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Humanity Through Work

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Joseph Pugliese argues that the ontological rupture between 'animal' and 'human' enables a continuum of state violence that is constitutive of the state itself. Building on Pugliese's analyses, this essay will explore how the equation of indigeneity with animality and nature is effected through the equation of humanity with work. As such, indigenous peoples can attain humanity only through work. In this essay, I explore how within the settler colonial context, the radical rupture is not between human and animal, but human and the rest of creation. The indigenous intervention into this rupture is about not simply rethinking this rupture behind animal vs human but about reconstituting the radical relationality among all forms of creation. In addition, I explore how this radical rupture between 'nature' and 'human' is effected through the equation of humanity through work, which thus serves to render peoples who are considered inherent non-workers to be as non-human. That is, to 'work', is to be able to exercise power over the affectable others who do not work. The actual labor then of affectable others has to disappear or be subsumed under work done by the self-determining subjects who exercise power over them.

Joseph Pugliese argues that the ontological rupture between 'animal' and 'human' enables a continuum of state violence that is constitutive of the state itself. Building on Pugliese's analyses, this essay will explore how the equation of indigeneity with animality and nature is effected through the equation of humanity with work. As such, indigenous peoples can attain humanity only through work. This colonial assumption I will argue is present not only in colonial legal texts (which I will explore) but in leftist movements as well. I will conclude with a discussion of how challenging the radical distinction between human and animal will require articulating a new relationship between liberation and work.

Pugliese traces the genealogies of the U.S. government's employment of torture and drones in the never-ending war on terror to the biopolitical divide between human and animal. Challenging Agamben's notion that torture today exists in a 'state of exception', Pugliese builds on the analysis of Denise Da Silva who traces these acts of terror to the very conception of the 'human'. Silva contends that the Post Enlightenment version of the subject as a sole self-determined thing exists by situating itself against 'affectable others' who are subject to natural conditions as well as to the self-determined power of the western subject. The central anxiety with which the western subject struggles is that it is, in fact, not self-determining. The Western subject differentiates itself from conditions of 'affectability' by separating himself from affectable others—this separation fundamentally being a racial one. The western subject is universal, the racialized subject is particular, but aspires to be universal (Silva 2007). Pugliese further argues that this divide between self-determining subjects and affectable others exists at the dividing line between animal and human. 'Racism is predicated on speciesm', contends Pugliese. 'At every turn in the documentary history of racism, the spectre of speciesism has always-already inscribed the categorical meaning of the racialized other' (Pugliese 2013, p. 41). The challenge of such an argument is to differentiate it from vulgar constructions frequently made between racial oppression and animal exploitation. In these comparative analyses, racial oppression becomes an empty signifier to explain animal exploitation. The subjects making these comparisons are usually majority subjects who then assume the position of the exploited animal as a means to avoid analyzing their complicity in white supremacy. Thus Pugliese's analyses requires that we engage in an analytic of relationality in which these distinct and yet interrelated forms of domination do not disappear into each other.

Building on this analysis, I wish to explore how within the settler colonial context, the radical rupture is not between human and animal, but human and the rest of creation. And as I will discuss later, the indigenous intervention into this rupture is about not simply rethinking this rupture behind animal vs human but about reconstituting the radical relationality among all forms of creation. In addition, I will explore how this radical rupture between 'nature' and 'human' is effected through the equation of humanity through work, which thus serves to render peoples who are considered inherent non-workers to be as non-human. That is, to 'work' is to be able to exercise power over the affectable others who do not work. The actual labor then of affectable others has to disappear or be subsumed under work done by the self-determining subjects who exercise power over them.

In analyzing the colonial and capitalist relationships between the 'human' and 'work', the question arises of whether we can articulate alternative conceptions of both humanity and work. However, as Kara Keeling notes, these conceptions cannot easily be rearticulated given that our grid of intelligibility is fundamentally shaped by colonialism and capitalism. Thus, we may look to the ghosts of a time beyond our

current grid of intelligibility, but ultimately these reconceptualizations arise through the collective process of both creating new worlds as well as creating ourselves as new subjects within these new worlds (Keeling 2009). Or as Alexander Weheliye describes our project: 'This is a battle to supplant the current instantiation of the human as synonymous with the objective existence of white, western Man and his various damned counterparts ... offering in its stead new styles of human subjectivity and community' (Weheliye 2009, p. 174).

Work and the Doctrine of Discovery

> ... the lived violence of this biopolitical categorization and partitioning is encapsulated by the fact that, as Native Americans, they are "under the jurisdiction of a department that otherwise manages 'natural resources'". (Pugliese, 2013, 54)

The legal origin in the United States of what Pugliese describes as the classification of Native peoples as 'natural resources' can be seen in the 'doctrine of discovery'. In Johnson v. McIntosh, the Supreme Court held that, while indigenous people had a right to occupancy, they could not hold title to land on the basis of the doctrine of discovery. The European nation that 'discovered' land had the right to legal title. Native peoples were disqualified from being 'discoverers' because they did not properly work. '[T]he tribes of Indians inhabiting this country were fierce savages, whose occupation was war, and whose subsistence was drawn chiefly from the forest. To leave them in possession of their country, was to leave the country a wilderness', (Johnson v. McIntosh, 21 U.S. 543, 590). As they did not work, Native peoples had the ontological status of things to be discovered—the status of nature.

The presumed inability of Native peoples to work thus rendered them in a perpetual state of childhood (childhood being marked by the period of life in which one cannot be a proper worker). The colonial project then consisted of forcing Native peoples to mature into adulthood through work as defined by capitalism. For instance, the Dawes Allotment Act, which divided indigenous lands into individual allotments, was deemed necessary because only through individual property ownership could Native peoples have a need to work. In the 1887 Indian Commissioner's Report, J.D.C. Atkins explains how allotment will 'free' Native peoples into the status of workers:

> It must be apparent ... that the system of gathering the Indians in bands or tribes on reservations ... thus relieving them of the necessity of labor, never will and never can civilize them. Labor is an essential element in producing civilization. … The greatest kindness the government can bestow upon the Indian is to teach him to labor for his own support, thus developing his true manhood, and, as a consequence, making him self-relying and self-supporting. (Secretary of Interior 1887, p. 4)

The report warns that allotment will not work overnight: 'Idleness, improvidence, ignorance, and superstition cannot by law be transformed into industry, thrift, intelligence, and Christianity speedily' (Secretary of Interior 1887, p. 4). Nonetheless, the pathway towards civilization requires Native peoples to adapt to a capitalist work model. Of course, as I have argued elsewhere, when Native peoples began to work, they still never achieved full adulthood (i.e. whiteness) (Smith 2013). For instance, Native peoples were not actually trained to be successful in the capitalist system. And when they were successful, this created problems of capital (i.e. the controversies around Indian gaming) (Cattelino 2008), because as Glen Coulthard notes, capitalism is supposed to be white (Coulthard 2014).

The divide then that is created in part through work presumes that nature has the status of being a 'thing'. Consequently, any analysis of raciality must concern itself not only with the human/animal divide but the thingification of nature itself. For indigenous peoples to be removed from their land bases, land first has to be thingified. As Dian Million notes, our typical paradigm for articulating indigenous struggles as a 'land'-based struggle may itself be a result of this colonial discourse. That is, under our current legal system, the only way indigenous peoples can intervene when there is colonial encroachment on indigenous lands is to argue, it's not <u>your</u> land; it's <u>our</u> land. One cannot argue that land should not be owned by anyone. But as I have discussed elsewhere, many Native scholars and activists argue that land should not be a commodity that can be owned and controlled by one group of people (Smith 2012). Rather, all peoples must exist in relationship with all of creation and care for it. Consequently, the principles of indigenous nationhood that emerge from these relationships are principles of inclusivity, mutual respect, and interrelationality with all other nations. However, contends Million, the term 'land' itself does not speak to the manner in which indigenous peoples have relationships with all of creation, the entirety of the biosphere. Thus, the term 'land' itself truncates what these relations signify in order to facilitate the commodification of a piece of creation that is separated from the rest of the biosphere (Personal conversation, November 17, 2012).

While Native peoples are thingified as a 'natural' resource, they are simultaneously promised the possibility of humanity if they mature out of their status as children. And yet as will be discussed in the next section, they never effectively mature into full humanity under settler colonialism.

Indigeneity and Infantile Status

> If in Disneyland the sordid realities of the outside world ('undesirables') are what must be shut out, then in Guantanamo, in a type of inverse relation, it is precisely the most excluded of all subjects, the so-called 'worst of the worst', that are held captive there; what is excluded for them are the range of rights that constitute the legal category of the human subject.

> Former Defense Secretary Donald Rumsfield, when questioned by reporters about juvenile detainees at Guantanamo, dismissively replied: "This constant refrain of 'the juveniles' ... these are not children"—denying, in the process, the very juvenile status of these prisoners. (Pugliese 2013, pp.107-108)

In Pugliese's analysis of the status of juveniles in Guantanamo, he suggests that the dehumanization faced by juveniles results in their loss of status as juveniles. Thus, if these children were recognized as 'children', they would be treated more humanely. Yet, if we look at the history of Native massacres, colonists targeted children because, as Colonel John Chivington, who headed the Sand Creek Massacre, declared, 'nits make lice' (Stannard 1992, p. 131). It was their very status of Native children as children that rendered them vulnerable to both the violence of genocidal warfare as well as abusive boarding school policies. One possible reason is that Native peoples themselves have the status of children. And as children, they are rendered both as outside the category of human and hence are undisciplined, non-working savages unless they manage to grow into humanity.

It is noteworthy as well, that indigenous peoples have generally been legally categorized in the same status with children and peoples with disabilities. Despite the passage of the 1929 Indian Citizenship Act which gave all Native peoples the right to vote, states frequently denied this right through statutes that gave the right to vote to inhabitants of the state, except 'idiots, insane persons and Indians not taxed' (Darby v. Daniel, 168 F. Supp. 170, 173 (S.D. Miss. 1958)). An Indian 'not taxed' is an Indian that is not working and has not earned the right to vote. In a 1953 Arizona court decision that denied Native peoples the right to vote, the court held that 'They [Native nations] are in a state of pupilage. Their relation to the United States resembles that of a ward to his guardian. They look to our government for protection; rely upon its kindness and its power; appeal to it for relief to their wants; and address the President as their great father' (Porter v. Hall, 34 Ariz. 308, 321, 271 P. 411, 417 (1928)).

After defining this guardian relationship to connote Native peoples' infantile status, the Court then notes the Arizona constitution excludes the five groups of people from the right to vote. The group that pertains to Native people is the following:

> Persons under guardianship, non compos mentis, and insane. Presumably this refers to three separate classes, for we must assume under the second canon of construction above referred to that the makers of the Constitution did not use three different phrases to mean the same thing. On the other hand, under the maxim 'noscitur a sociis', they must be considered to have some common quality or relationship ...
>
> Insanity is a broad, comprehensive, and general term, of ambiguous import, for all unsound and deranged conditions of the mind. … However, legally speaking, insanity is generally regarded

> as such unsoundness of mental condition as nullifies or does away with individual legal responsibility or capacity … 'non compos mentis' was originally a phrase which was considered practically synonymous with insanity, but under the influence of modern thought the words are now generally construed to intend the subject's mental inability to manage himself and his ordinary affairs, from whatever cause, as distinct from ordinary insanity, such inability may arise ...
>
> Broadly speaking, persons under guardianship may be defined as those who, because of some peculiarity of status, defect of age, understanding, or self-control, are considered incapable of managing their own affairs, and who therefore have some other person lawfully invested with the power and charged with the duty of taking care of their persons or managing their property, or both. It will be seen from the foregoing definitions that there is one common quality found in each: The person falling within any of the classes is to some extent and for some reason considered by the law as incapable of managing his own affairs as a normal person, and needing some special care from the state. To put it in a word, he is not sui juris. It is apparent to us that it was the purpose of our Constitution, by these three phrases, to disfranchise all persons not sui juris, no matter what the cause, and its justice is plain. The man who for any reason is exempt from responsibility to the law for his acts, who cannot be trusted to manage his own person or property, certainly as a matter of common sense cannot be trusted to make laws for the government of others, and placing him under the guardianship of another conclusively establishes that incapacity. We hold, therefore, that any person who, by reason of personal inherent status, age, mental deficiency, or education, or lack of self-control, is deemed by the law to be incapable of handling his own affairs in the ordinary manner, and is therefore placed by that law under the control of a person or agency which has the right to regulate his actions or relations towards others in a manner differing from that … by which the actions and relations of the ordinary citizen may be regulated, is a 'person under guardianship'. (Porter v. Hall, 34 Ariz. 308, 321, 271 P. 411, 416-417 (1928))

Having then defined a category of peoples that are mentally incompetent to vote, the Court holds that Native peoples are within this category. These Indian Tribes are the wards of the nation. They are deemed communities dependent on the United States; dependent largely for their daily food; dependent for their political rights. Thus, similarly, children, peoples with disabilities and indigenous peoples become defined as legal non-persons based on their dependent status resulting from their purported inability to work.

This notion of Native peoples as infantile is reflected in a lower court decision (later overturned) that claimed that treaty obligations could be overturned with Native peoples if 'the Indians seriously misbehaved' (United States v. Bouchard, 464 F. Supp. 1316, 1349 (W.D. Wis. 1978) rev'd sub nom. Lac Courte Oreilles Band of Lake Superior Chippewa Indians v. Voigt, 700 F.2d 341 (7th Cir. 1983)). Similarly, in Lowe v. United States (1902) the court held that Kickapoo, who had relocated to Mexico during the Civil War, did not

have the legal ability to remain there without the permission of the United States:

> Only those who are *sui juris* can acquire a domicile; married women can not acquire domicile other than that of their husbands; children under age can not acquire domicile separate from that of father or guardian; persons *non compos mentis* have not capacity to acquire a domicile. (Lowe v. United States, 37 Ct. Cl. 413, 415 (1902))

Consequently, the court holds that very legal status of Indians 'under disability' (Lowe v. United States, 37 Ct. Cl. 413, 417 (1902)). The court further holds that this status of 'disability' means that the inability of Native peoples to leave the United States cannot be that of slavery.

> Whether Indians may encumber their lands or expatriate themselves are not determinable upon grounds of personal intelligence, but upon our national policy. That policy has always been not to permit the Indians to make any disposition of themselves or their property, except with the assent of the United States. Defendants' counsel appalls himself with the suggestion that this would be a species of slavery. I should rather incline to the opinion that it was one of the necessary elements of guardianship. (Lowe v. United States, 37 Ct. Cl. 413, 416 (1902))

The child, the disabled, the indigenous—all of whom have the ontological status of non-workers—cannot be enslaved insofar as 'enslavement' signifies forced work. For those legal categories, anything that they do or are forced to do cannot constitute work. Furthermore, the fact the legal status of Native peoples is 'under disability', signals both the manner in which, as Pugliese notes, the law operates as a prosthetic, but also the manner in which peoples with disabilities are also deemed as non-persons as well.

Disabling Humanity

> I risk the danger of effacing the materiality of the disabled body by focusing exclusively on the metaphoric or tropological dimensions of prosthesis. In order to counter this risk, I will presently address the material dimensions of prosthesis and disabled bodies in terms of the violent effects of technologies of war. (Pugliese 2013, pp. 202-203)

Pugliese uses the analytic of disability to trouble the divide between body and technology. In doing so, he contends that bodies do not simply use technologies in the course of the war, but that the body is signified through these technologies. In his discussions of drones in particular, he explores how the drone effectively erases the bodies that unleash them as well as the bodies that are killed by them. Furthermore, he explores how the law operates as a prosthetic in which the human is inscribed through the law. Certainly, the legal category of Native peoples 'under disability' demonstrates the extent to which the Native as never fully human is inscribed through law.

And, as I will further explore in this section, it is the legal categorization of Native peoples and peoples with disabilities as non-workers that connects them.

It is interesting that while Pugliese's book troubles these divides between human/animal and human/machine—the disabled body seems to fall back within this divide as not-quite human. Pugliese is concerned that we do not lose sight of the material conditions of disability. Nonetheless, it appears that the disabled body is rendered as simply a casualty of war, and hence no longer quite a human.

> A prosthetics of law underscores the biopolitical dimensions of technologies of law as apparatuses exercising forms of normative and disciplinary power ... the suspect targets of the Global South can be exterminated with impunity in order to protect and safeguard the imperial nation-state. (Pugliese 2013, p. 214)

Cast as a casualty of war, peoples with disabilities seem to appear in Pugliese's text as reducible to disabled bodies, suggesting that there is something about disability that forecloses one's full integration into humanity. Peoples with disabilities are to be pitied, even as they remain non-persons. Thus, this analysis seems to echo the legal frameworks in which peoples with disabilities are constituted as non-persons and non-citizens. The significance of disability lies in one's apparent inability to 'work' or to be 'productive'.

An example of this ideology can be seen in the development of the legal standards around 'sheltered workshops' and 'work activity centers' for people with disabilities. This legal history of sheltered workshops is premised on this same logic that peoples with disabilities are non-workers (Hoffman 2013, p. 154). The concept of the 'sheltered workshop' has been in existence for over a century (Hoffman, 2013). But with the development of a minimum wage, sheltered workshops allowed companies to pay peoples with disabilities sub-minimum wages based on their presumed lack of productivity. During certain periods, federal regulations had no floor for how low wages could be. In the 1969 Code of Federal Regulations, a 'sheltered workshop' was defined as 'charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for handicapped workers, and/or providing such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature' (CFR §525.2(b) 1969). Similarly, a 'work activities center is defined as one in which the workers with disabilities are considered to have "inconsequential" productive capacity and hence "work or production is not the main purpose" of the center' (CFR §525.2(b) 1969). Thus, labor exploitation simply does not exist because this work does not count as work but as rehabilitation. In fact, when workers at Goodwill Industries attempted to unionize, only to find Goodwill refusing to recognize their union, a California court found that they did not qualify as workers that could be protected under labor protection laws. Goodwill was 'under no duty

to bargain because the unit in question was comprised of workers who did not qualify as 'employees' under the Act ... because they were in a primarily rehabilitative relationship with Goodwill', (Davis Mem'l Goodwill Indus., Inc. v. N.L.R.B., 108 F.3d 406, 409 (D.C. Cir. 1997)).

The Department of Justice conducted an investigation into the sheltered workshops in Oregon and found that these services did not provide any skills training that would enable them to pursue other opportunities. In fact, the average participant stayed in a workshop for 11.72 years—many as long 30 years. It found that participants were given highly repetitive tasks and were given no choice in which tasks they could perform. The majority earned less than $3 per hour, with many only earning a few cents per hour (Oregon's minimum wage being $8.80). Sheltered workshops were highly institutionalized, resembling prisons (U.S. Department of Justice Civil Rights Division 2012). However, this kind of labor exploitation is not seen as such because peoples with disabilities are supposed to be 'rehabilitated' into humanity through work. Because they are never sufficiently rehabilitated, however, they never gain the status of humanity that would enable them to be seen as workers suffering from labor exploitation.

Thus, the overlapping legal statuses of indigenous people, children and peoples with disabilities congeal around their ontological status as non-workers, which places them outside the category of 'human' and the legal protections that might result from this classification. Reformist strategies designed to improve the conditions of indigenous peoples, children and peoples with disabilities focus on rehabilitating them or maturing them into adulthood through work so that they may then be given rights. While children of the dominant classes will eventually achieve adulthood, indigenous peoples can only do so by ceasing to be indigenous through disappearance into whiteness. Similarly, peoples with disabilities remain in a constant state of rehabilitation whose work cannot be recognized as work. And as will be discussed in the next section, liberal and progressive approaches to legal reform often do not trouble the category of 'human' or the presumption that work enables humanity.

Revolutionary Workers and Human Rights

> ... neither the category of 'the human' nor the legal apparatus of 'human rights' will work to stop the imperial state from deploying strategies of biopolitical violence … human rights fail to figure as they do not apply to these human subjects: the civilian dead of US drone strikes signify as nothing more than biopolitical substance that can be killed with impunity. (Pugliese 2013, p. 225)

Pugliese's critique of human rights legal frameworks has been shared by many scholars and activists. Randall Williams, in his germinal critique of human rights, argues that the human rights regime developed as a strategy to keep decolonization struggles at bay

(2010). He contends: 'Our starting point should be neither the law nor any desire for a 'progressive' appropriation of the law, but the mounting dead for whom the law was either a useless means of defense or an accomplice to their murder' (2010, p. xxxiii). China Miéville similarly contends that human rights is based on an international legal framework that is birthed out of colonialism. Utilizing the work of Antony Anghie, Miéville argues: 'The beginnings of an international law of independent sovereign powers is thus predicated on a colonial disempowering of non-Western subjects. The "darker history of sovereignty" … is that the "doctrine acquired its character through the colonial encounter"' (2005, p. 175). There is then a contradiction to utilizing a human rights framework when it is itself a colonial framework. Human rights tends to presume the law is neutral rather than constitutive of colonialism. 'Where there is a problem of disorder or violence, it is deemed a *failure* of law: the main problem about law is that there is not enough of it' (Miéville 2005, p. 175). The reliance on human rights law tends to presuppose that it is based on fundamentally different logics than domestic law when they both share the same colonial apparatuses.

It is for this reason that, as I have argued elsewhere, many indigenous peoples are calling not just for decolonization, but for the dismantling of nation-states as the appropriate form of governance for the world (Smith, 2008). Other scholars such as Taiaiake Alfred, Glen Coulthard, and Waziyatawin have similarly made radical critiques of nation-states as inherently colonial and oppressive (Alfred 2005, Coulthard 2007, Waziyatawin 2008).

However, Pugliese points to an additional problem with the concept of human rights—the category of the human (as discussed earlier in this essay) that is supposed to be the beneficiary of these rights. Consequently, even frameworks that are supposed to benefit the targets of oppression do not question the grammar of that oppression. Certainly, the category of 'human' as well as the assumption that liberation is attained through work is not limited to those espousing capitalism. Marxist thought as well often presumes that revolutionary consciousness occurs through work. As Marx and Engels declared in the Communist Manifesto: 'Of all the classes that stand face to face with the bourgeoisie today, the proletariat alone is a genuinely revolutionary class. The other classes decay and finally disappear in the face of Modern Industry; the proletariat is its special and essential product' (Marx and Engels 1965, p. 8). Paul Lafargue's *The Right to Be Lazy* argues that the problem is simply that the proletariat is over-worked but the proletariat is unable to fulfill its revolutionary mission because it has so internalized a capitalist work ethic:

> The proletariat, betraying its instincts, despising its historic mission, has let itself be perverted by the dogma of work. Rude and terrible has been its punishment. All its individual and social woes are born of its passion for work. (Lafargue, 1883, chapter 1)

Lafargue does not de-center the proletariat from being the central agent of the revolution but does argue that the 'the right to be lazy' is central to the revolutionary project. And yet, embracing laziness—the idea that life should not center around work—is the central stumbling block to potential revolutionary action:

> Thus far my task has been easy; I have had but to describe real evils well known, alas, by all of us; but to convince the proletariat that the ethics inoculated into it is wicked, that the unbridled work to which it has given itself up for the last hundred years is the most terrible scourge that has ever struck humanity, that work will become a mere condiment to the pleasures of idleness, a beneficial exercise to the human organism, a passion useful to the social organism only when wisely regulated and limited to a maximum of three hours a day; this is an arduous task beyond my strength. (Lafargue, 1883, chapter 2)

While Lafargue questions the value of work, he does not decenter the work place as a central focus for revolutionary organizing. Thus, even if workers should work less, it still seems to be their status as 'workers' that gives them revolutionary value. But why do so many revolutionary organizations presume the work place should be the privileged place for organizing given that many peoples may not have jobs in the formal economy? Why is it presumed that it has to be unrest in the workplace and not in other sites that could be the focal point for uprisings? Similarly, participatory economics models tend to presume that governance should emerge from work sites that most closely resemble those in the current capitalist economy (Albert and Hahnel 1999). If we in fact have a right to be lazy and should only work 3 hours a day, then why should our work become the center of what makes us potential revolutionaries?

Thus it is not a surprise that progressive movements similarly devalue and marginalize those who have not sufficiently proven their worth through work (Marx and Engels 1965). In her critique of revolutionary movements in Latin America, Maria Josefin Saldaña-Portillo analyzes how these movements frequently oppress and marginalize indigenous communities who are not viewed as sufficiently contributing to the revolution through their subsistence-based economies. Because revolutionary consciousness is seen as a singular historical and developmental phenomenon, indigenous peoples become marked as 'pre-revolutionary' if they have not entered into the formal capitalist economy. Thus revolutionary movements, Saldaña-Portillo (2003) notes, often engage in the same practices of land expropriation as capitalist regimes. Indigenous peoples become imagined as insufficiently contributing to the revolution because they are not imagined as working. Consequently, while indigenous peoples are occasionally positioned as the mascots of revolutionary movements, they are seen as improper revolutionary subjects.

Similarly, support for peoples with disabilities tends to be geared toward enabling them to join the capitalist work economy. ngoc loan

tran [sic] contends in ‘Revolution From My Bed’, that the capitalist work ethic has been so normalized within revolutionary organizing that peoples with disabilities are not valued as contributors to the revolution.

> ableism tells us that unless you are normative with a normative body then you are not capable of participating in society. capitalism tells us that unless you are always producing and always doing then you are not participating in society. and when these two systems come together unless you are a normative person with a normative body producing and doing so in very particular ways then you are not capable of participating in society ...
>
> i've spent this past year really unpacking what i have narrowly defined to be ‘the work’. i have joined others who have carved a space out for writing, storytelling, art and creation to be just as important—if not more than—phone calls, direct action, protests, long meetings and even longer conference calls. i have finally come to a place where i don't ask myself everyday whether i am doing enough for ‘The Revolution’ or whether i am doing anything at all. (trần, 2013)

What tran’s analysis points to is that only certain kinds of work are seen as work within progressive circles. If you do not physically show up to rally or attend marathon-planning meetings, you are not a productive activist. Workaholism is valued as much by the proper activist as it is by the proletariat within Lafargue’s narrative.

Thus, the question of humanity through work has implications for not only critiques of colonial and racial capitalism but the movements that organize against them. What would our movements look like if they do not center work as the site of revolution or internalize a work ethic as the measure by which to judge the value of revolutionary activity.

Life within Death

> In the process of crossing the threshold from human to non-human, the *Muselmann*, Agamben writes, was also compelled to be known by a number of other de-humanizing appellations. … Within the schemata of speciesist, ableist and racist taxonomies, the linguistic transmutation of a Jew into a Muslim/Arab-animal-cretin enables the recalibration of their position down the different hierarchies to, in every instance, the very bottom rung, the ‘lowest of the low’. (Pugliese 2013, p. 120)

Pugliese builds on Agamben’s tracing of the figure of *der Muselmann* in Nazi concentration camps. This term applied to prisoners who supposedly had given up on life and, according to Agamben, essentially ceased to be human. As Pugliese notes, Agamben fails to address the racialization of this figure, since the word signifies ‘Muslim’. Thus, he argues these racial logics behind this identity are premised on an animal/human binary that places Muslim peoples outside the category of human. Alexander G. Weheliye further

complicates this analysis by questioning the binary between life and death in which some peoples can actually be considered the living dead. As Weheliye notes, Agamben glosses over the testimony of former Muselmann, which challenge the premise that the Muselmann was a static category from which there was no way back:

> Agamben shies away from commenting on the first person accounts … because he cannot conceive of the Muselmänner as actual, complicated, breathing, living, ravenous, desiring beings. Had Agamben not simply incorporated but also digested the writings of the Muselmänner, perhaps then genocidal violence would not appear as such an absolute force from above that negates all other dimensions of the existence and subjectivity of the oppressed. How might we go about imagining an ethics in which the Muselmann serves not as a template for the inhuman within the human, but the very process—becoming-Muselmann—is a form of politics? (Weheliye 2008, p. 327)

Weheliye's analysis suggests that our very projects of outlining the processes of dehumanization itself replicate these binaries that cast some peoples (such as peoples with disabilities) outside the category of human. He does not offer a feel-good approach to discovering 'agency' among the oppressed. But rather asks, under these conditions, what new forms of humanity may be created? What life is possible in the context of death? As Dylan Rodriguez (2009) notes, colonized peoples sometimes attempt to imagine a new world as if the originary genocide did not occur. Rather than attempt to either circumvent the radical rupture in history created by genocide or to accede to its finality, Weheliye suggests we imagine how humanity can be reimagined in the context of genocide.

Certainly, many indigenous movements have organized based on the principle that genocide does not have the last word. However, as I have discussed elsewhere, the process of decolonization requires radical breaks with western epistemology (Smith 2012). In many Native activists' circles there is an appeal to 'natural laws'. The principle is that we should act in accordance and with respect to the natural balance of all of creation. Some Native Studies scholars, such as Kim TallBear (2002), have critiqued such appeals as essentialist. Despite the importance of this critique, nonetheless, these appeals to 'natural law' can be read as eschewing the epistemological divide between the 'human' and the rest of creation. The indigenous framework of 'natural law' does not presume humans should be treated better than the rest of creation as would be presumed under 'human rights' law. As I have discussed elsewhere, many indigenous movements have developed that have rethought nationalism struggle through a questioning of this divide (Smith, 2012). In fact this concept was codified in Ecuador's Constitution which recognizes the rights of nature independent of its impact on humans. 'Nature, or Pacha Mama, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes'

(Chapter 7, Article 71). It further recognizes the right of nature to be a defendant in court proceedings. Another example would be the statements issued by indigenous peoples' organizations at the 2008 World Social Forum. They contended that the goal of indigenous struggle was not simply to fight for the survival of their particular peoples, but to transform the world so that it is governed through principles of participatory democracy rather than through nation-states. The nation-state has not worked for the last 500 years, they argued, so it is probably not going to start working now. Their vision of nationhood required a radical re-orientation toward land. All are welcome to live on the land, they asserted, but we must all live in a different relationship to the land. We must understand ourselves as peoples who must care for the land rather than control it. If one understands oneself as fundamentally constituted through relationship to all of creation and other peoples, then nationhood is not defined as being against other peoples, but through radical relationality. By radical relationality, I mean that the self becomes defined, not over and against other selves and the rest of creation, but through its relationships to all of creation. If I know who I am, not because I am not you, but because of my relationships with you, then the nationhood that derives from this sense of self will be expansive rather than insular, constituted through its relations with all other nations.

The additional consequence then is that one's value is derived not from work by which humanity gets separated by its ability to transform nature, but through its relations with all of creation. All of creation thus has inherent worth that does not have to be demonstrated or affirmed through work. A consequence of this approach then is that movements can then revalue what is seen as meaningful participation in society. An example would be the factory movement in Argentina where workers have appropriated factories and have seized the means of production themselves. They have also developed cooperative relationships with other appropriated factories. In addition, in many factories all of the work is collectivized. For instance, a participant from a group I work with went to visit a factory. She had recently given birth to a child and was breastfeeding. My friend tried to sign up for one of the collectively-organized tasks of the factory, and was told that breastfeeding was her task. The factory recognized breastfeeding as work on par with all the other work going on in the factory.

Similarly, we could see many activities as helpful contributions to society—including just caring for one another. This revaluation of what is considered work is important because organizing often follows a gendered model that is based on a split between private and public spheres. In the public sphere of social protest, organizers are supposed to be completely functional and healthy people who have no problems. However, when it turns out we do have problems, we are supposed to address those problems in the private sphere—at home, or through social services. Because we cannot bring our whole selves to the movement, we then end up undermining our work

through personal dysfunctionality that cannot be publicly addressed. In addition, when we think to work collectively, our collective action is confined to the public spheres of protests and other actions. But our movements do not think to collectivize the work that is seen as part of the private sphere, such as daycare, cooking and tending to our basic needs. Consequently, we build movements that are accessible to very few people and which are often particularly burdensome for women who often are deemed responsible for caretaking in the private sphere. Thus, an analysis of how the valorization of work deems some peoples (such as Native peoples, children and people with disabilities) as effectively non-human can also benefit all peoples seeking justice. By disinvesting in colonial and capitalist conceptions and valorization of work as markers of the 'true' revolutionary, social justice movements can build stronger, more wholistic, and more inclusive struggles for transformation.

Conclusion

Without making a vulgar comparative analysis between the status of animals and the status of racialized and colonized peoples, Pugliese traces the murderous and genocidal implications that result from the biopolitical split between 'human' and 'animal', that renders entire populations within the category of non-human. By tracing this divide, Pugliese demonstrates that the war on terror does not exist within a state of exception but is in fact the natural consequence of the dynamics of raciality that depend on this biopolitical split. By analyzing how this split is enabled through the requirement that humanity be established through work, it is possible to interrogate how even progressive movements fall short of challenging racial biopolitics by retaining the assumption that worth is established through work. By doing so, we are in a better position to resist the thingification of nature that thingifies all peoples placed within the category of nature. This analysis then opens up possibilities for reconceptualizing our colonial and capitalist understandings of work and the human. By conceptualizing the human self as marked by its relationships with rather than its distinctiveness from the rest of creation, we challenge the epistemological foundations of colonialism that not only allow some peoples to be thingified, but ultimately enable the commodification of the world in general.

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