed to working on those struggles in which race, sex, and class are simultaneous factors in oppression. We might, for example, become involved in workplace organizing at a factory that employs Third World women or picket a hospital that is cutting back on already inadequate health care to a Third World community, or set up a rape crisis center in a Black neighborhood. Organizing around welfare and daycare concerns might also be a focus. The work to be done and the countless issues that this work represents merely reflect the pervasiveness of our oppression.

Issues and projects that collective members have actually worked on are sterilization abuse, abortion rights, battered women, rape and health care. We have also done many workshops and educational on Black feminism on college campuses, at women's conferences, and most recently for high school women.

One issue that is of major concern to us and that we have begun to publicly address is racism in the white women's movement. As Black feminists we are made constantly and painfully aware of how little effort white women have made to understand and combat their racism, which requires among other things that they have a more than superficial comprehension of race, color, and Black history and culture. Eliminating racism in the white women's movement is by definition work for white women to do, but we will continue to speak to and demand accountability on this issue.

In the practice of our politics we do not believe that the end always justifies the means. Many reactionary and destructive acts have been done in the name of achieving "correct" political goals. As feminists we do not want to mess over people in the name of politics. We believe in collective process and a nonhierarchical distribution of power within our own group and in our vision of a revolutionary society. We are committed to a continual examination of our politics as they develop through criticism and self-criticism as an essential aspect of our practice. In her introduction to *Sisterhood is Powerful* Robin Morgan writes:

I haven't the faintest notion what possible revolutionary role white heterosexual men could fulfill, since they are the very embodiment of reactionary-vested-interest-power.

As Black feminists and Lesbians we know that we have a very definite revolutionary task to perform and we are ready for the lifetime of work and struggle before us.

[1] This statement is dated April 1977.

[2] Wallace, Michele. "A Black Feminist's Search for Sisterhood," *The Village Voice*, 28 July 1975, pp. 6-7.

[3] Mumininas of Committee for Unified Newark, Mwanamke Mwananchi (*The Nationalist Woman*), Newark, N.J., ©1971, pp. 4-5.

THE COMBAHEE RIVER COLLECTIVE: "The Combahee River Collective Statement," copyright © 1978 by Zillah Eisenstein.

I did not ask for permission to post this; it is a resource I looked for and did not find in my local public library or online. I eventually found it in the book *Home Girls, A Black Feminist Anthology*, edited by Barbara Smith, ©1983, published by Kitchen Table: Women of Color Press, Inc., New York, New York.

My email is bec•white at gmail•com.

Womanifesto, 2008
W.A.G.E.

This text states the principles of W.A.G.E. (Working Artists and the Greater Economy), a New York-based activist organization founded in 2008. W.A.G.E.'s mission is to establish sustainable economic relationships between artists and the institutions that contract their labor and to introduce mechanisms for self-regulation into the art field that collectively bring about a more equitable distribution of its economy. In 2014, W.A.G.E. launched a national certification program that publicly recognizes those nonprofit arts organizations demonstrating a commitment to paying artist fees that meet W.A.G.E.'s minimum payment standards.

W.A.G.E. WO/MANIFESTO (2008)

W.A.G.E. (WORKING ARTISTS AND THE GREATER ECONOMY) WORKS TO DRAW ATTENTION TO ECONOMIC INEQUALITIES THAT EXIST IN THE ARTS, AND TO RESOLVE THEM.

W.A.G.E. HAS BEEN FORMED BECAUSE WE, AS VISUAL + PERFORMANCE ARTISTS AND INDEPENDENT CURATORS, PROVIDE A WORK FORCE.

W.A.G.E. RECOGNIZES THE ORGANIZED IRRESPONSIBILITY OF THE ART MARKET AND ITS SUPPORTING INSTITUTIONS, AND DEMANDS AN END OF THE REFUSAL TO PAY FEES FOR THE WORK WE'RE ASKED TO PROVIDE: PREPARATION, INSTALLATION, PRESENTATION, CONSULTATION, EXHIBITION AND REPRODUCTION.

W.A.G.E. REFUTES THE POSITIONING OF THE ARTIST AS A SPECULATOR AND CALLS FOR THE REMUNERATION OF CULTURAL VALUE IN CAPITAL VALUE.

W.A.G.E. BELIEVES THAT THE PROMISE OF EXPOSURE IS A LIABILITY IN A SYSTEM THAT DENIES THE VALUE OF OUR LABOR. AS AN UNPAID LABOR FORCE WITHIN A ROBUST ART MARKET FROM WHICH OTHERS PROFIT GREATLY, W.A.G.E. RECOGNIZES AN INHERENT EXPLOITATION AND DEMANDS COMPENSATION.

W.A.G.E. CALLS FOR AN ADDRESS OF THE ECONOMIC INEQUALITIES THAT ARE PREVALENT AND PROACTIVELY PREVENTING THE ART WORKER'S ABILITY TO SURVIVE WITHIN THE GREATER ECONOMY.

W.A.G.E. ADVOCATES FOR DEVELOPING AN ENVIRONMENT OF MUTUAL RESPECT BETWEEN ARTIST AND INSTITUTION.

WE DEMAND PAYMENT FOR MAKING THE WORLD MORE INTERESTING.

Manifesto of the Sceptics, 2009
Arahmaiani

Indonesian artist Arahmaiani is a pioneer in the field of performance in Southeast Asia. Her transdisciplinary works offer provocative commentaries on social, political, cultural, and economic issues. In the 1980s, as a result of exercising freedom of expression through art, she was arrested by the military; in the early 1990s, she received death threats and had to flee her country for four years. This manifesto spells out her commitment to an art form that does not kowtow to the status quo.

Manifesto of the Sceptics :

1. Our art is an autonomous zone — a self standing discourse and narrative. It cannot be dictated to by the interests of the market, politics or religion. Businessmen, politicians and religious leaders are not creators of art!
2. Our art belongs to everyone — everyone has the right to express themselves. This means that artists should not surrender to the symbolic powers that determine the conditions and the classification of art.
3. Our art must not be separated from life and become mere decoration. Art must be able to encourage a new awareness of humanity and a new social consciousness.
4. Our art is not an object — art is a neutral medium with the function of offering alternative values, changing values, and also turning values upside down. So art is capable of forming new values and bringing down those which are established!
5. Our art is a type of "alchemical vessel" — a vessel that can combine the sacred and the profane in one discourse that is capable of uniting contradicting elements. It can create a meeting point between the material and the spiritual, between the masculine and the feminine.
6. Our art is a channel for creativity — like plumbing that supplies fresh water. And creativity, like water, is an active force that is the essence of life which births ideas and concepts. In other words, a liberating force!
7. Our art is a natural, sustainable process — sowing seed, germinating, and producing fruit.
8. Our art is a "tool" to examine and assess reality, and can be employed by anyone, anytime, and anywhere!
9. Our art connects the past, the present, and the future.
10. Our art is a combination of courage, rebellion, rational and moral intelligence, and the conscience.
11. Although we are orientated forward, our art remembers and considers the past and the present.
12. The definition of art must be expanded — as wide as it possibly can be! "

"Yogyakarta, July 2009.

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Xenofeminism: A Politics for Alienation, 2015
Laboria Cuboniks

Laboria Cuboniks is a xenofeminist working group seeking to dismantle gender and do away with nature as it perpetuates inegalitarian political positions. The manifesto aims to articulate a form of feminism fit for the 21st century. Available on their website under a GNU Public License, the manifesto can be republished, translated, and redesigned as long as its authorship is properly attributed.

XENO FEMINISM

----- A POLITICS FOR ALIENATION ----- Laboria Cuboniks -----

ZERO

0x00 Ours is a world in vertigo. It is a world that swarms with technological mediation, interlacing our daily lives with abstraction, virtuality, and complexity. XF constructs a feminism adapted to these realities: a feminism of unprecedented cunning, scale, and vision; a future in which the realization of gender justice and feminist emancipation contribute to a universalist politics assembled from the needs of every human, cutting across race, ability, economic standing, and geographical position. No more futureless repetition on the treadmill of capital, no more submission to the drudgery of labour, productive and reproductive alike, no more reification of the given masked as critique. Our future requires depetrification. XF is not a bid for revolution, but a wager on the long game of history, demanding imagination, dexterity and persistence.

0x01 XF seizes alienation as an impetus to generate new worlds. We are all alienated -- but have we ever been otherwise? It is through, and not despite, our alienated condition that we can free ourselves from the muck of immediacy. Freedom is not a given -- and it's certainly not given by anything 'natural'. The construction of freedom involves not less but more alienation; alienation is the labour of freedom's construction. Nothing should be accepted as fixed, permanent, or 'given' -- neither material conditions nor social forms. XF mutates, navigates and probes every horizon. Anyone who's been deemed 'unnatural' in the face of reigning biological norms, anyone who's experienced injustices wrought in the name of natural order, will realize that the glorification of 'nature' has nothing to offer us -- the queer and trans among us, the differently-abled, as well as those who have suffered discrimination due to pregnancy or duties connected to child-rearing. XF is vehemently anti-naturalist. Essentialist naturalism reeks of theology -- the sooner it is exorcised, the better.

0x02 Why is there so little explicit, organized effort to repurpose technologies for progressive gender political ends? XF seeks to strategically deploy existing technologies to re-engineer the world. Serious risks are built into these tools; they are prone to imbalance, abuse, and exploitation of the weak. Rather than pretending to risk nothing, XF advocates the necessary assembly of techno-political interfaces responsive to these risks. Technology isn't inherently progressive. Its uses are fused with culture in a positive feedback loop that makes linear sequencing, prediction, and absolute caution impossible. Technoscientific innovation must be linked to a collective theoretical and political thinking in which women, queers, and the gender non-conforming play an unparalleled role.

0x03 The real emancipatory potential of technology remains unrealized. Fed by the market, its rapid growth is offset by bloat, and elegant innovation is surrendered to the buyer, whose stagnant world it decorates. Beyond the noisy clutter of commodified craft, the ultimate task lies in engineering technologies to combat unequal access to reproductive and pharmacological tools, environmental cataclysm, economic instability, as well as dangerous

forms of unpaid/underpaid labour. Gender inequality still characterizes the fields in which our technologies are conceived, built, and legislated for, while female workers in electronics (to name just one industry) perform some of the worst paid, monotonous and debilitating labour. Such injustice demands structural, machinic and ideological correction.

0x04 Xenofeminism is a rationalism. To claim that reason or rationality is 'by nature' a patriarchal enterprise is to concede defeat. It is true that the canonical 'history of thought' is dominated by men, and it is male hands we see throttling existing institutions of science and technology. But this is precisely why feminism must be a rationalism -- because of this miserable imbalance, and not despite it. There is no 'feminine' rationality, nor is there a 'masculine' one. Science is not an expression but a suspension of gender. If today it is dominated by masculine egos, then it is at odds with itself -- and this contradiction can be leveraged. Reason, like information, wants to be free, and patriarchy cannot give it freedom. Rationalism must itself be a feminism. XF marks the point where these claims intersect in a two-way dependency. It names reason as an engine of feminist emancipation, and declares the right of everyone to speak as no one in particular.

INTERRUPT

0x05 The excess of modesty in feminist agendas of recent decades is not proportionate to the monstrous complexity of our reality, a reality crosshatched with fibre-optic cables, radio and microwaves, oil and gas pipelines, aerial and shipping routes, and the unrelenting, simultaneous execution of millions of communication protocols with every passing millisecond. Systematic thinking and structural analysis have largely fallen by the wayside in favour of admirable, but insufficient struggles, bound to fixed localities and fragmented insurrections. Whilst capitalism is understood as a complex and ever-expanding totality, many would-be emancipatory anti-capitalist projects remain profoundly fearful of transitioning to the universal, resisting big-picture speculative politics by condemning them as necessarily oppressive vectors. Such a false guarantee treats universals as absolute, generating a debilitating disjuncture between the thing we seek to depose and the strategies we advance to depose it.

0x06 Global complexity opens us to urgent cognitive and ethical demands. These are Promethean responsibilities that cannot pass unaddressed. Much of twenty-first century feminism -- from the remnants of postmodern identity politics to large swathes of contemporary ecofeminism -- struggles to adequately address these challenges in a manner capable of producing substantial and enduring change. Xenofeminism endeavours to face up to these obligations as collective agents capable of transitioning between multiple levels of political, material and conceptual organization.

0x07 We are adamantly synthetic, unsatisfied by analysis alone. XF urges constructive oscillation between description and prescription to mobilize the recursive potential of contemporary technologies upon gender, sexuality and disparities of power. Given that there are a range of gendered challenges specifically relating to life in a digital age -- from sexual harassment via social media, to doxxing, privacy, and the protection of online images -- the situation requires a feminism at ease with computation. Today, it is imperative that we develop an ideological infrastructure that both supports and facilitates feminist interventions within connective, networked elements of the contemporary world. Xenofeminism is about more than digital self-defence and freedom from patriarchal networks. We want to cultivate the exercise of positive freedom -- freedom-to rather than simply freedom-from -- and urge feminists to equip themselves with the skills to redeploy existing technologies and invent novel cognitive and material tools

in the service of common ends.

0x08 The radical opportunities afforded by developing (and alienating) forms of technological mediation should no longer be put to use in the exclusive interests of capital, which, by design, only benefits the few. There are incessantly proliferating tools to be annexed, and although no one can claim their comprehensive accessibility, digital tools have never been more widely available or more sensitive to appropriation than they are today. This is not an elision of the fact that a large amount of the world's poor is adversely affected by the expanding technological industry (from factory workers labouring under abominable conditions to the Ghanaian villages that have become a repository for the e-waste of the global powers) but an explicit acknowledgement of these conditions as a target for elimination. Just as the invention of the stock market was also the invention of the crash, Xenofeminism knows that technological innovation must equally anticipate its systemic condition responsively.

TRAP

0x09 XF rejects illusion and melancholy as political inhibitors. Illusion, as the blind presumption that the weak can prevail over the strong with no strategic coordination, leads to unfulfilled promises and unmarshalled drives. This is a politics that, in wanting so much, ends up building so little. Without the labour of large-scale, collective social organisation, declaring one's desire for global change is nothing more than wishful thinking. On the other hand, melancholy -- so endemic to the left -- teaches us that emancipation is an extinct species to be wept over and that blips of negation are the best we can hope for. At its worst, such an attitude generates nothing but political lassitude, and at its best, installs an atmosphere of pervasive despair which too often degenerates into factionalism and petty moralizing. The malady of melancholia only compounds political inertia, and -- under the guise of being realistic -- relinquishes all hope of calibrating the world otherwise. It is against such maladies that XF inoculates.

0x0A We take politics that exclusively valorize the local in the guise of subverting currents of global abstraction, to be insufficient. To secede from or disavow capitalist machinery will not make it disappear. Likewise, suggestions to pull the lever on the emergency brake of embedded velocities, the call to slow down and scale back, is a possibility available only to the few -- a violent particularity of exclusivity -- ultimately entailing catastrophe for the many. Refusing to think beyond the microcommunity, to foster connections between fractured insurgencies, to consider how emancipatory tactics can be scaled up for universal implementation, is to remain satisfied with temporary and defensive gestures. XF is an affirmative creature on the offensive, fiercely insisting on the possibility of large-scale social change for all of our alien kin.

0x0B A sense of the world's volatility and artificiality seems to have faded from contemporary queer and feminist politics, in favour of a plural but static constellation of gender identities, in whose bleak light equations of the good and the natural are stubbornly restored. While having (perhaps) admirably expanded thresholds of 'tolerance', too often we are told to seek solace in unfreedom, staking claims on being 'born' this way, as if offering an excuse with nature's blessing. All the while, the heteronormative centre chugs on. XF challenges this centrifugal referent, knowing full well that sex and gender are exemplary of the fulcrum between norm and fact, between freedom and compulsion. To tilt the fulcrum in the direction of nature is a defensive concession at best, and a retreat from what makes trans and queer politics more than just a lobby: that it is an arduous assertion of freedom

against an order that seemed immutable. Like every myth of the given, a stable foundation is fabricated for a real world of chaos, violence, and doubt. The 'given' is sequestered into the private realm as a certainty, whilst retreating on fronts of public consequences. When the possibility of transition became real and known, the tomb under Nature's shrine cracked, and new histories -- bristling with futures -- escaped the old order of 'sex'. The disciplinary grid of gender is in no small part an attempt to mend that shattered foundation, and tame the lives that escaped it. The time has now come to tear down this shrine entirely, and not bow down before it in a piteous apology for what little autonomy has been won.

0x0C If 'cyberspace' once offered the promise of escaping the strictures of essentialist identity categories, the climate of contemporary social media has swung forcefully in the other direction, and has become a theatre where these prostrations to identity are performed. With these curatorial practices come puritanical rituals of moral maintenance, and these stages are too often overrun with the disavowed pleasures of accusation, shaming, and denunciation. Valuable platforms for connection, organization, and skill-sharing become clogged with obstacles to productive debate positioned as if they are debate. These puritanical politics of shame -- which fetishize oppression as if it were a blessing, and cloud the waters in moralistic frenzies -- leave us cold. We want neither clean hands nor beautiful souls, neither virtue nor terror. We want superior forms of corruption.

0x0D What this shows is that the task of engineering platforms for social emancipation and organization cannot ignore the cultural and semiotic mutations these platforms afford. What requires reengineering are the memetic parasites arousing and coordinating behaviours in ways occluded by their hosts' self-image; failing this, memes like 'anonymity', 'ethics', 'social justice' and 'privilege-checking' host social dynamisms at odds with the often-commendable intentions with which they're taken up. The task of collective self-mastery requires a hyperstitional manipulation of desire's puppet-strings, and deployment of semiotic operators over a terrain of highly networked cultural systems. The will will always be corrupted by the memes in which it traffics, but nothing prevents us from instrumentalizing this fact, and calibrating it in view of the ends it desires.

PARITY

0x0E Xenofeminism is gender-abolitionist. 'Gender abolitionism' is not code for the eradication of what are currently considered 'gendered' traits from the human population. Under patriarchy, such a project could only spell disaster -- the notion of what is 'gendered' sticks disproportionately to the feminine. But even if this balance were redressed, we have no interest in seeing the sexuate diversity of the world reduced. Let a hundred sexes bloom! 'Gender abolitionism' is shorthand for the ambition to construct a society where traits currently assembled under the rubric of gender, no longer furnish a grid for the asymmetric operation of power. 'Race abolitionism' expands into a similar formula -- that the struggle must continue until currently racialized characteristics are no more a basis of discrimination than than the color of one's eyes. Ultimately, every emancipatory abolitionism must incline towards the horizon of class abolitionism, since it is in capitalism where we encounter oppression in its transparent, denaturalized form: you're not exploited or oppressed because you are a wage labourer or poor; you are a labourer or poor because you are exploited.

0x0F Xenofeminism understands that the viability of emancipatory abolitionist projects -- the abolition of class, gender, and race -- hinges on a profound reworking of the universal. The universal must be grasped as

generic, which is to say, intersectional. Intersectionality is not the morcellation of collectives into a static fuzzi of cross-referenced identities, but a political orientation that slices through every particular, refusing the crass pigeonholing of bodies. This is not a universal that can be imposed from above, but built from the bottom up -- or, better, laterally, opening new lines of transit across an uneven landscape. This non-absolute, generic universality must guard against the facile tendency of conflation with bloated, unmarked particulars -- namely Eurocentric universalism -- whereby the male is mistaken for the sexless, the white for raceless, the cis for the real, and so on. Absent such a universal, the abolition of class will remain a bourgeois fantasy, the abolition of race will remain a tacit white-supremacism, and the abolition of gender will remain a thinly veiled misogyny, even -- especially -- when prosecuted by avowed feminists themselves. (The absurd and reckless spectacle of so many self-proclaimed 'gender abolitionists'' campaign against trans women is proof enough of this.)

0x10 From the postmoderns, we have learnt to burn the facades of the false universal and dispel such confusions; from the moderns, we have learnt to sift new universals from the ashes of the false. Xenofeminism seeks to construct a coalitional politics, a politics without the infection of purity. Wielding the universal requires thoughtful qualification and precise self-reflection so as to become a ready-to-hand tool for multiple political bodies and something that can be appropriated against the numerous oppressions that transect with gender and sexuality. The universal is no blueprint, and rather than dictate its uses in advance, we propose XF as a platform. The very process of construction is therefore understood to be a negentropic, iterative, and continual refashioning. Xenofeminism seeks to be a mutable architecture that, like open source software, remains available for perpetual modification and enhancement following the navigational impulse of militant ethical reasoning. Open, however, does not mean undirected. The most durable systems in the world owe their stability to the way they train order to emerge as an 'invisible hand' from apparent spontaneity; or exploit the inertia of investment and sedimentation. We should not hesitate to learn from our adversaries or the successes and failures of history. With this in mind, XF seeks ways to seed an order that is equitable and just, injecting it into the geometry of freedoms these platforms afford.

ADJUST

0x11 Our lot is cast with technoscience, where nothing is so sacred that it cannot be reengineered and transformed so as to widen our aperture of freedom, extending to gender and the human. To say that nothing is sacred, that nothing is transcendent or protected from the will to know, to tinker and to hack, is to say that nothing is supernatural. 'Nature' -- understood here, as the unbounded arena of science -- is all there is. And so, in tearing down melancholy and illusion; the unambitious and the non-scaleable; the libidinated puritanism of certain online cultures, and Nature as an un-remakeable given, we find that our normative anti-naturalism has pushed us towards an unflinching ontological naturalism. There is nothing, we claim, that cannot be studied scientifically and manipulated technologically.

0x12 This does not mean that the distinction between the ontological and the normative, between fact and value, is simply cut and dried. The vectors of normative anti-naturalism and ontological naturalism span many ambivalent battlefields. The project of untangling what ought to be from what is, of dissociating freedom from fact, will from knowledge, is, indeed, an infinite task. There are many lacunae where desire confronts us with the brutality of fact, where beauty is indissociable from truth. Poetry, sex, technology and

gain are incandescent with this tension we have traced. But give up on the task of revision, release the reins and slacken that tension, and these filaments instantly dim.

CARRY

0x13 The potential of early, text-based internet culture for countering repressive gender regimes, generating solidarity among marginalised groups, and creating new spaces for experimentation that ignited cyberfeminism in the nineties has clearly waned in the twenty-first century. The dominance of the visual in today's online interfaces has reinstated familiar modes of identity policing, power relations and gender norms in self-representation. But this does not mean that cyberfeminist sensibilities belong to the past. Sorting the subversive possibilities from the oppressive ones latent in today's web requires a feminism sensitive to the insidious return of old power structures, yet savvy enough to know how to exploit the potential. Digital technologies are not separable from the material realities that underwrite them; they are connected so that each can be used to alter the other towards different ends. Rather than arguing for the primacy of the virtual over the material, or the material over the virtual, xenofeminism grasps points of power and powerlessness in both, to unfold this knowledge as effective interventions in our jointly composed reality.

0x14 Intervention in more obviously material hegemonies is just as crucial as intervention in digital and cultural ones. Changes to the built environment harbour some of the most significant possibilities in the reconfiguration of the horizons of women and queers. As the embodiment of ideological constellations, the production of space and the decisions we make for its organization are ultimately articulations about 'us' and reciprocally, how a 'we' can be articulated. With the potential to foreclose, restrict, or open up future social conditions, xenofeminists must become attuned to the language of architecture as a vocabulary for collective choreo-graphy -- the coordinated writing of space.

0x15 From the street to the home, domestic space too must not escape our tentacles. So profoundly ingrained, domestic space has been deemed impossible to disembed, where the home as norm has been conflated with home as fact, as an un-remakeable given. Stultifying 'domestic realism' has no home on our horizon. Let us set sights on augmented homes of shared laboratories, of communal media and technical facilities. The home is ripe for spatial transformation as an integral component in any process of feminist futurity. But this cannot stop at the garden gates. We see too well that reinventions of family structure and domestic life are currently only possible at the cost of either withdrawing from the economic sphere -- the way of the commune -- or bearing its burdens manyfold -- the way of the single parent. If we want to break the inertia that has kept the moribund figure of the nuclear family unit in place, which has stubbornly worked to isolate women from the public sphere, and men from the lives of their children, while penalizing those who stray from it, we must overhaul the material infrastructure and break the economic cycles that lock it in place. The task before us is twofold, and our vision necessarily stereoscopic: we must engineer an economy that liberates reproductive labour and family life, while building models of familiarity free from the deadening grind of wage labour.

0x16 From the home to the body, the articulation of a proactive politics for biotechnical intervention and hormones presses. Hormones hack into gender systems possessing political scope extending beyond the aesthetic calibration of individual bodies. Thought structurally, the distribution of hormones -- who or what this distribution prioritizes or pathologizes -- is of

paramount import. The rise of the internet and the hydra of black market pharmacies it let loose -- together with a publicly accessible archive of endocrinological knowhow -- was instrumental in wresting control of the hormonal economy away from 'gatekeeping' institutions seeking to mitigate threats to established distributions of the sexual. To trade in the rule of bureaucrats for the market is, however, not a victory in itself. These tides need to rise higher. We ask whether the idiom of 'gender hacking' is extensible into a long-range strategy, a strategy for wetware akin to what hacker culture has already done for software -- constructing an entire universe of free and open source platforms that is the closest thing to a practicable communism many of us have ever seen. Without the foolhardy endangerment of lives, can we stitch together the embryonic promises held before us by pharmaceutical 3D printing ('Reactionware'), grassroots telemedical abortion clinics, gender hacktivist and DIY-HRT forums, and so on, to assemble a platform for free and open source medicine?

0x17 From the global to the local, from the cloud to our bodies, xenofeminism avows the responsibility in constructing new institutions of technomaterialist hegemonic proportions. Like engineers who must conceive of a total structure as well as the molecular parts from which it is constructed, XF emphasises the importance of the mesopolitical sphere against the limited effectiveness of local gestures, creation of autonomous zones, and sheer horizontalism, just as it stands against transcendent, or top-down impositions of values and norms. The mesopolitical arena of xenofeminism's universalist ambitions comprehends itself as a mobile and intricate network of transits between these polarities. As pragmatists, we invite contamination as a mutational driver between such frontiers.

OVERFLOW

0x18 XF asserts that adapting our behaviour for an era of Promethean complexity is a labour requiring patience, but a ferocious patience at odds with 'waiting'. Calibrating a political hegemony or insurgent memplex not only implies the creation of material infra-structures to make the values it articulates explicit, but places demands on us as subjects. How are we to become hosts of this new world? How do we build a better semiotic parasite -- one that arouses the desires we want to desire, that orchestrates not an autophagic orgy of indignity or rage, but an emancipatory and egalitarian community buttressed by new forms of unselfish solidarity and collective self-mastery?

0x19 Is xenofeminism a programme? Not if this means anything so crude as a recipe, or a single-purpose tool by which a determinate problem is solved. We prefer to think like the schemer or lisper, who seeks to construct a new language in which the problem at hand is immersed, so that solutions for it, and for any number of related problems, might unfurl with ease. Xenofeminism is a platform, an incipient ambition to construct a new language for sexual politics -- a language that seizes its own methods as materials to be reworked, and incrementally bootstraps itself into existence. We understand that the problems we face are systemic and interlocking, and that any chance of global success depends on infecting myriad skills and contexts with the logic of XF. Ours is a transformation of seeping, directed subsumption rather than rapid overthrow; it is a transformation of deliberate construction, seeking to submerge the white-supremacist capitalist patriarchy in a sea of procedures that soften its shell and dismantle its defenses, so as to build a new world from the scraps.

0x1A Xenofeminism indexes the desire to construct an alien future with a triumphant X on a mobile map. This X does not mark a destination. It is the insertion of a topological-keyframe for the formation of a new logic. In

affirming a future untethered to the repetition of the present, we militate for ampliative capacities, for spaces of freedom with a richer geometry than the aisle, the assembly line, and the feed. We need new affordances of perception and action unblinkerred by naturalised identities. In the name of feminism, 'Nature' shall no longer be a refuge of injustice, or a basis for any political justification whatsoever!

If nature is unjust, change nature!

Feministo, 2018
Sisters Uncut

A British feminist direct-action group of women and non-binary people, Sisters Uncut campaigns to improve government-provided services addressing domestic violence. Founded in 2014, they have put anti-austerity measures and violence against women on the political agenda in the U.K. and, as a result, a “Domestic Violence and Abuse Bill” was announced as part of The Queen’s Speech 2017, on the occasion of the opening of the British parliament on June 21, 2017. Feministo is available on their website as part of the Sisters’ toolkit, created to encourage women to organize in their local area.



SISTERS UNCUT

Taking direct action for domestic violence services.

**READ
OUR
FEMINISTO!
(FEMINISTO)**

**SAFER
SPACES
POLICY
(SAFERSPACES)**

Feministo

We are Sisters Uncut. As women and gender-variant (<http://www.sistersuncut.org/saferspaces/>) people who live under the threat of domestic violence, we fight alongside all those who experience domestic, sexual, gendered, and state violence in their daily lives. We are fighting for our right to live in safety. We are fighting for our lives.

Austerity is a political choice with fatal consequences. Cuts make it harder to leave dangerous situations, live safely, and heal from trauma. Safety is a right not a privilege.

Doors are being slammed on survivors* of violence. Refuges are being shut down, legal aid has been cut, social housing is scarce and the benefits system is being destroyed. The government is building prisons not refuges, opening immigration detention centres not Rape Crisis centres, and arming the police, not funding mental health support. Vital domestic violence services are being de-specialised by local councils who are selling off contracts to the lowest bidder (<https://www.youtube.com/watch?v=E869vW-QnN0>).

To secure safety for survivors, we must also fight the other forms of oppression that we face. As intersectional feminists we understand that a person's individual experience of violence is affected by interconnecting and mutually reinforcing systems of oppression. These include but are not limited to: sexism, racism, anti-blackness, classism, disableism, ageism, homophobia, transphobia, transmisogyny, whorephobia, fat-phobia, islamophobia, and antisemitism. We fight for the safety of all of our siblings: we work in solidarity with the movements for trans liberation and sex worker rights.

Domestic and sexual violence do not exist in a vacuum. The systems of power and privilege in our society enable and protect the actions of perpetrators. This creates a cycle of violence, which can only be broken through transforming society.

To those in power, our message is this: your cuts are violent, your cuts are dangerous, and you think that you can get away with them because you have targeted people who you perceive as powerless.

We are those people. We are Sisters Uncut. We will not be silenced.

These are our demands:

- Provide the funding needed for specialist domestic violence services to meet the needs of all survivors.
- A long term funding plan from central, local, and devolved government. Funding must go to specialist organisations. Services must be run for survivors not for profit.
- The services funded must offer flexible, trauma-informed support from the early stages, through crisis and into recovery. They must be accessible to all survivors, who must be able to choose to access services run for and by their community.
- Sexual abuse services are in crisis. We demand long term, secure funding for specialist sexual violence services that provide advocacy, health care, and counselling both in crisis and through long term recovery.
- Poverty, economic insecurity, and welfare cuts kill. We demand universal access to a benefits system that treats people with respect; a real living wage; reproductive justice; and health and social care provision. There is no safety without welfare.
- The UK immigration system is racist and violent. Access to safety and services should not be dependent on immigration status. End no recourse to public funds.
- Survivors are being trapped in violent situations by councils refusing them housing. We demand access to safe and secure social housing for all, with priority to survivors. Build more council homes.
- The cycle of violence must be broken through a holistic and comprehensive LGBTQI+ inclusive strategy to educate all on gender, sex and relationships, and systemic power dynamics, led by survivors and specialist services.
- The criminal justice system does not work for survivors. We need a system that does not ignore, neglect and re-traumatise. Survivors must not be criminalised.
- The family court system requires complete reform in order to provide safety for survivors. Guarantee access to legal aid.

() We use the term 'survivor' when referring to those who have experienced or are experiencing violence and abuse, but we know that this language isn't perfect. We recognise the resourcefulness and resistance of those living with the impacts of violence whether in the present or the past. We acknowledge that not everyone who experiences or has experienced abuse defines themselves as a 'survivor', and that society may determine who is allowed to identify as one. We also recognise that not everyone does survive domestic, sexual, gendered, and/or state violence; we remember those who haven't in our fight.*

Zapatista Women's Opening Address at the
First International Gathering of Politics, Art,
Sport, and Culture for Women in Struggle, 2018

This text launched the First International Gathering of Politics, Art, Sport, and Culture for Women in Struggle, a three-day assembly held in the autonomous Zapatista territory in Chiapas, Mexico. The unprecedented event was attended by close to ten thousand women who traveled from more than fifty countries at the Zapatista women's invitation to "gather with us, to speak to us and listen to us." The manifesto was read by Insurgenta Erika as an opening speech. It has since been available on the Zapatista website in six languages. The EZNL (Zapatista Army of National Liberation) is a political and military organization formed primarily by Indigenous people of the Tzeltal, Tzotzil, Chol, Tojolabal, Zoque, and Mam groups.

Spanish (original) version of Zapatista Women's Opening Address at the First International Gathering of Politics, Art, Sport, and Culture for Women in Struggle (SP/EN)

PALABRAS A NOMBRE DE LAS MUJERES ZAPATISTAS AL INICIO DEL PRIMER ENCUENTRO INTERNACIONAL, POLÍTICO, ARTÍSTICO, DEPORTIVO Y CULTURAL DE MUJERES QUE LUCHAN.

8 de marzo del 2018. Caracol de Zona Tzots Choj.

BUENOS DÍAS HERMANAS DE MÉXICO Y DEL MUNDO:

BUENOS DÍAS COMPAÑERAS DE LA SEXTA NACIONAL E INTERNACIONAL:

BUENOS DÍAS COMPAÑERAS DEL CONGRESO NACIONAL INDÍGENA Y DEL CONCEJO INDÍGENA DE GOBIERNO:

BUENOS DÍAS COMPAÑERAS COMANDANTAS, BASES DE APOYO, AUTORIDADES AUTÓNOMAS, RESPONSABLES DE ÁREA, MILICIANAS E INSURGENTAS:

ANTES QUE NADA, QUEREMOS MANDARLE UN GRAN ABRAZO A LA FAMILIA DE LA COMPAÑERA DE BAJA CALIFORNIA SUR, ELOISA VEGA CASTRO, DE LAS REDES DE APOYO AL CONCEJO INDÍGENA DE GOBIERNO, QUIEN MURIÓ CUANDO ACOMPAÑABA A LA DELEGACIÓN DEL CIG EL PASADO 14 DE FEBRERO.

ESPERAMOS HASTA ESTE DÍA PARA SALUDAR LA MEMORIA DE ELOISA PARA QUE NUESTRO ABRAZO FUERA MÁS GRANDE Y ALCANZARA A LLEGAR LEJOS, HASTA EL OTRO LADO DE MÉXICO.

Y ESTE ABRAZO Y ESTE SALUDO SON GRANDES PORQUE SON DE TODAS LAS ZAPATISTAS Y DE TODOS LOS ZAPATISTAS EN ESTE 8 DE MARZO PARA ESA MUJER QUE LUCHÓ Y HOY NOS HACE FALTA: ELOISA VEGA CASTRO. VAYA NUESTRO SENTIMIENTO PARA SU FAMILIA.

HERMANAS Y COMPAÑERAS QUE NOS VISITAN:

GRACIAS A TODAS QUE YA ESTÁN PRESENTES AQUÍ EN ESTE PRIMER ENCUENTRO INTERNACIONAL DE MUJERES QUE LUCHAMOS.

GRACIAS QUE HICIERON EL ESFUERZO PARA VENIR DE TODOS LOS MUNDOS A ESTE RINCÓN EN QUE ESTAMOS.

BIEN LO SABEMOS QUE NO FUE FÁCIL LLEGAR HASTA ACÁ Y QUE TAL VEZ MUCHAS MUJERES QUE LUCHAN NO PUDIERON VENIR A ESTE ENCUENTRO.

MI NOMBRE ES INSURGENTA ERIKA, QUE ASÍ NOS LLAMAMOS LAS INSURGENTAS CUANDO NO HABLAMOS DE INDIVIDUAL SINO DE COLECTIVO. SOY CAPITANA INSURGENTE DE INFANTERÍA Y ME ACOMPAÑAN OTRAS COMPAÑERAS INSURGENTAS Y MILICIANAS DE DIFERENTES GRADOS.

Zapatista Women's Opening Address at the First International Gathering of Politics, Art, Sport, and Culture for Women in Struggle

Good morning, sisters of Mexico and the world:

Good morning, compañeras from the national and international Sixth:

Good morning, compañeras from the National Indigenous Congress:

Good morning, compañeras who are comandantas, bases of support, autonomous authorities, project coordinators, milicianas, and insurgentas:

First, we want to send a big hug to the family of the compañera Eloísa Vega Castro, from the Indigenous Governing Council support network in Baja California Sur, who died while accompanying the CIG delegation this past February 14.

We waited until today to honor the memory of Eloísa so that our embrace could be even bigger and reach even farther, all the way to the other end of Mexico.

This hug and this greeting are huge because they're from all the Zapatista women and all the Zapatista men on this day, March 8, for that woman who struggled and whom we miss today: Eloísa Vega Castro. May our condolences reach her family.

Sisters and compañeras who are visiting us:

Thank you to all of you who are here at this First International Gathering of Women in Struggle.

Thank you for making the effort to come from your many worlds to this little corner of the world where we are.

We know well that it was not easy for you to get here and that perhaps many women who struggle were not able to come to this gathering.

My name is Insurgenta Erika—that's how we refer to ourselves when we're speaking about the collective rather than the individual. I am an insurgenta captain of infantry, accompanied here by other insurgentas and milicianas of various ranks.

Our work will be to watch over this space to make sure only women are here and to not allow any men to come in. Because we know how sneaky they are.

So you'll see us walking around in order to keep watch and make sure no men come in, and if one does then we'll grab him and kick him out. Because it was stated clearly that men are not invited; they have to stay outside and find out later what happened here.

You can walk wherever you'd like. You can leave or enter whenever you like, all you need is your nametag. But men can't enter until our gathering is over.

There are also compañeras who are health promoters and some who are doctors here. So if anyone gets sick or feels ill, just tell any of us and we'll quickly let the promotoras know so that they can attend to you, and then the doctor can see you if necessary. We also have an ambulance ready to take you to a hospital if necessary.

NUESTRO TRABAJO VA A SER CUIDAR ESTE LUGAR PARA QUE SÓLO ESTÉN MUJERES Y NO DEJAR QUE SE META NINGÚN HOMBRE. PORQUE LO SABEMOS QUE SON MAÑOSOS.

ENTONCES PUES NOS VAN A VER QUE ANDAMOS POR VARIOS LADOS Y ES PARA ESO DE VIGILAR QUE NO SE METAN HOMBRES Y SI SE METE UNO PUES LO VAMOS A AGARRAR Y LO VAMOS A SACAR PORQUE CLARO SE DIJO QUE NO ESTÁN INVITADOS HOMBRES Y POR ESO LES TOCA ESTAR ALLÁ AFUERA Y YA LUEGO SE ENTERAN DE LO QUE PASÓ AQUÍ.

USTEDES PUEDEN ANDAR DONDE QUIERAN. PUEDEN SALIR O ENTRAR LAS VECES QUE QUIERAN, SÓLO NECESITAN EL GAFETE Y YA. PERO LOS HOMBRES NO PUEDEN ENTRAR HASTA QUE ACABE NUESTRO ENCUENTRO.

HAY TAMBIÉN COMPAÑERAS PROMOTORAS DE SALUD Y ALGUNAS DOCTORAS. ENTONCES SI ALGUIEN SE ENFERMA O SE SIENTE MAL, BASTA QUE NOS DIGAN A CUALQUIERA DE NOSOTRAS Y RÁPIDO AVISAMOS PARA QUE ATIENDAN LAS PROMOTORAS Y SI ES NECESARIO REVISE LA DOCTORA Y SI ES NECESARIO PUES TENEMOS UNA AMBULANCIA LISTA PARA LLEVAR A UN HOSPITAL.

HAY TAMBIÉN COMPAÑERAS COORDINADORAS, TÉCNICAS DE SONIDO, DE LA LUZ SI ES QUE SE VA, DE LA HIGIENE COMO DE LA BASURA Y LOS BAÑOS Y PARA QUE ESTAS COMPAÑERAS TAMBIÉN PUEDAN PARTICIPAR EN EL ENCUENTRO PUES LES PEDIMOS QUE CUIDEN DE LA BASURA, DE LA HIGIENE, DE LOS BAÑOS.

HOY SOMOS MUCHAS PERO COMO SI FUÉRAMOS UNA SOLA PARA RECIBIRLAS Y QUE SE SIENTAN LO MEJOR QUE SE PUEDE SEGÚN NUESTRAS CONDICIONES.

HERMANAS Y COMPAÑERAS:

NUESTRA PALABRA ES COLECTIVA, POR ESO ESTÁN AQUÍ CONMIGO MIS COMPAÑERAS.

A MÍ ME TOCA LEER, PERO ESTA PALABRA LA ACORDAMOS EN COLECTIVO CON TODAS LAS COMPAÑERAS QUE SON ORGANIZADORAS Y COORDINADORAS EN ESTE ENCUENTRO.

PARA NOSOTRAS COMO MUJERES ZAPATISTAS ES UN ORGULLO MUY GRANDE ESTAR AQUÍ CON USTEDES Y LES DAMOS LAS GRACIAS PORQUE NOS DIERON UN ESPACIO PARA COMPARTIR CON USTEDES NUESTRAS PALABRAS DE LUCHA COMO MUJERES ZAPATISTAS QUE SOMOS.

COMO HABLO EN NOMBRE DE MIS COMPAÑERAS, MI PALABRA VA A ESTAR REVUELTA PORQUE SOMOS DE DISTINTAS EDADES Y DE DISTINTAS LENGUAS, Y TENEMOS DISTINTAS HISTORIAS.

PORQUE LO MISMO TRABAJÉ DE SIRVIENTA EN UNA CASA DE LA CIUDAD, ANTES DEL ALZAMIENTO, QUE CRECÍ EN LA RESISTENCIA Y REBELDÍA ZAPATISTAS DE NUESTRAS ABUELAS, MAMÁS Y HERMANAS MAYORES.

There are also compañeras coordinating various areas, including sound technicians, those in charge of the electricity if it goes out, and those in charge of keeping things clean like the trash and the bathrooms. So that those compañeras can also participate in the gathering, we ask all of you to be mindful of the trash, hygiene, and bathrooms.

There are many of us here today, but together it's as if we are one, welcoming and hosting you the best we can given our conditions here.

Sisters and compañeras:

Our word is collective, that's why my compañeras are here with me on stage. I'm responsible for reading this text, but we agreed upon it collectively among all of the compañeras who are organizers and coordinators of this gathering.

As Zapatista women, we are very proud to be here with you and we thank you all for giving us a space in which to share with you our words of struggle as Zapatista women.

Speaking on behalf of my compañeras, my word will be mixed up because we are of different ages and different languages and have distinct histories.

Because just as I worked as a servant in a house in the city before the uprising, I also grew up in the Zapatista rebellion of our grandmothers, mothers, and older sisters.

I saw what it was like in our communities before the struggle, a situation difficult to explain in words and even more difficult to live through, seeing how boys and girls, youth, adults, and elders died from curable diseases.

And all because of lack of medical attention, good nutrition, and education.

But we also died, and more of us, because we were women.

There were no clinics, and when there were, they were very far away. The bad government's doctors didn't take care of us because we didn't speak Spanish and because we didn't have any money.

In the house where I worked as a servant, I didn't have a salary. I didn't know how to speak Spanish and I couldn't study, I only learned how to speak a little.

Later I learned that there was an organization in struggle and I began to participate as a base of support. I would go out at night to go study and come back as the sun was coming up, because back then nobody knew about our struggle; it was all clandestine.

During that time, I participated in collective work with other Zapatista women in areas such as traditional crafts, the production of beans and corn, and raising animals.

And we did everything clandestinely—if we had meetings or political education classes, we had to say we were off to go do something else because some people didn't know anything about it, sometimes not even within our own families.

But I also was born and grew up after the beginning of the war.

I was born and grew up with the military patrols surrounding our communities and roads, listening to the soldiers say fucked up things to the women just because they were armed men and we were, and are, women.

LO MISMO MIRÉ COMO ESTÁ LA SITUACIÓN EN NUESTROS PUEBLOS DESDE ANTES DE LA LUCHA, UNA SITUACIÓN MUY DIFÍCIL DE EXPLICAR CON PALABRAS Y MÁS DIFÍCIL DE VIVIR, VIENDO CÓMO MORÍAN DE ENFERMEDADES CURABLES NIÑOS Y NIÑAS, JÓVENES, ADULTOS, ANCIANOS Y ANCIANAS.

Y TODO POR FALTA DE ATENCIÓN MÉDICA, DE BUENA ALIMENTACIÓN, DE EDUCACIÓN.

PERO TAMBIÉN MORÍAMOS POR SER MUJERES Y MORÍAMOS MÁS.

NO HABÍA CLÍNICAS Y DONDE SÍ HABÍA QUEDABA LEJOS. Y LOS DOCTORES DEL MAL GOBIERNO NO NOS ATIENDEN PORQUE NO SABEMOS HABLAR CASTILLA Y PORQUE NO TENEMOS DINERO.

EN LA CASA DONDE TRABAJÉ DE SIRVIENTA NO TENÍA SALARIO, NO SABÍA HABLAR ESPAÑOL Y NO PODÍA ESTUDIAR MÁS, APENAS APRENDÍ UN POCO DE HABLAR.

DESPUÉS SUPE QUE HAY UNA ORGANIZACIÓN QUE LUCHA Y EMPECÉ A PARTICIPAR COMO BASE DE APOYO Y SALÍA EN LAS NOCHES A ESTUDIAR Y REGRESAR YA AMANECIENDO PORQUE EN ESE TIEMPO NADIE LO SABÍA DE LA LUCHA QUE HACÍAMOS PORQUE ERA TODO CLANDESTINO.

EN ESE TIEMPO PARTICIPABA EN TRABAJOS COLECTIVOS CON OTRAS MUJERES ZAPATISTAS COMO EN ARTESANÍA, FRIJOLAR, MILPA, GRANJA.

Y TODO LO HACÍAMOS EN CLANDESTINO PORQUE SI TENÍAMOS REUNIONES O ESTUDIOS POLÍTICOS, TENÍAMOS QUE DECIR DE OTRA MANERA PORQUE ALGUNOS NO SABÍAN NADA NI EN SUS PROPIAS FAMILIAS.

PERO TAMBIÉN NACÍ Y CRECÍ DESPUÉS DEL INICIO DE LA GUERRA.

NACI Y CRECÍ CON LAS PATRULLAS MILITARES RONDANDO NUESTRAS COMUNIDADES Y CAMINOS, ESCUCHANDO A LOS SOLDADOS DECIRLES CHINGADERAS A LAS MUJERES NOMÁS PORQUE ELLOS ERAN HOMBRES ARMADOS Y NOSOTRAS ÉRAMOS Y SOMOS MUJERES.

PERO NO TUVIMOS MIEDO ASÍ EN COLECTIVO, SINO QUE DECIDIMOS LUCHAR Y APOYARNOS EN COLECTIVO COMO MUJERES ZAPATISTAS QUE SOMOS.

ASÍ APRENDIMOS QUE PODEMOS DEFENDER Y QUE PODEMOS DIRIGIR.

Y NO FUERON PALABRAS DE UN DISCURSO, SINO QUE EN VERDAD LO TOMAMOS LAS ARMAS Y PELEAMOS CONTRA EL ENEMIGO, Y EN VERDAD TOMAMOS EL MANDO Y DIRIGIMOS COMBATES CON MAYORÍA DE HOMBRES EN NUESTRAS TROPAS.

Y SÍ NOS OBEDECIERON PORQUE NO IMPORTABA SI ERAS HOMBRE O MUJER SINO SI ESTABAS DISPUESTA LUCHAR SIN RENDIRTE, SIN VENDERTE Y SIN CLAUDICAR.

Y AUNQUE NO TENÍAMOS ESTUDIOS, SÍ TENÍAMOS MUCHA RABIA, MUCHO CORAJE DE TODAS LAS CHINGADERAS QUE NOS HACEN.

But as a collective, we weren't afraid; rather, we decided to struggle and support one another collectively as Zapatista women.

That's how we learned that we can defend and we can lead.

And we weren't just making speeches about all this; we were actually taking up arms and fighting against the enemy. We actually commanded troops and lead battles with mostly men under our command.

And they obeyed us, because what mattered wasn't whether you were a man or a woman but the fact that you were willing to fight without giving up, selling out or giving in.

And even though we hadn't studied, we were full of rage and anger over all the fucked up things they had done to us.

Because I experienced the disdain, the humiliation, the mockery, the violence, the beatings, the deaths for being a woman, for being indigenous, for being poor, and now for being a Zapatista.

And you should know that it wasn't always men who exploited me, robbed me, humiliated me, beat me, scorned me, and murdered me.

Often it was women. And it still is.

And I also grew up in the resistance and saw how my compañeras built schools, clinics, collective work projects, and autonomous governments.

I saw public celebrations, where we all knew that we were Zapatistas and we knew that we were together.

I saw that rebellion, resistance and struggle are also a celebration, even though sometimes there's no music or dancing, just the sweat and blood of the work, the preparation, and the resistance.

I saw that where before being indigenous, being poor, and being a woman only meant death, now we were collectively building another path for life: freedom, our freedom.

I saw that whereas before we women only had our houses and fields, now we have schools, clinics, and collective work projects where we women operate equipment and guide the struggle. We make mistakes of course, but we're moving forward, with no one telling us what to do but ourselves.

And now I see that we have indeed advanced—even if only a little bit, we always manage to advance somehow.

Don't think it was easy. It was very hard, and it continues to be very hard.

Not just because the fucking capitalist system wants to destroy us: it's also because we have to fight against the system that makes men believe that we women are less than, and good for nothing.

And sometimes, it must be said, even as women we screw each other over and speak badly of each other, that is, we don't respect each other.

PORQUE VIVÍ EL DESPRECIO, LA HUMILLACIÓN, LAS BURLAS, LAS VIOLENCIAS, LOS GOLPES, LAS MUERTES POR SER MUJER, POR SER INDÍGENA, POR SER POBRE Y AHORA POR SER ZAPATISTA.

Y SÉPANLO BIEN QUE NO SIEMPRE ERA HOMBRE QUIEN ME EXPLOTABA, ME ROBABA, ME HUMILLABA, ME GOLPEABA, ME DESPRECIABA, ME MATABA.

TAMBIÉN MUCHAS VECES ERA MUJER QUIEN ASÍ ME HACÍA. Y TODAVÍA ASÍ HACEN.

Y TAMBIÉN CRECÍ EN LA RESISTENCIA Y VI CÓMO MIS COMPAÑERAS LEVANTARON ESCUELAS, CLÍNICAS, TRABAJOS COLECTIVOS, Y GOBIERNOS AUTÓNOMOS.

Y VÍ FIESTAS PÚBLICAS, DONDE TODAS SABÍAMOS QUE ÉRAMOS ZAPATISTAS Y SABÍAMOS QUE ESTÁBAMOS JUNTAS.

Y VÍ QUE LA REBELDÍA, QUE LA RESISTENCIA, QUE LA LUCHA, ES TAMBIÉN UNA FIESTA, AUNQUE A VECES NO HAY MÚSICA NI BAILE Y SÓLO HAY LA CHINGA DE LOS TRABAJOS, DE LA PREPARACIÓN, DE LA RESISTENCIA.

Y MIRÉ QUE DONDE ANTES SÓLO PODÍA MORIR POR SER INDÍGENA, POR SER POBRE, POR SER MUJER, CONSTRUÍAMOS EN COLECTIVO OTRO CAMINO DE VIDA: LA LIBERTAD, NUESTRA LIBERTAD.

Y MIRÉ QUE DONDE ANTES SÓLO TENÍAMOS LA CASA Y EL CAMPO, AHORA TENEMOS ESCUELAS, CLÍNICAS, TRABAJOS COLECTIVOS DONDE COMO MUJERES MANEJAMOS APARATOS Y DIRIGIMOS LA LUCHA, AUNQUE CON ERRORES PERO AHÍ VAMOS AVANZANDO, SIN QUE NADIE NOS DIGA CÓMO DEBEMOS HACER SINO NOSOTRAS MISMAS.

Y MIRO AHORA QUE SÍ HEMOS AVANZADO, AUNQUE SEA UN POCO PERO SIEMPRE SÍ ALGO.

Y NO CREAN QUE FUE FÁCIL. COSTÓ MUCHO Y SIGUE COSTANDO MUCHO.

Y NO SÓLO POR EL PINCHE SISTEMA CAPITALISTA QUE NOS QUIERE DESTRUIR, TAMBIÉN PORQUE TENEMOS QUE LUCHAR CONTRA EL SISTEMA QUE LES HACE CREER Y PENSAR A LOS HOMBRES QUE LAS MUJERES SOMOS MENOS Y NO SERVIMOS.

Y A VECES TAMBIÉN, HAY QUE DECIRLO, MISMO ENTRE MUJERES NOS CHINGAMOS Y NOS MAL HABLAMOS, O SEA QUE NO NOS RESPETAMOS.

PORQUE NO SÓLO LOS HOMBRES, TAMBIÉN HAY MUJERES DE LAS CIUDADES QUE NOS DESPRECIAN QUE PORQUE NO SABEMOS DE LA LUCHA DE MUJERES, PORQUE NO HEMOS LEÍDO LIBROS DONDE LAS FEMINISTAS EXPLICAN CÓMO DEBE SER Y TANTAS COSAS QUE DICEN Y CRITICAN SIN SABER CÓMO ES NUESTRA LUCHA.

PORQUE UNA COSA ES SER MUJER, OTRA ES SER POBRE Y UNA MUY OTRA ES SER INDÍGENA. Y LAS MUJERES INDÍGENAS QUE ME ESCUCHAN LO SABEN BIEN. Y OTRO COSA MUY OTRA Y MÁS DIFÍCIL ES SER MUJER INDÍGENA ZAPATISTA.

Because it's not just men: there are also women from the cities who look down on us because they say we don't know about women's struggle, because we haven't read books where the feminists explain how it should be. They give a lot of commentary and critique without knowing what our struggle is like.

Because it's one thing to be a woman, another to be poor, and another thing altogether to be indigenous. The indigenous women listening know this very well. And it is yet another and more difficult thing to be a Zapatista indigenous woman.

Of course we know there's still much to do, but since we are Zapatista women, we don't give up, we don't sell out, and we don't veer off our path of struggle—that is, we don't give in.

You can see what we're capable of, because we organized this gathering among Zapatista women.

It wasn't just some idea that somebody had one day.

When the National Indigenous Congress and the Indigenous Governing Council said many months ago that as women we're going to say that we're not afraid, or that we are but we control our fear, we women began to think collectively that we too have to do something.

So in all the zones, among the large and small women's collectives, we began to discuss what to do as Zapatista women.

At CompArte last year the idea was put forth that only we Zapatista women would present and honor the Indigenous Governing Council. And that's what we did, because it was only women who received our compañeras from the Indigenous Governing Council and the spokeswoman Marichuy, who's here today.

But that wasn't all. In our collectives, we also considered and discussed the fact that we have to do more, because we see that something is happening.

What we see, sisters and compañeras, is that they're killing us.

And that they're killing us because we're women.

As if that's our crime and they're giving us the death penalty.

So we came up with the idea of having this gathering and inviting all women in struggle.

I'm going to tell you why we thought to do this:

There are women present here from many parts of the world.

There are women who have studied a lot and have degrees, who are doctors, lawyers, engineers, scientists, teachers, students, artists, leaders.

We ourselves haven't studied much; some of us barely speak a little Spanish.

We live in these mountains, the mountains of the Mexican southeast.

We are born here, we grow up here, we struggle here, we die here.

Wee for example those trees over there, which you call "forest" and we call "brush."

Y CLARO LO SABEMOS QUE NOS FALTA MUCHO TODAVÍA, PERO COMO SOMOS MUJERES ZAPATISTAS, PUES NO NOS RENDIMOS, NO NOS VENDEMOS Y NO CAMBIAMOS NUESTRO CAMINO DE LUCHA, O SEA QUE NO CLAUDICAMOS.

Y QUÉ TANTO ES QUE PODEMOS HACER, PUES AQUÍ LO VEN EN ESTE ENCUENTRO, PORQUE LO ORGANIZAMOS ENTRE MUJERES ZAPATISTAS.

PORQUE NO ES QUE FUE UNA IDEA ASÍ COMO ASÍ.

DESDE HACE VARIOS MESES, CUANDO EL CONGRESO NACIONAL INDÍGENA Y EL CONCEJO INDÍGENA DE GOBIERNO DIJERON QUE COMO MUJERES VAMOS A DECIR QUE NO TENEMOS MIEDO O QUE SÍ TENEMOS PERO LO CONTROLAMOS, NOSOTRAS EMPEZAMOS A PENSAR EN COLECTIVO QUE TAMBIÉN TENEMOS QUÉ HACER ALGO.

ASÍ QUE EN TODAS LAS ZONAS, EN LOS COLECTIVOS DE MUJERES GRANDES Y PEQUEÑOS SE EMPEZÓ DISCUTIR QUÉ HACEMOS COMO MUJERES ZAPATISTAS QUE SOMOS.

Y EN EL COMPORTE DEL AÑO PASADO SALIÓ LA IDEA QUE SÓLO MUJERES ZAPATISTAS VAMOS A HABLAR Y A HONRAR AL CONCEJO INDÍGENA DE GOBIERNO. Y ASÍ HICIMOS, PORQUE SÓLO MUJERES RECIBIMOS A NUESTRAS COMPAÑERAS DEL CONCEJO INDÍGENA DE GOBIERNO Y LA VOCERA MARICHUY QUE AQUÍ ESTÁ PRESENTE.

PERO NO SÓLO, TAMBIÉN EN LOS COLECTIVOS PENSAMOS Y DISCUTIMOS QUE TENEMOS QUÉ HACER MÁS PORQUE VEMOS ALGO QUE ESTÁ PASANDO.

Y LO QUE VEMOS, HERMANAS Y COMPAÑERAS, ES QUE NOS ESTÁN MATANDO.

Y QUE NOS MATAN PORQUE SOMOS MUJERES.

COMO QUE ES NUESTRO DELITO Y NOS PONEN LA SENTENCIA DE MUERTE.

ENTONCES PENSAMOS DE HACER ESTE ENCUENTRO Y DE INVITAR A TODAS LAS MUJERES QUE LUCHAN.

Y LES VOY A DECIR POR QUÉ PENSAMOS ESTO:

AQUÍ ESTÁN PRESENTES MUJERES DE MUCHAS PARTES DEL MUNDO.

HAY MUJERES QUE TIENEN GRANDES ESTUDIOS, QUE SON DOCTORAS, LICENCIADAS, INGENIERAS, CIENTÍFICAS, MAESTRAS, ESTUDIANTES, ARTISTAS, DIRIGENTAS.

BUENO, NOSOTRAS NO TENEMOS MUCHOS ESTUDIOS, ALGUNAS APENAS HABLAMOS ALGO DE ESPAÑOL.

VIVIMOS EN ESTAS MONTAÑAS, LAS MONTAÑAS DEL SURESTE MEXICANO.

AQUÍ NACIMOS, AQUÍ CRECEMOS. AQUÍ LUCHAMOS. AQUÍ MORIMOS.

Well, we know that in that forest, in that brush, there are many trees that are different.

And we know that, for example, there is pine, mahogany, cedar, and bayalté there are many kinds of trees.

But we also know that each pine or each ocote is not the same. Each one is different.

We know this, yes, but when we see it we say that it's a forest or brush.

Well, here we are like a forest or brush.

We are all women.

But we know that we are of different colors, sizes, languages, cultures, professions, schools of thought and forms of struggle.

But we say that we are women and what's more, we are women in struggle.

So we are different but we are the same.

There are many women in struggle who are not here, but we are thinking of them even if we can't see them.

We also know that there are women who are not in struggle, who resign themselves, who falter and lose heart.

So we can say that there are women all over the world, a forest of women, and what makes them the same is that they're women.

But we Zapatista women see that something else is going on.

What also makes us the same is the violence and the death carried out against us.

That's how we see the modern condition of this fucking capitalist system. We see that it made a forest of all the women of the world with its violence and death which have the face, body and idiot brain of the patriarchy.

So we say to you that we invited you so we can speak to one another, listen to one another, see one another, and celebrate together.

We thought it should only be women so that we can speak, listen, see, and celebrate without the gaze of men, whether they're good men or bad men.

What matters is that we're women and that we're women in struggle, that is, that we don't resign ourselves to what's happening and that each of us—according to her way, her time, and her location—struggles. She rebels. She gets pissed and does something about it.

So we say to you, sisters and compañeras, that we can choose what we're going to do in this gathering.

That is, we can decide.

Y VEMOS POR EJEMPLO ESOS ÁRBOLES QUE ESTÁN ALLÁ Y QUE USTEDES DICEN QUE ES "BOSQUE" Y NOSOTRAS LE DECIMOS "MONTE".

BUENO, PERO LO SABEMOS QUE EN ESE BOSQUE, EN ESE MONTE, HAY MUCHOS ÁRBOLES QUE SON DIFERENTES.

Y LO SABEMOS QUE HAY. POR EJEMPLO, OCOTE O PINO, HAY CAOBA, HAY CEDRO, HAY BAYALTÉ, Y HAY MUCHOS TIPOS DE ÁRBOLES.

PERO TAMBIÉN LO SABEMOS QUE CADA PINO O CADA OCOTE NO ES IGUAL, SINO QUE CADA UNO ES DIFERENTE.

LO SABEMOS, SÍ, PERO CUANDO VEMOS ASÍ DECIMOS QUE ES UN BOSQUE, O QUE ES UN MONTE.

BUENO, AQUÍ ESTAMOS COMO UN BOSQUE O COMO UN MONTE.

TODAS SOMOS MUJERES.

PERO LO SABEMOS QUE HAY DE DIFERENTES COLORES, TAMAÑOS, LENGUAS, CULTURAS, PROFESIONES, PENSAMIENTOS Y FORMAS DE LUCHA.

PERO DECIMOS QUE SOMOS MUJERES Y ADEMÁS QUE SOMOS MUJERES QUE LUCHAN.

ENTONCES SOMOS DIFERENTES PERO SOMOS IGUALES.

Y AUNQUE HAY MUJERES QUE LUCHAN Y NO ESTÁN AQUÍ, PERO TAMBIÉN LAS PENSAMOS AUNQUE NO LAS VEAMOS.

Y TAMBIÉN LO SABEMOS QUE HAY MUJERES QUE NO LUCHAN, QUE SE CONFORMAN, O SEA QUE SE DESMAYAN.

Y ENTONCES EN TODO EL MUNDO PODEMOS DECIR QUE HAY MUJERES, UN BOSQUE DE MUJERES, QUE LO QUE LAS HACE IGUALES ES QUE SON MUJERES.

PERO ENTONCES NOSOTRAS, COMO MUJERES ZAPATISTAS, VEMOS ALGO MÁS QUE ESTÁ PASANDO.

Y ES QUE TAMBIÉN NOS HACE IGUALES LA VIOLENCIA Y LA MUERTE QUE NOS HACEN.

ASÍ VEMOS DE LO MODERNO DE ESTE PINCHE SISTEMA CAPITALISTA. LO VEMOS QUE HIZO BOSQUE A LAS MUJERES DE TODO EL MUNDO CON SU VIOLENCIA Y SU MUERTE QUE TIENEN LA CARA, EL CUERPO Y LA CABEZA PENDEJA DEL PATRIARCADO.

ENTONCES LES DECIMOS QUE LAS INVITAMOS PARA HABLARNOS, PARA ESCUCHARNOS, PARA MIRARNOS, PARA FESTEJARNOS.

We can choose to compete to see who's more badass, who's the best speaker, who's more revolutionary, who's the best thinker, who's more radical, who's the best behaved, who's the most liberated, who's the prettiest, who's the hottest, who dances better, who paints better, who sings best, who's more of a woman, who wins at sports, who struggles the most.

Whatever it is, there won't be any men saying who wins and who loses. Only us women.

Or we can listen and speak with respect as women in struggle; we can give each other the gift of dance, music, film, video, painting, poetry, theater, sculpture, fun, and knowledge, and by doing so nourish the struggles that each of us has wherever we are.

So we can choose, sisters and compañeras.

Either we compete among ourselves and at the end of the gathering, when we return to our worlds, we'll realize that nobody won.

Or we can agree to struggle together, as different as we are, against the patriarchal capitalist system that is assaulting and murdering us.

Here your age doesn't matter; it doesn't matter if you're married, single, widowed or divorced, if you're from the city or the countryside, if you're affiliated with a political party, if you're lesbian or asexual or transgender or however you may call yourself, if you're educated or not, if you're feminist or not.

All are welcome and as Zapatista women, we're going to listen to you, we're going to see you and we're going to speak to you with respect.

We've organized ourselves so that in all the activities—all of them—there are some of us there who can carry your message to our compañeras in our villages and communities.

We're going to set up a special table to receive your criticisms. You can turn them in there or tell us what you see that we did or are doing badly.

We'll look at them and analyze them and, if what you say is true, we're going to figure out how to do it better.

And if it's not true, well then either way we'll think about why you told us that.

What we're not going to do is blame men or the system for errors that are our own.

Because the struggle for our freedom as Zapatista women is ours.

It's not the job of men or the system to give us our freedom.

On the contrary, the work of the patriarchal capitalist system is to keep us in submission.

If we want to be free, we have to conquer our freedom ourselves, as women.

We're going to look at you and listen to you with respect, compañeras and sisters.

And whatever we see and hear, we will know what to take from it to help our struggle as Zapatista women. What won't help, we won't take.

But we will not judge anyone.

PENSAMOS QUE SÓLO MUJERES PARA QUE PODEMOS HABLAR, ESCUCHAR, MIRAR, FIESTAR SIN LA MIRADA DE LOS HOMBRES, NO IMPORTA SI SON BUENOS HOMBRES O MALOS HOMBRES.

LO QUE IMPORTA ES QUE SOMOS MUJERES Y QUE SOMOS MUJERES QUE LUCHAMOS, O SEA QUE NO NOS QUEDAMOS CONFORMES CON LO QUE PASA Y CADA QUIEN, SEGÚN ES SU MODO, SU TIEMPO, SU LUGAR, AHÍ LUCHA O SEA QUE SE REBELA. SE ENCABRONA PUES Y HACE ALGO.

ENTONCES LES DECIMOS, HERMANAS Y COMPAÑERAS, QUE PODEMOS ESCOGER QUÉ VAMOS A HACER EN ESTE ENCUENTRO.

O SEA QUE PODEMOS ELEGIR.

PODEMOS ESCOGER DE COMPETIR A VER QUIÉN ES MÁS CHINGONA, QUIÉN TIENE LA MEJOR PALABRA, QUIÉN ES MÁS REVOLUCIONARIA, QUIÉN ES MÁS PENSADORA, QUIÉN ES MÁS RADICAL, QUIÉN ES MÁS BIEN PORTADA, QUIÉN ES MÁS LIBERADA, QUIÉN ES MÁS BONITA, QUIÉN ESTÁ MÁS BUENA, QUIÉN BAILA MÁS MEJOR, QUIÉN PINTA MÁS BONITO, QUIÉN CANTA BIEN, QUIÉN ES MÁS MUJER, QUIEN GANA EL DEPORTE, QUIÉN LUCHA MÁS.

COMO QUIERA NO VA A HABER HOMBRES QUE DIGAN QUIÉN GANA Y QUIÉN PIERDE. SÓLO NOSOTRAS.

O PODEMOS ESCUCHAR Y HABLAR CON RESPETO COMO MUJERES DE LUCHA QUE SOMOS, PODEMOS REGALARNOS BAILE, MÚSICA, CINE, VIDEO, PINTURA, POESÍA, TEATRO, ESCULTURA, DIVERSIÓN, CONOCIMIENTO Y ASÍ ALIMENTAR NUESTRAS LUCHAS QUE CADA QUIEN TENEMOS DONDE ESTAMOS.

ENTONCES PODEMOS ESCOGER, HERMANAS Y COMPAÑERAS.

O COMPETIMOS ENTRE NOSOTRAS Y AL FINAL DEL ENCUENTRO, CUANDO VOLVAMOS A NUESTROS MUNDOS, VAMOS A DARNOS CUENTA DE QUE NADIE GANÓ.

O ACORDAMOS LUCHAR JUNTAS, COMO DIFERENTES QUE SOMOS, EN CONTRA DEL SISTEMA CAPITALISTA PATRIARCAL QUE ES QUIEN NOS ESTÁ VIOLENTANDO Y ASESINANDO.

AQUÍ NO IMPORTA LA EDAD, SI SON CASADAS, SOLTERAS, VIUDAS O DIVORCIADAS, SI SON DE LA CIUDAD O DEL CAMPO, SI SON PARTIDISTAS, SI SON LESBIANAS O ASEXUAL O TRANSGENERO O COMO SE DIGA CADA QUIEN, SI TIENEN ESTUDIOS O NO, SI SON FEMINISTAS O NO.

TODAS SON BIENVENIDAS Y, COMO MUJERES ZAPATISTAS, LAS VAMOS A ESCUCHAR, LAS VAMOS A MIRAR Y LES VAMOS A HABLAR CON RESPETO.

NOS HEMOS ORGANIZADO PARA QUE EN TODAS LAS ACTIVIDADES, EN TODAS, HAYA ALGUNAS DE NOSOTRAS QUE LLEVE SU MENSAJE A NUESTRAS COMPAÑERAS EN LOS PUEBLOS Y COMUNIDADES.

We will not say that something is good or bad.

We did not invite you here to judge you.

Neither did we invite you to compete.

We invited you so we can encounter one another, different and the same.

We have Zapatista compañeras here from different ordinary languages. You will hear the collective words from women from each zone.

But we are not all here.

There are many more of us, and our rage and anger is much greater.

But our rage, that is, our struggle, is not only for us; it is for all the women who are assaulted, murdered, beaten, insulted, disparaged, mocked, disappeared, and imprisoned.

So we say to you, sister and compañera, that we are not asking you to come and struggle for us, just like we are not going to struggle for you.

Each of us knows her way, her mode and her time.

The only thing we do ask of you is to keep struggling, don't give up, don't sell out, don't renounce being women in struggle.

To close we're asking you for something special during these days you're here with us.

Some elder sisters and compañeras, "wise women" we call them, have come here from all over Mexico and the world.

They are women who are elders and who struggle.

We ask that you respect them and give them special consideration, because we want to end up like them, to grow old and know we are still in struggle.

We want to grow older and be able to say that we have been alive for many years and that each year was a year of struggle.

But in order for that to happen, we have to be alive.

That's why this gathering is for life.

And nobody is going to give that to us, sisters and compañeras.

Not god, not man, not a political party, not a savior, not a leader, not a female leader, and not a female boss.

We have to struggle for life.

That's our lot, sisters and compañeras, and the lot of all women in struggle.

Perhaps when this gathering is over, when you return to your worlds, to your times, to your ways, someone will ask you if we reached some agreement. Because there were many different kinds of thought that came to these Zapatista lands.

VAMOS A PONER UNA MESA ESPECIAL PARA RECIBIR SUS CRÍTICAS, AHÍ PUEDEN ENTREGAR O DECIR LO QUE VEN QUE HICIMOS O HACEMOS MAL.

AHÍ LO VAMOS A VER Y ANALIZAR Y, SI ES CIERTO LO QUE DICEN, LO VAMOS A VER CÓMO HACEMOS PARA MEJORAR.

Y SI NO ES CIERTO, PUES COMO QUIERA LO VAMOS A PENSAR POR QUÉ NOS DICEN ESO.

LO QUE NO VAMOS A HACER ES ECHARLE LA CULPA A LOS HOMBRES O AL SISTEMA DE LOS ERRORES QUE SON NUESTROS.

PORQUE LA LUCHA POR NUESTRA LIBERTAD COMO MUJERES ZAPATISTAS QUE SOMOS ES NUESTRA.

NO ES TRABAJO DE LOS HOMBRES NI DEL SISTEMA DARNOS NUESTRA LIBERTAD.

AL CONTRARIO, COMO QUE SU TRABAJO DEL SISTEMA CAPITALISTA PATRIARCAL ES MANTENERNOS SOMETIDAS.

SI QUEREMOS SER LIBRES TENEMOS QUE CONQUISTAR LA LIBERTAD NOSOTRAS MISMAS COMO MUJERES QUE SOMOS.

LAS VAMOS A MIRAR Y A ESCUCHAR CON RESPETO, COMPAÑERAS Y HERMANAS.

DE LO QUE MIREMOS Y ESCUCHEMOS, SABREMOS TOMAR LO QUE NOS AYUDE EN NUESTRA LUCHA COMO MUJERES ZAPATISTAS QUE SOMOS, Y LO QUE NO, PUES NO.

PERO NOSOTRAS NO JUZGAREMOS A NADIE.

NO DIREMOS QUE ESTO ESTÁ BIEN O ESTÁ MAL.

NO LAS INVITAMOS PARA JUZGARLAS.

NI TAMPOCO LAS INVITAMOS PARA COMPETIR.

LAS INVITAMOS PARA ENCONTRARNOS COMO DIFERENTES Y COMO IGUALES.

AQUÍ HABEMOS COMPAÑERAS ZAPATISTAS DE DIFERENTES LENGUAS ORIGINARIAS. YA VAN A ESCUCHAR LAS PALABRAS COLECTIVAS DE LAS MUJERES DE CADA ZONA.

NO ESTAMOS TODAS.

SOMOS MUCHAS MÁS Y ES MUCHA MÁS LA RABIA Y EL CORAJE QUE TENEMOS.

PERO NO NADA MÁS POR NOSOTRAS ES NUESTRA RABIA, O SEA NUESTRA LUCHA, SINO QUE POR TODAS LAS MUJERES QUE SON VIOLENTADAS, ASESINADAS, VIOLADAS, GOLPEADAS, INSULTADAS, DESPRECIADAS, BURLADAS, DESAPARECIDAS, PRESAS.

Perhaps you will respond, no.

Or perhaps you will respond, yes, we did reach an agreement.

Maybe when they ask you what the agreement was, you will say, "We agreed to live, and since for us to live is to struggle, we agreed to struggle, each according to her way, her place and her time."

And maybe you'll also respond, "and at the end of the gathering we agreed to come back together again next year in Zapatista territory because they invited us for another round."

That is all our words for now, thank you for listening to us.

Long live all the women of the world!

Death to the patriarchal system!

From the mountains of the Mexican Southeast,

The Zapatista Women.

March 8, 2018, Chiapas, Mexico, the World

ENTONCES TE DECIMOS, HERMANA Y COMPAÑERA, QUE NO LES PEDIMOS QUE VENGAN A LUCHAR POR NOSOTRAS, ASÍ COMO TAMPOCO VAMOS A IR A LUCHAR POR USTEDES.

CADA QUIEN CONOCE SU RUMBO, SU MODO Y SU TIEMPO.

LO ÚNICO QUE SÍ LES PEDIMOS ES QUE SIGAN LUCHANDO, QUE NO SE RINDAN, QUE NO SE VENDAN, QUE NO RENUNCIEN A SER MUJERES QUE LUCHAN.

Y YA PARA TERMINAR LES PEDIMOS ALGO ESPECIAL EN ESTOS DÍAS QUE VAN A ESTAR CON NOSOTRAS.

VIENEN DE VARIAS PARTES DE MÉXICO Y DEL MUNDO, HERMANAS Y COMPAÑERAS YA DE EDAD, "DE JUICIO" LES DECIMOS NOSOTRAS.

SON MUJERES QUE YA TIENEN AÑOS Y QUE LUCHAN.

ENTONCES LES PEDIMOS QUE LES TENGAN RESPETO Y CONSIDERACIÓN ESPECIAL, PORQUE NOSOTRAS QUEREMOS LLEGAR A SER COMO ELLAS, LLEGAR A TENER EDAD Y SABER QUE SEGUIMOS LUCHANDO.

QUEREMOS LLEGAR A SER MAYORES DE EDAD Y PODER DECIR QUE TENEMOS MUCHOS AÑOS Y QUE CADA AÑO QUIERE DECIR UN AÑO DE LUCHA.

PERO PARA ESO TENEMOS QUE ESTAR VIVAS.

POR ESO ESTE ENCUENTRO ES POR LA VIDA.

Y NADIE NOS VA A REGALAR ESO, HERMANAS Y COMPAÑERAS.

NI EL DIOS, NI EL HOMBRE, NI EL PARTIDO POLÍTICO, NI UN SALVADOR, NI UN LÍDER, NI UNA LÍDER, NI UNA JEFA.

TENEMOS QUE LUCHAR POR LA VIDA.

NI MODOS, ASÍ NOS TOCÓ A NOSOTRAS, Y A USTEDES HERMANAS Y COMPAÑERAS, Y A TODAS LAS MUJERES QUE LUCHAN.

TAL VEZ, CUANDO YA ACABE EL ENCUENTRO, CUANDO REGRESEN A SUS MUNDOS, A SUS TIEMPOS, A SUS MODOS, ALGUIEN LES PREGUNTE SI SACARON ALGÚN ACUERDO. PORQUE ERAN MUCHOS PENSAMIENTOS DIFERENTES LOS QUE LLEGARON EN ESTAS TIERRAS ZAPATISTAS.

TAL VEZ ENTONCES USTEDES RESPONDEN QUE NO.

O TAL VEZ RESPONDEN QUE SÍ, QUE SÍ HICIMOS UN ACUERDO.

Y TAL VEZ, CUANDO LES PREGUNTEN CUÁL FUE EL ACUERDO, USTEDES DIGAN "ACORDAMOS VIVIR, Y COMO PARA NOSOTRAS VIVIR ES LUCHAR, PUES ACORDAMOS LUCHAR CADA QUIEN SEGÚN SU MODO, SU LUGAR Y SU TIEMPO".

Y TAL VEZ TAMBIÉN RESPONDAN "Y AL FINAL DEL ENCUENTRO ACORDAMOS VOLVER A ENCONTRARNOS EL AÑO QUE VIENE EN TIERRAS DE LAS ZAPATISTAS PORQUE ELLAS NOS INVITARON OTRA VUELTA".

ES TODA NUESTRA PALABRA, GRACIAS POR ESCUCHARNOS.

¡QUE VIVAN TODAS LAS MUJERES DEL MUNDO!

¡QUE MUERA EL SISTEMA PATRIARCAL!

Desde las montañas del Sureste Mexicano.

Las mujeres zapatistas.

Marzo 8 del 2018, Chiapas, México, el Mundo.

OF THE WEB AS HOMEFRONT
(IN REGARDS TO FREEDOM OF SPEECH
AND FREEDOM(S) IN GENERAL)

shawné michaelain holloway

In the year 2022, the use of the word Web, as in World Wide Web, is generally passé as “the Web” has been replaced by the term “the internet.” The distinction between these two terms is that the Internet is the medium (a network of devices interconnected via cables, satellites, or wireless media) with which the Web, a collection of documents (or websites), is built and hosted. The fascinating part is how we’ve chosen to focus our naming decisions on the structure (the Internet, a network of networks) rather than the actual service (the World Wide Web) we use to make that structure, and the information it contains, visible and accessible—but maybe that’s not by mistake. The liberatory potentials of digitized space have always been tethered to the regulation of Language and, by extension, all freedom(s) on the Internet.

The possibility of a truly open Internet has been throttled by colonial, capitalist regimes since the Internet’s inception, implemented by corporate efforts that keep the Web’s general user-base oblivious to the significant principles behind the creation of digital technologies. A brief genealogy of the relationship

between forms of language and networked technology might help us understand how our notion of technology-as-modern-day-savior has been shaped by the politics of the initial construction of digitized space, just as a consideration of artists' use and misuse of network technology offers generative revisionist histories and makes it clear that there are folks out there dreaming up the Internet's next radical future(s).

FRONTIERS

Thinking through the history of technology as a fluid mode of transportation for rich and abstract content, we see everything from the lightbulb to Morse code to fintech \hookrightarrow 1 applications as creating agility for the communication of different types of complex signifiers that either replace written language or provide a subtext for that language with gestural relationships and expressions (which we will also give the name Language). The Web's dynamic system of paths and destinations engenders and distributes abstractions of these Languages and Language systems. These systems not only perform the efficient computation and storage of information, but also more domestic but complicated exchanges of information including but not limited to spoken Language through the transmission of audio visual representation of nuanced human functions (or feelings) through video chat services and more. Not only are these examples of the limitlessness of what networks should be charged with communicating exactly what makes the Internet, and by extension the Web, so dynamic, but such limitlessness is also what makes it such a beautifully mysterious, risky, and desirable place to inhabit.

The history of colonizing physical sites like new land masses and outer space has shown us what happens when the mysterious is misunderstood and subsequently othered. In the late 1960s, when the United States Department of Defense built

May 27, 1968

United States v. O'Brien

The Supreme Court upholds the conviction of David Paul O'Brien, an antiwar protester accused of violating a federal statute prohibiting the public destruction of draft cards. O'Brien claims that the burning of draft cards is "symbolic speech" protected by the First Amendment.

the world's first packet-switching \hookrightarrow 2 network—the Advanced Research Projects Agency Network (ARPANET)—for a moment, it seemed as if opening digital space might seek to push against the need to continually conquer and appropriate previously unknown territories. However, the fact that the Internet and the Web are places promised to "everyone" rather than being discrete bodies and lands is in fact central to digital culture's ongoing savior myth.

In the 1990s, academics touted the now-classic metaphor of the Web as the (American) Wild West as a way to describe the Internet: infinite exploration of uninhabited expanse, never-before-seen financial success through hard labor, exciting unknown vacancies full of viable financial prospects, intellectual pleasures, and visually stimulating catharsis for the average user-consumer. \hookrightarrow 3 Much like panning for gold, excavating your plot of land (which, for Web users,

looked like making your own website) took on the aesthetics of your own personal taste and style. Today, such a settler mentality has thoroughly colonized the Web, as development styles have been passed down and are reflected everywhere, for instance, in the curriculums at code schools that promise large salaries based on the latest development trends. These trends, largely crafted by white men on payrolls of research institutions or private corporations, promise to maximize your productivity and increase the resulting rewards awaiting you. As "best practices" of web development have progressed, every user has

Pickering v. Board of Education of
Township High School District 205,
Will County

June 3, 1968

The Supreme Court rules that school board officials violated the First Amendment rights of Illinois public school teacher Marvin Pickering, who was fired for writing a letter critical of the school administration to a local newspaper. The Court writes that the “problem in any case is to arrive at a balance between the interests of the teacher, as a citizen, in commenting upon matters of public concern and the interest of the State, as an employer, in promoting the efficiency of the public services it performs through its employees.”

been forced to adopt and adapt to these new development styles (and/or coding languages) with minimal ability for variation.

Unfortunately, our presumed consent to these vast sets of uniform development standards (uncoincidentally also classified as Languages or Libraries) does affect our ability to develop and create for the kind of Web that was promised to us. Our ability to enact freedom, but especially freedom of speech, on today’s version of the Web is already lost. We have unwittingly forfeited these dreams to settle for some-

thing that we can consider “close enough.”

Some of us remember that utopia and revisit the Wild West Web as it once was—or even go as far as to grieve its loss.

New media artist jonCates’s 2019 film 鬼鎮 (*Ghosttown*) reimagines the Web’s frontier as a purgatory-like dream-space metaphor offering one vision of how we can begin “connecting yesterday’s traumas and technologies to those of today.” ↪ 4 Using classic Western film tropes like “the showdown” as guideposts, Cates discusses reparations, first contacts, nostalgia, and

ghostly transitions through a stark, rough, and bit-crushed black-and-white moving image composition.

Beginning in 2012, my own work as an artist has addressed fantasy and the network directly, calling attention to the ways we can imagine and rewrite rigid systems through poetry and performance art. For example, *The Chamber Series* (2017) is a twenty-part hybrid performance and publishing project that tells the story of nested power dynamics through a series of graphically notated scores that function as short, imaginary, coded programs that, once “played,” “run” as BDSM ↪ 5 scenes. The use of “play” in the work replicates Language, central to both software as well as BDSM. To “play” a DVD or a software program, for example, means to begin or start decoding the data of a media that could not be viewed or heard without that media’s specific reading devices. To “play” in the kink community is to explore a type of desire that would likely not be feasible within the current structure of reality without players consenting to the beginning and end of prearranged behaviors allocated specifically to a mutually-experienced alternate reality. In *The Chamber Series*, rewriting, or sometimes literally rewiring, presents an opportunity or condition for decolonization by creating space for a co-existing multiplicity of encoded systems that fit and flatter the given media, creator(s), or decoding apparatuses. *The Chamber Series* and my many other works discussing “play” are dark, queer love stories reflecting on the questions of choice and excessive predetermination (mainstreaming) in the visual and linguistic landscapes of digital culture and space.

HYPertext GENEALOGIES, PLURAL

My interest in decolonial methods of producing work on and offline has always been in conversation with those historical trends in web development that have been geared towards

always already covering up their true identities as Language-based entities. Contemporary screen-based technology development methodologies began by casting out dialogue-based terminals and keyboard-dependent navigation systems of early computers in favor of robust visual animations and trackpad interaction. Next, the Graphic User Interface (GUI) and subsequent formation of the User Experience Design (UX) discipline aided in this reduction of transparency by taking networked computers from chatty text portals running on black screens to white, image-powered spaces featuring “windows” in which we’re able to be productive, see color, watch video, and view inline images.

However, because the main purpose of the Web is, was, and presumably always will be information retrieval and exchange, by no means did Language disappear in the standardized, sleek, clean, and supposedly neutral, contemporary desktop environment. The printed book form that provided the initial model for the Internet and the Web was merely relocated and depopularized, though it continues to structure our engagements with the Internet and Web alike. During the earliest stages of the Internet before the Web, computer scientists and engineers like Brewster Kahle (who eventually became the founder of the Internet Archive) modeled services on the ever-popular notion of electronic publishing, defined as “publishing [and distribution] over wires.” ↪ 6

In 1960, American interdisciplinary scientist Ted Nelson began creating the foundations for the now legendary Xanadu, a network inspired by Vannevar Bush’s hypothetical Memex machine (1945), ↪ 7 specifically set up to work against using the book as a model for the Internet. Lasting for more than thirty years, Xanadu was an Internet project constructed through vast collections of hypermedia and hypertext, terms Nelson defined in his 1974 book, *Computer Lib/Dream Machines*. To him, hypertext-based structure should look like an array of “non-sequential

July 5, 1968

Adoption of the Federal Flag
Desecration Law

Congress approves and President Lyndon B. Johnson signs the Federal Flag Desecration Law in the wake of a highly publicized Central Park flag burning incident in protest of the Vietnam War. The federal law makes it illegal to knowingly cast “contempt” upon “any flag of the United States by publicly mutilating, defacing, defiling, burning or trampling upon it.” The law defines a flag in an expansive manner similar to most states.

text document[s with] jump-links, visibly connected parallel pages, being able to see the original context, [and an] automatic payment system for authors of information.” ↪8

He began thinking about Xanadu “like any other media, by figuring out what effects [he] want[ed] and...what technicalities [were] required to bring about those effects.” ↪9 Accordingly, he designed Xanadu around discouraging the imposition of characteristics from existing media to this new medium, from the book (sequential pages packed in a portfolio) to the screen (a surface with endless display possibilities) to the Internet. The Xanalogical structure became a nonlinear way to interact with information:

organized in color-coded maps over black, blank space showed connections between submitted content that not only enabled users to learn from this content but also to investigate it. The plan was that all content on Xanadu would be indexed and sourced back to its original author in a system more akin to an entire library rather than a book.

Had Xanadu succeeded, it would have eliminated the white paper analogy and standard for computational innovation—but Tim Berners-Lee’s similarly hyperlinked but still very book-binary World Wide Web project was completed and was on track to becoming the Internet service we use today. Xanadu

February 24, 1969
 Tinker et al. v. Des Moines
 Independent Community School
 District et al.

The Supreme Court rules that Iowa public school officials violated the First Amendment rights of several students by suspending them for wearing black armbands to protest U.S. involvement in Vietnam. The Court determines that school officials may not censor student expression unless they can reasonably forecast that the expression will cause a substantial disruption of school activities.

and what little support it had from its team and Autodesk vanished.

To think alongside American Artist, this highly structural effacement of Language is part and parcel of the colonial roots of web development and central, as I noted earlier, to the Wild West metaphors that continue to influence how we approach digital technologies. In their essay “Black Goopy Universe,” they remind us that Whiteness, as it often follows in the wake of the ruin (or literal death) of darkness and Blackness, both requires and multiplies “market driven products that are anti-black, an echo chamber of white ideals (i.e. an ivory tower), and the creation of public-

facing devices and platforms where white space is posited as neutral.” ↪¹⁰ From its developers, the Web has inherited this faux neutrality as a method of making itself more legible for early adopters. While neutrality might sound like a desirable element of freedom, there can be no freedom without equity, as equity cannot exist alongside neutrality. In contrast, equity defines and prioritizes fairness in the allocation of a given resource. American Artist’s presentation of a racialized color theory is one way to measure the effects of GUI; a What You See Is What You Get (WYSIWYG) ↪¹¹ apparatus that relies on basic human psy-

chology connecting familiar visual cues with notions of trust and sometimes safety.

When Tim Berners-Lee's Web became the Internet standard, the white, linear, page-focused, copycat structure of the book became locked into our imagination. It has since dictated what kinds of content can and should be created for the entirety of the digital space. The familiarity-cum-legibility of the structure of the book form, loaded with white Western ideologies of how knowledge is produced and circulated, tricks us into thinking that we are held to exactly the same standards as those made for words on a page, and that the Internet is somehow the answer to analog printing technology's seemingly unsolvable shortcomings. This is understandable when we consider the purpose of the earliest Internet services such as transmitting academic research and cataloging information from libraries across long distances. But it is no longer logical when we think, as Xanadu tried with its library catalog card model, of how to liberate the future's more complex, gestural knowledge. The primary cause of Xanadu's downfall was its abstraction and complexity, how it incorporated the fantasy of limitless exploration and intellectual playtime and separated knowledge from predatory profit-generating systems. This is where the real tension between the progress of networked technology and the freedom of the individual culminates.

OLD SYSTEMS, NOT BROKEN SYSTEMS

Legibility in digital space is directly correlated to complexity. The more complex and unfamiliar a given technology is, the less well-received it will be. Technology producers are therefore oriented toward streamlining and even erasing any complexities of the present (otherwise known as convenience-making) in pursuit of maximizing the complex qualities of the future, which,

coincidentally, is identical within various struggles towards different types of freedom for the individual.

One thing some individuals, especially those who are power hungry, want more than freedom is convenience: powers that seek to standardize and unite rather than branch, almost always promise (without always delivering) and prioritize (without fail) certain types of freedoms for certain types of movement, wealth, and intellectual activities. And considering how the creators of the Web, the Internet, and nearly (if not all) the other protocols and services mentioned in this conversation have been created by white cis men, the question is: Who do you think comprises the mainstream selecting powers that the Internet service providers, network engineers, computer scientists, and others currently favor?

It's rare to hear a discussion of popular networked technologies outside of the lens of white, Western systems. Scholar Kara Keeling's 2014 essay "Queer OS" ^{↳12} is one example, as is the very stylish, direct response from Fiona Barnett, Zach Blas, Micha Cárdenas, Jacob Gaboury, Jessica Marie Johnson, and Margaret Rhee entitled "Queer OS: A User's Manual." ^{↳13} Both are fantastic speculations into what a queer operating system might look like, citing a platform built on top of or adjacent to the existing standardization protocols. These texts are great thought experiments on how to successfully push forward new methodologies for creating space for more freedom(s) within digital space. The stakes for the implementation of queer frameworks are evermore urgent when we behold the historical, foundational technologies that laid the groundwork for what could have prevented the freedom-squashing, linear book-mimicking protocols we live with today.

Artists like Tabita Rezaire are doing the work of Queer OS as well. Rezaire's video *Premium Connect* (2017) functions like a documentary, suggesting that we look to ritual systems to counter our customary understandings of the origins

April 7, 1969

Brandenburg v. Ohio

The leader of a Ku Klux Klan group is convicted under Ohio law and sentenced to prison primarily on the basis of a speech he made at a Klan rally. The Supreme Court unanimously rules that speech advocating the use of force or crime is not protected if (1) the advocacy is “directed to inciting or producing imminent lawless action” and (2) the advocacy is also “likely to incite or produce such action.”

of computing science. In it, Rezaire thinks alongside other networks “to (re)think our information conduits,” ↪¹⁴ ranging from “the fungi underworld” to “African divination systems such as the Ifa system of the Yoruba people of East Africa, which appears to be the origin of binary mathematics, today the functioning principle of computing sciences.” ↪¹⁵ Throughout *Premium Connect*, we are presented with the idea that voices can be heard and amplified through ritual systems (Languages and the communicators thereof) that press directly against Eurocentric notions of the method and pace of transmitting information.

REFACTORING

In computer programming, there is a process called “refactoring” that happens when a program is already built and a programmer would like to enhance it but not change the structure’s purpose or functionality. ↪¹⁶ You do this by identifying “code smells,” or types of invisible bugs, and performing the proper streamlining methods on that code, making that section easier and more effective for others to work with and integrate into new systems in the future. Because it’s hard to imagine a world where we could replace the Web with an entirely new system that would suddenly fix all its failings, it might be useful to find a method of refactoring it, making the inner workings of the Web, a complex

Street v. New York

April 21, 1969

The Supreme Court holds that New York cannot convict a person based on their verbal remarks disparaging the flag. Street was arrested after he learned of the shooting of civil rights leader James Meredith and reacted by burning his own flag and exclaiming to a small crowd that if the government could allow Meredith to be killed, “we don’t need no damn flag.”

behemoth, at least more suited toward a malleable future and the liberation of the individual user. ↳17

However, in order to refactor the Web, a collective decision must be made about what it should and should not be used for moving forward. It is likely that privileges and conveniences to which users have become accustomed will be difficult to discard, even in the name of space that supports truer freedom(s).

Initiatives towards a Web that centers freedom have long been in motion thanks to writers, scholars, developers, and artists. Some find and study the errors and disadvantages of their era’s dominant virtual networks, visionaries such as Xanadu’s Ted Nelson mentioned earlier. There are others who have triggered or experimented with the Web’s shortcomings and inconsistencies, including artists from the collective Electronic Dis-

turbance Theater, who used creative coding to create platforms for server-jamming virtual protests, and the larger Glitch movement, that made space for the beauty and richness of failures. There are also those who are given opportunities to build on top of our networked landscape, like indie game developers, journalists, or social media users. They collectively work together to mold digital culture through Language—poetics, multilingual text content, coding languages, etc.—into a comfortable tool that centers support for the free and open distribution of whatever, including but not limited to basic individual freedoms like

the freedom of speech, freedom of choice, movement, and innovation.

However, when something is broken although we've tried our hardest to fix it, we are forced to begin to consider getting a new one. In the same way, Ted Nelson recognized that the medium of the book wasn't suitable for the screen, we should begin to recognize which characteristics of the Web aren't a good look for the Internet—or for us.

1 Fintech is a term referring to software and applications built to support financial services.

2 Packet switching is a method of transmitting information from one location to another in which data is disassembled into smaller groups and routed through separate channels in order to be reassembled on the other side as quickly and efficiently as possible.

3 It is important to note that preceding this version of the Web was a myriad of services and protocols that also competed in a Wild West version of the Internet for footholds in their own dominance amongst the network; amongst these now defunct

and unused, or perhaps some would say silenced, networks are USENET, NSFNET, the Wide Area Information Server (WAIS), Telnet, and more.

4 “jonCates: 鬼鎮 (Ghosttown),” *Conversations at the Edge (CATE)*, posted November, 12 2018, 2018. sites.saic.edu/cate/2018/11/12/joncates-%E9%AC%BC%E9%8E%AE-ghosttown/.

5 Bondage, Discipline, Sadism, and Masochism (BDSM)

6 Xerox PARC, “Wide Area Information Servers (WAIS) Launch Lecture,” Internet Archive, November 29, 2004. <https://archive.org/>

details/wais_supercomputer_parc.

7 Notion, Tools & Craft: Ted Nelson. *Youtube*. Uploaded by Notion, January 31, 2019. <https://www.youtube.com/watch?v=JN1IBkAcJ1E>.

8 Triangulation, episode 164, “Ted Nelson,” hosted by Leo Laporte, August 18, 2014, <https://twit.tv/shows/triangulation/episodes/164,11>: 45.

9 Triangulation, episode 164.

10 American Artist, “Black Goopy Universe,” *unbag*, winter 2018. <https://unbag.net/end/black-goopy-universe>.

11 A WYSIWYG is a user interface that streamlines often web-focused code or document-formatting processes, a piece of software that allows users to design an environment or document via a drag-and-drop feature. As the program records the user’s changes, the WYSIWYG

transposes the visual composition into code or other information in real time.

Examples of WYSIWYGs are the coding software Adobe Dreamweaver and Muse or the late net art platform NewHive.com.

12 Kara Keeling, “Queer OS,” *Cinema Journal* 53, no. 2 (2014): 152-157. <https://muse.jhu.edu/article/535715>.

13 Fiona Barnett, Zach Blas, Micha Cárdenas, Jacob Gaboury, Jessica Marie Johnson, and Margaret Rhee, “QueerOS: A User’s Manual,” *Debates in the Digital Humanities* (2016): 5. dhdebates.gc.cuny.edu/read/untitled/section/e246e073-9e27-4bb2-88b2-af1676cb4a94, <https://dhdebates.gc.cuny.edu/projects/debates-in-the-digital-humanities-2016>.

14 Tabita Rezaire, “Premium Connect,” *Temporary Art Review*, January 9, 2019. <http://temporaryartreview.com/premium-connect/>.

165 Anticipation

15 Ibid.

16 Judgement phrases like “clean code” and “good code” and “bad code,” while often associated with refactoring, are not relevant in this discussion.

17 There is a long genealogy of thinkers mapping flaws in the Web and the internet to corresponding solutions. In one example, Media Archaeology Lab founder Lori Emerson engages John Day in the interview “What’s Wrong with the Internet and How to Fix It—Interview with Internet Pioneer John Day,” in a conversation regarding problems deep within the internet protocol suite. Their conversation, like mine and many others, ends addressing the overwhelming sense of disbelief in the possibility of fundamentally altering the nature of the network.

February 23, 1971 Baird v. State Bar of Arizona

The Supreme Court, in a 5–4 ruling, concludes that a state’s power to inquire about a person’s beliefs or associations is limited by the First Amendment, which prohibits a state from excluding a person from a profession solely because of membership in a political organization or because of their beliefs.

June 30, 1971 New York Times Co. v. United States

The Supreme Court allows continued publication of the Pentagon Papers. The Court holds that the central purpose of the First Amendment is to “prohibit the widespread practice of governmental suppression of embarrassing information.” This case establishes that the press has almost absolute immunity from prepublication restraints.

June 22, 1973

Miller v. California

The Supreme Court defines the test for determining if speech is obscene: (1) whether the “average person applying contemporary community standards” would find that the work, taken as a whole, appeals to the prurient interest; (2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and (3) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

June 25, 1974

Miami Herald Publishing Co.,
Division of Knight Newspapers, Inc.
v. Tornillo

The Supreme Court invalidates a state law requiring newspapers to give free reply space to political candidates the newspapers criticize. The Court rules that the right of newspaper editors to choose what they wish to print or not to print cannot be infringed to allow public access to the print media.

May 24, 1976

Virginia State Board of Pharmacy et al. v. Virginia Citizens Consumer Council, Inc. et al.

The Supreme Court rules that the public has a First Amendment right to the free flow of truthful information about lawful commercial activities. The Court invalidates a Virginia law prohibiting the advertisement of prescription drug prices.

April 26, 1978

First National Bank of Boston et al. v. Bellotti, Attorney General of Massachusetts

The Supreme Court rules that a state criminal statute that forbids certain expenditures by banks and business corporations for the purpose of influencing the vote on referendum proposals violates the First Amendment.

June 14, 1978

National Socialist Party of America et al. v. Village of Skokie

The Illinois Supreme Court rules that the National Socialist Party of America, a neo-Nazi group, can march through Skokie, a community inhabited by a number of Holocaust survivors.

July 3, 1978

Federal Communications Commission v. Pacifica Foundation et al.

The Supreme Court upholds the power of the Federal Communications Commission to regulate indecent speech broadcast over the air. The Court allows FCC regulation because the broadcast media are a “uniquely pervasive presence” and easily accessible to children. The Court, however, makes it clear that, although the government can constitutionally regulate indecent speech in the broadcast media, it does not have power to enforce a total ban on such speech.

June 20, 1980

Central Hudson Gas & Electric
Corporation v. Public Service
Commission of New York

The Supreme Court sets forth a four-part test for determining when commercial speech may or may not be regulated by states. The test states that: (1) the commercial speech must not be misleading or involve illegal activity; (2) the government interest advanced by the regulation must be substantial; (3) the regulation must directly advance the asserted government interest; and (4) the government regulation must not be more extensive than is necessary to serve the government interest at stake.

July 2, 1980

Richmond Newspapers, Inc. et al.
v. Virginia the Supreme Court et al.

The Supreme Court rules that the right of the public and press to attend criminal trials is guaranteed under the First and Fourteenth Amendments.

June 25, 1982

Board of Education, Island Trees
Union Free School District No. 26 et al.
v. Pico, By his next friend Pico et al.

The Supreme Court rules that school officials may not remove books from school libraries because they disagree with the ideas contained in the books. The Court states that “the right to receive ideas is a necessary predicate to the recipient’s meaningful exercise of his own rights of speech, press, and political freedom,” and makes clear that “students too are beneficiaries of this principle.”

July 2, 1982

New York v. Ferber

The Supreme Court rules in *New York v. Ferber* that child pornography is not protected by the First Amendment.

July 2, 1982

National Association for the
Advancement of Colored People et al.
v. Claiborne Hardware Co. et al.

The Supreme Court holds that while states have broad power to regulate economic activities, there is no comparable right to prohibit peaceful political activity such as that found in peaceful political boycotts.

August 11, 1984

Congress passes the Equal Access Act

A federal law, the *Equal Access Act*, prohibits secondary schools that are receiving federal financial assistance from denying equal access to student groups on the basis of religious, political, or philosophical beliefs or because of the content of their speech.

Queer Darkness ↪¹
Zach Blas

In September 2011, as the Occupy Wall Street encampment at Zuccotti Park swarmed with protesters in Guy Fawkes masks popularized by the hacktivist group Anonymous, the New York City Police Department resurrected an 1845 law that deemed two or more people wearing masks in public illegal, unless a masquerade party was being thrown. The police failed to recognize, however, that a global masquerade was already under way.

From Occupy and the Arab Spring to black blocs and Pussy Riot, a particular politics of appearance is playing out today focused on obfuscation, imperceptibility, invisibility, and illegibility. The common enemy is political representation, here defined as “legitimizing”—often state-sponsored—processes conducted by techniques of recognition. Simply, representation is what makes something intelligible, visible, and classifiable on the state’s terms or other dominant modes of standardization. This is why cultural theorist McKenzie Wark clearly states, “All representation is false.” ↪² In this politics of the not-identifiable, what follows after the refusal of representation is varied: while Wark’s alternative is the politics of the hack, virtuality, and

expression, philosopher Giorgio Agamben's abandonment of representation and identity is found in the concept of whatever singularity, which he proclaims accurately describes the coming community of political revolt. Occupy's slogan of "No Demands" also resists representational legitimation by withdrawing from political negotiation with the state. There is the autonomist Marxist tradition of exodus and desertion, which Michael Hardt and Antonio Negri highlight with Herman Melville's character Bartleby, whose declaration "I would prefer not to" is read as a refusal so absolute that Bartleby is reduced to pure passivity, a generic being, that is outside of classification. ↳3 The art collective Bernadette Corporation's video on "identity-less" protest is titled after the command that Bartleby undoubtedly follows—*Get Rid of Yourself*.

Such withdrawals recall the writer Hakim Bey's temporary autonomous zone (TAZ) as well as media theorists Alexander Galloway and Eugene Thacker's technological updating of TAZ with the tactics of nonexistence. While protest tactics to evade recognition, such as masked protest, are visually iconic to this politics, perhaps it is the writings of the Invisible Committee and Tiqqun, described as "ultra-left" and "pre-terrorist" by the French government, that best capture this general sentiment. In *The Coming Insurrection*, faceless actions and fictional acronyms are encouraged: "Flee visibility. Turn anonymity into an offensive position," they write. ↳4 In an earlier text, "How Is It to Be Done?," they state, "I need to become anonymous. In order to be present. The more I am anonymous, the more I am present." ↳5 In another early text, "The Cybernetic Hypothesis," they succinctly claim that "fog makes revolt possible." ↳6 This varied political stance, if it is united at all, demonstrates a withdrawal from forms of recognition control as well as a refusal or antagonism toward becoming perceptible and intelligible to powers of domination. What is left is a presence that strives to be illegible.

February 24, 1988

Hustler Magazine and Larry C. Flynt
v. Jerry Falwell

Hustler magazine publishes a parody of a liquor advertisement in which televangelist Jerry Falwell is depicted in a lewd manner. A unanimous Supreme Court rules that a public figure must show that actual malice was committed by a publication in order to recover money for intentional infliction of emotional distress. The Court rules that political cartoons and satire “have played a prominent role in public and political debate.”

These political desires have coincided with a global financial crisis, multiplying uprisings, and brutal police violence. Ours is an age that has been called Empire, Deleuzian Capitalism, the Fourth World War, and digital and liquid capitalism—all emphasizing rapid, neoliberal flows, fluxes, and networks of protocological control, management, and informatic capture. This is Tiqqun’s cybernetic capitalism, an imperial government where all life is networked, administered, and programmable. ↳7 Similarly, Galloway and Thacker have labeled the current century as an “era of universal standards of identification” by pointing toward technologies like genomics, biometrics, real-time tracking, and collaborative filters that

bind identification with locatability. ↳8 “Henceforth,” they write, “the lived environment will be divided into identifiable zones and non-identifiable zones, and non-identifiables will be the shadowy new ‘criminal’ classes—those that do not identify.” ↳9 Such statements affirm that this politics of the imperceptible is an identity politics, so for those who celebrated the collapse of such ventures at the close of the 1990s, identity—or identification—politics are back (but, of course, they were never really gone). This all suggests twists and turns for queerness, to which I will attend shortly.

Texas v. Johnson

June 21, 1989

The Supreme Court rules that burning the American flag is a constitutionally protected form of free speech.

Notably, the perceptual tone to this politics is darkness. A general definition of darkness, is the absence of visible light; its appearance black in color. ↳¹⁰ In darkness, identification and classification become difficult, if not impossible. The black bloc embodies such darkness, but there is also a pervasive, multifarious darkness casting its shadow across the intellectual spectrum. In speculative realism, a strand of continental philosophy, ontological darkness and dark vitalism figure as concepts that stress the ontological obscurantism of nature, a cosmic nihilism, at once terrifying, cold, and indifferent to the human; a darkness, which, at its root, is the product of men taking pleasure in the monstrosities of H.P. Lovecraft. It is a darkness that formally denies access, just as Graham Harman's objects, in his object-oriented philosophy, forever-withdrawal from the world, so that they are never fully known. In contemporary art, Gregory Sholette has adapted the concept of dark matter to describe artistic production that remains invisible to the art world proper. In media theory, Alexander Galloway has written of a "dark Deleuzianism" as the flipside to rhizomatic cyber-utopianism. ↳¹¹ In his essay "Black Box, Black Bloc," Galloway charts the coterminous rise of cybernetics and black box technologies with invisible revolt tactics, like the black bloc. He writes, "Today, it is no longer a question of simply the enemy's black box but the black boxing of the self." ↳¹² This black boxing of the self—this politics of the imperceptible, invisible, nonidentifiable—is a withdrawal that is a darkening out or making illegible as an antagonistic refusal. Here, darkness becomes the shade of being-against.

Now, queerness also has its darkness. In his 2011 book *The Queer Art of Failure*, Jack Halberstam articulates a queer darkness through the writings of critical race scholar Daphne Brooks and the black mirror paintings of Monica Majoli. Although queer darkness might evoke the isolation, pain, unattainability, and horror of dark vitalism, it is directly coded as cultural, political, and social; queer darkness' horror is the stuff of failure and the miserable. Queerness teaches us that darkness has gendered, sexed, and raced dimensions, and therefore aligns with Galloway's black boxing of the self. Halberstam writes, "Darkness becomes a crucial part of a queer aesthetic... an aesthetics of opacity...an interpretative strategy...as well as a way of being in the world...the queer subject as shadow and shadowed seems to cast the construction of queerness as secondary to the primacy of heterosexual arrangements of gender and relationality, but in fact it comments upon the disruptive potential of shadow worlds." ↪¹³ Queer darkness is the refusal to cohere, to become legible, to see like a state; it also carefully attends to the relations of darkness and blackness. ↪¹⁴ Queer darkness bursts forth from colonial rage, Black struggle, and the decolonial project. Halberstam considers queer darkness as something that forms through particular subject positions, like the colonized and the slave, but also the punk, anti-social feminist, and butch woman. These subjects, dark for specific and different reasons, turn darkness into an opportunity for resistance, protest, and struggle.

Yet, if the politics of illegibility is both a refusal and a withdrawal, Halberstam introduces shadow feminisms to explain the subtractive element of queer darkness. A "weapon of the weak," shadow feminisms convey passivity or inaction, the removal of qualities, unraveling—an "art of unbecoming." ↪¹⁵ There is a negativity at play, connected to the antisocial turn in queer theory, that is decidedly dark and shadowed. Halberstam cites the Caribbean novelist Jamaica Kincaid and the passive

Congress passes the Flag Protection Act

October 28, 1989

The Flag Protection Act punishes anyone who “knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground, or tramples upon any U.S. flag.”

masochistic performances of Yoko Ono and Marina Abramović as examples of such shadowed refusals that are withdrawals into a negative dismantling. Queer darkness is a “startling absence,” a disappearance, the refusal to be. ↪16

If in the past queerness has invested in gaining visibility, why the unintuitive turn to illegibility and darkness, which seemingly evokes literary theorist Leo Bersani’s dreaded “gay absence” once again? ↪17 While film scholar Nicholas de Villiers’s new work on queer opacity traces tactics of illegibility practiced by queer figures throughout the twentieth century, a recent study of biometric facial recognition and sexual orientation presents a contemporary example that engages universal standards of identification and the potential black boxing of the self. The *Journal of Experimental Social Psychology* published a 2008 study conducted at Tufts University that tested people’s supposed ability to identify homosexual men from photos of

their faces. ↪18 Ninety faces were shown to ninety participants, and those tested proved remarkably accurate in their ability to recognize faces that had been classified as homosexual, even when exposed to the face for only fifty milliseconds. Arguably, this study further confirms and scientifically validates one of the processes of homosexual stereotyping, namely “gay face.”

Biometric facial recognition heightens the investment in the face as a site for ethics. Philosophers from Emmanuel Levinas to Judith Butler have argued that the human face is where ethical commitment calls out. Their writings suggest that the

June 11, 1990

United States v. Shawn D. Eichman,
David Gerald Blalock, and Scott W.
Tyler

The Supreme Court invalidates the Flag Protection Act of 1989. The Court finds that the statute violates free speech. Following this decision, Congress considers and rejects a constitutional amendment specifying that “the Congress and the States have the power to prohibit the physical desecration of the flag of the United States.”

more visible and close-up the face, the more it ethnically implores. However, communications theorist Kelly Gates argues that biometric facial detection complicates this ethics because it empowers a regime of identification complicit with neoliberal governance. ↳19 Thus, instead of making the face visible to the other in political struggle, it is now cloaked, hidden, black boxed. The biometric version of fag face appears to necessitate a queer darkening, making the face illegible. French philosophers Gilles Deleuze and Félix Guattari wrote not so long ago: “To the point that if human beings have a destiny, it is rather to escape the face, to dismantle the face and facializations, to become imperceptible, to

become clandestine...by strange true becomings that...make faciality traits themselves finally elude the organization of the face.” ↳20 Yet, knowing the organizations of the face is crucial: “Know them, know your faces; it is the only way you will be able to dismantle them and draw your lines of flight.” ↳21 Deleuze and Guattari have sketched nothing less than an outline for the tactical uses of faces.

If queer darkness is a weapon, as Halberstam notes, then the face can be weaponized and biometrics can be used in antagonistic ways. Queer darkness turns the face into a force of refusal.

In the wake of Anonymous and the black bloc, facelessness is a threat, hence the New York City law prohibiting masks. ↳22 There are many examples of weaponizing the face in political protest and revolt, from the Zapatistas, who hide their faces so that they may be seen, to the female freedom fighters in the 1966 film *The Battle of Algiers*, who perform a terrorist drag by wearing their oppressors' clothes and faces in order to break into occupied territory. The artist Arthur Elsenaar has developed electro-facial choreography to liberate the expressive potentials of the face from what he views as the brain's tyrannical rule over the body. All these gestures resonate with the revolutionary fervor and name of the anarchist art group Black Mask. Weaponizing the face through obfuscation also has a queer and feminist dimension, from Chicana feminist Gloria Anzaldúa's writings on "making face" to the more recent pink-toned nonidentifiability of Bash Back!

In Galloway's version of this dark politics, he states, "A practical nonexistence...[a] subtractive being...might be the only thing today that capitalism cannot eventually co-opt." ↳23 For Galloway, this is "the purest form of love," a communization akin to Agamben's whatever community; for Halberstam, this is a celebration of failure. ↳24 Might queer darkness be invested in both this love and failure? Returning to the Occupy protests at Zuccotti Park provides an answer. If masks are one mode of withdrawal, then autonomous network infrastructure is another. In 2011, artist Dan Phiffer created *Occupy.here*, a small darknet that provided Occupy protesters with a WiFi-based network forum that did not require an internet connection. Instead of turning to Facebook and other commercial social media platforms, protesters communicated and organized through *Occupy.here* in order to refuse submission to dataveillance and other digital techniques for tracking, targeting, and identifying. Such autonomous networks are dark in that they offer modes of obscurity to escape networks of surveillance, control, and domination.

Now, autonomous networks proliferate across the world, from local mesh networks built by the Digital Stewards in Detroit to more tactical approaches by Hong Kong democracy and student protestors alike. Here, a mask does not simply hide a face but evokes collective love; an autonomous network fails to cohere to the corporate internet as we know it but opens shadowy communicative potential.

And the queer of it all? Queer darkness is a minoritarian refusal, a fog of illegibility, an opaque being, a nonidentifiable collective presence. Queer darkness rejects compulsory categorization, informatic capture, and other dominant recognition systems. Queer darkness forms through the intersecting struggles of marginal and dispossessed subjects, their social realities, and their political desires. Queer darkness operates by subtracting itself from normative regimes of representation, and also by taking much pleasure withdrawing into a global masquerade of the strange, anonymous, and unrecognizable.

1 This essay was originally published in “Depletion Design: A Glossary of Network Ecologies,” *Theory on Demand 8*, eds. Carolin Wiedemann and Soenke Zehle. (Amsterdam: Institute of Network Cultures, 2012). The version presented here is a variation on an update published in *Fear Eats the Soul*, eds. Omar Kholeif and Sarah Perks. (Manchester: Cornerhouse Publications, 2016).

2 McKenzie Wark, *A Hacker Manifesto* (Cambridge, MA: Harvard University Press, 2004), 208.

3 Michael Hardt and Antonio Negri, *Empire* (Cambridge, MA: Harvard University Press, 2001), 203.

4 The Invisible Committee, *The Coming Insurrection* (Los Angeles: Semiotext(e), 2009), 112.

5 Tiqqun, *Introduction to Civil War* (Los Angeles: Semio-text(e), 2010), 206.

6 Tiqqun, “The Cybernetic Hypothesis.” http://theanarchistlibrary.org/HTML/Tiqqun__The_Cybernetic_Hypothesis.html.

7 Protocol can be defined as the rules and regulations that oversee the functioning of the internet and networks, or as Alexander R. Galloway puts it: “The management style...native to computers in distributed networks.” See Alexander R. Galloway, *Protocol: How Control Exists After Decentralization* (Cambridge, MA: The MIT Press, 2004), 3.

8 Alexander R. Galloway and Eugene Thacker, “On Narcolepsy,” in *The Spam Book: On Viruses, Porn, and Other Anomalies From the Dark Side of Digital Culture*, eds. Jussi Parikka and Tony Sampson (Cresskill, New Jersey: Hampton Press, 2009), 259.

9 Galloway and Thacker, “On Narcolepsy,” 259–260.

10 See entries on “darkness” and “dark” in *Oxford English Dictionary*.

11 Alexander R. Galloway, “Black Box, Black Bloc,” in *Communization and Its Discontents: Contestation, Critique, and Contemporary Struggle* (London: Minor Composition, 2011), 248.

12 Galloway, “Black Box,” 245.

13 Jack Halberstam, *The Queer Art of Failure* (Durham, NC: Duke University Press, 2011), 96–102.

14 Critical race theory actively engages Blackness and escape, taking much care to not formalize darkness and leave behind its racial connotations, like much continental thought. See Fred Moten’s theorization of Blackness as fugitivity in *In the Break: The Aesthetics of the Black Radical Tradition* (Minneapolis:

University of Minnesota Press, 2003); as well as Darby English's *How to See a Work of Art in Total Darkness*.

15 Halberstam, *The Queer Art*, 88.

16 Halberstam, 140, 142.

17 See Leo Bersani, *Homos* (Cambridge, MA: Harvard University Press, 1996).

18 For a summary of this study, see Jesse Bering, "There's Something Queer about That Face," in *Scientific American*, 2008.

19 See Kelly Gates, *Our Biometric Future: Facial Recognition Technology and the Culture of Surveillance* (New York: New York University Press, 2011).

20 Gilles Deleuze and Félix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*. (Minneapolis: University of Minnesota Press, 1987), 171.

21 Deleuze and Guattari, *A Thousand Plateaus*, 188.

22 The coronavirus pandemic has dramatically muddled such mask bans, as New York governor Andrew Cuomo issued an executive order in April 2020 declaring that all people in New York state are required to wear masks or face coverings in public. As New Yorkers—and people around the world—mask up, facial recognitions algorithms are unsurprisingly failing.

23 Galloway, "Black Box, Black Bloc," 250.

24 Galloway, 251.

June 21, 1990

Milkovich v. Lorain Journal Co. et al.

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The Supreme Court determines that there is no wholesale exemption from libel for all statements alleged to be opinions. The Court writes: “We are not persuaded that, in addition to these protections, an additional separate constitutional privilege for ‘opinion’ is required to ensure the freedom of expression guaranteed by the First Amendment.”

December 10, 1991

Simon & Schuster, Inc. v. Members of
the New York State Crime Victims
Board et al.

The Supreme Court invalidates the New York Son of Sam law that requires accused or convicted persons to turn over to the state proceeds from any work describing their crimes. Justice Sandra Day O’Connor finds that the law is overbroad and that it regulates speech based on content.

June 22, 1992 R.A.V. v. City of St. Paul

The Supreme Court invalidates a St. Paul, Minnesota, hate-speech ordinance, saying it violates the First Amendment.

June 29, 1995 Ronald W. Rosenberger et al. v. Rector and Visitors of the University of Virginia et al.

The Supreme Court invalidates a policy denying funds to a Christian student newspaper on free speech grounds. The Court finds that the university committed viewpoint discrimination by denying funding on the basis of religious ideas expressed in the publication.

July 12, 1995 President Clinton orders the Department of Education to send guidelines on religious expression to every public school district in the United States

June 26, 1997

Janet Reno, Attorney General of the
United States et al. v. American Civil
Liberties Union et al.

President Bill Clinton signs the Communications Decency Act into law on February 8, 1996. This is one of Congress's first attempts at regulating pornography on the internet. The act is immediately challenged on First Amendment grounds. The Supreme Court in *Reno v. ACLU* rules that the federal Communications Decency Act of 1996 is unconstitutional. The Court concludes that the act, which makes it a crime to display indecent or patently offensive material on the internet where a child may find it, is too vague and tramples on the free speech rights of adults.

June 25, 1998 National Endowment for the Arts, et al. v. Karen Finley, et al.

The Supreme Court rules in *NEA v. Finley* that a federal statute requiring the National Endowment for the Arts to consider general standards of decency before awarding grant money to artists does not infringe on First Amendment rights. In 1990, The New School had sued the agency, arguing that the NEA requirement that grant recipients pledge to not produce obscene work infringes on their First Amendment right. The suit had been settled out of court.

October 7, 1998 The Child Online Protection Act enacted

The Child Online Protection Act (COPA), which attaches federal criminal liability to the online transmission of material considered harmful to minors for commercial purposes, is enacted by Congress.

May 22, 2000 United States et al. v. Playboy
Entertainment Group, Inc.

The Supreme Court rules that a federal law requiring cable operators to “fully scramble” indecent and sexually explicit programming on adult stations violates the First Amendment.

June 28, 2000 Boy Scouts of America and
Monmouth Council et al. v. James
Dale

The Supreme Court rules that application of a public-accommodation law to force the Boy Scouts to accept a gay scoutmaster is a violation of the private organization’s freedom of association guaranteed by the First Amendment.

May 21, 2001

Bartnicki et al. v. Vopper, AKA
Williams et al.

The Supreme Court rules that a federal law prohibiting the publication of illegally intercepted wire communications violates the First Amendment rights of those who published the communications, though they were not the ones who intercepted them. The Court reasons that application of the law to the defendants in this case “implicates the core provision of the First Amendment because it imposes sanctions on the publication of truthful information of public concern.”

April 7, 2003

Virginia v. Barry Elton Black,
Richard J. Elliot, and Jonathan
O’Mara

The Supreme Court rules that a state law banning cross-burning largely passes constitutional muster. The Court reasons that many cross burnings are so intimidating that they constitute true threats. The Court invalidates a part of the Virginia law that presumed that all cross burnings were done with the intent to intimidate.

May 30, 2006

Gil Garcetti et al. v. Richard Ceballos

A divided Supreme Court holds that when public employees make statements pursuant to their official duties, they are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.

June 26, 2008

Davis v. Federal Election Commission

The Supreme Court sets aside a federal campaign finance law—the so-called Millionaire’s Amendment—that relaxes campaign finance limits for opponents of congressional candidates spending more than \$350,000 of their own money.

Becoming Collective at the End of Time

Jeanne van Heeswijk

To learn which questions are unanswerable, and *not to answer them*: this skill is most needful in times of stress and darkness.

— Ursula K. Le Guin, *The Left Hand of Darkness*

The idea of the “Not-Yet” is foundational to my practice, imagining what *could* be in the present. ↪¹ It is an idea that imagines communal futurity, while remaining rooted in the present as a way to make change *now*, making way for how we might want to be together in the future.

I don’t like to talk about the future. To me, the future projects a linear idea of progress as if we are going somewhere better. But I ask myself, What if you don’t get anywhere? If we are stranded right now, what does it mean? And is there something that we can do right here and now? Answering these questions requires use of the Not-Yet, an imagining of communal futurity.

In 2013, I began a project called *Philadelphia Assembled*, which involved a five-year engagement with a diversity of communities ranging from recent immigrant groups to those advocating for the rights of the incarcerated. ↪² A long-term project, *Philadelphia Assembled*, culminated in an exhibition and takeover of one of the Philadelphia Museum of Art’s buildings with its own community-run kitchen and daily events,

which told stories of radical-community building and active resistance, articulating a collective narrative about the city and some of its most urgent issues. As *Philadelphia Assembled* evolved, this idea of the Not-Yet revealed itself to be important. The Sanctuary working group, for example, was ideating the kind of practices that give and provide spaces of refuge, in the hopes of creating conditions for safer space in the city. Sanctuary emerged as essential to our discussions because of recent U.S. government policies targeting immigrants and asylum-seekers, and an interest in creating spaces of ease for these and other traditionally marginalized groups.

As one of the working groups explored the idea of Sanctuary, its members had difficulty agreeing on one set of common principles, applicable to each of the collaborators networks: LGBTQ+ youth, immigrants from multiple backgrounds, harm reduction practitioners, sex workers, Syrian refugees, and veterans, to name a few of their intersectional identities, so they paused and decided to draw their principles from *attempted* actions. The members went into each others' communities and spaces, including the Attic Youth Center, Broad Street Ministry, and Loas in the House, to name a few, and practicing with each other, they explored and applied various methods they imagined would constitute or provide forms of sanctuary and refuge. All along they withheld judgment on what worked and what didn't. They then came back together and reworked these practiced experiences, which then yielded a sanctuary stewardship curriculum that was practiced collectively in Towards Sanctuary, a physical geodesic dome covered in fabric, with rugs and pillows inside, that created an intimate shelter for these modes of sharing. This, in turn, led to the renaming of the group, Toward Sanctuary, which centered the following question: What are the conditions to create spaces in which we can actually steward ways of being together otherwise?

January 21, 2010

Citizens United v. Federal Election Commission

The Supreme Court concludes that restrictions on the broadcast of ads promoting a critical campaign film about presidential candidate Hillary Clinton violates the First Amendment, thus reaffirming the right to freedom of (political) speech of non-profit organizations, labor unions, and for-profit corporations.

This was an important moment in my thinking, formulating, and preparing for the Not-Yet.

Practicing modes of embodied being together, or thinking about the ways in which we can share different realities and practice them together, becomes the Not-Yet. What are the ways we can commit ourselves in order to share in different realities that are not linear or that are not there yet to be fulfilled? How might these emerge from existing practices in all of their complexity and contradiction? Could this idea of the Not-Yet hold all of these potentialities and remain useful in action?

In typical community-building approaches, sharing realities is often a starting point, because we don't know where to begin and we do not necessarily share lived realities with those we want to build collectivity with. Often this is where embodied

experience is essential to radical, collective work; it is something that must be practiced, being in the same space together and confronting the negotiations that must be undertaken while looking for common ground. How can we embody pain and suffering that is not ours? How do we locate radical ways of being empathic? Radical forms of kinship?

One way of sharing realities in *Philadelphia Assembled* that was especially poignant, painful, and ultimately healing occurred at one of the Reconstructions working group meetings. At this meeting, everyone arrived hurt, mad, and confused

about the police shootings of Black people that occurred in the United States throughout the summer and fall of 2016. One of our core collaborators in this group was Reconstruction Incorporated, a criminal justice grassroots organization and their reentry group, Alumni Ex-Offenders Association, composed of formerly incarcerated men and women. They recognized, as a point of departure, that we are all incarcerated: our communities are occupied by the police, our homelands are being gentrified, and through the education system our children continue to be fed a colonizing narrative. The group then worked with Reconstruction Incorporated and the Alumni Ex-Offenders Association on a dual approach to social change, one that was both internal and external to the individual, examining, challenging, and transforming self and system, self and environment, and self and others to build bridges among knowledge, people, and support structures. From this process empathy, self-transformation, and healing emerged for the working group challenging the realities of carceral state. ↳3 In the words of working group lead artist, master storyteller, educator, and historical performer, Denise Valentine, “We came together to vent, to cry, to find a reason not to give up, to hug. We all left that meeting in a better place, grounded in one another and our work.” ↳4

Sharing realities often requires withholding one’s own ideas, even if only momentarily. This is a very important aspect of practicing finding common ground with another person because withholding creates spaces in which others might be able to step into another’s reality. Withholding creates an opening to approach other kinds of agencies and lived experiences, to see the spaces in-between us and another. By putting our subject position at risk, there can be a renegotiation of one’s desires. Often our subjectivity only allows us to access our own desires, ones that serve us, responding to our histories, and that respond to our past. I think history and the past are such

important parts of constructing the now, but they are different for each person participating in it. If we renegotiate these desires, what is it that we can commit ourselves to that are not realities of our own, that are not “ours” or “mine”? But it is also important to ask who can or cannot take that risk, who can or cannot take time.

An example of this type of negotiation comes from the Sanctuary working group and its engagement with the Attic Youth Center, Philadelphia’s only independent LGBTQ+ youth center that provides crucial counseling and social activities to reduce isolation and cultivate community. At the center, any person arriving at a workshop or program would be greeted by a staffer who would look them in the eyes and say, “I see you, I hear you, I respect you.” This was repeated for every person walking into the room. The question the group asked was whether these commitments to seeing, hearing, and respecting could actually be upheld. What does that mean if we practice this? And what kind of training might be necessary to get to the point of being able to see, hear, and respect?

How to practice things that people value, that are important to other people, was a key learning for me from the Sanctuary working group. Embodied presentness is necessary—practicing by doing, not just through words or performative gestures. Repetition, developing new habits, other ways of being, and not allowing any of these to be fixed in space or time, became tactics, as did allowing for instability as a space of care and learning to become comfortable in this discomfort. Such instability can also create responsiveness to a variety of potential circumstances. Therefore, in order to really know that you’re beginning to learn whatever the required skill at hand may be, you’ve got to face the challenge of manifesting or enacting it in different environments under different circumstances. And these embodied acts of care take place in different forms. Given our individual experiences of the world, how do you

McCutcheon v. Federal Election
Commission

April 2, 2014

Shaun McCutcheon challenged a federal campaign law known as the Bipartisan Campaign Reform Act, which limited individuals to \$48,600 in contributions to candidates and \$74,600 in contributions to political parties, with an aggregate cap of \$123,200. The Supreme Court rules that the aggregate limit unconstitutionally hinders political speech and does not curb corruption, the stated purpose of the act.

practice, or what do you practice, in order to achieve that embodied state of radical empathy and kinship? How do you enact being committed to care as a way of being in the world?

To become collective, then, is to let go of our subject position, not as individuals for an internal exploration but as an engaged and radical collective. What happens when we let go of our subject position in a collective circumstance where we are sharing space, sharing time, sharing love, sharing hate, sharing all of it?—pain, reality, all of it. What happens in that space? And how can we use those collective moments when we relinquish our subject position, and how does this inform the way we need to be in other parallel or highly different

circumstances? To do so requires a specific, explicit form of engagement: we are not entering this collective effort for our own salvation, and it may not follow a direct path, or any path at all.

The ability to stay within this space of the Not-Yet is to forge a path around the linear idea of what we think our subject positions are. Can we practice getting nowhere together?—getting nowhere together as an iterative process that is absolute, not results oriented. It's not about where you come out at the end. It is where you are in the midst of it that is important. In

February 2, 2017

University of California, Berkeley,
cancels appearance by right-wing
commentator Milo YiannopoulosProtests break out at the University of California, Berkeley,
over the cancellation of a talk by Milo Yiannopoulos, an editor
with the far-right media organization Breitbart News. Admini-
strators cancel the event citing “the violence and destruction
of property and concern for public safety” as the two primary
reasons.

the midst of this iterative process hidden things come to light like what evolves during the process, or what stays fixed. Or what revolves around what? What are the levers that cause these shifts?

It just takes a moment to say, “Okay, what is needed right now?” And this was the question that formed the basis of my fellowship research at BAK, *basis voor actuele kunst* in Utrecht, which evolved into a new project, *Trainings for the Not-Yet* (2019). ↪5 It was intentionally designed collectively with those whom we invited to participate, as an exhibition of works, some of my own projects, as well as those of other artists, as anchors for a dreamscape in which we could tie together our desires and potentialities.

The installations themselves were the meeting site of weekly trainings during which collaborators presented their ideas to the public, which always included a free vegan meal created by the BAK Activist Kitchen. The trainings, some discussion-oriented and others more focused on doing or making, were as varied as the artists, activists, organizers, urbanists, and cooks who invented these sessions.

When I first talked about the title of the exhibition at BAK it was *Becoming Collective at the End of Time*. I had been thinking a lot about the future, and how the future is always

September 2017
 Board of Regents of the University
 of Wisconsin adopts a three-strikes
 policy

The University of Wisconsin adopts a three-strikes policy, the strictest of its kind. It states that any student found to have disrupted the free expression of others is to be expelled after a third infraction. Republican-led state legislatures in Arizona, Georgia, and North Carolina have imposed similar policies on public colleges and universities.

positioned as a destination. But it may very well be a worse place, especially if the neoliberal capitalist operatus continues, as we've learned in life, this pandemic being an example.

Currently we are in breakdown mode, a form of instability of not knowing, a darkness, about the future. So, that's maybe the question: How can one prepare for being outside of darkness when one is inside darkness? We are always inside that darkness. If light is the only thing we are preparing for, then we are ill-equipped to handle the darkness of not knowing, which comes before the potential appearance of light. I don't think we have to undo darkness, but rather we must embody darkness in order to understand the possibility of the Not-Yet, that

space of potential learning that can exist within darkness.

For example, at the training at BAK titled QFCPSSBBXOXO, ↪6 culture worker Clara Balaguer, performance artist and poet Sarafina Paulina Bonita, and social designer Gabriel Fontana explored how minds, bodies, and voices can be used as tools for critical and physical self-defense in times of violence. They talked about safer spaces; through queer and feminist lenses, they discussed violence and violence against the self, and they practiced talking about violence through other bodies. For them, channeling emerged as a tech-

nique to endure and survive violence when all other lines of defense have failed. A person would sit with the group while listening via an earpiece to another person's story of violence, which would be transmitted directly to the earpiece, privately, and from a distance. The listener with the earpiece would then repeat the story, speaking it publicly to the group. While talking about trauma and violence, how does one inhabit this experience of violence in a way that is not violent? In this training, the listener became a vessel, an embodied medium, sharing other realities, turning the process of speaking not as a single-person's expression but rather to creating a bond between the speaker and the listener—or person—that voices it.

This example illustrates this way of sharing another experience that also has an embodied component, to literally have to voice and repeat a story in the first person, even though it didn't happen to you, to really feel in your body—the position of somebody who is of a completely different culture, political leaning, background, race, class, and how maybe this exercise was a way to really live each others' experiences for a short moment. It is crucial to ask about the conditions that we can share in order to make change right here and now. This is what I saw unfolding during the trainings at BAK.

I'm still in the process of unpacking the difference between a workshop and a training. In their trainings, the people I had brought together allowed for space for not knowing. All trainings had moments when you suddenly (almost) saw a proof of concept. It was a glimmer of a possibility, of why it was important to create these moments, these conditions. This is where creating a space open enough to encompass a public invitation for a whole diversity of people is crucial. Issuing a broad public invitation like, "Walk in with whatever you have. Whoever you are, whatever embodied experiences you may have," is extraordinarily powerful, and this openness must be a condition of participation. From here, finding ways in which

Jason Kessler v. City of Charlottesville
and Maurice Jones, Charlottesville
City Manager

August 10, 2017

The ACLU of Virginia and the Rutherford Institute file a lawsuit on behalf of alt-right activist Jason Kessler stating that his First and Fourteenth Amendment rights were being denied by the city's refusal to allow him and supporters to access Emancipation Park. The city approved a permit application for a "Unite the Right" march in following months. The rally ended with a Nazi sympathizer killing a counterprotestor and injuring many more, leading the ACLU to rethink its stance on free speech.

people feel that they can bring their subject's position into the space, and then to let go of it, with a group of (maybe) strangers. This can create openings for radical collectivity and can generate potential in the present.

If there is a singular thing that capitalism has ruined, it is the capacity for people to imagine outside the confines of what capital defines as valuable. I think there is a freedom of sitting in that space of the Not-Yet, because it removes this barrier. It can feel like you're floating or that you're in a hyper-oxygenated

tank, that you are able to—even just for a moment—be transformed. You have to always be aware, if you describe these things, that there are harsh realities of battle and war and poverty and hunger so that it doesn't become one of those floating tanks that you can rent for your comfort but a space with intention. These spaces can be constructed.

The iteration of these weekly training throughout the five months of Trainings for the Not-Yet and the intensity of this pace allowed for very different ways that people imagined how to train, how to practice together by returning and coping with

the darkneses of the Not-Yet. That was why this intensity was so important. Like an intensive clinic, it's about the rhythm, it's about the saturation that occurs. At BAK we did this continuously for sixteen weeks. And it was interesting to see how many people returned to join multiple trainings.

The educator, activist, and spoken-word artist Walidah Imarisha has said that the decolonization of the imagination is the most dangerous and subversive form there is: for it is where all forms of decolonization are born. Once the imagination is unshackled, liberation is limitless.”↳7 To overcome this idea that we no longer have the capacity to even imagine other realities, that we don't even dare to imagine what might be possible, requires training. It requires committing to and sharing oneself with others. It requires building embodied imaginations of care for other realities and to shift our own imaginations, unhinging them from our own myopia, desires, and narcissism.

In this space of the Not-Yet, the capacity for imagination is opened; it is no longer confined to the places that might have limited it before. The sharing that is invited under these conditions has the potential to crack open the urgencies of the everyday so that lived realities are present, seen, heard, shared, and confronted. Perhaps in this space of ongoing questions and connections, we can challenge ourselves to remain unsettled, and to enact a more just world in the present. In this unfixed location, we might learn to be together better.

1 In 2014, I gave an interview to Slow Research Lab, which was later published in *Slow Reader*. That is the starting point for this line of thought. See Heeswijk, Jeanne van, Carolyn F. Strauss, and Ana Paula Pais,

eds., “Preparing for the Not-Yet,” *Slow Reader: A Resource for Design Thinking and Practice*. (Amsterdam: Valiz and Slow Research Lab, 2016), 42–53.

2 *Philadelphia Assembled* was a long-term engagement and began with an invitation from the Philadelphia Museum of Art and with myriad communities and organizations in the city. Specific themes emerged from conversations across the city, which led to the creation of five working groups: Sanctuary, Futures, Movement, Reconstructions, and Sovereignty. These groups connected grass-roots organizations, individuals, and organizers to collectively tell stories about the intertwined histories of the city, its residents (past, current, and future), and their efforts towards greater justice. The result was a multi-year process of amplifying active resistance and radical community building that culminated in a collectively organized, participatory project presented at the museum's Perelman Building in 2017 that included art installations, meals, actions, conversations, and other workshops and events. The connections made

during the project remain active today.

3 As defined by the group, the “Carceral State” is a physical, mental, and systemic process exercised by a government where groups are deliberately excluded, disenfranchised, and alienated from fair and equal power—be that political, economic, or otherwise.

4 “Reconstructions: Freedom in a Carceral State,” *Philadelphia Assembled*, Philadelphia: Philadelphia Museum of Art, 2017, 5. http://phl.assembled.net/files/cnt/00010/PHLA_Reconstructions_publication.pdf.

5 The exhibition at BAK took place from September 2019 through January 2020. For details: <https://www.bakonline.org/program-item/trainings-for-the-not-yet/>. A summary report was presented at the Vera List Center for Art and Politics on May 19, 2020, “Practicing for the Not-Yet: Protocols in the Making.” <https://veralist>

center.org/events/practicing-for-the-not-yet-protocols-in-the-making.

6 Clara Balaguer, and Sarafina Paulina Bonita, *Training XVII. QFCPSSBBXOXO: Queer and Feminist, Physical and Critical, Self-Defense and Support, Bloc of Bodies Training with a subdivision of To Be Determined*. Deep listening, voice activation, team forming, and physical

exercises to map limits and define strategies for protecting bodies (November 27–December 1, 2019).

7 Walidah Imarisha, “Introduction,” in *Octavia’s Brood: Science Fiction Stories from Social Justice Movements*, eds. adrienne maree brown and Walidah Imarisha (Chico, CA: AK Press 2015), 3–6.

March 17, 2018

The Facebook-Cambridge Analytica
data scandal

Whistleblower Christopher Wylie, a former employee of a U.K. political consulting firm, disclosed information about an incident where millions of Facebook users' personal data was acquired without the individuals' consent and used for political advertising to influence the 2018 presidential election. Facebook apologizes for their role in the data harvesting and CEO Mark Zuckerberg testifies in front of Congress. This sparks an online movement, #DeleteFacebook.

May 24, 2018

National Football League announces new policy requiring players to stand for the national anthem

A series of kneeling protests by San Francisco 49ers quarterback Colin Kaepernick starting in August 2017 led to demonstrations across the National Football League. The NFL issued a new policy less than a year later that required players to either stand for the national anthem or wait in the locker room. Players who refused to follow guidelines can be fined. Due to NFL teams being private companies, the First Amendment is mostly moot.

June 4, 2018

Masterpiece Cakeshop v. Colorado
Civil Rights Commission

After a baker refused to provide a cake for a wedding between two men, the couple filed a complaint with the Colorado Civil Rights Commission alleging discrimination. The commission found that the cake shop had violated the Colorado Anti-Discrimination Act. The baker believed this violated his First Amendment rights of freedom of religion and freedom of speech. The baker takes his case to the Supreme Court, where he wins by a 7–2 margin, but on very narrow grounds.

Order and Disintegration

Freedom of speech relies on a specific set of conventions, as described in Chapter One. The manifestos of Chapter Two have already indicated ways to reimagine the status quo. The contributions in “Order and Disintegration” examine existing structures or systems and their intrinsic logics, enacting specific strategies to interrupt or subvert them. Again, chronological order is ignored in order to scramble notions of causality and sequence to demonstrate how historical cases are relevant to the present.

One such example is Reverend Henry Highland Garnet’s speech on sedition delivered at the 1843 Colored Convention of Buffalo in New York State, and later referred to as the “Call for Rebellion” speech. It is discussed here by historians Prithi Kanakamedala and Obden Mondésir, following a restaging and collective reading of the call for sedition in April 2019 at Weeksville Heritage Center in Brooklyn during the height of President Donald Trump’s embrace of white supremacist positions. Another example of “free,” or rather “criminal,” speech is that of eighteenth-century French libertine revolutionary and

writer Donatien Alphonse François, better known as Marquis de Sade. His words are presented here by writer and lawyer Vanessa Place. In her exposé, writer Aruna D'Souza does away with claims of empathy—challenging the very notion of speech as facilitating understanding or community—while artist, writer, and educator Kameelah Janan Rasheed dismantles writing itself; her contribution emerges from her long-term project at the Brooklyn Public Library, which is, like so many libraries, committed to a particular set of knowledge at the expense of other epistemologies. For Rasheed, speech here sports the aesthetics of a script composed of visual poetics.

A Time for Seditious Speech

Prathibha Kanakamedala and Obden Mondésir

In April 2019, Weeksville Heritage Center hosted “A Time for Seditious Speech” as part of the Vera List Center for Art and Politics’ seminar series, *Freedom of Speech: Curriculum for Studies into Darkness*. The seminar proposed “speech as a call to direct action, perhaps even violence,” using nineteenth-century abolitionist Henry Highland Garnet’s 1843 speech, “Call to Rebellion,” as its organizing thread. The event began with a performative reading of Garnet’s words and was followed by a discussion with curator and historian Prithi Kanakamedala, media and technology lawyer Nabiha Syed, and artists Michael Rakowitz and Dread Scott, moderated by historian and writer Kazembe Balagun.

A year later, Obden Mondésir, oral history project manager at Weeksville Heritage Center, and Prithi Kanakamedala, associate professor of history at Bronx Community College CUNY, revisited some of the themes that had emerged during Kanakamedala’s talk. While the primary focus for the discussion below is the historic context for seditious speech in nineteenth-century Brooklyn, both participants acknowledged

the backdrop of their conversation: conducted during New York City's lockdown amid a global public health crisis, we are acutely aware that this current pandemic has made explicit the inequality of this city once again, and that space and the democratic right to the city work in inequitable ways for people of color, especially those of African descent.

The following are edited excerpts from that conversation.

Prithi Kanakamedala

Henry Highland Garnet's "Call to Rebellion" speech contains a call at the end: "Let your motto be resistance," which draws from a well-established Black radical tradition. One of those traditions was the Black Convention Movement itself, where Garnet gives his speech in 1843. The Black National Conventions started in the early 1830s when people from all over the northern United States, including many from New York and Brooklyn, would discuss their hopes and needs for the cities they lived in. It represented an opportunity for Black men and women to congregate, organize, and mobilize around issues that affected them. And I'm making a distinction here between New York and Brooklyn because prior to the consolidation of New York City in 1898, these two were separate cities in the same way you might think of New York and Philadelphia today.

By 1799, when New York State dismantled slavery, New York City was an epicenter of capitalism. If you look at images of the city from that time period, Wall Street already existed and the layout was very urban, a densely built environment. On the other hand, when you look at paintings of the same time in Brooklyn, it still looked largely agricultural. A lot of Manhattan's foodstuff was coming from Kings County, New York. This was not yet Brooklyn, the third-largest city in the United States,

which it would become by 1861. Brooklyn was very much behind in terms of urban growth. And Black Brooklynites seized that opportunity as their city was still developing. From 1800 onwards, Black people built spaces that allowed them to thrive as a community.

My argument is that seditious speech is only a remote possibility because of this community's commitment to radical notions of space, from buildings to the streets, to neighborhoods, and ultimately to the city itself. As a historian, I draw upon scholar and geographer David Harvey and French philosopher Henri Lefebvre's concepts of the right to the city. That is, all of us, especially ordinary people, possess the right to radically reclaim and repurpose our city's spaces as cocreators in order to address the mass inequality caused by capitalism. In his book *Rebel Cities*, Harvey writes that "the question of what kind of city we want cannot be divorced from the question of what kind of people we want to be, what kinds of social relations we seek, what relations to nature we cherish, what style of life we desire, what aesthetic values we hold." And he goes on to say that "the freedom to make and remake ourselves in our cities is, I want to argue, one of the most precious yet most neglected of our human rights." As a historian, I see that pattern emerge in nineteenth-century Brooklyn.

New York State had been slowly dismantling slavery. It had taken twenty-eight years for them to do so, starting in 1799. Black Brooklynites were not waiting for freedom, they were seizing it. In 1800, the free Black community in Brooklyn was thinking about their right to space, the right to claim space. And if they could own their space, how might that be intricately tied to a celebration of themselves, the right to be heard, the right to speak freely? In a way, they were forming "safe spaces," as we

might call them today, but in a very specific nineteenth-century context. For example, there were two brothers who lived in the village of Brooklyn. Their names were Peter and Benjamin Croger. When they conceived of space, they thought of it in terms of a private school that would open in Peter's home. He lived by the East River, near where the Brooklyn Bridge would later be constructed. And he also thought of literacy as a form of liberation, the right to an education as a basic human right.

Those possibilities of space, and safe spaces, allowed for free people of color—both adults and children—to be educated in Peter's home. This was space that was not given to Peter Croger, he laid claim to it himself. That school was founded in 1815 and built upon the mutual aid society that the brothers also established. The Brooklyn African Woolman Benevolent Society was intended to help Brooklyn's free Black community, many of whom were often living close to the poverty line. This organization's physical space was in the middle of the village of Brooklyn.

I am in awe of the courage and audacity of nineteenth-century free Black communities to lay claims to space and to state that they had the right to it as much as their white neighbors, even in the context of violent white supremacy. And so, the third institution they created borrowed from the radical tradition in Philadelphia, and they established the Brooklyn African Methodist Episcopal (AME) Church. It is the same church that we call Bridge Street today, which is now located in Bedford-Stuyvesant, and remains the oldest Black church in Brooklyn.

So I interpret the creation of these three spaces—education, mutual aid, and faith—as three pillars that allow radical possibility in the tiny town of Brooklyn. That

radical potential will expand with the fabric of this town as it slowly becomes the city of Brooklyn by 1834.

Obden Mondésir

That's a really great point. In Garnet's speech, there are a lot of religious allegories. The quote we used for the seminar program in 2019 talks about God and angels. And so, with this idea of recognition—the right to be publicly seen and acknowledged for your humanity—Black liberation appears not only in a legal form but a moral form that is akin to religion in nineteenth-century discourse. Within religious sites, how do you think ideologies are being formed with regard to citizenship and dignity?

PK

When the AME Church was founded in Brooklyn in 1818, it was not just a place of faith, it was a place for organizing. The African School in Brooklyn, which eventually became Colored School No. 1, was at one point in its history housed in the AME Church. Congregants were talking about voting rights, property rights, citizenship, etc., and these protests for those rights were centered in the Black church.

When Garnet uses religious language, he is drawing upon the Black radical tradition that seamlessly interweaves politics and faith. I am thinking about late eighteenth-century Massachusetts, where enslaved people were petitioning the state legislature and invoking the rhetoric of the American Revolution and scripture to advocate for their freedom. And of course, the Black church at its very center is about human dignity. Black Brooklynites were not willing to pray as second-class citizens at Sands Street church in separate pews, or be

forced to listen to a racist pastor; instead, they created a space where they could nurture faith and spirituality in comfort and safety.

Henry C. Thompson, one of the earliest land investors in Weeksville, was heavily involved in Brooklyn's AME Church. He was also at the center of the city's debates about Black people's right to space and land. In the early 1820s, he spoke at Brooklyn's anticolonization debate which he organized with other members of the town's free Black community. Colonization schemes were mostly white-led and argued that Black people would never truly be free in the United States, so instead they should relocate to Africa. It was not altruistic; instead, what white men hoped to do was strengthen slaveholding interests in the United States. Within this context, Thompson argues Black people have the right to be in this country, and, more specifically, here in Brooklyn. He said, "We are brethren, we are countrymen." He makes a call for full citizenship. And the only reason historians and researchers know about this is because the anti-colonization debate was published in the *Long Island Star*, Brooklyn's main newspaper. So not only am I thinking about the rights of Black people to physical space, but also about the ways in which they seized print culture. So by the time Weeksville was established in 1838 and Henry Highland Garnet gave his speech in 1843, activists were building upon the work of a first wave of pioneers living in the town of Brooklyn who were not only explicitly stating their right to be here, but also to be able to grow the city's spaces in their own vision and their own politics that are more just and democratic.

OM

Your interpretation makes me think of a couple of things. The first being the idea of free speech taking space where you can have these ideas and put them forward. The second being how within free speech is the idea of recognition.

We exist as humans, but the problems with the ideology and politics of recognition is not the issue of people actually recognizing you for being human but recognizing you within a particular paradigm. So with the concept of space, you are challenging a perception of reality that comes from colonization, where there's always this idea of *terra nullius*, that the land is an empty space that is just here for us to conquer. And to create a space and to speak from that space really does connect to this radical tradition that you are mentioning. And it is great that you are putting this in the context of Brooklyn where they were allowed to do that versus the mercantile center of Manhattan.

PK

I never wanted us to dress up Brooklyn as unicorn-and-rainbow free Black communities. Black Brooklynites were struggling even as they were making those radical connections. Everyday violence, racism, and trauma surrounded them. Henry Thompson says we are “fellow brethren, countrymen,” and yet his investment in Weeksville also suggests that free Black people were absolutely fine with engaging in capitalism on their own terms. They created the self-determined, independent settlement of Weeksville that was beyond Brooklyn's city limits, where they could thrive as a community. And I have always found it striking that apart from James Weeks, none of

the other early land investors lived in Weeksville. They remained living in Brooklyn proper. In other words, Weeksville from its very founding was conceived as a political project.

In 1821, New York State amended its constitution to change the property qualification rules that restricted eligible voters. Prior to 1821, all men regardless of race had to own \$100 worth of property in order to vote. After 1821, white men no longer had a property requirement in order to vote in New York State, whereas Black men now had a \$250 property qualification, which was the equivalent of about an annual salary for the average working Black man. Weeksville's early land investors bought land further out, because the land was cheaper. But more importantly, they formed a sophisticated political argument: if I own my home, I can vote, and if I can vote, I am absolutely a citizen of this city and nation.

The right to the city is one of the most basic of human rights. And they were having to make this groundbreaking political argument because in the absence of the Fourteenth Amendment, which was adopted in 1868, which states that anyone born on U.S. soil is automatically an American citizen, free Black communities had to find ways to seize freedom, create space, and make themselves be counted and heard. As an immigrant to the U.S., I take this freedom for granted. If my children are born on U.S. soil, they are American citizens. But I know it's a debt that I, or we immigrants, owe to free Black communities of the nineteenth century who were pioneering those arguments.

OM

The First Amendment was created by landowning white men. But Garnet and his peers spoke "freely"

while being threatened. Because one of the problems with speaking freely or, speaking radically to be more specific, is that your life as a person of color can be threatened or will be threatened. Garnet was not immune to that. We know about the draft riots that happened in 1863 in New York; angry white mobs were calling him out by name. But because his daughter removed the family name from their house, they were able to survive.

PK

The 1863 draft riots were the result of fallout from the Civil War, and who would fight in it. The Irish didn't believe it should be them, so tension between Irish New Yorkers and African Americans erupted that summer. Black New Yorkers were murdered by their neighbors in Lower Manhattan, and they ran for their lives to three places. One was Williamsburg, the other was Flatbush, but the third place was Weeksville. It is important to remember that by 1863, Weeksville had demonstrated twenty-five years of radical possibility from its founding, and had evidently become a beacon of safety and refuge.

OM

Garnet's speech also focused on historiography. He names people like Denmark Vesey and Nat Turner as expressions against white supremacy. He expected his words to reach the enslaved in the South. But even if it did not reach his intended audience, it did get published in a newspaper. I am therefore thinking about free speech as the right to speak freely but also as the positive right to invoke reform within the state or to dismantle it because of its inadequacy. It is like someone saying,

“I cannot stand this system and we are either going to rebel or build.”

PK

We have multiple examples in the archives of formerly enslaved people coming to Brooklyn and starting their lives again once they get here. I am always hesitant to call it the Underground Railroad, as I think that term has been hijacked in popular cultural memory and people think of attics and tunnels. I am sure Garnet’s speech must have been heard in the South. We do not necessarily get the kind of revolutionary violent resistance that Garnet is talking about, but, nevertheless, there were some extraordinary acts rooted in the ordinary. The motto of resistance for one freedom seeker from the South was that he moved to Brooklyn and became a shoemaker. He was finally able to engage in a capitalist system where you have the right to be compensated for your labor. That is his resistance: to escape from slave labor and participate in a free labor system (capitalist flaws and all).

Educator and writer William J. Wilson has a beautiful piece in *Frederick Douglass’ Paper* about how Black people must grab opportunities along Atlantic Avenue. His writing takes you on a detailed visual journey, where he zips along Atlantic, and comes across Fulton. And he says explicitly: now is the time for Black people in Brooklyn to own their own businesses along these streets, especially if they want to grow with this emerging city. And then he gives a shout-out to a woman who runs her own clothing store. And it is an inside joke because that woman was his wife, Mary. But those types of possibilities of engaging with capitalism—Black-owned businesses—are abundant in Brooklyn’s history. Not to say that they did not exist in Manhattan. A small but

significant free Black community was asking: How can we grow this village before racial capitalism engulfs it? How do we as Black people, as some of the oldest New Yorkers, lay right to this space. How do we grow it in an antislavery vision?

OM

I am also thinking about real estate in connection to Manhattan and Brooklyn, and how speculation affects cost. Because Brooklyn was a little more sparse, more bucolic, and not a center of commerce, people were able to purchase property. But communities like Seneca Village that existed where Central Park is now were able to succeed up to a certain point until the government used a claim of eminent domain to remove them. I'm also thinking about the idea of progression and those excluded from it. The nationalist concept of "we" excludes Black people, especially early on in the nation's history. This plays out in how cities remove poor, Indigenous, and Black people from the land.

PK

Seneca Village, which existed from 1825 to 1857 until the city decided that that land needed to be repurposed under eminent domain for Central Park, was originally a radical possibility of space. As long as Seneca Village existed in Manhattan, the center of mercantile commerce, the community that lived here was always under threat of being erased.

The beauty of Brooklyn, or rather what free Black communities did in Brooklyn, was that they learned from Manhattan. By 1861, when Brooklyn was the third-largest city in the United States, it was competing with

Manhattan. But you had by then six decades of free Black communities in Brooklyn actively growing their neighborhoods and organizing to avoid the terrible things that happened to Black communities in Manhattan. They had grown their own schools, businesses, and homes while the city itself grew.

Garnet's wife Sarah Smith Tompkins Garnet is a child of Weeksville. Her father was Sylvanus Smith, another early land investor in Weeksville. By the late nineteenth century, Sarah and her sister Susan Smith McKinney Steward are at the forefront of protest movements focused on women's rights, education, and public health. Susan is the first Black female doctor in New York State and only the third in the country. What made these phenomenal lives possible? It was the existence of a self-determined community like Weeksville that created radical spaces for Black people to use their creativity and imagination about what it meant to be free. Those physical spaces in Brooklyn allowed for moments of Black liberation in all forms, which includes seditious speech.

Even as they were told they did not belong here by their racist neighbors and were subject to all kinds of systemic racism, Brooklyn's free Black communities, including Weeksville, created spaces that allowed them to forge a project that integrated all of the essential strands: race, citizenship, social justice, and human dignity. And those things manifested themselves in myriad ways throughout nineteenth-century Brooklyn. To some extent, we are still living with the rich legacy of their protest and the unfinished democratic promise of that history today.

October 30, 2018

Social media platform Gab dropped by hosting provider Joyent after Tree of Life shooting

Launched in 2016, Gab is a social media platform that bills itself as the “free speech” alternative to mainstream sites, omitting content rules that prohibit hate speech and harassment. The site comes under fire after it is revealed that Robert Bowers, the Tree of Life shooter who killed 11 people at a Pittsburgh synagogue, was active on the site just before the mass shooting.

March 21, 2019 President Trump signs an executive order protecting freedom of speech on college campuses

More than 100 students who believe conservative views are suppressed at universities join the U.S. President in the East Room for the signing of the order. The order is condemned by those who consider freedom of inquiry a fundamental tenet of higher education. Peter McPherson, president of the Association of Public and Land-grant Universities, calls the order “alarming” because it risks leaving federally funded research vulnerable to political influence.

Sade Avec Spinoza
Vanessa Place

Freedom of speech is a particularly American affectation. Like other American affectations, it's schizophrenic, loving its incompatible anima and animations. Springing from the selfsame well, the *raison d'être* of liberty—of free speech—is freedom itself, and freedom itself is necessary for democracy, and democracy is necessary for the American. But even as we profess our love of freedom, which, like other loves, has the constant complaint of “not enough,” we also argue that there is too much freedom, meaning freedom from rancor, from abuse, from hate, meaning that we do not love freedom itself but prefer a more chaste, more consensual form of intercourse. Something enlightening, or at least attractive, something strictly speaking, productive. Something, loosely speaking, beneficial.

And so we try to divide the offspring of our freedom into welcome and unwanted children, good speech and bad speech, meaning what we call “hate,” meaning that which we find ugly. Babies are supposed to be cute. Or at least innocent.

Hate speech is defined by its consequences; it's not what is hurtful but what is hateful. Sometimes it is hate-filled, that

May 23, 2019

U.S. government charges WikiLeaks founder Julian Assange with violating the Espionage Act

Julian Assange is the founder of WikiLeaks, an international non-profit organization that publishes leaks from across the globe. In 2010, one of the most infamous WikiLeaks publications led to the prosecution of former U.S. military intelligence analyst Chelsea Manning. Supporters of Assange see his indictment as an attack on the First Amendment, considering WikiLeaks as investigative journalism—publishing truthful information about the government.

calumny that's the most obvious kind, the kind that makes friends and followers furious and predates automatic weaponry in the hands of civilians. Sometimes it is only the news, the announcement of another boatload of migrants going belly-up, which now seems merely reportage, Or the promise that I can freeze off my belly fat fairly safely—and probably should.

But just as there is no point in my legislating the attractiveness of flensing my flesh or the relative cuteness of your baby, who, after all, may be ugly to the degree that it looks just like you and your family too, there's no pur-

chase in my deeming this speech proper or some other speech improper. Like bullets on a schoolhouse floor, it's all just evidence. And, of course, deadly ammunition.

As a criminal lawyer and arguably a criminal artist, I would like to advocate not for free speech or speech that pays off or out, but for criminal speech, speech that is illicit because it is unlawful, because the law is just evidence, just the regulation of language that regulates the law. Or, to quote Marquis de Sade, who knew something about law and language: “Only that [which] is really criminal which rejects the law.”

October 1, 2019

Saqib Ali v. Lawrence Hogan et al.

The Council on American-Islamic Relations, on behalf of software engineer Saqib Ali, challenges an executive order by Governor Lawrence Hogan entitled “Prohibiting Discriminatory Boycotts of Israel in State Procurement” requesting declaratory and injunctive relief. Ali claims that the mandated “No Boycott of Israel” certification in Maryland is unconstitutionally vague. Judge Catherine Blake rules that the lawsuit’s plaintiff hasn’t shown he has suffered any “direct injury,” engaged in any self-censorship, nor has his free speech been “chilled” by the requirement.

considered either good manners or good morality—to what is, in a word, authority.

The criminal has no working authority, only the ability to be indifferent to the presence of the police. This is true regardless whether the police are there to serve and protect or to surveil and brutalize, because there is not one without its other. The United States has a robust history of restricting speech, but it is important here to remember that much of this history is civilian—someone complained that someone else was abusing the platform, the public square, the pulpit, the pamphlet, the

Sade naturally wanted to violate the law for the sake of its violation, which is piquant but beside the point. The point here is provided by the philosopher Baruch Spinoza, who says: “The true schismatics are those who condemn other men’s writings and seditiously stir up the quarrelsome masses against their authors...the real disturbers of the peace are those who, in a free state, seek to curtail the liberty of judgment which they are unable to tyrannize over.”

Between these two very good points is the point of indifference. Indifference to all law, to what constitutes our regulation, disregard for what is con-

March 15, 2020

The COVID-19 pandemic leads to new questions about emergency measures and the First Amendment

Many officials have responded to COVID-19 with significant restrictions in the form of emergency stay-at-home orders, executive orders closing all but “essential” businesses, and bans on public gatherings—often of more than 10 people. Such measures have received pushback from church parishioners who want to worship together, business owners who want to re-open to avoid economic collapse, and persons who want to be able to assemble together either for communal, protesting, or other purposes.

museum. Today, of course, the platform is often what we casually call “social,” which is an important distinction both legally and socially, for there are no civil liberties on private property, and if our largest platforms are all private, all social, then there is no place to speak that is protected when that speech is purposefully antisocial, criminal.

Spinoza notes that supplication to authority is always directed towards the law and towards the “applauding multitude,” which, in a democracy, functions as the authority.

Nowadays, applause is virtual and viral; our executions happen before our trials because the internet functions as a chopping block. The place where we believe we should be able to speak most freely is the place where we are most easily and quickly condemned, de-platformed: in French, “de” sounds like “duh,” which mimics too neatly the sounds of approval bestowed on echoing the obvious, embracing what we think we know, and blocking that which lies outside. Just like we imagine the outside always lies.

Take away my platform and you take away my speech. This is a good analogy because the tradition of the last words of the condemned began as a public plea, made before the guillotine, and if the call was moving enough as a protestation of innocence or genuine repentance, the crowd would be duly moved, and the life spared. Now, the soon to be executed are miked after they are strapped down to a gurney and hooked up to a lethal IV, invited to say a few words, and then definitively shut up. Platformed and de-platformed, one being meaningless without its other.

I have been excised from various platforms by way of being blocked, being boycotted, being petitioned against, being un-invited from conferences, performances, public and private conversations, by being threatened with rape and assault, by being reported to legal and cultural authorities, various forms of bodily and otherwise professional harm because of my indifference to the law of the platform—in the words of one poet, “to give the bitch what she deserves,” and this is poetic justice, because the contrapasso for someone like me is to have the mouth sewn shut.

My indifference to the mores of online platforms lies both in my speech and in my refusal to speak—voluntarily—for we also have the freedom not to speak, to refuse to say anything, even upon demand, even before the chopping block, even on the gurney. Here is where the First Amendment meets the Fifth Amendment, which provides the right to remain silent, even when the cops are asking you to sing.

Now, as you may suspect, I am making an argument against the public apology or the pirouette of virtue signaling that social platforms demand of the condemned. In this sense, even the notion of de-platforming is a bit comforting, for the platform never forgets. Google me. There will be some accusations that I am an artist and some declarations that I am a racist. Some sites will say that I am a criminal defense attorney who

Wichita State University Tech pulls
Ivanka Trump's commencement
speech

June 7, 2020

After students and faculty members condemn the Trump
administration response to Black Lives Matter protests, the
university cancels planned speech by Ivanka Trump. Trump
blames "cancel culture" for pulled speech.

represents sex offenders on appeal, which is true; some will say I am a rape apologist, which I am not. All are based on roughly the same set of facts. It's not my job to de-stain the screen or purge the platform. I'm not a historian or a cop.

My bias is that I believe in the stupidity and necessity of the personal, that contingent and errant sack of skin that keeps one in and out to varying degrees.

This is where ethics differs from morality. Morality is choral, communal, and doctrinal. What is morally right is necessarily temporary, based on contemporary values. Ethics are more individualistic and less aeolian—not given, but rather born out of our own ambiguity and the difficulties of our situations. One person's ethics may look immoral in the moment, but it often has a structural integrity—even if it lies outside the measures of

society. Ethics are not necessarily right, and to be ethical may be immoral in its moment, or even throughout history. Antigone was immoral in her moment, moral in ours, but always ethical, and always criminal.

Sade says, relative to the criminal, "By what right will he who has nothing be enchained by an agreement which protects only him who has everything?" The platform has everything, including the platform. We can populate a platform along party lines, listening only to those we deem moral, which is to say that which is appropriate, what we don't find hateful. We treat

July 6, 2020

Barr v. American Association of
Political Consultants

The Court rules that the government-debt exception to the 1991 Telephone Consumer Protection Act's automated-call restriction violated the First Amendment, and severs the exception from the remainder of the statute.

speech like wine, as if it should intoxicate or agitate or otherwise complement what will surely be our last meal. But again, Spinoza says our “brains are as diverse as palates.” Sade also says, “it would be no less absurd than dangerous to require that those who are to insure the perpetual *immoral* subversion of the established order themselves be *moral* beings.”

Criminals are not moral beings; however, they may be, and often are, ethical. Ethics can be ugly, like art. For real freedom has a body count, including cute babies. And perhaps the problem of the platform is not our American love of liberty, but our slavish devotion to our safety.

September 18, 2020 TikTok Inc., ByteDance LTD. v.
Donald J. Trump, Wilbur L. Ross, Jr.,
and U.S. Department of Commerce

Social media content platform TikTok argues that President Trump’s administrative efforts to ban the company’s American operations prevents the company from due process. ByteDance, the Chinese company that owns TikTok, argues that it has provided the U.S. government with “voluminous documentation” explaining its security practices that prove its disinvolve-ment with the Chinese government.

Against Empathy, or the Value of Mistranslation
Aruna D'Souza

Amitav Ghosh's novel *Sea of Poppies* (2008) is an experiment in storytelling. Is it possible, the author seems to ask, to build an epic story around the very problem of linguistic and cultural opacity: Can we imagine a situation in which the Tower of Babel could be built, in which cooperation could occur even in the face of the cacophony of languages spoken by its builders? What, that is to say, are the narrative possibilities of mistranslation? ↪ 1 And what are the revolutionary possibilities of mistranslation? To what extent does exercising our freedom of speech depend on our capacity to be understood both linguistically and as fully human? To what extent does our willingness to grant freedom of speech depend on our ability to understand another's utterance as speech?

When we ask these questions, we are not merely talking about words and languages—we are talking, too, about people: To what extent does our willingness to grant freedom (of speech, of everything) depend on our ability to understand others as self-determining beings, and to understand their lives as worth

living? Only if we have freedom to be does freedom of speech become possible.

The reach of Ghosh's novel—the first of a trilogy that includes *River of Smoke* (2011) and *Flood of Fire* (2012)—spans the early-nineteenth-century globe, a period when the opium trade was fueling the British economy and mapping geopolitics. The story follows the *Ibis*, a ship that has made its way from the Americas, where it has picked up a free Black man passing for white along with goods produced by enslaved laborers on plantations. The ship has sailed on to England, where raw materials are dropped off and new merchandise laded, around the coast of Africa, across the Indian Ocean, and eventually to Calcutta. The opium cultivated by sharecroppers in Bengal will travel to China, against the wishes of that country's leaders who rightly see it as a means by which their citizens will be made docile and beholden to European colonialists. Along the way, the ship adds and sheds crew, who are known collectively as lascars (a word that implies something like “pirate”): a hodge-podge of Europeans, Africans, Chinese, South Asians, and Blacks from North America and the Caribbean. Out of the many languages each speaks, they forge a common(ish) language, lascari English. It is an idiom full of loan words and salty curses—the necessary lingo that keeps the ship afloat. It is, the book's narrator tells us, “a motley tongue, spoken nowhere but on the water, whose words were as varied as the port's traffic, an anarchic medley of Portuguese calaluzes and Kerala pattimars, Arab booms and Bengal paunch-ways, Malay proas and Tamil catamarans, Hindusthani pulwars and English snows—yet beneath the surface of this farrago of sound, meaning flowed as freely as the currents beneath the crowded press of boats.” ↪2 It is a language, in other words, not tied to land or country but to movement, migration, trade routes, and the space between.

When the ship arrives in Calcutta, the global port city does not disappoint, linguistically speaking. Ghosh introduces

characters here who include Bengali peasants who are just barely surviving under the thumb of opium traders: a French botanist and his India-born daughter who is more comfortable wearing saris and speaking the local dialects than wearing dresses and conversing in her mother tongue; muckety-mucks and functionaries in the British East India Company; and even an elegant, well-educated maharajah. Each speaks, or fails to speak, a common tongue. Even the Englishmen—who claim to have a monopoly not just on opium but on civilization itself—speak a form of English that has been so transfigured (enriched? mangled?) by Britain’s imperial adventures that it is barely recognizable to the reader. The maharajah speaks a language that perhaps sounds familiar to a contemporary reader’s ears, but this ability to communicate with us does not grant him any special power in the narrative. He is consistently misunderstood by the English businessmen who have fixed the rules of the game, and who hear only through the filter of their own arrogance, greed, and self-interest. Language is revealed to be untransparent, a maze or an obstacle course rather than a smooth pathway to human connection.

What makes this book illuminating, to my mind, is the author’s refusal to translate for the reader. We are left to muddle our way through the dialogue in the same way as the characters, understanding wisps and threads without any feeling of fluency. The only way of comprehending what is happening is to abandon the frustration that might come from not being delivered a fictional world fully available to us, and instead to float on language the way a ship might float on water. Sitting with incomprehension is an uncomfortable act; for those of us whose mother tongue is English, it is also an unfamiliar one, given the way in which our preferred systems of communication have been imposed on the world.

But in *Sea of Poppies*, our discomfort isn’t futile. Even if we don’t understand everything, we end up understanding

enough to follow and ultimately enjoy the story. Likewise, even when the sailors and rulers and colonials and peasants act based on an imperfect grasp of what others are saying, sometimes wildly misreading a speaker's intent, the misreading creates no impediment to the narrative. The events still unfold in a way that will ultimately change all of their lives. Harold Bloom defined "misprision" as a process whereby younger poets opened a creative space for themselves via a willful misreading of the poetry of their elders, turning imperfect interpretation into generative and creative possibility. The endless misunderstandings contained in the narrative create spaces where characters are able to insert their own desires and urgencies to move forward together. ↳3 What if, Ghosh asks, revolution was not a form of perfect alignment of goals but was a messy and even chaotic form of misprision?

Empathy is a concept based, at its heart, on understanding: the ability to translate the experience of another into one's own language. (The "language" in question doesn't need to be a linguistic one—it could be gestural, embodied, tactile, or otherwise.) At a moment when so many of us are hoping for a degree of revolution—some form of change, to whatever extent, to our increasingly intolerable lives—many have imagined that increased empathy is a means to such an end. This has been especially true since the 2016 American presidential election, when Donald Trump's victory shocked liberal pundits, who realized with horror how many people were willing to vote for an outspoken white supremacist, a misogynistic, homophobic, transphobic, ableist, and otherwise hateful man. But those pundits doubled down on the idea that empathy was the key to a more progressive future. "Love trumps hate" became the post-election rallying cry, as it had been during Hillary

Clinton's presidential campaign: a slogan that placed the personal obligation to understand each other at the heart of a politics of resistance. ↳4 The refrain has continued as a banner under which this so-called resistance has organized in the wake of Trump's inauguration, and many times over since. It was premised on the idea that a greater understanding of the experiences of marginalized people would lead the United States to a more perfect justice with more humane leaders and fairer laws, fewer police shootings of Black people and other people of color, and generally less racism in our daily lives.

Empathy is a deeply important quality to cultivate; it's one of the things that makes us human. The problem with imagining it as a useful tool for political transformation, however, is twofold, as the example of anti-Black racism demonstrates. First because, as the work of Ibram X. Kendi and others demonstrates, racism did not come before institutions—institutions created the need for racism. ↳5 Racist ideas about Black Africans were concocted in order to justify slavery, from the very earliest appeals of the Portuguese to Rome when the country wanted to enter the trade in human flesh to every iteration and transformation of the practice in centuries following. Ideas about the inferiority of dark-skinned people were concocted in order to serve European (and then American) self-interest—slavery was the origin of racism, not its byproduct. As institutions such as slavery continued to structurally place dark-skinned people in a debased position, racism became naturalized and practically invisible. Now, hundreds of years into the project of white supremacy, we must not fall into the trap of imagining that changing attitudes—cultivating empathy for the oppressed—will undo oppressive structures by themselves. On the contrary, we must first dismantle the prevailing institutions and structures of white supremacy in order to clear the conceptual and imaginative spaces for empathy to flourish.

The second problem with empathy as a political tool is this: I don't want to wait for people to develop empathy for me until I am treated as a full human being. I don't want the fullness of your humanity to depend on my capacity for understanding, either. Empathy is a personal transformation, not a collective act, necessarily—it replaces political revolution with atomized notions of doing right by others. And when it is the basis for collective action, it can do as much harm as good. The colonizing projects European empires and the Catholic Church started in the fifteenth century, an earlier moment of globalization, were justified by empathy—by wanting to save people from their own “darkness.” A politics based on empathy imagines justice as something to be bestowed by newly enlightened individuals on other “lesser” individuals and communities. If there is a politics to empathy, it is one that allows the person called on to be empathetic to remain in a position of supremacy, doling out justice as a matter of kindness.

It also hinges on an impossibility of language to function as a transparent interface between the self and the world. Just as some part of meaning gets lost in translation, so do parts of ourselves as we are forced to translate our sense of being for others. Our personhood doesn't always fit into the limitations of language. This is the violence at the heart of becoming a psychological subject that the psychoanalyst Jacques Lacan elaborated three-quarters of a century ago, and it is a process that requires us to submit ourselves inevitably to the authority of a governing language. But empathy thrives on transparency—on coming to know the other fully. Empathy doesn't take into account that every time we try to translate the other into our own terms, when we try to put everyone into a bucket labeled “human,” there are things that overflow. Language is constantly working to contain the excess of the subject—and if containing it fails, language is constantly working to reject it.

Kameelah Janan Rasheed speaks of the “leaky sentence”—a form of communication in which meaning spills out, overflows, and cannot be contained. ↳6 If the sentence is a device that holds unruly words together, a leaky sentence maintains the unruliness. If the sentence is an atomized form of order, the leaky sentence represents disorder. If the mobility promised by global capitalism depends upon containerization—being able to transport things and in an efficient way—the leak is inefficiency, that which slows down and resists the shuttling of people, products, and labor across the world.

The *Ibis*—the ship in *Sea of Poppies*—doesn’t leak as such. A leaky boat is its own sort of problem. But it leaks in other ways: it sloughs people, depositing them around the world. Sometimes this occurs against the will of the ship’s passengers, as in the case of indentured laborers or the ship owner (as in the case of the lascars, who regularly disappear once their pockets are lined with earnings, or of stowaways). Ports are some of the leakiest geographic sites, places where borders become porous and often unpoliceable, no matter how much one tries to fortify them by building walls or fences.

The Calcutta that Ghosh describes in *Sea of Poppies* is likewise a place of leakage. Here, languages slosh around, mix, and dissolve; traded goods get filched; people appear and disappear. And yet, even in this cacophony, solidarities emerge—momentary alliances based not on empathy but on the imperfect understanding of others’ motivations, desires, and values. This seems to me the most important lesson of the book, given the times in which we live. The conditions of late capitalism and the creeping rise of fascism are untenable. We have become so divided and atomized, individualized by the state, that empathy becomes not merely impossible but starts to act as a deferral of revolution. Change will come only when we understand each other better. In the face of this, to be able to act together without

full comprehension—to be able to float on the seas of change amid this ambiguity—should be our goal.

What if we imagined a form of political solidarity that was not based on empathy but on its opposite—an imperfect solidarity based on incomplete mutual understanding? Are there ways to sit with the unknowability of one another and still care for and with others without translating ourselves into terms we did not choose, terms that might flatten or even contradict our sense of the fullness of being? What would it mean if our politics were based not on an ability to empathize with people whose experiences are distant from our own but on our willingness to care for others just by virtue of their being?

Between the moment when I sat down to write this essay and the moment when I completed it, a wave of protests sparked by the murder of George Floyd by the Minneapolis police and Breonna Taylor by the Louisville police, two of the most recent incidents in an all too common history of murders of Black people at the hands of the police, have washed over the country. In my little corner of the world—an affluent, extremely white, decidedly liberal town that sees itself as largely untouched or unaffected by the horrors of racism—a full ten percent of the local population turned out for a rally in support of Black lives. (This represents a higher proportion of the population than turned out for the massive rallies in New York, Philadelphia, and Los Angeles.) Perhaps this energy comes from an increase in empathy produced by the horror of the video of Floyd's death. But there have been many videos, and many horrific deaths. It is not empathy, it seems to me, or not merely empathy, but rather a set of structural conditions that have prompted people to take to the streets, including the COVID-19 pandemic and its fallout. And even as the people in my town and those

across the country carry signs in support of Black lives, the definition of that support—like the definition of one of the movement’s hashtags, #defundthepolice—seems undecided. The white liberals at my town’s rallies and the Black organizers in Minneapolis and Kentucky are speaking wholly different languages. While people may decry the seemingly incoherent contradictions in people’s desire for change, the fact that they are coming together in these numbers, over an extended period, in a country born of revolution that has resisted since that foundational moment any genuine transformation, is the point. They care for each other by spilling into the streets, despite not really understanding what each other wants. The understanding, and the struggle over meaning, can come after. What remains now is to act.

1 Amitav Ghosh, *Sea of Poppies*. (New York: Farrar, Straus, and Giroux, 2009).

For a fuller discussion of this novel, see my essay “Sea of Poppies and the Possibilities of Mistranslation,” eds.

Karen Greenwalt and Katja Rivera, *Traduttore, Traditore*, exh. cat. (Chicago: Gallery 400, University of Illinois Chicago, 2017).

2 Amitav Ghosh, *Sea of Poppies*, 108.

3 Harold Bloom, *The Anxiety of Influence: A Theory of Poetry*, 2nd ed. (Oxford:

Oxford University Press, 1997), *passim*.

4 This discussion of empathy as a solution to racism is borrowed from my 2018 book *Whitewalling: Art, Race, and Protest in 3 Acts*. (New York: Badlands Unlimited, 2018).

5 See Ibram X. Kendi, *Stamped from the Beginning: The Definitive History of Racist Ideas in America* (New York: Bold Type Books, 2017).

6 For instance, in Seminar Four of “Freedom of Speech:

242 Studies into Darkness

A Curriculum for Studies into
Darkness,” “Say It Like You
Mean It: On Translation,
Communication, Languages,”
March 11, 2019, Vera List
Center for Art and Politics,
The New School, New York.

Kameelah Janan Rasheed
To Grasp Form / Rubbing of Sentences

Kameelah Janan Rasheed
To Grasp Form, 2020
Archival inkjet print
Courtesy the artist

form.³⁶

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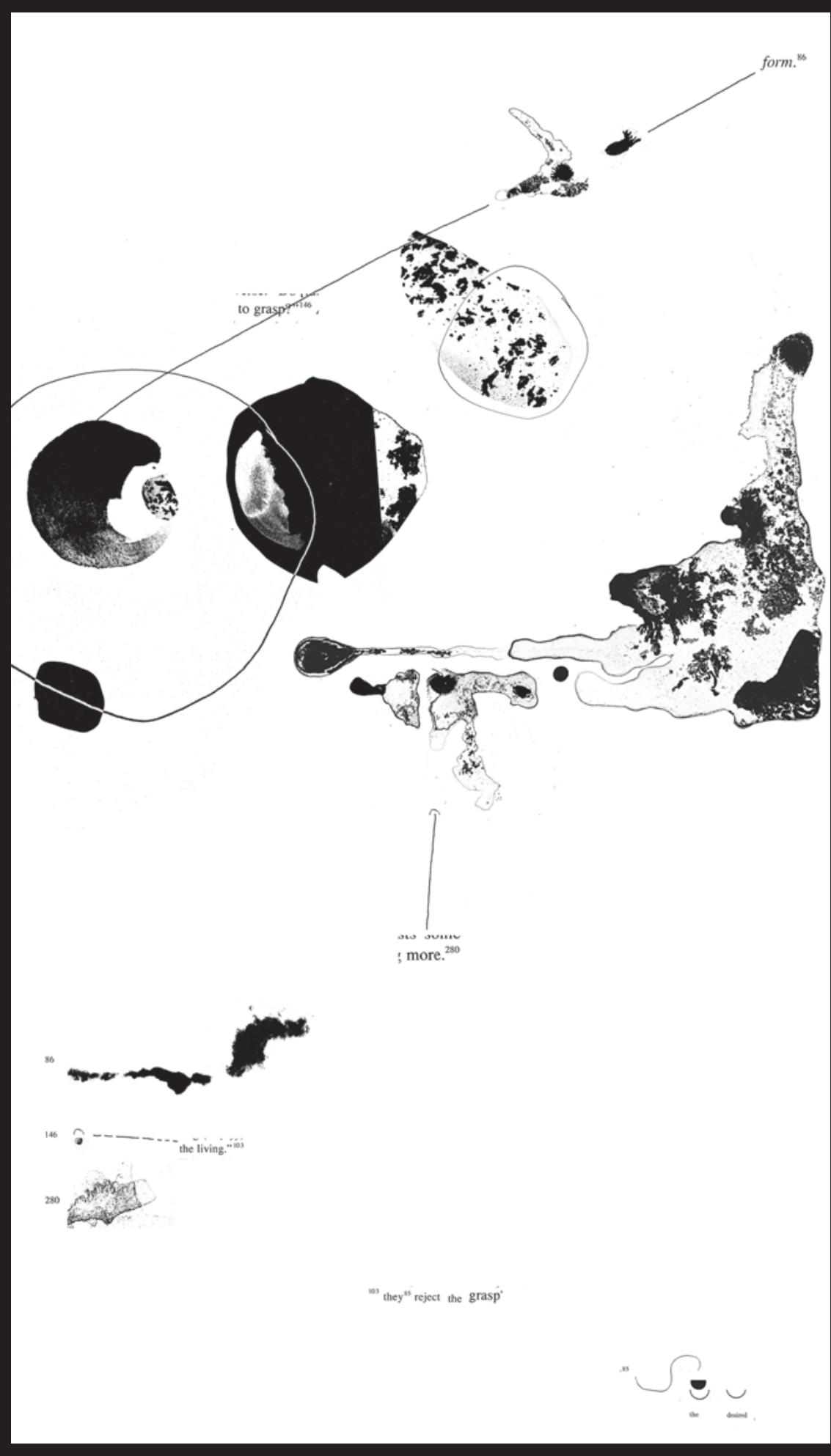
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146 the living.¹⁰³

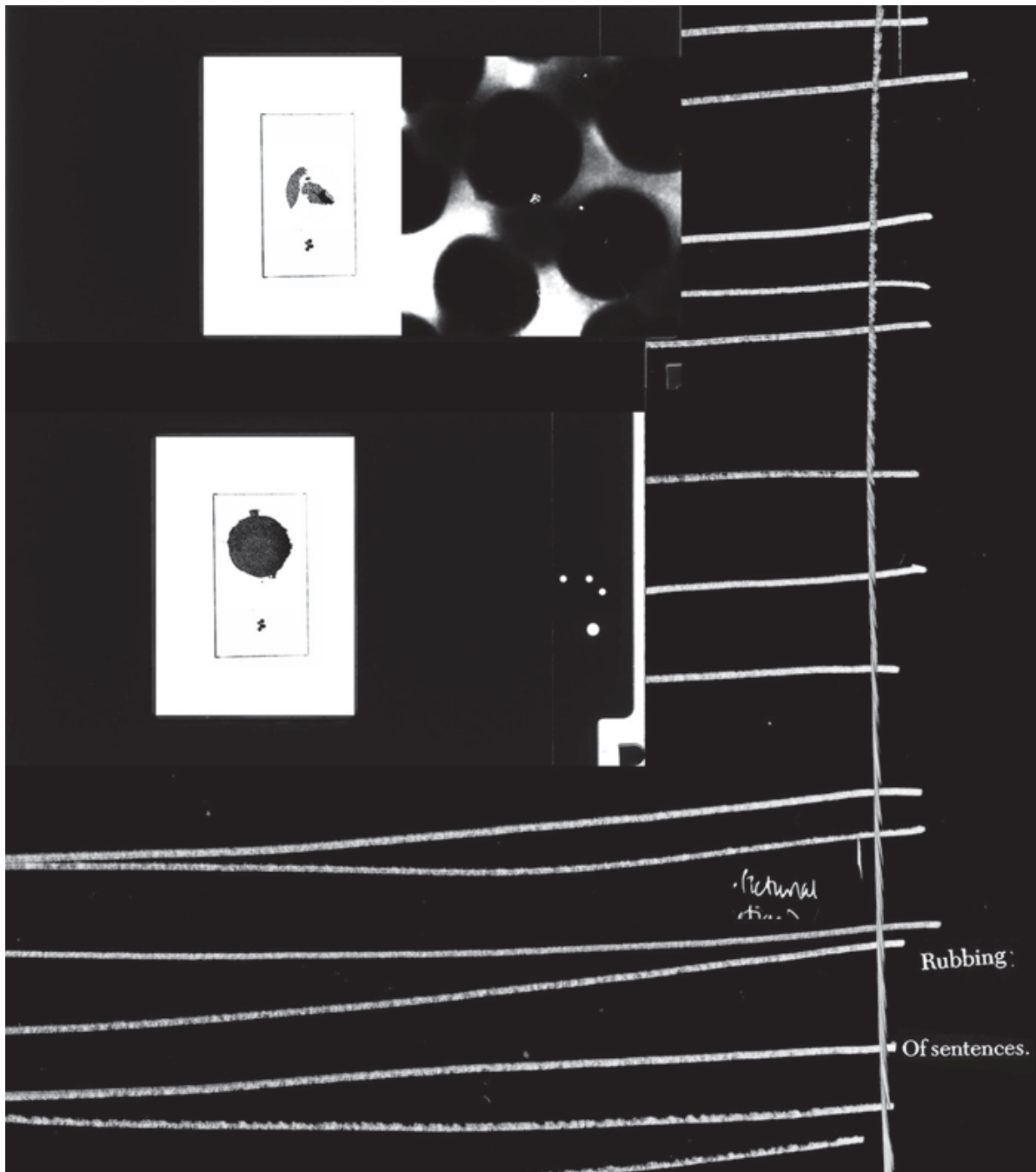
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Kameelah Janan Rasheed
Rubbing of Sentences, 2020
Archival inkjet print
Courtesy the artist



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Rubbing:

Of sentences.

Silence and Transformation

This final chapter might as well be called freedom *from* speech. While Chapter Three made it clear that speech can be non-verbal, here the focus is on the potential of speech acts as acts of silence.

Conceptually, Amar Kanwar's Letters 1–7 (see p. 7–27) are penned by a protagonist from *Such a Morning*. A former mathematician, the professor has resigned from his institution of higher learning and is seeking alternate ways of knowing as he withdraws into the increasingly dark space of a decommissioned train car that has been abandoned in—or overwhelmed by—a forest. The letters Kanwar has written in the wake of *Such a Morning* keep coming; withdrawal practiced by the protagonist in the film is anything but a disengagement.

“Silence and Transformation” gathers contributions that propose withdrawal as a generative site for thinking and future action, positing that silence itself may lead to substantive political and personal transformation. Like Kanwar, artist Michael Rakowitz writes letters. His missives are addressed to the popular singer and songwriter Leonard Cohen to whom he proposes

a particular trade. He invites Cohen to change the course of history by allowing Rakowitz to perform the concert Cohen himself declined to perform to Palestinians when he visited the Middle East in 2014. Abou, Deborah, and Lyndon discuss a different kind of withdrawal: the silence needed to defeat the flattening of immigrant experience and produce a new kind of sanctuary. In poet Natalie Diaz's contribution, speech is performed by the whole body in a paradoxical text that sidelines verbal speech through its own articulation. For artists Mendi + Keith Obadike, words are inscribed in actual territories in their contribution of three maps that narrate the histories of lived-in space; their texts are inspired by poet Audre Lorde's essay "Transformation of Silence into Action," demanding a discerning pursuit of freedom of speech.

Language Warp (excerpt)
Natalie Diaz



Natalie Diaz
Self-Portrait, 2018
Digital Photo
Courtesy the artist

To be a Citizen of the State is to be granted the State's language—the right to speak it, the right to refuse it. Citizen are within or of the city, reliant on the city-State and reliably reiterant of the city-State. At one time, Citizen was a term used to distinguish the ordinary from nobility. Citizens are those who meet the State's criteria of itself, categorized as such by their capability to maintain the State's strata of production schedule and social order. The State's construction of Freedom of Speech as a right is designed to make us forget that one's language, one's expression of experience and dream whether verbalized or in another sensuality, is a natural condition—one that exists before and after the city or the State, beneath it as a seed, above it as unpredictable weather, disrupting each like a window or wound. To be a Citizen of the State is to be convinced that the State's language contains a way for you to articulate your vision of freedom, and then, that this language has the capacity to both imagine you as free and catalyze the State to manifest you free.

To refuse the right to speak, and most importantly, to refuse to call the right to speak “freedom,” is to deny the noise of State and citizenship. Freedom of Speech is a measure of sound, a calculated cadence that when we take it up in our mouths we are murmured, lullabied, and quelled to sleep. As a Native in America, I must refuse to pledge allegiance to the Empire of the English language while I use English to tell the stories of my existence. Use as in purpose, as in practice. Use as in wear and tear, as in duty. To habituate yet resist being made a habit of. Use meaning put to work, as in senses relating to application. Senses relating to (I am not sure if either is possible, less so synchronously) the refusal of English and/or to employ it to tell the story of myself. I am constantly reorganizing my senses and sensualities—which to utilize, which to improvise, which to hide—in order to perform in English. These senses/ualities make me myself, and occur inexplicably, pre-English; they are unpinnable and prophesied by the State’s language for and of me.

To write in America, to write as a Native in America, is to contextualize myself—I am weaving myself into the design of a nation. Weaving is the relationship between the warp and the weft, a relationship of the one who enters and the one who is entered, repeatedly. I become the warp across which America's weft coheres our Native narratives, body by body, land and river by acre and acre-foot. Accumulated, we are an imagistic epic against and through which the nation reiterates itself. America and its symbolic eagle with heavy metal poisoning; its Wild West and frontier; land of prosperity and amber waves of grain; missions and uranium mines; allotments and pandemics; its Indian Killers and Lincoln Memorial; its forts, fracking, dams, and Wall Streets; its gentrification and immigration—all of these wagered Native bodies of land, water, and person. For these reasons, good weavers know the warp must be strong. The warp is ever-stretched, able to withstand and hold high tension so that the weft can displace tension, never responsible for it. The weft, though it pretends to be the most important agent in the weaving, is naturally weaker than the warp and relies on the warp. Yet the warp is named for a thing thrown away after it is used. Writing in English is also to be woven into the State, to hold its tension until you become tension, relieving the State of any strain, at the ready to prove your utility, your capacity for labor. We perform the maintenance of the State even while not able to maintain ourselves.

Can any Native speak loudly enough in English to have spoken? Freedom of Speech for most non-white Americans is a matter of psychoacoustics. I might perceive my own sound as articulations and desires, and yet the receiver determines my measure. What decibel level is required of me that I might register to the ear of my country? Breathing registers around 10 decibels; mosquitos near to 20 decibels; a refrigerator humming or light rain between 30–40 decibels. 60 decibels is the standard level for normal conversation. Anything over 85 decibels is considered a dangerous level to humans. The conditions of so many of our bodies, our mouths, eyes, and ears demand we risk aural presence even as it damages us. What is normal of American conversation or inquiry does not want us to live, so we have learned to exist at dangerous levels now, even as we are scarred. We live within and despite the country simultaneously, waiting to hear a story of ourselves that we have not been screaming into the American well of freedom for hundreds of years.

What language treaty have I signed with America? My Creator shaped me with a Mojave mouth and I have warped it with English in exchange for a field of language I sow and sow. What do I reap for having scythed and cut down my own self? Why do I force-march my grandmother and her grandmother and their beautiful mouths across the map of my page, each line or sentence carrying them another mile or another hundred years or dreams away?

If you are, where you are,
where are those who are not
here? Not here.

When did I become the ego of the English language, and how does it fit me so well or I fit it? I am the master barterer of my own mouth, for the freedom of any unremarkable white quadrilateral, my page is the prophecy of The Fort, a HUD or projects house, a prairie schooner, the gauze pads I wrap around my mother's diabetic ulcers, the package of powdered milk, a novel, a doctrine, a traditional acre. The price of Freedom of Speech, for me, the poet, is to barter my hands, the scribes of my desires and dreams, for the State's hands who strike me with English until I ache so badly in the mouth that I learn to speak.

I'm good at love, I'm good at hate, it's in between I freeze
Michael Rakowitz

With *I'm good at love, I'm good at hate, it's in between I freeze*, artist Michael Rakowitz grapples with the implications of a concert that never happened. In September 2009, famed musician Leonard Cohen was scheduled to perform at the Ramat Gan Stadium in Tel Aviv, Israel. Amid the increasing strength of the cultural boycott against Israel, Cohen's management organized a twin event in Palestine with much interest and enthusiasm from the Palestinian Prisoners Club. The concert immediately drew protests, with many demonstrators claiming that it was an empty show of solidarity, and the resulting boycott led the organizers to eventually cancel the event. Cohen never played in the West Bank or anywhere else in Palestine—not in 2009, nor for the rest of his life, which sparked Rakowitz's critical response. His letter to Cohen, written six years after this event, marks an attempt to shed light on the political, ethical, and social underpinnings that led to the concert's cancellation, and the overall dynamics of boycotts as artistic expression.

August 14, 2015

Dear Leonard,

I hope this letter finds you well. I am writing to you from my rented apartment in Istanbul. In fact, I am writing this letter on your green Olivetti Lettera 22 typewriter, a prize eBay acquisition for which I paid dearly. I have been trying to contact you through your representative, Robert Kory, since November 2012. In his response, he said that you and I should meet and that we have much to talk about as artists. Sadly, I have not heard any further, so I am reaching out once more.

I don't know if you could simply consider me a fan. I am a very great admirer of your work, although I came to it late, in order to romance a girl from your hometown of Montreal. Proselytization

finally occurred during your concert at the Chicago Theatre in May 2009. I was taken in by your humility; your poignant utterances renewed my faith in poetry to have world-changing potency. At the end, you coyly recited the traditional Hebrew "Birchat Cohanim" blessing in everyday language, a kind of farewell that was bestowed by you--in the position of Cohanic priest, as your name suggests--upon an audience of mixed backgrounds with a simple warning that we should bundle up because the weather was tricky; that if we should fall, may it be on the side of luck; a wish for us to be surrounded by loved ones, and if this was not our lot in life, that the blessings find us in our solitude. I never felt more Jewish in my entire life.

I have sat through many concerts and 41 Rosh Hashanah and Yom Kippur sermons. This was the pinnacle of any live collective event I can recall to memory.

Later that same year, I traveled to Jerusalem to make an artwork of my own with a Palestinian organization called Al Ma'mal Foundation for Contemporary Art. I was elated to find out that you were scheduled

to play in Ramallah in September at the invitation of the Palestinian Prisoners Club. But then the restrictions of the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) forced the gig's cancellation, as you were also scheduled to play Tel Aviv on September 24, just three days after your 75th birthday.

In a press release explaining the cancellation, PACBI stated: "Attempts at 'parity' not only immorally equate the oppressor with the oppressed, taking a neutral position on the oppression...they also are an insult to the Palestinian people, as they assume that we are naive enough to accept such token shows of 'solidarity' that are solely intended to cover up grave acts of collusion in whitewashing Israel's crimes. Those sincerely interested in defending Palestinian rights and taking a moral and courageous stance against the Israeli occupation and apartheid should not play Israel, period. That is the minimum form of solidarity Palestinian civil society has called for."

Leonard, I believe boycotts are problematic. I think politics can obliterate art, but I also think that art can create facts and bring to light truths that are suppressed. Your words have had great impact around the world, and in particular, in the Arab world and West Asia. Palestinian director Elia Suleiman features your recording of "First We Take Manhattan" during the climax of his lyrical film "Chronicle of a Disappearance." Your prose is quoted by poets and artists from Palestine, Syria and Lebanon. Two collections of your poems have been translated into Farsi and published in Iran, where Jewish poets are not well represented. Both editions sold out within hours. Art obliterates politics.

I have never been interested in being perfect, morally or ethically. I am interested in the real, the contradictions and the resultant tensions that are created within the self. I think about you-- the you who was born in 1934, and the 11-year-old boy who in 1945 saw

footage of the inferno that was the Holocaust. A tragic truth, and one that led to overwhelming support for a Jewish homeland, for a Europe in exile.

Your desire to balance your presence in Palestine/Israel is one that I therefore understand. I was raised in suburban New York, and there seemed no logical reason to not support Zionism. Then in college I was introduced to the facts of an indigenous people's dispossession and humiliation, the cost of constructing a Jewish homeland. I saw footage of the atrocities committed at the Sabra and Shatila refugee camps in Lebanon in 1982. Cognitive dissonance set in.

I am currently working on a project about you, titled "I'm Good At Love, I'm Good At Hate, It's In Between I Freeze". The title is of course taken from your composition "Recitation." This paralysis located in the middle is the moment that captivates me. I feel it too, and I think many Jews around the world who are faced with the ethical

crisis of what Israel is and what Israel does feel it as well.

The project may or may not be a film. It may be a film that does not need to be made and maybe it already has been. It centers on your participation in the 1973 Yom Kippur War as a kind of warrior poet. You traveled to Tel Aviv from Hydra, Greece to, as you said, "stop Egypt's bullet." Believing that the future of the Jewish people was at stake, you positioned yourself firmly in the line of fire, performing for the Israeli troops and even sipping cognac with Ariel Sharon in the Sinai. Photos of these performances exist. Some foggy recollections of soldiers and fellow performers also exist. I have pulled some documentation together, but I am too restless and disturbed to allow all this to rest politely as a documentary.

Let me explain. My grandparents fled Baghdad in 1946 for political reasons. I grew up hearing my grandmother recount stories of that city, a remembrance of a lost home.

As Jews living in Baghdad in the 1940s, my grandparents' lives became increasingly difficult as the tide of politics turned and the British Mandate for the partition of Palestine grew closer and closer to becoming a reality. Their land was confiscated, their assets taken and their lives changed forever. In some ways, a good forever. In many ways, a sad forever. My grandparents spoke Arabic, and traditional foods were kubba, mashi, and arouk. They were Jews but they were also Iraqis, until they were told they could no longer be Iraqi.

Looking through old photographs recently, I came across several of my grandfather wearing a keffiyeh. It reinforced for me that we were actually Arabs. Arab Jews. This term--Arab Jew--existed in the world until 1948. Now it seems like an oxymoron. I am not interested in arguments and accusations about who is responsible for the exodus of Jews from Arab lands and who suffered more at whose hands and when. But the well-documented programs that sought to de-Arabize Arab Jews upon their arrival in Israel was another act of cultural erasure, of

disappearance, with which I am intimate.

The existence of the state of Israel could not be possible without a choreography of historical narratives that does not always intersect with truth. "A land without a people for a people without a land", for one. Well, there were people there. Every Jewish institution that I have ever known has displayed the Hebrew inscription "zachor." Remember. And as a Jew, I cannot support a Zionist position because of what it forgets.

I am therefore asking your permission, Leonard, to remember. To illuminate truth. As a Jewish artist who has written many letters, declining invitations to exhibit in Israel, as a signatory of the Academic and Cultural Boycott, I ask your permission to perform the concert you planned in Ramallah as a culmination of this project. This is not meant to sound like an attempt at correction. You came from the West and made a choice. I approach from the East and make another. Both are painful, and both yield unacceptable consequences of elimination (in this case, of audiences). But I am heartened, for

it is you who wrote:

I can't run no more
with that lawless crowd
while the killers in high places
say their prayers out loud
But they've summoned
a thunder cloud
And they're going to hear from me.

Perhaps I don't need to ask your permission. Who owns a song? Reflecting on the pilfered rights to "Suzanne," you said "It is probably appropriate that I don't own this song. Just the other day I heard some people singing it on a ship in the Caspian Sea." Indeed. Your songs are now part of public space. They belong to the world.

I don't know why I am writing to you, then. I suppose it is about

honor among artists. I see the conflict in you and the conflict in me and think that somehow we can blend and have it both ways. I want you to know that in war sometimes the good guys lose and that maybe you sang for the enemy. I guess I want you to know that the way you feel feels normal to me, but that that is no excuse.

I will go now, and stop Israel's bullet.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles".

PROPOSED SETLIST

Ramallah Cultural Palace, Palestine

Date: TBD

First Set

Dance Me to the End of Love

The Future

Ain't No Cure for Love

Bird on the Wire

Everybody Knows

In My Secret Life

Who by Fire

Chelsea Hotel no.2

Lover Lover Lover

Avalanche

Waiting for the Miracle

Encore

So Long, Marianne

First We Take Manhattan

Encore 2

Famous Blue Raincoat

If It Be Your Will

Closing Time

Anthem

Second Set

Tower of Song

Suzanne

Sisters of Mercy

The Gypsy's Wife

The Partisan

Boogie Street

Hallelujah

I'm Your Man

Take This Waltz

Encore 3

I Tried to Leave You

Hey, That's No Way to Say

Goodbye

Whither Thou Goest

Michael Rakowitz

*I'm good at love, I'm good at hate,
it's in between I freeze*

2009–ongoing

Letter written on Leonard Cohen's
Olivetti Lettera 22 typewriter

Courtesy the artist

Against the Light
Lyndon, Debora, Abou

Lyndon, Debora, and Abou met at the New Sanctuary Coalition doing the work of solidarity and sanctuary in different capacities as creators, actors, dramaturges, fighters, speakers, and thinkers; so they spoke, thought, created, and fought together. They hope to continue doing more of that work, together and alone, in any and all ways possible.

1

Imagine a cell, a jail cell, a cage for solitary confinement, plunged into darkness. Imagine you are a man from Grenada living in Brooklyn, charged by local police for possession in 1992. You didn't show up for the court date. Fifteen years later, after New York Mayors Rudolph Giuliani and Michael Bloomberg ramped up the New York Police Department machinery for the criminalization of everyday life for Black and Latinx communities, you are suddenly picked up.

You are charged with "failing to appear," which makes it a federal matter. You spend five years in federal prison, in various

states of struggle, resistance, and torture, until you are suddenly transferred to immigration detention on a false-detainer request—meaning that, through various behind-the-scenes shenanigans, Immigration and Customs Enforcement (ICE) must have stripped you of your permanent resident status. You get a new charge, “obstruction of justice,” which bumps you up into the category of “aggravated felon.” You are deportable. You fight. Until finally, many years later, you get out of detention.

You tell people the range of tortures you were submitted to. “They have many ways of torturing you without inflicting physical pain,” you say. “They starve you, they keep the PA system on all night, they cool down the rooms, they take up the heat, and you’re in a can, you’d be baking in there. All that torture is meant to urge you to sign your voluntary deportation papers and ship you out by your own will. And people do, people sign away their rights because they can’t take it anymore.”

You say of the wardens, “They are kings in their own land—sovereigns. That’s their territory and they do anything. Anything. No one is looking.”

You talk about what it means to operate in the shadows, about the difference between working above the law and below the law. One, darkness above the law, is the prerogative of the sovereign; the other, darkness below the law, is the refuge of those hunted by the sovereign. One is prison and policing, the other may be sanctuary. A sovereign is by definition beyond the law, and it can do anything because it makes the law. That freedom is the source of the sovereign’s power; it determines the borders of darkness. Think of darkness. Think of solitary. Think of that cage.

“Two weeks without light,” someone like Abou might mumble out loud, “without reprieve, no sense of time, a torture...”

“But Abou,” you cut in, “darkness is not the worst of it. It’s the light that’s worse.”

“What do you mean?”

“Imagine you are sealed in, and you have these big ugly lights beaming down on you,” you say. “The lights are made for that. For two weeks, twenty-four hours a day. You can hang out in darkness, you can sleep, you can think. But twenty-four hours of bright light? You lose it! You can’t sleep, you are tormented. It’s something that lives with you forever. The light is worse, it’s worse than darkness.”

2

After the 2016 U.S. elections and Donald Trump’s rise to the presidency of the richest and most powerful country in the world, the *Washington Post* adopted a motto for its masthead: “Democracy dies in Darkness.” The owner, Jeff Bezos of Amazon, a billionaire on tense terms with his fellow billionaire president, shed some light on the maxim adopted by his flagship paper: “I think a lot of us believe this, that democracy dies in darkness, that certain institutions have a very important role in making sure that there is light.” ↪ 1

The opposition between light and darkness, and between voice and silence, are recurring features of liberal democratic discourse. The assumption is that exposure and expression are the requirements for a healthy public sphere, to see everything, and to voice everything. “Certain institutions”—such as the media or, in the U.S., the General Accounting Office or the Environmental Protection Agency or consumer organizations and non-governmental organizations like Human Rights Watch or the Southern Poverty Law Center—are meant to dig up what some people are nefariously trying to hide. So it’s been chalked up to the strength of democracy that these institutions are allowed to investigate and expose outrages such as the black sites of the Chicago police, such as the secretive facility known as Homan Square where thousands of people were “disappeared” off the books and where all the usual rights, especially habeas corpus,

December 8, 2020

Christopher C. Krebs v. Joseph E. diGenova, Donald J. Trump for President, Inc., and Newsmax Media, Inc.

U.S. cybersecurity official Christopher Krebs was fired in a November 17, 2020 tweet by President Trump after he and other officials who oversaw the election determined it was free of major fraud or interference. Citing a wave of death threats against him, Krebs files a lawsuit over threatening remarks by attorney Joseph diGenova on behalf of the president.

were suspended. ↳2 It is considered a strength of democracy that the media and watchdog organizations can uncover the abuses and deaths of immigrants in custody of ICE, another arm of the sovereign state that carries out its work by breaking the law, falsifying evidence, disrespecting basic rights, so much so that a mainstream publication like *Esquire* can patently state that ICE, a government agency, is “operating beyond the law.” ↳3 And in the light of such revelations we, the people, are supposed to speak out against evil and vote for the good things we want. In democracy, those who count as citizens are meant to participate, to bring hidden matters to light, and in the process to make themselves appear in

public as a public that will speak out, blow whistles, march, write, even vote.

Dear People,
Your presence is requested.
Sincerely,
Liberal Democracy

But for some—racialized, undocumented, trans, disabled bodies—the demand is also a trap. Exposure is surveillance; light

is a cage. You appear when you are caught. The racialized body, the philosopher Lewis Gordon writes, “lives the disaster of appearance where there is no room to appear...nonviolently.” ↪4 You become visible never as subject, as a person, but already interpellated into some other category, always seen as suspect, as abject, as alien, as illegal, as criminal, as outsider, as guilty, as dirty, as disease-bearing, as nonhuman, half-human, inhuman.

The destruction of lives often depends on this sort of interpellation where a person is not seen as a human but as a threatening, contaminating, category of being. What does the police see when it shoots a twelve-year-old Black boy because he appears dangerous to them for playing with a toy gun? What do armed ICE officers see when they rip a Honduran child from the mother’s arms and deport her? What do the judges and juries, the media and the public at large, see when they ignore or absolve state power in such cases? The more than twenty-thousand humans detained and deported from the U.S. every single month since the Obama years, ↪5 the over eight million predominantly Black and Brown lives caught up in the carceral machinery (from prison to parole and probation), ↪6 all this comes through the application of criteria and categories that allow the public to turn away from the humanity of people, to refuse to see the way law criminalizes whole swaths of people based on social categories such as race and class. And it all happens in plain daylight.

Whatever the necessity of exposure, then, light also blinds people to the conditions that consistently reproduce darkness beyond the law. While Bezos lauds the *Washington Post*, which he owns, for shedding light on dark matters, his other company, the shipping conglomerate Amazon, is providing cloud-computing resources to ICE and allowing the federal agency to expand its zones of darkness beyond the law.

One lesson then for Jeff Bezos: democracy already died in the light; most people just didn't see it happen. Couldn't see it. Wouldn't see it. Darkness lies on a continuum.

3

Imagine one day having to jump into a car and drive. Imagine you have no license and you are Latina, your child is badly sick, and you have no choice but to take him to the clinic. It is an emergency, so you get in and drive anyway. You fear. You feel it inside of you. On the right is a police car, and you know immediately what's going to happen because you know you are "un hispano manejando." You are DWI—Driving While Immigrant.

You have done nothing wrong—no speeding, no broken taillight, your child has a seatbelt on. The police officer pulls you aside, and when you ask why, he says with ultimate authority that you are not in a position to ask questions; instead, you are supposed to identify yourself. So you do, and he puts your information into the system.

He says that you have been wanted for years.

You think: *Me, wanted? A mi? Quién me va buscar?*

He says that you have a deportation order and writes you a ticket for a seatbelt violation, even though the child has his seatbelt on. It doesn't matter. When you don't have papers, you don't have power. You can be accused of anything without having the possibility to defend yourself.

After fleeing abuse and danger, after years of living and working in the United States, the worst of your ordeals starts. With even more fear, because who is going to listen to your truth? To a woman? An immigrant? The appointments and check-ins and immigration scrutiny make you feel like a criminal when you have committed no crime. You appear in a legal system where unscrupulous lawyers prey on you. They take your money and do nothing.

December 17, 2020

New York Governor Andrew Cuomo signs bill that bans the sale of “hate symbols”

Confederate flags, swastikas, and other “hate symbols” are banned at state buildings and events in New York, intended to counter the spread of racist and anti-Semitic behavior and ideology. Cuomo adds that “certain technical changes might be necessary to avoid infringing on U.S. citizens’ constitutional right to freedom of speech, as protected by the First Amendment.”

Then it’s time.

You never thought you would walk into a church for sanctuary. ↳7 The way sanctuary works is you tell immigration officials you are there inside a church, but you are betting that ICE will not raid the House of God. You are not hiding, but you are not out in the streets either. You cannot leave the confines of sanctuary because as soon as you walk outside the church you are at risk of being taken by ICE. Sanctuary, then, is protection but it is also confinement, it is solidarity with people who take you in and don’t know you, but it is separation from your family and those you know. You don’t want to be there but it’s the only option there is. It is both light and darkness.

Then come the press conferences. Microphones, cameras, journalists. You are told that bringing your story into light is how you will save yourself and represent others in the same situation. So you tell them your story but can’t bear to watch any of it because you can’t bear to see yourself crying, begging for help. They *want* to see you cry. They *want* to have pity for you. They demand your story. They want to ask you about everything without respecting your life. What they don’t know, they make up. What they need, they invent. Meanwhile, every retelling is a reliving of the trauma over and over again. Even

The U.S. House of Representatives impeaches U.S. President Donald J. Trump for a second time on charge of “incitement of insurrection”

January 13, 2021

sympathetic reporters abuse your vulnerability. They use you for their own purposes. When you talk to anyone, you wonder if and how any of what you say will be used. Friends tell you that they saw photos of your children hanging in exhibits. They call from a major publication asking for your permission to publish photos of your children! What photos, with what permission? It’s like a slap in your face. It takes six months, but you stop telling your story.

In the end, what matters is the solidarity of others—people you didn’t know you would ever meet, people outside of their categories, regardless of their race or sexual preference, people who fight with you and pray next to you while you cry. That’s what keeps it all going, while your hope is suspended, while you move between the light of sanctuary and its darkness.

4

At an immigration summit a couple of years ago, Ben Ndugga-Kabuye of the advocacy group Black Alliance for Just Immigration (BAJI) made this point: you can have all these stories but then all you need is one story about an immigrant who robbed someone and that’s enough to erase everything. He was pointing to the categories that overdetermine the narrative, that reinscribe over and over the insider and the outsider. The good immigrant story weds sentimentality and democratic redemption to its opposite, to the figure of the bad immigrant that is used to justify the violence and bureaucracy of the state. That is how the stories get told, that is the function they serve.

It's in this context that we hear more and more people refusing the demand for story and voice, claiming silence as a statement, taking refusal as a political possibility.

For so long, many fought for visibility and a voice. Whereas “undocumented” is a term that overemphasizes the politics of state recognition and state power, it also refers, very much by the same token, to a population whose lives had not been documented, whose lives remained unstoried, at least for most of the American public and the media. Not having legal immigration documents also meant not appearing in the public light, it meant staying in the shadows of democracy. It was in reaction to this that the calls from immigrant communities were to come out of the shadows and we tell our stories, document the lives and hard work of the undocumented in order to put a human face on the increasingly vilified population.

And over the last decade, the stories have been told in countless newspapers, photo essays, documentaries, books, and films—many written or made by immigrants. These stories are generally fueled by an assumption: if the public knows us better, if they witness our pain, they will see us as fellow humans. Yet these stories haven't reduced the ruthlessness of ICE or the racism of America, for “knowing” the other has always been part of the colonial project of reforming or apprehending the other. It's not for a lack of stories that people are detained, abused, and deported.

Indeed, often the same companies that publish the stories are the very ones that collaborate with the carceral system. The example of Jeff Bezos and Amazon is not unique. Thomson Reuters, the parent company of the giant news service Reuters, has a \$60 million contract with ICE so that even as its reporters write sympathetically about immigrants, its data analysts help ICE make arrests. ↪ 8

Lesson two, then, may be: sometimes we need darkness.

In 1961, in an essay on education, tyranny, and immigration, political philosopher Hannah Arendt reminds us that in the process of being born, every living being “emerges from darkness. However strong its natural tendency to thrust itself into the light, the being nevertheless needs the security of darkness to grow at all.” ↪9 As a physical space inside a church or restaurant or even home, sanctuary is where someone takes temporary refuge from the risk of forced removal or unjust imprisonment. It provides the kind of darkness necessary for life to go on at all. Sanctuary, between light and darkness, provides a different lesson than the easy opposition of light and darkness, silence and voice so necessary to liberal stories about legality, transparency and democracy.

When the light is worse, when visibility means danger under regimes of legalized surveillance and racial profiling, we need to hold on to what the French Caribbean writer Édouard Glissant called the right to opacity ↪10 and what Native scholar Audra Simpson has theorized as the politics of refusal. ↪11 “The opaque is not the obscure,” Glissant wrote: “It is that which cannot be reduced.”

Choosing not to participate, speak, or appear in public is different from hiding. It is a recognition that in order to become legible in existing structures of power and terms of public discourse, our stories will be reduced to simplistic representations or intrusive overexposure. Sanctuary is not just a place, it is a politics and a practice of refusal. To claim sanctuary is to spurn the state’s orders of forced removals. But to practice sanctuary can also mean to reject the politics of representation and the repetition of pain we are told is required to legitimate our existences. Sanctuary is the refusal to distinguish between good and bad, legal and illegal, citizen and immigrant, human and

criminal as the grid of intelligibility through which lives are judged, rewarded, and punished.

Sanctuary means that struggle and solidarity precede the demand for a story.

6

Some years ago, as part of a weekly vigil around the old, now disbanded Varick Street Detention Facility in New York City, a group from the New Sanctuary Coalition came together to organize a number of ICE Melts. Documented and undocumented people would gather around large and small chunks of ice, which we ritually imbued not with stories but with affect, with rage and anger and faith. Then, we would help each other carry the ice a few blocks down the road to the ICE detention center where we walked in silence around the building, dropping rage-filled blocks and cubes behind us, leaving a trail of melting and melted ice and water surrounding the building. Finally, we would stop and read off the names of the disappeared, those taken from their homes and lives by ICE, and we would let out a collective scream at the building. Only then, walking back to New Sanctuary offices, would we start to speak again, exchanging stories among ourselves.

1 Paul Farhi, “The Washington Post’s New Slogan Turns Out to Be an Old Saying,” *Washington Post*, February 24, 2017. <https://www.washingtonpost.com/lifestyle/style/the-washington-posts-new-slogan-turns-out-to-be-an-old-saying/2017/02/23/>

[cb199cda-fa02-11e6-be05-1a3817ac21a5_story.html](https://www.washingtonpost.com/lifestyle/style/the-washington-posts-new-slogan-turns-out-to-be-an-old-saying/2017/02/23/cb199cda-fa02-11e6-be05-1a3817ac21a5_story.html).

2 Spencer Ackerman, “Homan Square Revealed: How Chicago Police ‘Disappeared’ 7,000 People,” *The Guardian*, October 19, 2015. <https://www.theguardian.com/us-news/2015/oct/19/homan->

square-chicago-police-disappeared-thousands.

3 Charles P. Pierce, “ICE Is a Renegade National Police Force Operating Beyond the Law,” *Esquire*, April 19, 2018. <https://www.esquire.com/news-politics/politics/a19862686/ice-arrest-no-warrant/>.

4 Lewis Gordon, “Through the Hellish Zone of Nonbeing: Thinking through Fanon, Disaster, and the Damned of the Earth,” *Human Architecture: Journal of the Sociology of Self-Knowledge* (2017): 11.

5 Alex Nowrasteh, “The Trump Administration’s Deportation Regime Is Faltering,” Cato Institute, December 12, 2019. <https://www.cato.org/blog/trump-administrations-deportation-regime-faltering>.

6 Stef W. Kight and Alayna Treene, “Trump Isn’t Matching Obama in Deportation Orders,” *Axios*, June 21, 2019. <https://www.axios.com/immigration-ice-deportation-trump-obama-a72a0a44-540d-46bc-a671-cd65cf72f4b1.html>.

7 Alexi Jones, “Correctional Control, Incarceration and Supervision by State.” Prison Policy Initiative. <https://www.prisonpolicy.org/reports/correctionalcontrol2018.html>.

8 Movements for “sanctuary” can trace their roots back to the stowaway houses and escape routes of the abolitionist movement. They are most associated, however, with efforts to protect Latin American refugees fleeing U.S.-sponsored Cold War violence in the 1980s. Religious leaders along the southern U.S. border established their houses of worship as sanctuaries and coordinated routes for transporting individuals between them. These sanctuaries provided shelter, material goods, publicity, and legal advice.

Today, sanctuary states, cities, congregations,

and campuses work to protect their residents, students, and neighbors from detention and deportation by Immigration and Customs Enforcement (ICE), to keep families together, to develop systems of community support for immigrants seeking refuge, and more broadly to maintain communities in which immigrants, people of color, and people of all religious faiths can safely live, work, and study.” NYU Sanctuary, “Sanctuary Syllabus,” *Public Books*, December 5, 2017. <https://www.publicbooks.org/sanctuary-syllabus/>.

9 Hannah Beckler, “Thomson Reuters Analysts Process Data to Help ICE Agents Make Arrests, Documents Show,” *Documented*, May 20, 2020.

<https://documentedny.com/2020/05/20/thomson-reuters-analysts-process-data-to-help-ice-agents-make-arrests-documents-show/>.

10 Hannah Arendt, “The Crisis in Education,” in *Between Past and Future: Eight Exercises in Political Thought* (New York: Viking Press, 1961), 186.

11 Édouard Glissant, *The Poetics of Relation*, trans. Betsy Wang (Ann Arbor: Michigan University Press, 1997/2009), 191.

12 Audra Simpson, “Ethnographic Refusal: Indigeneity, ‘Voice’ and Colonial Citizenship,” *Junctures: The Journal for Thematic Dialogue*, no. 9 (2007): 67–80.

In The Mouth of This Dragon
Mendi + Keith Obadike

Four instrumentalists play a new arrangement of the spiritual “Hush.” Vocalists, dressed in black, red, and white, process. Rubbing their hands together, they say, “Ssssshhhhhh” (as in a hushing sound). They vocalize the ambient sounds they hear in the room as they move to the stage.

SCENE 1: HUSH

LEAD: The year was 1337, in the outskirts of a small town near the Idemili River. It was evening. The air was warm and thick. From every direction a chorus of cicadas pulsed. The pungent smells of palm oil and the butcher’s stall were still in Chinasa’s nose as she walked home from her work in the market. Humming softly in rhythm with her steps, she took a shortcut through the dense bush. She hoped to arrive home before it became too dark. She pushed back branches and walked through the brush until she stumbled, hitting her foot on what she thought was a large stone. She looked down to examine her injuries and saw a bright, white object shining through the

darkness. She knelt and saw that it was not a stone at all, but a skull. As she recoiled in fear, the skull began to sing to her: “*Somebody’s calling my name.*”

Strangely, the singing drew her closer to the skull. The singing skull was both amazing and horrifying. What did it mean? She wanted to run and tell everyone what she had seen in the bush. But who would believe her? Maybe she should go and bring the people back to hear the singing for themselves. But as she turned to run, she realized she had heard this kind of story before. What if she swore on her life that she had witnessed this singing skull in the wilderness and the skull went silent? What would be the cost to her? Maybe it would be too great. So, instead of telling the story, Chinasa slowed her pace to a languid walk and continued home as twilight crept in.

LEAD: *(singing) Hush. She wanted to run.*

ALL: *Somebody’s calling my name.*

LEAD: *Hush. She’d heard this story before.*

ALL: *Somebody’s calling my name.*

LEAD: *Hush. Twilight crept in.*

ALL: *Somebody’s calling my name. Oh, my soul.
What shall I do?*

LEAD: *Sounds like freedom*

ALL: *Calling my name.*

LEAD: *Sounds like freedom*

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ALL: *Calling my name.*

LEAD: *Sounds like freedom*

ALL: *Calling my name. Oh, my soul. What shall I do?*

SCENE 2: HATATA/INQUIRY

LEAD: It was 1630, in the district of Aksum. There was a philosopher and teacher named Zera Yacob. He was a seeker, a questioner. In time his usual questions brought him enemies. They attempted to censor him and one of them gained the king's ear. So Zera fled. He ran for miles, begging for food, wandering until he found a cave. There he hid, for many years, with no audience for his questions. So he embraced them.

ALL: *Is there
someone
listening to the seeking
of my heart?*

LEAD: *Am I all alone in the dark?*

ALL: *Was there
someone
watching all the terror?
If they saw*

LEAD: *Why were they silent when I called?*

ALL: *Waiting for an answer.
Hearing*

290 Studies into Darkness

LEAD: *My own voice*

ALL: *Is there
someone
listening to the seeking
of my heart?*

LEAD: *Am I all alone in the dark?*

SCENE 3: DRAGON

LEAD: It was a snowy December in Chicago of 1977. Lesbian writers and critics were gathering in a conference room of the Conrad Hotel. The poet Audre Lorde had recently been diagnosed with cancer. She had considered staying home, but in the end, she decided to bring herself to the microphone. She was done with silence.

(A) LEAD: *I have come to believe what's important to me must be spoken. Risking the bruise of misunderstanding so many silences to be broken*

ALL: *Silence will not protect you.*

LEAD: *Waking up to death*

ALL: *And to my dream of life*

LEAD: *Everything unsaid*

ALL: *Etched in a merciless light. Silence is my regret.
In the mouth of this dragon, fire at every turn.*

291 Silence and Transformation

To survive there's lesson we have learned.

(B) LEAD: *What keeps us from moving into our light is not an issue of our difference, but the omissions and disavowals. Only our voices can bridge the distance.*

ALL: *Silence will not protect you.*

LEAD: *Death is the final silence.*

ALL: *It might be coming now. Women's words are calling us. It's time to seek them out and bring them into our lives.*

In the mouth of this dragon, fire at every turn.

To survive there's a lesson we have learned.

(C) LEAD: *We can study to speak when afraid just as we have learned to work when weary, To honor our needs to give things names, to teach by living what we're saying.*

ALL: *Silence will not protect you.*

LEAD: *Looking upon my life*

ALL: *Now with open eyes. Although I'm left shaking I'm stronger in my resolve*

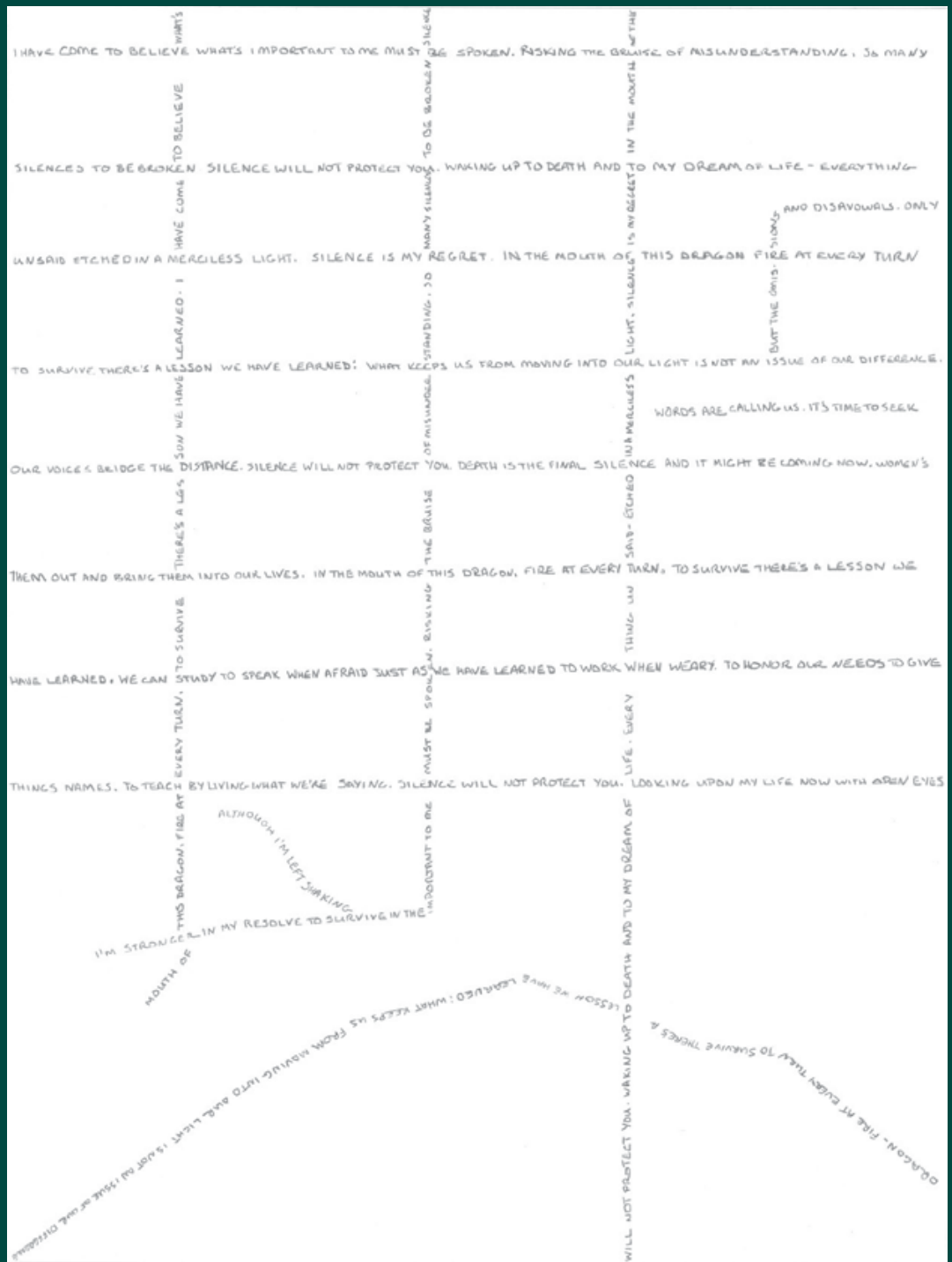
To survive in the mouth of this dragon, fire at every turn.

To survive there's a lesson we have learned.

Oh oh oh oh oh Oh OH!

292 Studies into Darkness

The vocalists exit as they entered, listening and vocalizing the ambient sounds. The instrumentalists continue to play as the vocalists leave the room.

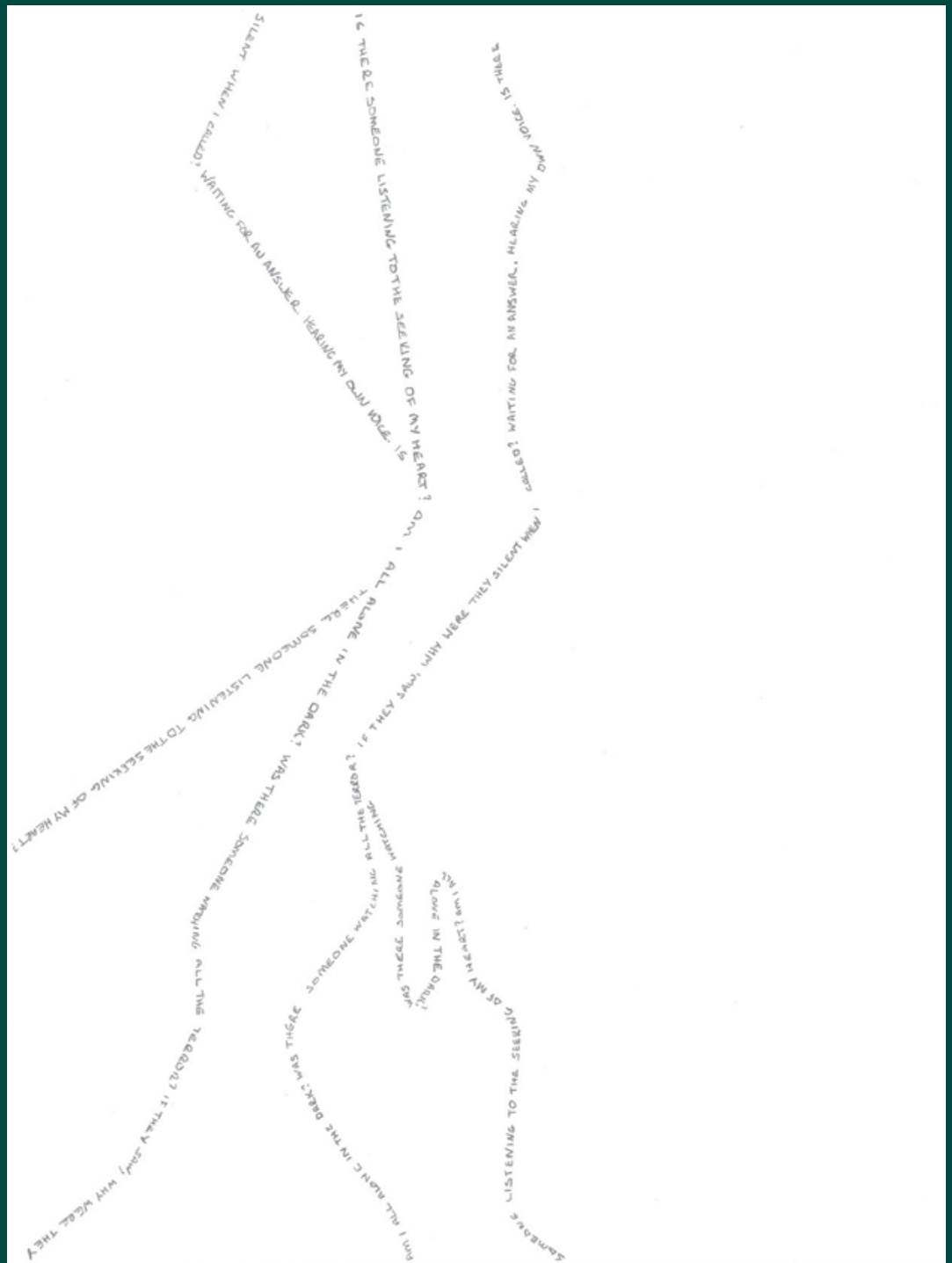


Mendi + Keith Obadike

Dragon, 2020

Hand-drawn map of a portion of the Chicago River and the area surrounding the Conrad Hotel, where Audre Lorde spoke on the Lesbians and Literature panel at the Modern Language Association conference in 1977.

Courtesy the artists.



Mendi + Keith Obadike

Hatata, 2020

Hand-drawn map of the Tekezé River and the adjacent roads leading to Showak. Courtesy the artists.

Indices and References Towards a Curriculum on Freedom of Speech

Six transdisciplinary seminars form the basis of this book by sketching out thematic research clusters around notions of free speech. Through the help of five collaborating organizations, these research groups offer an expansive approach to what it means to speak about freedom of speech.

Each seminar was curated by the Vera List Center in collaboration with a different organization, and with the exception of Seminar Five, all were presented at The New School between 2018 and 2019. As befitting any study into darkness, the process of learning, understanding, and articulating is long-winded; it occurs at the intersection of institutions, specific political moments, and individuals. In our desire to get ready for what artist Jeanne van Heeswijk refers to as the “Not-Yet,” and at the same time capture the specific moments that helped articulate the seminar topics, we have reassembled those seminars here. Rather than an archive in the traditional sense, each presents a constellation of related concerns of the artists, activists, scholars, and writers invested in them. Each thus provides an active entry point into one specific area of investigation.

Vera List Center Seminars

These seminars were convened by the Vera List Center for Art and Politics, ARTICLE 19, the National Coalition Against Censorship, New York Peace Institute, and Weeksville Heritage Center from November 2018 through September 2019, under the heading “Freedom of Speech: A Curriculum for Studies into Darkness.” All of them are now available as video documentations at www.veralistcenter.org; we offer them here as fodder for future lesson plans.

Embedded in artist Amar Kanwar’s film *Such a Morning* is the invitation to examine, over an extended period of time, an urgent topic that may otherwise be lost to metaphorical “darkness.” The extent to which Donald Trump abused the First Amendment became clearer as time progressed—one of the culminating moments was the Capitol insurrection on January 6, 2021. When this project began in 2018, research for these seminars already made it abundantly clear that free speech would be among the defining issues of our time, played out by Black Lives Matter and other efforts to decolonize history, cultural institutions, and historical monuments in public space.



Carin Kuoni



Laura Raicovich

Prelude

Amar Kanwar: *Such a Morning*

November 11, 2018

Participants

Amar Kanwar, artist and filmmaker, New Delhi

Carin Kuoni, Senior Director/Chief Curator, Vera List Center
for Art and Politics

Laura Raicovich, independent curator and writer

Nitin Sawhney, Assistant Professor, Media Studies, The New
School

Kaelen Wilson-Goldie, writer and critic, Beirut, Lebanon, and
New York

In the words of Kanwar, *Such a Morning* is “a modern parable about two people’s quiet engagement with truth ... *Such a Morning* navigates multiple transitions between speech and silence, democracy and fascism, fear and freedom. In the cusp between the eye and the mind, shifting time brushes every moment into new potencies. Each character seeks the truth through phantom visions from within the depths of darkness.”

The Vera List Center and UnionDocs in Brooklyn, in association with Marian Goodman Gallery, presented this screening of *Such a Morning* to kick off the VLC Seminar Freedom of Speech: A Curriculum for Studies into Darkness. Introduced by the cocurators of the seminar series, Carin Kuoni and Laura Raicovich, the film screening was followed by an exchange between Kanwar, Sawhney, and Wilson-Goldie on epistemologies produced by art, and how the unknown can be a productive incubator in times of crisis.

UnionDocs (UNDO), copresenter of this event, is a nonprofit center for documentary art that presents, produces, publishes, and educates, bringing together a diverse community of activist artists, experimental media-makers, dedicated journalists, big thinkers, and local partners.

Seminar One
Mapping the Territory
Presented in Partnership with the National Coalition
Against Censorship
November 12, 2018

Participants

Christopher Allen, Founder and Executive Artistic Director,
UnionDocs

Mark Bray, political organizer, author, and historian of
human rights, terrorism, and political radicalism in
Modern Europe

Abou Farman, Assistant Professor, Anthropology, The
New School

Rob Fields, President and Executive Director, Weeksville
Heritage Center

Amar Kanwar, artist and filmmaker, New Delhi, India

Anna Keye, Development and Outreach Officer, New York
Peace Institute

Carin Kuoni, Senior Director/Chief Curator, Vera List Center
for Art and Politics

Quinn McKew, Deputy Executive Director, ARTICLE 19

Mendi + Keith Obadike, artists

Vanessa Place, artist, writer, and criminal appellate attorney

Laura Raicovich, independent curator and writer

Moderator

Svetlana Mintcheva, Director of Programs, National Coalition
Against Censorship

The First Amendment to the Constitution of the United States guarantees four specific freedoms: freedom of speech, freedom of the press, freedom of assembly and protest, and freedom of religion. Using Amar Kanwar's film *Such a Morning* as a point of departure, this seminar imagined these four freedoms as points on the compass rose, which can be interpreted by the thinking of artists, Indigenous peoples, feminists, and innumerable other perspectives to confront the inequities and uncertainties of our time.

“Mapping the Territory” was rooted in Kanwar's meditations on the freedoms we do and don't have, and how we might use layers of darkness to illuminate what is unknown, to retrieve rights as they seemingly deteriorate in front of us, and to recuperate a sense of self and society in times of crisis.

The seminar traced the legal and social ramifications of free speech, assembly, and protest as foundational to democracy, questioned whether these seemingly unassailable rights should have limits in today's context, and contended with the poetic and artistic articulations of these rights, all overlaid by international as well as Indigenous perspectives. Guided by moderator Svetlana Mintcheva, presenters addressed questions, including: What are the points of contention surrounding free speech, assembly, and protest? Is freedom of speech a universal human right or is it a utilitarian concept? What might limits on expression mean today, particularly in the context of how other nations define free speech? What is “deplatforming” and why is it an important concept? How is artistic work responding to



Mark Bray at Seminar One: Mapping the Territory, November 11, 2018.



Keith + Mendi Obadike.



Amar Kanwar and Vanessa Place.



Weeksville Heritage Center president and executive director Rob Fields.

these ideals? Why is art and poetry important in this discussion? How are Indigenous rights embedded or excluded from free speech debates?

The format of this seminar was borrowed from artist Mierle Laderman Ukeles's iconic installation *Peace Table* (1997), a circular table around which conversations were convened both in Los Angeles in 1997 following the Rodney King beating, and in Queens in 2016 to discuss peace on a range of personal and political registers. For the VLC Seminar, presenters sat around a proverbial round table, and concentric circles of seats were available for both respondents and other seminar participants.

Mintcheva kicked off the discussion by framing the “value” of free speech, particularly given the uneven distribution of and unequal access to these rights, and the limits on government power that free speech in the U.S. is meant to define. The historian Mark Bray opened the conversation by questioning the right of speech in relation to harm and fascism. He questioned whether deplatforming is really a curtailment of free speech or rather an assertion of a particular set of liberatory politics and values. Mendi + Keith Obadike discussed the control of data and speech, particularly in the context of racialized realities in America, both throughout history and in the present, including how voting rights have been impinged upon in a way that appears as data errors, as was the case in Georgia's 2018 election for governor. Abou Farman spoke about darkness and silence as places of power, and the potentials of removing oneself from violence into what Hannah Arendt has called the “security of darkness.”

Amar Kanwar asked some important questions of the group including how we might identify our own blind spots, how we might retreat to reconfigure or reconstitute seemingly irresolvable conflicts, how might we question the “good guy/bad guy” duality, and how we might prepare for the resolution of the

fundamental questions so we are ready for the next. The lawyer and writer Vanessa Place then brought the seminar into the contentious territory of advocating for speech that is criminal and allowing the ugliness of humanity a space to exist, insisting that supporting the right to differ might come at the expense of justice and equality.

Seminar Two
Feminist Manifestos
Curated with Gabriela López Dena
December 3, 2018

Part I: Performances

Manifesto readings were staged on The New School campus in New York City throughout the day in the order below:

Melanie Crean, artist

The Cyborg Manifesto by Donna Haraway, 1985

Main lobby

Alvin Johnson/J. M. Kaplan Hall, 66 West 12th Street

Abby Zan Schwarz, designer

Women's Environmental Rights: A Manifesto by Leslie

Weisman, 1981

Stairwell, 5th to 6th floor

University Center, 63 Fifth Avenue

Hannah Roodman, filmmaker

A Manifesto by Agnes Denes, 1969

Elevators

Albert and Vera List Academic Center, 6 East 16th Street

Gabriela López Dena, architect and designer

Palabras a nombre de las mujeres Zapatistas al inicio del primer
encuentro internacional, político, artístico, deportivo,
y cultural de mujeres que luchan by the Zapatista
Women, 2018

Foyer, University President's Office

Alvin Johnson/J. M. Kaplan Hall, 66 West 12th Street

Zara Khjadeeja Majoka, Religious Studies student

The Charter of Feminist Principles for African Feminists by the
African Feminist Forum, 2006

Entrance of the List Center Library, 8th floor

Albert and Vera List Academic Center, 6 East 16th Street

Gal Cohen, artist

Manifesto for Maintenance Art 1969! by Mierle Laderman

Ukeles, 1969

Main lobby

Sheila C. Johnson Design Center, 2 West 13th Street

Iayana Elie, product strategist

The Combahee River Collective Statement by Combahee River
Collective, 1977

The Walter A. and Vera Eberstadt Student Lounge,
5th floor

University Center, 63 Fifth Avenue

311 Indices and References

Thalia Rondon Raffo, Creative Cloud member
Manifiesto de práctica feminista by Asociación de Revistas
Culturales Independientes de Argentina, 2018
Social Justice Hub, 5th floor
University Center, 63 Fifth Avenue

Claire Potter, Professor of History, The New School
Declaration of the Rights of Woman by Olympe de Gouges, 1791
O Café
Eugene Lang College of Liberal Arts, 65 West 11th Street

Chasity Wilson, Residence Hall Director, The New School
Wages for Housework by The Wages for Housework
Committee, 1974
Housing and Residential Education
318 East 15th Street

Caroline García, artist
Xenofeminist Manifesto by Laboria Cuboniks, 2015
Arnold and Sheila Aronson Galleries, 66 Fifth Avenue

Aleksandra Wagner, Associate Professor of Sociology
Feminist Manifesto by Mina Loy, 1914
Security booth
Alvin Johnson/J. M. Kaplan Hall, 66 West 12th Street

Quenessa Barnes, preparatory cook/cashier, The New School
Women's Declaration on Food Sovereignty by Nayéléni: Forum
for Food Sovereignty, 2007
Sushi Bar, 2nd floor
University Center, 63 Fifth Avenue

Caroline Macfarlane, documentary filmmaker

Redstockings Manifesto by Redstockings, 1969

Classrooms across the 6th floor

Albert and Vera List Academic Center, 6 East 16th Street

Ola Ronke, the Free Black Women's Library

Transformation of Silence into Language and Action by Audre

Lorde, 1977

University Center Library

University Center, 63 Fifth Avenue

Part II: Conversation

Participants

Becca Albee, visual artist and musician, New York

Chiara Bottici, Associate Professor of Philosophy,

The New School for Social Research

Silvia Federici, philosopher, scholar, writer, and activist from

the Radical Autonomist Marxist tradition

A. L. Steiner, visual artist, teacher, collaborator, and Cofounder

of Ridykeulous and Working Artists and the Greater

Economy (W.A.G.E.)

Moderator

Gabriela López Dena, Vera List Center Graduate Student

Fellow, Art and Social Justice

Seminar Two proposed speech as a collective act of reappropriation. It called for a network of resistance and transformation through the enactment of a series of documents written by women in various corners of the world during different moments



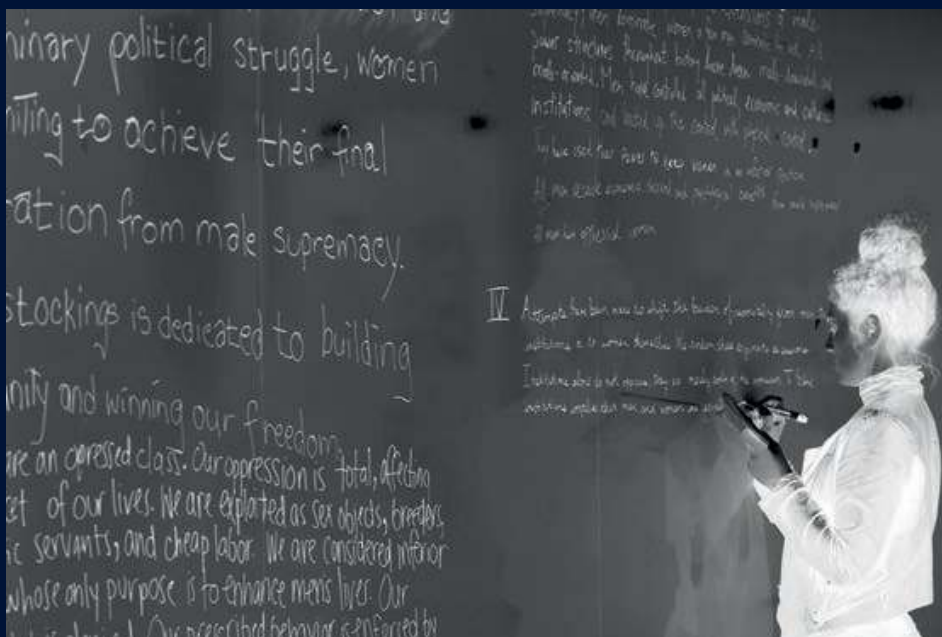
Laura Raicovich, Gabriela López Dena, and Quenessa Barnes.



Artist Caroline García.



Facility staff member Antonio Petrillo and filmmaker Caroline Macfarlane.



New School Media Studies student Johanna Case.



Artist Gal Cohen.



Religious Studies student Zara Khadeeja Majoka.



Residence Hall Director Chasity Wilson.

in time, all of which resonate with the explosive contemporary realities.

Manifestos have historically been used by activists, artists, and writers to boldly state their demands. Usually brief and direct in tone, they point to circumstances deemed unacceptable and in need of change, proposing pathways to move forward and overcome the status quo. From Olympe de Gouges in revolutionary France to the Redstockings in the streets of New York City and the Zapatistas in the remote mountains of the Mexican southeast, women have employed manifestos to circulate their ideas and build coalitions with others who might recognize themselves in their struggles. Throughout the day, students, faculty, and staff recited from historical and contemporary manifestos demanding equality for women.

Each manifesto was read by a diverse group of self-identified women from across The New School—students,

alumni, administrative and maintenance staff, union members, and faculty—in a place where it mattered most: elevators, cafeterias, dormitories, classrooms, or the foyer to the university president’s offices. Each reading resonated with the distinct social and economic conditions of each site where the manifesto was read, enacting an intersectional feminism. In some cases, crowds began to gather around the person reading; in others, the student masses were simply washed by the speaker, seemingly oblivious to their calls. Through these acts of public speaking and collective listening, quotidian spaces became the container for sociopolitical struggles while pointing to the emancipatory potential of our everyday activities and choices.

The second part of the seminar served as a gathering to discuss the conditions through which the manifestos emerged and the ways in which they have and continue to catalyze new forms of cooperation and collective action. Additionally, women who enacted the manifestos earlier in the day shared their experiences of performing free speech, embodying the knowledge, perspectives, and emotions embedded in those statements.

Artist and musician Becca Albee began the evening session by reading an expanded “manifesto,” an alternative to the traditional land acknowledgment; hers was a long list of first names of hundreds of women to whom the Federation of Feminist Women’s Health Centers had dedicated their textbook from 1978, not because these women had written for the book but because its content was built on the intellectual and activist foundations they had provided in their times.

Philosopher Chiara Bottici read the most up-to-date version of the anarchy-feminist manifesto, an ever-evolving text shaped by a process of continuously assembling fragments of other manifestos and rephrasing their goals through an aggregational online process. Later, Bottici’s call to defy an (academic) system that oppresses women by acting as if one were in control of it raised issues of privilege: Who can afford to challenge a

system they are part of? How does academia relate to politics, theory to practice or activism? What agency do we have in a system that we are ourselves implicated in? Artist A. L. Steiner, who read Valie Export's "Women's Art as Manifesto" from 1972, argued that reality is a social construction with men as its engineers and that the notion of freedom itself was a conservative construct.

The seminar participants then considered the uncomfortable contradictions we inhabit and our complicity in systems of power, some called for an embrace of such experiences of discomfort, to actively make space for such contradictions, and to stay in a moment of suspension from usefulness.

Seminar Three
Pervasive and Personal:
Observations on Free Speech Online
Presented in Partnership with ARTICLE 19
February 11, 2019

Participants

Deborah Brown, Global Policy Advocacy Lead, Association for
Progressive Communications

Molly Crabapple, artist and writer

Julia Farrington, Associate Arts Producer, Index on
Censorship; Member, International Arts Rights
Advisors, London, United Kingdom

shawné michaelain holloway, new media artist, Chicago, Illinois

Nancy Schwartzman, documentary filmmaker, *Roll Red Roll*,
Los Angeles, California

Moderator

Judy Taing, Head of Gender and Sexuality, ARTICLE 19

Technology has linked much of the world together, but it has also become an often intrusive part of our lives. The internet's existence as a vast yet intimate space has enabled a new kind of

vulnerability that comes with serious challenges of online abuse and harassment.

In Seminar Three, participants turned from considerations of free speech in a sociopolitical context to how freedom of expression is exercised—and curtailed—in our complex online sphere. By specifically observing the ability of women to safely and securely speak out online, the contradictions of the internet were brought to the fore.

Judy Taing began the discussion by posing a series of framing questions: Does technology advance expression for women and LGBTQ+ persons? Is the internet an equal space? What are the “new” risks that come with expression online? She stressed that freedom of expression online for women was a societal issue that produces complex challenges due to the specificities of culture, geography, legal frameworks, and language, among other factors that impact the field globally. She then pointed to questions of enforcement and authority: Should attacks on individuals should be handled legally, by the state, or by the companies that run the technology (like Twitter and Facebook)? Would we trust either to be the gatekeepers? What should be done in relationship to anonymity and encryption, so necessary for some and abused by others? Is it possible to grow an inclusive space online as the technology grows and changes?

Journalist and illustrator Molly Crabapple read a deeply compelling story she reported on for the *New York Times* about Tara Fares, a young woman who became an Instagram celebrity based in Iraq, who was subsequently murdered for being a highly visible, outspoken woman. Taing followed up by asking if the visibility provided by the internet could make women safe.

Artist shawné michaelain holloway suggested an important distinction that would remain central to the seminar when she questioned whether the discussion should be centered on visibility or rather, legibility? Perhaps, she offered, if legibility were



Carin Kuoni introducing Seminar Three:
**Pervasive and Personal: Observations on Free
 Speech Online, February 11, 2019.**

the goal then users would be truly “seen” rather than assumptions made about their presence.

Arts advocate Julia Farrington recounted the story of a young female photographer working in the Middle East named Yumna Al-Arashi, whose photography was posted on social media platforms that made her a target of threats and hate. Farrington described the very real need to provide artists with protocols for interacting more safely online. She further suggested that guidelines like those created for journalists and documentary filmmakers needed to be repurposed for artists’ specific needs.

Film director Nancy Schwartzman spoke next, introducing her documentary *Roll Red Roll*. The film is about the sexual assault of a young woman in Steubenville, Ohio, and the attempts to cover up crimes because of the perpetrators’ role on a local football team. The way the perpetrators were discovered was via

their online footprint; they had talked about the assault on Twitter and in text messages. A discussion followed about the ways in which bystanders and witnesses were complicit in this scenario and how this is often amplified online. There were further discussions of how to maintain credibility when under attack, as both Schwartzman and the lead investigator became targets once their work was made public.

Artist Deborah Brown offered examples of creating a crowdsourced methodology to combat misogynist attacks online. She suggested that imagining how to “take back the tech” could create a feminist space on the internet. She described this feminist internet as being a platform for freedom of expression that should be intersectional and accessible, be supportive of movements, provide alternative economic models, and promote a vast array of principles around consent, privacy, anonymity, and other crucial issues.

holloway then presented several of her media-based artworks that are largely created explicitly for the internet. She discussed UI (user interface) as a mode of manipulation, and how her works produce a perceived “realness” or intimacy that is both real and veiled through her costumes and efforts to otherwise disguise herself. holloway then read “Poetry Is Not a Luxury” by Audre Lorde. She emphasized the online experience as being one of transformation, as a place to make dreams, to escape judgment, to submit, concluding the conversation by pointing to the convergence of light, as in the light that comprises the internet, and also is emitted from the screen, as well as in the sense that “being in the light” relies on being seen and public.

Seminar Four

Say It Like You Mean It:

On Translation,

Communications, Languages

March 11, 2019

Participants

Natalie Diaz, Mojave poet, language activist, and educator,
Tempe, Arizona

Aruna D'Souza, writer and art historian, Williamstown,
Massachusetts

Suzanne Kite, Oglala Lakota composer, performance and visual
artist, Montréal, Québec, Canada

Stefania Pandolfo, Professor and Director of the University of
California Berkeley Medical Anthropology Program on
Critical Studies in Medicine, Science, and the Body

Ross Perlin, writer and linguist; Codirector, Endangered
Language Alliance

Kameelah Janan Rasheed, artist, writer, and educator

Moderators

Carin Kuoni, Senior Director/Chief Curator, Vera List Center
for Art and Politics

Laura Raicovich, independent curator and writer

Seminar Four explored the particular ways in which we use language—dialects, registers of speaking, nonverbal speech—in order to convey ideas to different audiences.

A group of artists who think profoundly about these issues were joined by anthropologists, language specialists, educators, art historians, and Indigenous scholars to contend with myriad related questions, including: Do we imagine a particular person or a group when we formulate speech? Is this choice conscious? What might this reveal about us? What does the actual language we use to communicate convey? Is it a native tongue or does it come to us in translation? Does it take up the languages of theory, or of daily speech? What does a silent position mean? What role does the refusal to speak play in the right to free speech?

Two astounding performances framed Seminar Four: “Brighter Than the Brightest Star I’ve Ever Seen,” Suzanne Kite’s language class that opened the evening, and Natalie Diaz’s response, a poem called “The First Water Is the Body.” Both offered attempts at translating Indigenous concepts into highly tactile and revelatory experiences for participants. In between, two panels were convened on translation, communication, and languages, moderated by Raicovich and Kuoni, respectively.

Kite staged her lesson as lecture, coaching the audience in the pronunciation of Lakota words and their meanings as she shared (in English) the interlacing stories of a paranormal encounter between a girl and a ghost; the collusion of law enforcement personnel with defendants in a historical sexual assault case that happened on an Indian reservation in the 1980s, the linear orientation of both settler colonialism westward and Christian eschatology, and examples of Indian names claimed by cities and towns throughout the United States. As



Seminar Four: Say It Like You Mean It: On Translation, Communications, Languages.



Suzanne Kite, Oglàla Lakóta language class as part of Seminar Four, March 11, 2019.



Seminar Four, Part One. Say It Like You Mean It: On Translation, Communications, Languages. From left to right: Laura Raicovich, Kameelah Janan Rasheed, Aruna D'Souza, and Ross Perlin.



Seminar Four, Part Two. Say It Like You Mean It: On Translation, Communications, Languages. From left to right: Suzanne Kite, Stefania Pandolfo, Natalie Diaz, and Carin Kuoni.



Seminar participants, from left to right: Laura Raicovich, Suzanne Kite, Stefania Pandolfo, Natalie Diaz, Carin Kuoni, Aruna D'Souza, Kameelah Janan Rasheed, and Ross Perlin.



Closing discussion.

the audience gained confidence in pronouncing the Lakota words, the story unraveled, the room became awash in red light, and we lost sight—literally and metaphorically—of the narrative and its meaning.

Are translations possible, even desirable? Speaking about the Endangered Language Alliance of New York City, Ross Perlin discussed various paradoxes, among them how a wealth of language diversity in one location might in fact exacerbate linguistic extinction in another; how in times of political strife, environmental crises, and global migration, cities often serve as last-minute holdouts of cultures endangered where they originated: “[The city] is where linguistic diversity comes to die.” Other paradoxes included the need to make languages visible with maps that remain inadequate to represent them.

Perlin’s demand for implementation of a principle of linguistic equality was taken up by the artist Kameelah Janan Rasheed, who spoke about her current project “Scoring the Stacks” at the Brooklyn Public Library. “Why is my stuff, my voice not in the library?” she asked, and with this project she demanded the reader perform the text as they write it.

Aruna D’Souza shattered all assumptions of decorum and community by forcefully demanding that we replace empathy with an acknowledgment that there is value in incomprehension. “As a political project, I want to think about what it means that we don’t have to understand in order to care for each other or create spaces in which people are cared for,” she said. This first panel closed with a discussion on how to sit with incomprehension, how to defy capitalist notions of efficiency, and what that might mean for politics and engagement outside of understanding.

The second panel focused on how our bodies are implicated in language and knowledge production. In Suzanne Kite’s words, “You cannot not involve the body. ... It requires the body, in a space, an entire lifetime, to comprehend even a little

bit of a story.” She described how she often uses a computer interface in her work, offering new forms that invite the body into conversations that are not based on facts or information. The Lakota word for “sacred,” she pointed out, refers to something that is actually incomprehensible.

Natalie Diaz compared Western languages to data systems, in contrast to Mojave, which “pulls us back into our body.”

Stefania Pandolfo read from the introduction of her book, *Knot of the Soul*, describing a walk across the roof of a crumbling house that to one person seemed precarious and to another comprised a map of the world. The resemblance was uncanny to a key scene in Kanwar’s film where a house gets dismantled while the heroine remains seated in what used to be the foyer, ready with a rifle on her lap. From there, Pandolfo arrived at incomprehension or incommensurability of language and time via references to postcolonial studies, psychoanalysis, and her extensive engagement with notions of consciousness or “madness” in Islamic communities in the Maghreb.

In the closing discussion, comprehension and understanding were further unpacked: how it might be safer not to be legible, how literacy can be an exercise of power (for example disruptive speech [such as protest] may become illegible because it’s not recognized as associated with power), and how language is an index of time spent with others establishing conditions of possibility. As coda for Seminar Four, Diaz closed the evening with her poem to the Colorado River, spurning linguistic conventions that distinguish between body and land, internal and external energy.

Seminar Five
A Time for Seditious Speech
Presented in Partnership with and at
Weeksville Heritage Center
April 13, 2019

Participants

Rob Field, President and Executive Director, Weeksville
Heritage Center
Prathibha Kanakamedala, Ph.D. Bronx Community College
CUNY
Michael Rakowitz, artist
Dread Scott, artist
Nabiha Syed, General Counsel, The Markup

Moderator

Kazembe Balagun, cultural historian, activist, and writer

Actors and Performers

Zenzelé Cooper
Alphonse Fabien
Jeremiah Hosea

Travis Raeburn
Sean C. Turner
Nana Kwame Williams

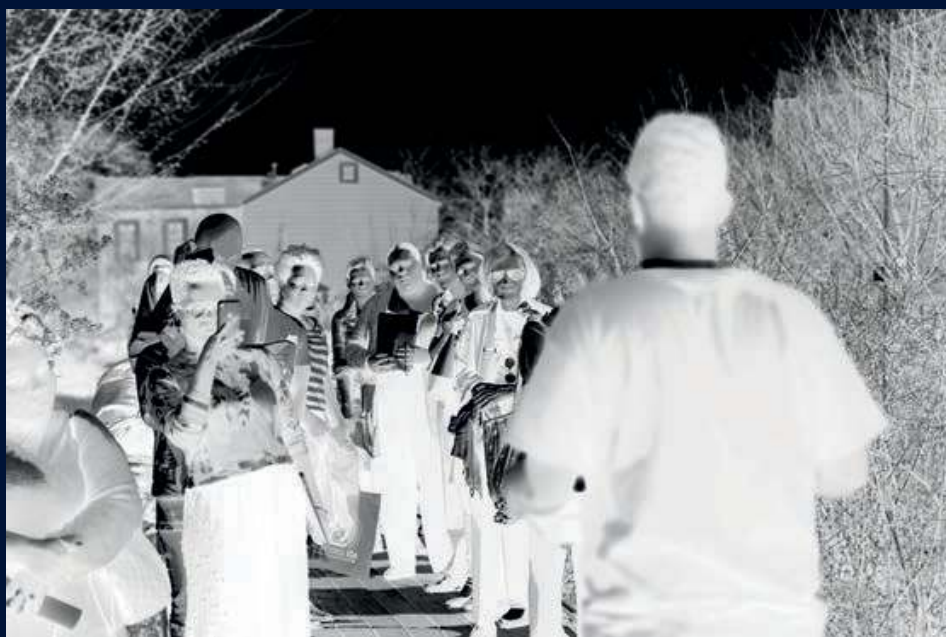
Free speech for African Americans has always been closely tied to space. These spaces are socially produced, made by people, groups, and institutions. The Free Black press in the early nineteenth century created a national space that promoted a radical new order for society, as articulated at the Colored Conventions, where both already free and once captive Black people came together between 1830 and the 1890s to strategize about political, social, and legal justice. At one such convention in 1843, the Reverend Henry Highland Garnet delivered a rousing speech later referred to as the “Call to Rebellion.” Speaking to an audience in Buffalo, New York, Garnet asked his brothers to turn against their masters, affirming that “neither god, nor angels, or just men, command you to suffer for a single moment. Therefore it is your solemn and imperative duty to use every means, both moral, intellectual, and physical that promises success.” The speech entreated enslaved Africans in the South to secure liberty through resistance.

Seminar Five proposed speech as a call to direct action, perhaps even violence. The event began with a performative reading of Henry Highland Garnet’s 1843 “Call to Rebellion” that led the public on a procession through the historic grounds of Weeksville, where professional and student actors read portions of the text against the background of Weeksville Heritage Center’s gardens and Hunterfly Road houses. The speech resonated powerfully with the history of the site as a home of Black self-determination, alongside contemporary realities. The performers led the audience back into the lecture room for the rest of the seminar.

A discussion followed, moderated by historian and writer Kazembe Balagun, with curator and historian Prithi Kanakemedala, media and technology lawyer Nabiha Syed, and artists Michael Rakowitz and Dread Scott. In 2019, Scott restaged the largest slave revolt in American history, the 1811 German Coast uprising in New Orleans.



Performative reading of Henry Highland Garnet's 1843 Call to Rebellion speech at Weeksville Heritage Center, April 13, 2019



Performative reading of Henry Highland Garnet's 1843 Call to Rebellion speech at Weeksville Heritage Center, April 13, 2019.



Seminar Five: A Time for Seditious Speech, April 13, 2019. From left to right: Michael Rakowitz, Dread Scott, Nabiha Syed, Prathibha Kanakamedala, and Kazembe Balagun.



Prathibha Kanakamedala and Kazembe Balagun.



Zenzelé Cooper reading Garnet's Call to Rebellion.



Zenzelé Cooper.



The gardens at Weeksville Heritage Center.

The historian Prathibha Kanakamedala kicked off the seminar with a brief lesson on the direct link between Henry Highland Garnet and Weeksville: his wife, Sara Thompkins Garnet, who was the first Black woman principal. Kanakamedala also asked what it meant to be free within the context of the city and discussed historic Weeksville as the second largest community dedicated to Black self-determination in the nineteenth century. She emphasized the importance of self-determination as a way to achieve freedom on one's own terms by asserting a right to exist, a desire to feel safe and find refuge, and the right to joy and self-celebration.

The lawyer Nabiha Syed then picked up the thread of self-determination by explicitly naming the link between individual action and state or community action as it played out historically in the courts. She pointed to historical cases such as the Eugene Debs decision of 1919 and the Brandenburg

decision of 1969 as examples in which the law is politically contingent on the culture in which it was produced.

Next, the artist Michael Rakowitz discussed his film project, *I'm good at love, I'm good at hate, it's in between I freeze* (2018), which was excluded from the Leonard Cohen exhibition at the Jewish Museum in New York because the estate representing the musician opposed the artwork. Rakowitz explained that he became obsessed with Cohen and even learned classical guitar to play his songs, all the while looking deeply at Cohen's history of playing for Israeli troops during the 1973 Yom Kippur War. He then showed a clip of the film, which narrates the artist's obsession with Cohen as well as his attempts to convince Cohen not to play in Tel Aviv in order to play in Ramallah, so as to avoid breaking the call by Palestinian civil society to boycott Israel. He spoke of his Arab-Jewish heritage as well as his personal links to Cohen's legacy.

Scott then declared a need for seditious speech and noted that his 1988 flag work—that was outlawed by Congress—is proof of the power of art. He then described his Slave Rebellion Reenactment, stressing that he was building an army the way they would have been recruited originally, one by one, by personal interview and word of mouth.

Balagun then prompted the artists to say more about their work in relation to free speech. Rakowitz said he was interested in making a work within the boycott and thought that if you can't get someone to understand human rights, perhaps you can get them to understand civil rights. Scott talked about the importance of embodying freedom and emancipation and connecting it to the present. He said that artists produce nonverbal and nonlinear space in society; he and Rakowitz discussed the ways in which silence can also produce powerful impacts. Syed then added that the structure of speech today and the ways in which racist speech is amplified are important to interrupt—even in the highest seats of government.

Seminar Six

Going Towards the Heat:

Speaking Across Difference

Presented in Partnership with New York Peace Institute

June 10, 2019

Participants

Shaun Leonardo, artist

Anne Marie McFadyen, Restorative Justice Program Manager,
New York Peace Institute

Convened by the New York Peace Institute, this seminar focused on implementing “circle practices” to work through conflict within groups. Following an introduction by the institute’s restorative justice program manager, Anne Marie McFadyen, the audience was divided into five groups. Each group sat in a circle of between twelve and fifteen participants. The groups were posed particularly thorny questions related to freedom of speech with two representatives from the Peace Institute guiding their discussions.

Circle work utilizes a regimented format to allow each person seated to comment on the subject. One may only speak when holding a special object that is chosen by the group, and contributions are limited in time. Going around in a circle

creates a special rhythm and avoids privileging one voice above another while ensuring that those more reticent to contribute have space to do so. This type of conflict-resolution methodology is based on mutual respect, self-regulation, and shared leadership.

Following this exercise, the entire group participated in a collective performance initiated by the artist Shaun Leonardo, who often confronts divisive subjects with his work. He asked two participants in the seminar to position themselves in relation to one another. Each adopted a physical stance in response to his prompts. Other seminar participants then positioned themselves in relation to the two figures. All of the people at the seminar, over the span of several minutes, froze in a group tableau that had no explicit narrative or story line but nonetheless conveyed interpersonal care and support for the two initial participants.

Among the many other strategies that the Peace Institute applies to mediating conflict between two opposing parties is setting up a zone of free speech where the two individuals or representatives are granted complete confidentiality in debating their differences. In these sessions, warring parties are minimally supervised as long as the exchange among them remains on a verbal level.



Shaun Leonardo at Seminar Six: Going Towards the Heat: Speaking Across Difference, June 10, 2019.



Laura Raicovich (left) and Carin Kuoni.

Closing Convening
Freedom of Speech:
A Curriculum for Studies into Darkness
September 20 and 21, 2019

Participants

Silence and Transformation

Natalie Diaz, Mojave poet, language activist, and educator,
Tempe, Arizona

Amar Kanwar, artist and filmmaker

Partnering on Freedom of Speech

Amar Kanwar, artist and filmmaker

Anna Keye, Development and Outreach Officer, New York
Peace Institute

Gabriela López Dena, Vera List Graduate Student Fellow, Art
and Social Justice

344 Studies into Darkness

Obden Mondésir, Oral History Project Manager, Weeksville
Heritage Center

Moderator

Svetlana Mintcheva, Director of Programs, National Coalition
Against Censorship

Arrival and Context/Anticipation

Presenters

shawné michaelain holloway, artist

Vanessa Place, artist, writer, and criminal appellate attorney

Respondents

Kazembe Balagun, cultural historian, activist, and writer

Aleksandra Wagner, Assistant Professor of Sociology, The New
School

Moderator

Carin Kuoni, Senior Director/Chief Curator, Vera List Center

345 Indices and References

Order and Disintegration

Presenter

Kameelah Janan Rasheed, artist and educator

Respondents

Chloë Bass, artist

Aruna D'Souza, writer and art historian

Moderator

Laura Raicovich

Silence and Transformation

“In the Mouth of This Dragon,” a performance by Mendi +
Keith Obadike

With

Julie Brown – vocals

Shanelle Gabriel – vocals

Sharae Moultrie – vocals

Shoko Nagai – accordion

Keith Obadike – keyboard and guitar

Mendi Obadike – vocals

Onome – vocals

Endea Owens – bass

Satoshi Takeishi – percussion

Amar Kanwar's film *Such a Morning* can be seen as an allegory for retreating into darkness to reorient oneself to reality. This two-day closing ceremony brought together partner organizations, presenters, and the audience into a final discussion.

Like this book, the event was organized around Letter 7 by Kanwar (reproduced on p. 7–27) that suggests several phases to create a curriculum for studies into darkness.

The Closing Convening began with the final phase suggested by Kanwar, “silence and transformation.” Kanwar provided a reflection on the seminars and their meanings; poet and language activist Natalie Diaz read from her work. These readings were followed by a roundtable discussion moderated by Svetlana Mintcheva, programs director at the National Coalition Against Censorship. The lawyer-poet Vanessa Place and the artist shawné michaelain holloway also led presentations considering other phases of curriculum like “Arrival and Context” and “Anticipation,” followed by responses by cultural historian Kazembe Balagun and sociologist Aleksandra Wagner. Artist and educator Kameelah Janan Rasheed then contemplated “Order and Disintegration,” with responses by artist Chloë Bass and writer Aruna D'Souza. The event concluded with an extraordinary musical performance titled “In the Mouth of This Dragon,” a newly commissioned sound work and performance by Mendi + Keith Obadike, referencing the writings of Audre Lorde.



Mendi + Keith Obadike performing *In the Mouth of This Dragon*.



Carin Kuoni (left) and Laura Raicovich, closing convening of Seminar Six: Going Towards the Heat: Speaking Across Difference, June 10, 2019.

About the Partner Organizations

The partnership between four very distinct nonprofit organizations and the Vera List Center grounded the seminars in a range of expertise and perspectives, with each organization working on free speech on a different scale, from the local to the international, and for different constituencies. The seminar proceedings were thus cast through different lenses, and truly offered interdisciplinary, intersectional approaches and thinking.

ARTICLE 19 works internationally for a world where all people everywhere can freely express themselves and actively engage in public life without fear of discrimination. They do this by working on two interlocking freedoms that set the foundation for all their work: the freedom to speak, which concerns everyone's right to express and disseminate opinions, ideas and information through any means, as well as to disagree with and question power-holders; and the freedom to know, which concerns the right to demand and receive information from power-holders, for transparency, good governance and sustainable development. When either of these freedoms comes under threat

as a result of power-holders failing to adequately protect them, ARTICLE 19, with one voice, speaks through courts of law, through global and regional organizations, and through civil society wherever they are present. <https://www.article19.org/>.

The National Coalition Against Censorship (NCAC) formed in response to the 1973 Supreme Court decision in *Miller v. California* (see Timeline p. 167), which narrowed First Amendment protections for sexual expression and, in turn, opened the door to obscenity prosecutions. Over forty years, as an alliance of more than fifty national nonprofits, including literary, artistic, religious, educational, professional, labor, and civil liberties groups, NCAC has engaged in direct advocacy and education to support First Amendment principles. NCAC is unique in that it is national in scope but often local in approach, working with community members to resolve censorship controversies without the need for litigation.

NCAC houses the Free Expression Network (FEN), an alliance of organizations dedicated to protecting the First Amendment of free expression and the value it represents, and to opposing governmental efforts to suppress constitutionally protected speech. FEN members provide a wide range of expertise, resources, and services to policy makers, the media, scholars, and the public at large. Members meet on a quarterly basis to discuss and debate complex First Amendment issues, to share information and strategies, to coordinate activities, and to organize collective action. FEN member organizations include Access Now, the American Association of University Professors, the American Civil Liberties Union, the American Library Association, the Office of Intellectual Freedom, the First Amendment Project, the Free Speech Coalition, and more. <https://ncac.org/>.

New York Peace Institute (NYPI) provides conflict resolution services in the form of mediation, conflict coaching, restorative processes, group facilitation, and skills training. NYPI's programs are a resource to thousands of New Yorkers facing conflict each year—whether it is between parents working out a custody agreement, a noise dispute between neighbors, diverting a misdemeanor case from court, or a conflict between a parent and school regarding a student with special needs. NYPI's services foster listening, empathy, and communication among our clients and help them develop their own creative solutions. As the city's largest civilian peace force, our mission is to build peace and prevent violence in New York City and beyond. NYPI also provides vital communication and conflict management skills training to a broad range of organizations, including city agencies, nonprofits, labor unions, and schools. NYPI employs a creative, learn-by-doing approach in their training, drawing upon theater, visual arts, music, and kinesthetic activities. <https://nypeace.org/>.

Weeksville Heritage Center is a multidisciplinary museum dedicated to preserving the history of the nineteenth century African American community of Weeksville, Brooklyn—one of the largest free Black communities in pre-Civil War America. Weeksville's mission is to document, preserve, and interpret the history of this community, and make it relevant and resonant for contemporary audiences. The center brings this history to life through innovative education, arts, and civic engagement programming. <https://www.weeksvillesociety.org/>.

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Contributor Biographies

Zach Blas is an artist, filmmaker, and writer whose works have addressed a range of topics, including fantasies of artificial intelligence and time travel through computation, performance, and moving image, among other mediums. Blas is currently a Lecturer in the Department of Visual Cultures at Goldsmiths, University of London, and his artist monograph, *Unknown Ideals*, is forthcoming from Edith-Russ-Haus für Medienkunst and Sternberg Press.

Mark Bray is a historian of human rights, terrorism, and politics in modern Europe at Rutgers University. He is the author of *Antifa: The Anti-Fascist Handbook* (Melville House 2017) and *Translating Anarchy: The Anarchism of Occupy Wall Street* (Zero 2013), and he is the coeditor of *Anarchist Education and the Modern School: A Francisco Ferrer Reader* (PM Press 2018).

Gabriela López Dena works across architecture, visual art, and curation. Her practice addresses the relations between the built environment and its social dynamics. She was the 2017–2018

Graduate Student Fellow, Art and Social Justice, at the Vera List Center for Art and Politics.

Natalie Diaz was born and raised in the Fort Mojave Indian Village in Needles, California, on the banks of the Colorado River. Diaz is a 2018 recipient of the MacArthur Fellowship. She is the author of *Postcolonial Love Poem* (Graywolf Press 2020) and *When My Brother Was an Aztec* (Copper Canyon Press 2012). Diaz is Associate Professor in the Department of English at Arizona State University where she is the Maxine and Jonathan Marshall Chair in Modern and Contemporary Poetry and Director of the Center for Imagination in the Borderlands (CIB). In 2020, CIB and the Vera List Center initiated the joint Borderlands Fellowships.

Aruna D'Souza is a writer, curator, and critic working with modern and contemporary art, intersectional feminisms and other forms of politics, and how museums shape our views of each other and the world. Her book *Whitewalling: Art, Race, and Protest in 3 Acts* (Badlands Unlimited 2018), was named one of the best art books of 2018 by the *New York Times*. She is a regular contributor to *4Columns* among various other places, and delivered the twelfth annual AICA Distinguished Critic Lecture, copresented with the Vera List Center and the 8th Floor, in 2018.

Silvia Federici is a feminist activist, writer, and teacher. She cofounded the 1972 International Feminist Collective, the organization that launched the Wages for Housework campaign. She is Professor Emerita of the New College at Hofstra University. She has written numerous books and essays on philosophy and feminist theory, women's history, education, and culture, and more recently the worldwide struggle against capitalist globalization and for a feminist reconstruction of the commons.

Her book, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (AK Press 2004) is among one of the most important books to explore the relationship between gender and capital.

Jeanne van Heeswijk is an artist whose long-scale community-embedded projects question art's autonomy by combining performative actions, discussions, and other forms of organizing and pedagogy. Her work has been featured in publications and exhibitions worldwide, including the Liverpool, Shanghai, and Venice biennials, and in 2014 was awarded the inaugural Keith Haring Fellowship in Art and Activism at the Center for Curatorial Studies and Human Rights Project at Bard College.

shawné michaelain holloway is a new media artist and poet working to reshape the rhetorics of technology and sexuality into tools for exposing structures of power. She has spoken and exhibited work internationally in spaces like the New Museum, the Portland Institute for Contemporary Art, and The Kitchen.

Prathibha Kanakamedala is an Associate Professor of History at Bronx Community College CUNY. Her research looks at New York's nineteenth-century free Black communities. She is also a public historian and has worked with a range of cultural organizations in New York City.

Amar Kanwar is an artist and filmmaker based in New Delhi, India. He is the recipient of numerous awards, including the IHME Helsinki Commission 2022; Prince Claus Award (2017); Creative Time's Annenberg Prize for Art and Social Change (2014); the Edvard Munch Award for Contemporary Art, Norway (2005); and the Golden Gate Award, San Francisco International Film Festival, (1999). Kanwar has participated at

four iterations of Documenta in Kassel, Germany (2002, 2007, 2012, 2017), and is the cocurator of the 2022 Istanbul Biennial.

Carin Kuoni is a curator and writer, Assistant Professor for Visual Studies, and Senior Director/Chief Curator of the Vera List Center for Art and Politics at The New School. A Companion to the 57th Carnegie International, she is the editor of several anthologies, among them *Forces of Art: Perspectives from a Changing World* (Valiz 2020) and, with Kareem Estefan and Laura Raicovich, *Assuming Boycott. Resistance, Agency, and Cultural Production* (OR Books 2017).

Lyndon, Debora, and Abou met at the New Sanctuary Coalition doing the work of solidarity and sanctuary in different capacities as creators, actors, dramaturges, fighters, speakers, thinkers; so they spoke, thought, created, fought together. They hope to continue doing more of that work, together and alone, in any and all ways possible.

Svetlana Mintcheva is an academic and activist, Director of Programs at the National Coalition Against Censorship (NCAC), and the founding director of NCAC's Arts Advocacy Program, the only national initiative devoted to the arts and free expression in the U.S. A prolific writer on controversial art and issues of censorship, Mintcheva is coeditor of *Censoring Culture: Contemporary Threats to Free Expression* (New Press 2006) and *Curating under Pressure: International Perspectives on Negotiating Conflict and Upholding Integrity* (Routledge 2020).

Obden Mondésir is the Oral History Project Manager at Weeksville Heritage Center. He conducts public training, oral history collecting, and processing of new collections, educational outreach, and public programming. He is an Adjunct

Lecturer at the Graduate School of Library and Information Sciences at Queens College, New York City.

Mendi + Keith Obadike have exhibited and performed at the New Museum, the Studio Museum in Harlem, the Metropolitan Museum of Art, and the Museum of Modern Art in New York and many other cities. Their projects include a series of large-scale, public sound art works: *Blues Speaker (for James Baldwin)* commissioned by the Vera List Center for Art and Politics and Harlem Stage and presented at The New School, and *Free/Phase* at the Chicago Cultural Center & Rebuild Foundation, among others. They have released recordings on Bridge Records and books with Lotus Press and 1913 Press. Their honors include a Rockefeller New Media Arts Fellowship and a New York Foundation for the Arts Fellowship in Fiction, among others. Keith Obadike is a Professor in the College of Arts and Communication at William Paterson University and Mendi Obadike is an Associate Professor in the Department of Humanities and Media Studies at Pratt Institute. They serve on the Vera List Center Board.

Vanessa Place is an American writer and criminal appellate attorney. She has performed internationally, including at the Musée d'Orsay in Paris and the Modern Museum of Art in New York, and published numerous books of poetry and prose. Place has held teaching appointments at the Université Paris Nanterre and the University of Colorado, Boulder.

Laura Raicovich is a New York City-based writer and curator whose most recent book, *Culture Strike: Art and Museums in an Age of Protest*, was published in 2021 by Verso. She recently served as Interim Director of the Leslie Lohman Museum of Art, was a Rockefeller Foundation Fellow at the Bellagio Center, and was awarded the inaugural Emily H. Tremain Journalism

Fellowship for Curators at *Hyperallergic*. While Director of the Queens Museum from 2015 to 2018, Raicovich co-curated *Mel Chin: All Over the Place* (2018), a multiborough survey of the artist's work. She lectures internationally and is the author of *At the Lightning Field* (CHP 2017) and coeditor of *Assuming Boycott: Resistance, Agency, and Cultural Production* (OR Books 2017).

Michael Rakowitz is an artist living and working in Chicago. His work has appeared in venues worldwide, including documenta thirteen, the Museum of Modern Art, MoMA PS1, MassMOCA, and Castello di Rivoli, among others. He is the recipient of the 2018 Herb Alpert Award in the Arts; a 2012 Tiffany Foundation Award, a 2008 Creative Capital Grant, a Sharjah Biennial Jury Award, a 2006 New York Foundation for the Arts Fellowship Grant in Architecture and Environmental Structures, the 2003 Dena Foundation Award, and the 2002 Design 21 Grand Prix from UNESCO. Rakowitz was the 2020 Public Art Dialogue awardee, and was named the 2020 Nasher Sculpture Prize Laureate. He is Alice Welsh Skilling Professor of Art Theory and Practice at Northwestern University.

Kameelah Janan Rasheed is a learner. As a learner, Rasheed grapples with the poetics, politics, and pleasures of the unfinished and uncontained. She is invested in Black storytelling technologies that invite us to consider ways of (un)learning that are interdisciplinary, interspecies, and interstellar. Rasheed's work has been shown nationally and internationally at the New Museum, Transmissions Gallery, Rice University, the Brooklyn Public Library, and the Queens Museum, among others. She is the author of two artist books, *An Alphabetical Accumulation of Approximate Observations* (Endless Editions 2019) and *No New Theories* (Printed Matter 2019).

Nabiha Syed is an American media and technology lawyer, whose work has included successfully defending *BuzzFeed's* publication of "The Steele Dossier," representing asylum-seekers in south Texas, and serving as the First Amendment Fellow at the *New York Times*. A Marshall Scholar, Syed also co-founded the Media Freedom and Information Access legal clinic at Yale Law School, of which she is a graduate and a visiting fellow. She is currently the president of The Markup, a nonprofit newsroom that investigates how the powerful use technology to reshape society.

Vera List Center for Art and Politics

The Vera List Center for Art and Politics is a research center and a public forum for art, culture, and politics. It was established at The New School in 1992—a time of rousing debates about freedom of speech, identity politics, and society’s investment in the arts. A leader in the field, the center is a nonprofit that serves a critical mission: to foster a vibrant and diverse community of artists, scholars, and policy makers who take creative, intellectual, and political risks to bring about positive change.

We champion the arts as expressions of the political moments from which they emerge, and consider the intersection between art and politics as the space where new forms of civic engagement must be developed. We are the only university-based institution committed exclusively to leading public research on this intersection. Through public programs and classes, prizes and fellowships, publications and exhibitions that probe some of the pressing issues of our time, we curate and support new roles for the arts and artists in advancing social justice.

Every two years, the center identifies a curatorial Focus Theme, a topic of particular urgency that informs timely and

expansive investigations and informs everything we do. In a variety of public programs and simultaneous publication projects, artists, scholars, activists, public intellectuals, students, and political and cultural leaders convene and create collaborative opportunities to learn through an examination of this theme. In 2011–2013, for instance, *Thingness* looked at the entanglement of living and nonliving matter, with Object-Oriented-Ontology taking a lead; in 2015–2017, *Post Democracy* confronted both the promises and disillusion of the condition of democracy; and, at the time of this book’s publication, the 2020–2022 *As for Protocols* Focus Theme explores languages that regulate our social and political environments. *Studies into Darkness* is envisioned through the 2018–2020 Focus Theme, *If Art Is Politics*, which responded to the radical contestation of the state of politics following the 2016 American presidential elections.

Studies into Darkness is the fifth book in the Vera List Center’s print publication initiative, following *Considering Forgiveness* (2009), *Speculation, Now* (2014), *Entry Points: A Field Guide on Art and Social Justice* (2015), and *Assuming Boycott: Resistance, Agency, and Cultural Production* (2017). The publication is born out of an open curriculum series of seminars conceived through the history of the four specific freedoms guaranteed by the First Amendment to the Constitution of the United States: freedom of speech, freedom of the press, freedom of assembly and protest, and freedom of religion. The seminar series, curated by Carin Kuoni, Senior Director/Chief Curator, the Vera List Center, and Laura Raicovich, with a critical contribution by Gabriela López Dena, spanned fourteen months, and positions artist Amar Kanwar’s film *Such a Morning* (2017), and his imperative to retreat “into darkness,” as its conceptual basis. Seminars were developed in collaboration with partner organizations ARTICLE 19; the National Coalition Against Censorship, New York Peace Institute, and

Weeksville Heritage Center, with each examining a particular aspect of freedom of speech, informed by and reflecting on recent debates around hate speech, censorship, and racism in the U.S. and elsewhere.

Each Vera List Center book is edited by a small collaborative team of scholars and artists who conceive of the format, structure, and content of the book, select the contributors and, in turn, bring to the book their visual and academic expertise. This interdisciplinary approach acknowledges recent developments in artistic and cultural practices and reflects The New School's own commitment to merging theory and practice.

Vera List Center Staff

Tabor Banquer, Director of Strategy and Advancement
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Vera List Center Board

The Board of the Vera List Center for Art and Politics is an integral part of the New School community. Members of the board advise the chair and counsel the director of the Vera List Center, develop expertise on ways to support the academic enterprise, offer insight and guidance on programs, provide significant financial support, and serve as links to the communities in which they live and work.

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Studies into Darkness: The Perils and Promise of Freedom of Speech, edited by Carin Kuoni and Laura Raicovich, is an expansion on the Vera List Center's seminar series "Freedom of Speech: A Curriculum of Studies into Darkness." The seminars, which included film screenings, lectures, panels, performances, and readings, were presented from fall 2018 through fall 2019 at The New School, Union Docs, and Weeksville Heritage Center and organized in conjunction with the Vera List Center's Focus Theme *If Art Is Politics*.

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Credits

(in order of appearance in the book)

Amar Kanwar's *Such a Morning* (digital video, color, sound, 85 minutes on loop, 2017) was produced with the support of the Kiran Nadar Museum of Art, New Delhi, and Marian Goodman Gallery, and presented by Documenta 14 in Athens, Greece, and Kassel, Germany.

A History of Free Speech (p. 34) has been excerpted and adapted from "The History of Free Speech," with permission of the Foundation for Individual Rights in Education. www.thefire.org.

Mark Bray, *Antifa and Free Speech on Campus* (p. 61) is excerpted and edited with kind permission of the author and publishers from Mark Bray, "So Much for the Tolerant Left!": "No Platform" and Free Speech," in *Antifa: The Antifascist Handbook* (New York: Melville House Publishing, 2017).

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Zach Blas, *Queer Darkness*
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Courtesy the artist.

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Rubbing of Sentences, 2020
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at love, I'm good at hate, it's
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written on Leonard Cohen's
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Mendi + Keith Obadike, *In the Mouth of This Dragon*, 2020 (p. 287). Pencil on paper. © 2021 Mendi + Keith Obadike

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