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# Equality and Postcolonial Claims of Discursive Injury

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**Abstract:** *In Western Europe, individuals and groups increasingly claim that publicly enunciated denigrating racial discourse inflicts an injury upon them, and inscribe this claim under the rubric of equality. By adopting a method of claim-centered critical theorizing, I discuss the possibilities and implications of reading “claims of racialized discursive injury” as claims to equality. A review of contemporary political theorists concerned with equality and injurious discourse establishes the democratic relevance of claims of discursive injury. A discussion of Judith Butler’s theory of performativity then identifies the properties of the injurable subject and of discourse’s power. Finally, I specify how a postcolonial stance enables us to grasp the actualization of discursive injury as it resonates between past colonial inequalities and threats of future exclusion or death. This equality-focused reading sheds light on the transformative potential of claims of racialized discursive injury for resignifying equality in contexts marked by “race” and postcolonialism.*

**KEYWORDS:** Equality, Performativity, Racist Speech, Postcolonial Studies

... it seems that the notion of equality would proceed undemocratically if we claim to know in advance who might make use of its claim, and what kinds of issues fall within its purview. (Butler in Butler, Laclau and Ladagga 1997: 5)

## Introduction: Words that Spit

Does racial injurious discourse thwart the actualization of equality? Yes, would answer an increasing number of groups and individuals marked by racial difference that contest derogatory discourses in European public spaces. For example, the black French journalist Audrey Pulvar referenced equality when she accused the famous perfume-maker Jean-Paul Guerlain of having “spit in black people’s faces.” Interviewed on the French public channel *France 2*, Guerlain had narrated the creation of one of his famous perfumes in the following terms: “For once, I started working like a *nigger* [*nègre*]. Then again, I don’t know

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if *niggers* [nègres] have always worked that much, ...”<sup>1</sup> Pulvar’s radio commentary deplored the absence of an official reaction to these words, and relayed broad public mobilization<sup>2</sup> :

In France, it appears that one can give a racist speech during prime time on national TV without a single political, intellectual or artistic voice expressing outrage about it. (...) [But who talks about] the *spit* that the very distinguished Mr. Guerlain has projected not only at the face of black people of today, but, moreover, dear Mr. Guerlain, at the bodies of millions of dead people – in the depths of ship’s holds, in the depths of the ocean – who were deported from their native lands to the New World (...) people who were treated not as men, no, nor as fathers, or mothers whose children were snatched from them and transformed into beasts of burden, who were treated not as humans, but tools, things, merchandise (excerpt of Audrey Pulvar’s commentary, 18<sup>th</sup> October 2010, France Inter, my emphasis).<sup>3</sup>

Pulvar’s association of this “spit” with the dehumanization that slavery entailed exemplifies a historicized referencing of equality. In another case in Switzerland, black organizations and anti-racist groups privileged a judicial reference to equality when they contested a tract mailed to 140,000 Zurich households in March 2011 by the Swiss Democrats, an extreme right-wing political party. The tract included a crossword with the German word “*Neger*” as an answer to the prompt: “they should stay in their continent.”<sup>4</sup> Anti-racist activists and blacks argued that the crossword violated equal human dignity, which is legally protected by the Swiss penal norm against racial discrimination.<sup>5</sup>

In this article, I explore the possibilities and implications of reading claims against racial injurious discourses – such as contestations against the “N-word” in Switzerland and France – as claims to equality. I adopt the method of a claim-centered critical theorizing that postulates that “normative reflection arises from hearing a cry of suffering or distress”

<sup>1</sup> Translation is mine. In French : « *pour une fois je me suis mis à travailler comme un nègre. Je ne sais pas si les nègres on toujours tellement travaillé, mais enfin....* », see Dormoy (2010). The derogatory use of the French term “*nègre*” corresponds to the English word “*nigger*.” The denigrating usage of this word has similarities in contemporary Anglophone and Francophone contexts (see, for instance Dulucq, Klein and Stora 2008: 80–81). However, its explicit quotation tends to be less controversial in Francophone academic contexts than in Anglophone contexts. One cannot find any French equivalent for the euphemizing expression “N-word”. I chose to occasionally quote the explicit term throughout this article, because its harmful operation constitutes the core of my discussion. For an in-depth discussion about genealogies and translation strategies of racialized terms such as “*nègre*,” “*noir*,” “*de couleur*” in French and “*nigger*,” “*Negro*/ *negro*,” “*black*” in English, see Edwards (2003).

<sup>2</sup> After the broadcast of the interview, some groups called for a boycott of the Guerlain perfumes, anti-racist associations such as *SOS Racisme* and *Le Cran* lodged a complaint against Jean-Paul Guerlain for racism, and groups condemning Guerlain’s speech were created in social networks on the web. Concerning the judicial procedure, see Libération (2010), as well as Le Monde (2012).

<sup>3</sup> Translation is mine. In French: « *En France, on peut donc prononcer des paroles racistes à une heure de grande écoute, sur un média national sans qu’aucune grande voix, politique, intellectuelle ou artistique ne s’en émeuve. (...) [Mais qui parle du] crachat, que ce très distingué Monsieur Guerlain a jeté non seulement à la figure de tous les Noirs d’aujourd’hui, mais surtout, cher Monsieur Guerlain, sur la dépouille des millions de morts, à fond de cale, à fond d’océan, déportés de leur terre natale vers le nouveau monde. (...) Pas des hommes, non, ni des pères, ni des mères à qui l’on arrachait leurs enfants pour en faire d’autres bêtes de sommes, pas des humains, mais des outils, du matériel. Des marchandises.* » To hear Audrey Pulvar’s entire commentary, see Pulvar (2010).

<sup>4</sup> Translation is mine. In German : “*Es ist auch für sie besser, auf ihrem Kontinent zu bleiben.*” See, Tagesanzeiger (2011)

<sup>5</sup> For examples of these mobilisations see Savioz (2011), and Lüssi (2011).

(Young 1990: 5). My reflection arises from hearing a category of claims, increasingly voiced all over Europe, that I call *claims of racialized discursive injury*.<sup>6</sup> These claims take various forms, such as judicial demands, public demonstrations, or artistic contestation. They can involve arguments for the visibility of alternative discourses, demands for official condemnation on the part of the state, or calls for legal censorship. However, these claims share three features. First, as exemplified by Pulvar's characterization of Guerlain's "racist speech" as a "spit in the face," they target *injurious discourse*, which means they identify words, visuals, or narratives that cause a form of injury. Second, as Pulvar's reference to "black people's faces" and slavery illustrates, they link the injury to specific subject positions that they explicitly name as *marked by racial difference* and as *historically constructed*. Third, these claims draw upon the register of *equality*. Could we read claims of racialized discursive injury as struggles against inequality, and claims to equality? How might we account for the link between discursive injury and the grammar of equality? This article develops theoretical and analytical tools for examining this link.

The following sections elaborate an equality-focused approach to claims of racialized discursive injury. In the first section, I affirm the democratic relevance of these claims by tracking conceptual links between injurious discourse and equality in contemporary normative political theories. Drawing from arguments put forth by Jacob T. Levy, Avishai Margalit, Jeremy Waldron and Nancy Fraser, I conceptualize discursive injury as an impediment to equality, where equality is understood either as full belonging to humanity or as full belonging to a given community. In the second section, I discuss Judith Butler's model of performativity. I explore why and how discourse operates as equality-impeding by way of Butler's theorization of linguistic vulnerability, discourse's injurious power and discourse's iterability. In the third section, I argue for the adoption of a postcolonial analytical stance. This approach enables us to identify the colonial matrix of racializing images and words, and to account for their power to inflict injury in the postcolonial moment. In conclusion, I suggest that claims of racialized discursive injury can expand our current understanding of equality, thus contributing to the renewal of contemporary democratic politics.

My claim-centered reflection intervenes at three levels. First, I address current public debates in Western Europe, where claims of racialized discursive injury tend to be dismissed as unimportant. The reasons given for this dismissal are that the objects of the claims only involve words, or are expressions of subjective emotions. Opponents also characterize the claims as excessive appeals for political correctness, or as a threat to the freedom of expression.<sup>7</sup> For instance, the public prosecutor's office in Zurich refused to charge the Swiss Democrats under the argument that their tract did not constitute a "high infringement" of the principle of equal dignity.<sup>8</sup> Such disqualifications minimize, if not evacuate from the public debate, the egalitarian dimension of claims of discursive injury. By clarifying the links between discursive injury and equality, I test these claims' resistance to criticism. By exposing the transformative potential of claims of discursive injury, I furthermore seek to contribute to the on-going project of the "extension and projection of democratic imaginaries" (Norval 2007: 8). Finally, I call for a political theorizing that acknowledges the history and enduring importance of

<sup>6</sup> The category is inspired by Wendy Brown's notion of "claims of injury." (1995)

<sup>7</sup> See Levy for a review of the various liberal responses to what he calls "ethnic symbolic politics" (Levy, 2000); see Butler for a critique of the dominant frame of debates on hate speech in the US context. (Butler, 1997)

<sup>8</sup> See 24heures (2011).

colonialism and “race” in Western Europe, thus beginning a systematic dialogue with postcolonial approaches.<sup>9</sup>

### Discursive Injury and Equality

In April 2011, Phillippe Curat, a lawyer specializing in human rights, denounced the Swiss Democrats’ political tract in the following terms:

This is inadmissible! This crossword attacks human dignity and should fall under the scope of article 261bis of the Penal Code which guarantees protection from any form of racial discrimination (...) The term *nègre* comprises an evident pejorative dimension. It refers to slavery, to a period during which Blacks were not treated as humans, but as merchandise (Curat quoted in Savioz 2011)<sup>10</sup>

This claim mobilizes a complex register of equality. Within this brief excerpt, equality takes on a philosophical meaning through the reference to “human dignity,” a legal meaning through the reference to the Swiss antiracist law, as well as a historical meaning through the reference to slavery. How should we conceive of the equality that injurious discourse impedes? How should we understand the normative reach of claims denouncing injurious discourse? If we take the egalitarian dimension of claims of discursive injury seriously, and if we recognize that equality is a core concept of the democratic societies within which these claims are expressed,<sup>11</sup> we can then suggest that claims of racialized discursive injury are worthy of democratic discussion.<sup>12</sup> This section sets the stage for such a discussion by shedding light on two options for associating discursive injury with impediment to equality

<sup>9</sup> My call for a systematic dialogue between Western political theory and postcolonial approaches echoes the position of Levy and Young :

We think that political theorists and philosophers have much to learn from [postcolonial perspectives], and can benefit from the incorporation of these methods into our own field. Moreover, we also think that political theorists and philosophers can bring another distinctive set of questions and methods to the study of colonialism and its contemporary legacies, including conceptual analysis and the identification and evaluation of normative assumptions and arguments in political, legal, philosophical and literary discourse. (Levy and Young 2011: xv-xvi)

<sup>10</sup> Translation is mine. In French :«*Inadmissible ! Ce mot-fléché est attentatoire à la dignité humaine et ressort clairement de l'article 261 bis du code pénal visant à protéger de toutes formes de discriminations raciales. (...) Le terme de nègre comporte une dimension péjorative évidente (...). Il renvoie à l'esclavage, à une période où les Noirs n'étaient pas traités comme des êtres humains mais comme des marchandises. (...)*» (Curat, quoted in Savioz 2011)

<sup>11</sup> Contemporary normative political theorists agree that equality should be included among the key terms of democracy. Anne Phillips asserts, for instance, that equality, “as a principle regulating how societies should treat their citizens” has “almost achieved a foundational status” (1999: 2), and Chris Armstrong suggests that “equality makes most sense when allied to a conception of citizenship or membership in a democratic community” (2006: 4). The meaning of equality, as well as the institutional and political remedies required for its actualization, remain, however, matters of intense debate among normative theorists (see e.g. Phillips 1999, Armstrong 2006).

<sup>12</sup> One should note that egalitarianism is not necessarily associated with democracy (see Armstrong 2006). However, the section addresses exclusively political theorists’ accounts that exemplify various normative registers of equality within a democratic framework. Indeed, since the claims discussed in this article are expressed in societies structured by a democratic normative framework, the project to open a theoretical space for linking discursive injury to equality must begin within this framework.

among contemporary normative political theorists.<sup>13</sup> Jacob T. Levy and Avishai Margalit figure discursive injury as humiliation, hence as impeding full belonging to humanity. Jeremy Waldron and Nancy Fraser, on the other hand, conceive of discursive injury as socio-political exclusion, hence as impeding full belonging to a given community.<sup>14</sup>

### *Discursive Injury as Humiliation*

Avishai T. Margalit (1996) and Jacob T. Levy (2000) both assert that discourse can be humiliating. In his discussion of ethno-cultural symbolic disputes, Levy claims that state speech and symbols that celebrate episodes of violence or cruelty against particular groups in a society, or that systematically deny the value of certain minorities, can “legitimately be taken to be humiliating” (Levy 2000: 234).<sup>15</sup> In his attempt to determine which criteria are required for a society to be decent, Margalit suggests that the society’s hegemonic culture must not “contain humiliating collective representations that are actively and systematically used by the society’s institutions.” (Margalit, 1996: 169)<sup>16</sup>

Humiliation, according to both theorists, consists of a standard for evaluating certain discourses. Margalit proposes a “normative rather than a psychological sense of humiliation” (1996: 9):

On the one hand, the normative sense does not entail that the person who has been provided with a sound reason to feel humiliated actually feels that way. On the other hand, the psychological sense of humiliation does not entail that the person who feels humiliated has a sound reason for this feeling. (Margalit 1996: 9)

In a similar vein, Levy asserts:

Humiliation is a debatable standard, but must not be simply a subjective one; we (whoever we are evaluating a particular political dispute) must ask whether the person or people are right to feel humiliated. (Levy 2000: 234)

Hence, Levy and Margalit lead us to acknowledge that claims of discursive injury require a moral and political discussion – a discussion that focuses on the “sound reasons” and not on the “psychological sense” of humiliation.

<sup>13</sup> The scope of this section is limited to reviewing recent accounts by normative theorists concerned with democracy and social justice. Political and social theorists have discussed the issue of words, symbols and images since the 1960s in tandem with social movements of subaltern subjects that called for transformative uses of language and representations. Among normative political theorists dealing with democracy and social justice, however, the interest in discourse politics is more recent. Having previously focused on the redistribution of resources, economic oppression, democratic procedures or formal rights, their discussions of the last two decades have progressively included questions about identity, culture and difference (Levy 2000; Young 1990; Fraser 1997; Phillips 1999).

<sup>14</sup> The theoretical approaches that I review in this section differ not only with regards to their problematization and conceptualization of what I call “discursive injury,” but also to the spheres with which their reflections are concerned— e.g. the main social institutions (Fraser 1996, 1997; Waldron 2009), the civic institutions (Margalit 1996), and the state (Levy 2000).

<sup>15</sup> Levy’s category of “symbolic claims” includes “such matters as the name of a polity, its flag, its coat of arms, its national anthem, the name by which a cultural group will be known, or the way a group’s history is presented in schools and textbooks” (2000: 154). His discussion focuses on the way the liberal state should handle what he calls “symbolic disputes”.

<sup>16</sup> Margalit proposes a rather encompassing conception of culture: “[Culture] includes the entire system of symbols and signs available to a given society for its self-expression.” (Margalit 1996: 166) His discussion focuses on “collective representation, which includes mainly symbols whose conceptual and emotional significance is shared by members of the society, and which are potent enough to contribute to identification with the group.” (1996: 167)



Levy and Margalit associate “sound reasons” of humiliation with the moral wrong caused by exclusion from full humanity. Margalit associates humiliation with “rejection of human beings as human” that is with treating people as if they were “merely things, tools, subhumans, or inferior humans” (1996: 121). As for Levy the state’s use of the “N-word” would be an “egregious moral wrong,” since this word is used in the U.S. context “to exclude blacks not just from full citizenship, but from full humanity.” (2000: 231)<sup>17</sup>

In sum, both authors link discursive injury to equality by attributing to discourse the power of *excluding from full humanity*. Could we not argue that Pulvar signals such a humiliating power when she denounces Guerlain’s “spit in black people’s faces” and “at the bodies of millions of dead people” who were considered “not human, but tools, things, merchandise”? (Pulvar 2010) Levy and Margalit do not identify specific analytical tools for examining such humiliations and for affirming that certain words or images can exclude a subject from full humanity. However, their conceptual gestures set the stage for acknowledging claims of racialized discursive injury as worthy of debate within a society committed to human equality.

### *Discursive Injury as Socio-political Exclusion*

Jeremy Waldron and Nancy Fraser associate discursive injury with socio-political exclusion, hence with equality conceived in socio-political and legal terms. Both authors assert that discourse has the power to harm. I deduce this assertion from Nancy Fraser’s discussion about the encompassing category of “cultural” or “symbolic” injustice, which she defines as “rooted in social patterns of representation, interpretation, and communication” – patterns that involve enunciation, circulation, or publication of words or images (Fraser 1997: 14).<sup>18</sup> With regard to “race,” Fraser argues that such patterns of “misrecognition” provoke a “range of harms suffered by people of color,” as in their “demeaning stereotypical depiction” in the media as “criminal, bestial, stupid” (1997: 22). The philosopher of law Jeremy Waldron also insists upon discourse’s harming power in his argument in favour of racial and religious hate speech regulations in the U.S. context. He affirms that “words, especially when they are expressed in a publicly visible and enduring form, can seriously undermine social values that are important for sustaining the dignity and reputation of vulnerable individuals.” (2009: 1638)<sup>19</sup> This category of injurious words falls under Waldron’s concepts of “group libel” or

<sup>17</sup> Levy considers that the wrongs implied by words are morally subordinated to wrongs caused by conflicts over rights and resources (2000: 230–232): “Words and symbols are not worth violence and coercion. (...) even if using a racial slur wrongs someone, it is not a level of wrong that justifies using state force against someone who has only spoken.” (232) My discussion of injurious power in the section “Injury and Performativity” critically departs from Levy’s hierarchization, especially by demonstrating how words have the power to constitute some subjects as living dead subjects.

<sup>18</sup> Fraser specifies a list of three patterns to cultural injustice:

Examples [of symbolic injustice] include cultural domination (being subjected to patterns of interpretation and communication that are associated with another culture and are alien and/or hostile to one’s own); non-recognition (being rendered invisible by means of the authoritative representational, communicative, and interpretative practices of one’s culture); and disrespect (being routinely maligned or disparaged in stereotypic public cultural representations and/or everyday life interactions). (1997: 14)

<sup>19</sup> Waldron is especially concerned with “expressions of hatred” that are communicated beyond spoken expression, and that form what he designates as the “visible environment”: such forms of expressions are “printed, published, pasted up, or posted, or in some other form become part of the visible environment in which our lives have to be lived” (Waldron 2009: 1600).

“group defamation”<sup>20</sup> that include prejudiced factual claims about one group (e.g. declarations about the presumed laziness or criminality of black people), denigrating characterizations (e.g. representations of black people as animals), or notices or instructions targeting one group (e.g. the signage “blacks not allowed”) (2009: 1609–1610).

Like the proponents of the humiliation approach, Waldron and Fraser call for defining discursive injury beyond psychologization. They consider “group libels” or “misrecognition” as standards for collective discussion and action. Waldron tells us that even if group libels undoubtedly entail subjective feelings such as “fear, hurt, vehement disapproval to the point of outrage, humiliation, shame, anger, offense” (Waldron 2009: 1614), we (and the law) should primarily be concerned with discourse’s power to undermine a person’s “basic status” (2009: 1628, 1647). Fraser argues that we should view misrecognition as a “*status injury* whose locus is social relations, not individual psychology,” and hence whose redress is “normatively binding” (Fraser 1996: 26).

Both authors mobilize the grammar of equality in order to specify what kind of status can be undermined by discourse. Fraser describes misrecognition caused by culture in the following terms:

To be misrecognized, (...) is (...) to be denied the status of a full partner in social interaction and prevented from participating as a peer in social life as a consequence of institutionalized patterns of interpretation and evaluation that constitute one as comparatively unworthy of respect or esteem. (Fraser 1996: 25–26)

Institutionalized forms of injurious discourse can impede subjects from “participating as peers in social life.” (Fraser 2008: 134)<sup>21</sup> They thus impede equality conceived in socio-political terms. Although he offers a diverging conceptualization of discursive injury, Waldron draws a similar conclusion. He equates group libels with “assaults upon the dignity of the person affected” – a dignity that he defines in socio-legal terms as “persons’ basic social standing, of the basis of their recognition as social equals, and of their status as bearers of human rights and constitutional entitlements.” (Waldron 2009: 1610)

In sum, Waldron and Fraser offer convergent insights for reading claims of discursive injury as claims to equality. Both tell us to conceive of discursive injury, beyond a subjective wrong, as a matter of equality understood in socio-political as well as legal terms as *full belonging to a given socio-political community*. Could we not read the Swiss Democrats’ crossword—sent to more than a hundred thousand households in Zurich—as performing an exclusion of residents marked by “blackness” from the community of Zurich? Does this tract not constitute a striking case of Waldron’s “group libel,” as it combines denigrating characterization (the use of the word “*Neger*”) as well as threatening instructions (“they

<sup>20</sup> Waldron favors the concept of “group libel” over the concept of “hate speech” with the aim of re-orienting the discussion on the question of the “visible environment”: “The concept of “group libel” addresses the possibility of racial and religious defamation becoming established as visible feature of the environment – part of what you can see in real space (or virtual space) as you look around you.” (Waldron 2009: 1604) I would add that a distancing from the “hate speech” conceptualization also re-orientes theoretical discussions about injurious discourse from the question of the hateful intention of the locutor to the effect of hate discourse, that is to the question of the injurable subject that I discuss in the following section.

<sup>21</sup> Fraser’s conception of cultural injustices and misrecognition are part of a broader project of defining justice as “parity of participation.” Fraser attempts to construct a bivalent model of justice that includes questions of cultural as well as economic injustices (See Fraser 1996, 1997, 2008). See Armstrong (2006: 138–163) for further specification on how the concept of recognition as well as the overarching principle of parity of participation function as egalitarian ideals within Fraser’s theory of justice.



should stay in their continent”)? I suggest that the analytic offered by Waldron and Fraser may not suffice for evaluating this specific tract, but it does establish that protests against the crossword should be viewed as claims worthy of serious public discussion in a Swiss society that recognizes equality as one of its core principles.

I have identified existing conceptual gestures linking discursive injury to equality among normative political theorists committed to various traditions and methods. My review sheds light on the variety of conceptualizations available for understanding discursive injury as an impediment to equality (“humiliation,” “group libel,” or “misrecognition”). These conceptualizations nevertheless converge into two options for understanding the equality-impeding power of injurious discourse: words and images have the power to exclude subjects from the human community *or* from communities at other scales (national, metropolitan, etc). Although these two forms of exclusionary power might operate differently, I suggest that both ultimately indicate denial of equal human worth.<sup>22</sup> It follows that claims such as Pulvar’s denunciation of Guerlain’s “spit” or Swiss anti-racist activism against the Swiss Democrat crossword puzzle should be publicly discussed within communities committed to the principle of equal human worth – a key principle for democratic communities. However, asserting this democratic relevance is only the first step for reading them as claims to equality. Words and images *can* impact the actualization of equality, but how, when, and under which conditions do they matter? From what do they derive their exclusionary power? The following section addresses these queries with an investigation into performativity, or discourse’s power to “do things”.

## Injury and Performativity

How do simple words or images come to impede subjects’ enjoyment of equality? How to account for discourse’s power, and for discourse’s infliction of pain? Through which modalities does discursive injury operate? Can we specify the “sound reasons” allowing us to claim that certain words or images exclude groups or individuals from a given community, or even from humanity? These queries imply that words and images *act*, which calls for a discussion of speech act theory. Following J. L. Austin seminal work, speech act theory stipulates that words “do things,” that they are “performative” (1962). U.S. critical race theorists and feminists have recently renewed discussions about performativity by engaging in a focused analysis of the power of language to cause injury in relation to racial

<sup>22</sup> The socio-political exclusion approach and the humiliation approach develop different registers of equality, but appear to be ultimately grounded in the same postulate of equal human worth. A more detailed elaboration of the analytical link between exclusion from humanity and exclusion from a given political community could follow two directions. First, one could assert that rejection from political equality always equates rejection from humanity. Margalit takes this direction by declaring that he accepts “the Aristotelian idea that second class citizenship (...) may belong to the category of rejecting human beings as full-fledged humans and not only as citizens in a particular society” (1996: 155). This direction is also taken by Hannah Arendt in her discussion about modern statelessness as entailing expulsion from humanity (Arendt 1994 [1948]). A second direction suggests that full belonging to a given political community involves full belonging to humanity but also requires something more. Waldron asserts for instance that “as a social and legal status, dignity has to be nourished and maintained by society and the law, and this (...) is a costly and difficult business and something in which we are all required to play a part.” (2009: 1612). I tend to agree with this second direction and consider that exclusion from full humanity is a necessary but not sufficient condition of exclusion from full membership in a given community.

or homophobic hate speech and pornography.<sup>23</sup> My investigation in this section draws more specifically from Judith Butler's account of performativity.<sup>24</sup> It explores Butler's developments about the injurable subject, injurious power and injurious utterance in order to further elucidate the links between claims of discursive injury and equality.

### *The Injurable Subject*

Butler's reflections help us grasp the properties of the subject who can be injured by discourse. By asking "Could language injure us if we were not, in some sense, linguistic beings, beings who require language in order to be?" Butler puts emphasis on the constitutive "linguistic vulnerability" of the subject (Butler 1997: 1–2).<sup>25</sup> She reworks Althusser's doctrine of interpellation (Althusser 1970) in order to argue that the subject cannot have a social existence outside of language because she is constituted by interpellative "addresses of the Other":

One comes to "exist" by virtue of this fundamental dependency on the address of the Other. One "exists" not only by virtue of being recognized, but, in a prior sense, by being *recognizable*. The terms that facilitate recognition are themselves conventional, the effects and instruments of social ritual that decide, often through exclusion and violence, the linguistic conditions of survivable subjects. (Butler 1997: 5, author's emphasis)

Butler locates the origins of linguistic vulnerability in one's *relational dependency* to the Other. One constitutively depends on the "address of the Other," since this address sustains one's social and bodily existence. Moreover, Butler relates linguistic vulnerability to the *conventional nature of speech acts*. Throughout one's existence, one depends on the Other's citation of terms that, by convention, facilitate one's recognition as a survivable subject, namely as a subject whose existence *as a* proper subject is secured through time. In short, interpellations from others produce one's "social contours in space and time" (Butler 1997: 34).<sup>26</sup>

Among the numerous varieties of speech acts, *naming* certainly constitutes an important address for securing the existence of the modern subject. In *La Blessure du nom* ("Naming that Wounds"), the anthropologist Philippe Chanson studies the practices and regulations concerning the names of the enslaved in the French Antilles from the beginning of the slave trade until the abolition of slavery in France in 1848 (Chanson 2008). For example, during the regime of slavery, the French issued specific decrees forbidding the enslaved to bear a family name (Chanson 2008: 52). Chanson also studies ceremonies of family name attribution to the "emancipated Blacks" that took place just after the abolition of

<sup>23</sup> The debate focuses especially on questions of regulation of racial hate speech and pornography, and on the limits of the U.S. first amendment protecting freedom of expression. See for instance MacKinnon (2007), Gutierrez-Jones (2001), Matsuda, Lawrence III, Delgado and Crenshaw (1993), and Gates, Griffin, Lively et al. (1994).

<sup>24</sup> Although Butler's entire body of work is concerned with the question of performativity, this article primarily relies on her reflections in *Excitable speech; A politics of the performative* (1997).

<sup>25</sup> Butler participates in a broader theoretical movement seeking to emphasize the constitutive vulnerability of subjects. On this regard, see Ferrarese (2009b).

<sup>26</sup> Butler specifies that interpellation does not exclusively consist of words: "Although some injurious language depends on the use of names, calling another a name, other forms seem to rely on descriptions or even silences." (1997, 28; for further discussion on silence and power see Brown 2005 and Dotson 2011) She also specifies that interpellation might work without a speaker: "The interpellative name may arrive without a speaker – on bureaucratic forms, the census, adoption papers, employment applications. Who utters such words? The bureaucratic and disciplinary diffusion of sovereign power produces a terrain of discursive power that operates without a subject, but that constitutes the subject in the course of its operation." (1997: 34)

slavery.<sup>27</sup> During such ceremonies, French colonial civil servants attributed and registered thousands of new family names of former slaves (Chanson 2008). They thus established the linguistic conventions that enabled former slaves' new status as "emancipated" subject.

The family name case exemplifies the subject's dependence on the address of the Other. In order to be recognizable as a survivable subject, in order to exist as a non-slave, the formerly enslaved has to be interpellated with a family name by French colonial civil servants. The example also sheds light on the conventional nature of speech acts. In the French colonial Empire (and still today), family name secures, by convention, one's existence as a survivable subject, as a full human. If one cannot be addressed with a family name, one is exposed to an existence as a mere object, as a laboring body owned by a master. In sum, the scene of family name attribution sheds light on subjects' "availability to injury" (Ferrarese 2009a: 133). But how does a subject available to injury becomes effectively subjected to injury? Let us address the enactment of discursive injury with the help of Butler's understanding of injurious power.

### *Injurious Power*

How should we qualify the power that inflicts discursive injury? How does this injurious power operate? Can we describe this operation as equality-impeding? If we follow Butler, the infliction of injury pertains to the *ambivalence* of performativity, namely to the power of language to secure as well as to threaten existence. Butler asserts for instance that whereas "the address constitutes a being *within* the possible circuit of recognition," it can also constitute the being "*outside of it, in abjection*" (Butler 1997: 5, my emphasis); "if language can *sustain* the body, it can also *threaten its existence*." (Butler 1997: 5) Consequently, could we assert that specific interpellations operate injuriously when they interrupt or threaten social and bodily existence? Butler's understanding of ambivalent performativity, I argue, entails at least two forms of injurious power – I call them "lethal power" and "sticking power."<sup>28</sup> By grasping their operation, I wish to further examine possibilities of associating discursive injury with impediment to equality.

Words and images can exert *lethal power*. Practices of un-naming and renaming the enslaved under French slavery typify lethal injurious interpellations. Immediately after they had been sold to a master in the "new" world, the enslaved were attributed a first name – Chanson calls it a "non-name"<sup>29</sup> – often coupled with a nick-name evoking the enslaved's physical appearance or origin. (Chanson 2008: 49) Several scholars have described how these linguistic operations – this "business of dehumanized naming" (Spillers 1987: 69) – contributed to the pained and abject constitution of the "slave" subject. Un-naming and re-naming helped to maintain the enslaved's life under a regime of *social death*, marked by natal alienation, kinlessness, and the deprivation of rights (Spillers

<sup>27</sup> The Under-secretary of State Victor Schoelcher ordered the creation of official lists to register the "emancipated Blacks" under their newly attributed full names (Chanson 2008: 68).

<sup>28</sup> Recalling Foucault's definition of power as "the name that one attributes to a complex strategical situation in a particular society" (Foucault quoted in Butler 1997: 35), I suggest that the attributes "sticky" and "lethal" seek to name various complex strategical situations enacted by injurious speech acts. These complex strategical situations are not mutually exclusive; they can overlap, reinforce and even partially engender or reactivate each other.

<sup>29</sup> In French, Chanson speaks of a « *non-nom* » or of a « *prénom-nom* »; literally a "non-name"; a "first name-name" (Chanson 2008: 49)

1985, Hartman 1997, Mbembe 2003).<sup>30</sup> They contributed to expose the enslaved's body to the constant threat of death, where her "flesh"<sup>31</sup> was exposed to objectifying procedures like forced labor, medical experiments, daily tortures, rape, and arbitrary murder (Spillers 1987, Hartman 1997, Mbembe 2003). These constitutive interpellations maintained the enslaved in a permanent "state of injury," which Achille Mbembe associates with "death-in-life" (Mbembe 2003: 21).<sup>32</sup> Their enunciation thus inflicted a quasi-lethal – if not lethal – discursive injury. Practices of naming under the regime of slavery strikingly exemplify the ambivalence of performativity emphasized by Butler. They illustrate the power of some addresses to give existence, even if this existence is defined by its proximity to death.<sup>33</sup>

Understanding the operation of discourse's lethal power sheds light on how words and images might impede the actualization of equality. Lethal addresses operate in a way which recalls Margalit's notion of humiliation:

Humiliation, as the rejection of human beings as human, *even if it is performed ritually or symbolically* without any physical cruelty, serves as a signal of *existential rejection* that is not symbolic at all. There is a *constant threat of living a life unworthy of a human being*. (Margalit 1996: 122, my emphases)

By associating lethal power with humiliation, I suggest that some addresses might exert equality-impeding lethal power, in the sense that they might constitute subjects that possess a form of life that is "unworthy of a human being." The encounter with such lethal addresses might thus form sound reason for subjects to claim discursive injury. To put it in another way, grasping the operation of lethal power enables us to read claims of discursive

<sup>30</sup> The enslaved live under a regime of social death in the sense that all aspects of their social life are limited, if not cancelled, by their definition as objects of property. Hortense Spillers contends that kinship "loses its meaning" under slavery since, it "can be invaded at any given and arbitrary moment by the property relations" (Spillers 1987: 74) Saidiya Hartman discusses how natal alienation and kinlessness were maintained through the limitation of the enslaved's parental and family rights:

Motherhood was critical to the reproduction of property and black subjection, but parental rights were unknown to the law. This negation was effected in instances that ranged from the sale and separation of families to the slave owner's renaming of black children as a demonstration of his power and dominion. (Hartman 1997: 98)

Hartman also discusses how slave law recognizes only "criminal" forms of "slave humanity" and personhood:

The slave is indisputably outside the normative terms of individuality to such a degree that the very exercise of agency is seen as contravention of another's unlimited rights to the object (...). Not surprisingly, the agency of the enslaved is only intelligible or recognizable as crime (...) (Hartman 1997: 62)

<sup>31</sup> Spillers proposes an analytical distinction between the "body" and the "flesh" in order to specify the enslaved's bodily and social experience of extreme subjugation:

...I would make a distinction ...between "body" and "flesh" and impose that distinction as the central one between captive and liberated subject-positions. In that sense, before the "body" there is the "flesh," that zero degree of social conceptualization that does not escape concealment under the brush of discourse, or the reflexes of iconography. (...) If we think of the flesh as the primary narrative, then we mean its seared, divided, ripped-apartness, riveted to the ship's hole, fallen, or "escaped" overboard. (Spillers 1987: 67)

<sup>32</sup> I add that un-naming and re-naming also cause "death-in-death." Indeed, Chanson remarks that once they would die, deprived of full name, the enslaved would barely leave any trace of their existence (Chanson 2008: 53).

<sup>33</sup> I make the hypothesis that such linguistic operations constitute discursive features of Mbembe's broader category of "necropower," which describes modern sovereignty's expression as "the capacity to dictate who may live and who must die." (Mbembe 2003: 11)

sive injury as contestations against impediments to equality conceived as full belonging to humanity.<sup>34</sup>

However, the attribute “lethal” does not grasp all forms of injurious power. Some speech acts do injure without necessarily constituting a subject who is under a constant threat of death. How should we name their operation? How could we account for non-lethal inflictions of “linguistic pain” (Butler 1997: 5)? I suggest that words and images can exert *sticking power*. My understanding of sticking power draws upon Sara Ahmed’s definition of the “sticky sign” (2004). She contends that some signs have accumulated injurious force throughout the history of their repetition: “if a word is used in a certain way, again and again, then that “use” becomes intrinsic; it becomes a form of signing” (Ahmed 2004: 91). Words such as “paki” or “nigger” stick as the “effect of histories that have stayed open” (Ahmed 2004: 59). They have accumulated the force to stand for articulations of meaning, and to stick together pejorative attributes.<sup>35</sup> (Ahmed 2004: 59) They have also accumulated the force to stick to some subjects, to fetishize their bodies as objects of hate or disgust (Ahmed 2004: 54, 92).<sup>36</sup>

Three encounters with the “N-word” that take place after the abolition of slavery registered by Rendall Kennedy<sup>37</sup> allow me to further describe the infliction of sticking injury. Kennedy evokes his mother’s violent experience after the latter sat at the forefront of a bus under the “Jim Crow” U.S. regime of racial segregation:

After about a block, the driver pulled the bus over to the curb, cut the engine, and suddenly wheeled around and began to scream at my mother who was all of about eight or nine years old – “*Nigger*, you know better than to sit there! *Get back where you belong!*” (Kennedy 2003: xii, my emphasis)

The injunction made to Kennedy’s mother to “know her place,” to “go where she belongs” echoes one of Kennedy’s own encounter with the word, decades later, when he offered his assistance to a motorist on the road to Oxford in England:

When I reached the side of his auto, he screamed “*Nigger go home!*” and sped off (Kennedy 2003: xiii, my emphasis)

<sup>34</sup> My understanding of discursive lethal power echoes Spillers’ following claim about the symbolic order instituting black subjectivity in the U.S.: “We might concede, at the very least, that sticks and bricks *might* break our bones, but words will most certainly *kill* us.” (Spillers 1987: 68) With help of Spillers’ claim, I want to critically counter Levy’s assertion that the prejudice incurred by discursive injury is necessarily less serious, hence is “not worth violence and coercion.” (Levy 2000: 232) I contend that words and images can work as weapons that are not only metaphorical.

<sup>35</sup> Ahmed discusses for instance the stickiness of the word “Paki”:

The word “Paki” becomes an insult through its association with other words, other forms of derision. (...) To use a sticky sign is to evoke other words, which have become intrinsic to the sign through past forms of association. The word “paki” might then stick to other words that are not spoken: immigrant, outsider, dirty, and so on. (Ahmed 2004: 92)

<sup>36</sup> Ahmed interestingly suggests that sticky signs contribute to an economy of bodies’ alignment. Some bodies are hailed and fixed by sticky signs – for instance signs of hate – allowing other bodies to be in movement (Ahmed 2004: 60)

<sup>37</sup> Kennedy studies usages and controversies relating to the “N-word” mainly in the U.S. context. For a powerful cinematographic account of injuries generated at the intersection of racist and homophobic interpellations, see Marlon Riggs’ film *Tongues Untied* (Riggs 1989).

Kennedy's body marked as "black" provokes abjection. The motorist in need of help prefers to speed off at his sight. The stickiness of "*nigger-as-insult*" (Kennedy 2003:14) to the "black" subject is also exemplified by Lonnae O'Neal Parker's experience in a park of Illinois at the age of five:

Two white girls walked up to me.....They were big. Impossibly big. Eleven at least. They smiled at me.

"are you a nigger?" one of the girls asked....I stood very still. And *my stomach grew icy*.... "I, I don't know," I told her, shrugging my shoulders high to my ears....

Then the other repeated, more forcefully this time, "Are you a nigger" *You know, a black person?*" she asked.

I wanted to answer her. To say something. But *fear made me confused*. I *had no words*. I just stood there. And tried not to wet my panties.

Then *I ran*. (quoted in Kennedy 2003: 19, my emphases)

Although they happen at different times and locations to different persons of various ages, these episodes outline similar operations of the "N-word"'s sticking power. "*Nigger-as-insult*" sticks its addressees to the "blackness" of their body, it hails their "black bodies" with an articulation of pejorative meanings, and with an injunction to get stuck to a specific place, to a specific "where you belong," which always refers to a marginal place or a "nowhere" (the back of the bus, or the unspecified distant "home"). It also gets them stuck in their body. O'Neal Parker's encounter with the "N-word" makes her freeze, frightened, she loses her words and has to "run".

These encounters with the "N-word" resonate with Butler's description of linguistic injury in terms of "shattering," "loss of context," "disorientation," exposure to an "unknown future" and to the "volatility of one's "place" within the community of speakers" (Butler 1997: 4). They attest to performativity's ambivalence by showing how one's social and bodily existence can be secured into an *insecure* position: "one can be "put in one's place" by speech, but such a place may be *no place*". (Butler 1997: 4, my emphases) They illustrate the enactment of a discursive injury that is not necessarily lethal, in the sense of maintaining subjects in a state of death-in-life and relegating subjects to the margin of humanity.<sup>38</sup> However, with these examples of the "N-word"'s operation in post-slavery contexts, I suggest that discourse's sticking power might seriously impede a socio-political form of equality.

<sup>38</sup> These examples do not exhaust the various injurious operations that can be associated with the N-word, since these operations always depend on the context of the word's enunciation. Edwards argues for instance that the term *nègre* contributed to the constitution of slave subjects under French slavery and the slave trade:

As the French entered the slave trade (the *Code Noir*, the legal basis of the trade in France, was established in 1685), there developed an association between *nègre* and *esclave* ("slave") as synonyms, cemented in early dictionaries including Savary's *Dictionnaire universel de commerce* (1723), the work that single-handedly defined the French conception of Africans as a "race of slaves" in a phrasing copied in almost all the dictionaries of the next two hundred years. (Edwards 2003: 2)

We could thus argue that enunciations of the N-word in the context of slavery worked together with practices of non-naming, un-naming and renaming in inflicting a lethal injury to subjects marked as "slave" (see Chanson's discussion, above).



When some words stick some subjects to a volatile place, when they provoke a loss of words by recalling a history of violence and exclusion, we could consider with Fraser that these words nurture patterns of misrecognition, since they prevent their addressees from “participating as peer in social life.” (Fraser 2008: 134) We could associate sticking discourse with Waldron’s notion of defaming discourse that constitutes “assaults” to persons’ status as “social equals” (Waldron 2009: 1610). In short, understanding the operation of sticking power enables us to specify the “status injury” that discourse may inflict. It facilitates our reading of claims of discursive injury as contestations of impediments to equality conceived as full belonging to a given community.

### *Injurious Utterance*

So far, we understand why subjects are linguistically injurable, and how discourse can inflict a lethal or sticking equality-impeding injury upon them. But how can we affirm that particular utterances – for example Guerlain’s or the Swiss Democrat’s public invocation of the word “*négre*” or “*Neger*” – inflict an equality-impeding injury? Which tasks should we undertake to assess the injurious force of a given scene of utterance? I address these queries with Butler’s developments about the *iterability* “by which a performative enacts its injury” (Butler 1997: 52).

With the notion of iterability, Butler signals the historicity of the speech act. Being always an “invocation of convention,” the speech act derives its power from citation (Butler 1997: 34):

If a performative provisionally succeeds (and I will suggest that “success” is always and only provisional), then it is not because an intention successfully governs the action of speech, but only because that action echoes prior actions, and *accumulates the force of authority through the repetition or citation of a prior and authoritative set of practices*. It is not simply that the speech act takes place within a practice, but that the act is itself a ritualized practice. What this means, then, is that a performative “works” to the extent that it *draws on and covers over* the constitutive conventions by which it is mobilized. In this sense, no term or statement can function performatively without accumulating and dissimulating historicity of force. (Butler 1997: 51, author’s emphases)

Injurious terms happen to injure precisely when their utterance contributes to the “sedimentation of prior institution and use” of their power to injure (Butler 1997: 80). Consequently, if we acknowledge iterability, we should avoid reading a given utterance as isolated speech uttered by a sovereign subject. We should consider that an utterance might inflict an injury when it echoes, actualizes and reinforces linguistic conventions of humiliation or exclusion. In short, we should read this utterance as a *potential actualization* of injury.

Furthermore, the notion of iterability signals the “open temporality” of speech acts (Butler 1997: 15). Linguistic conventions require reiteration to endure, but each reiteration opens the possibility for an act of resistance to injurious power, for a resignification, a recontextualization that breaks the link between a speech act and its effect (Butler 1997: 18–20). As Butler tells us, “words might through time, become disjoined from their power to injure and recontextualized in more affirmative modes.” (1997: 15) Kennedy describes for instance how the “N-word” can be turned against its derogatory meaning in hip-hop, humour or friendly interpellation among Blacks in the U.S.

(2003).<sup>39</sup> In the Francophone context, the Black Marxist Lamine Senghor's call in 1927 to use the word as a "rallying cry" is a telling historical example of attempts to recontextualize the word *nègre* (quoted in Edwards 2003: 33).<sup>40</sup> Such politics of resignification presuppose the N-word's iterability. Iterability signals the impossibility to "fix with certainty the link between certain speech acts and their injurious effects" (Butler 1997: 15). Hence, we should apprehend a given scene of utterance as a scene either of reinforcement or of loosening of the conventional relation between discourse and injury.

The historicity and open temporality of speech acts complicate our reading of given scenes of utterance. Let us consider again 1848 ceremonies of family name attribution in the French Antilles. As evoked by Chanson, the family name attribution conditioned the transformation of the formerly enslaved into survivable subjects. However, Chanson points out that several regulations forbade French colonial civil servants to attribute family names already born by white families. He shows that these civil servants assigned odd family names (Chanson 2008: 32 – 33). They created surnames on the basis of existing first names, and also gave shameful and denigrating names like "*Trouabal*" (which can be translated as "Asshole"), "*Anonyme*" ("Anonymous") or "*Crime*" (Chanson 2008: 29). Could we deem these scenes of naming as injurious to the extent that they impede equality? Following Butler, neither the analysis of the shameful meaning of these names, or that of the humiliating intentions of the French colonial civil servants could give us an answer. If we adhere to Butler's conception of the iterability of discourse, we should acknowledge the *analytical impossibility* of deploying pre-determined standards for identifying injuries. However, that does not prevent us from accounting for actualizations of discursive injuries. Which analytical task should we undertake to account for such actualizations? In other words, which tasks can lead us to assert that the particular utterance of words or images constitute impediments to racialized subjects' enjoyment of equality? And how can we reveal the accumulated (and concealed) force at play in given scenes of utterance such as shameful naming of 1848, Swiss Democrats' tract suggesting that "*neger*" should "return to their continent" or Gerlain's declaration about the "lazy *nègres*"?

<sup>39</sup> Kennedy evokes for instance his father's use of the "N-word":

Long before the rapper Ice-T insisted upon being called a nigger, my father declared that he was proud to be a "stone-nigger" – by which he meant a black man without pretensions who was unafraid to enjoy himself openly and loudly despite the objections of condescending whites or insecure blacks. (Kennedy 2003: xvii) In a similar vein, Butler qualifies Ice T's rap as a potential site in which injurious terms "not only mean or communicate in a conventional way, but are themselves set forth as discursive items, in their very linguistic conventionality and, hence, as both forceful and arbitrary, recalcitrant and open to reuse." (1997: 100). Note that such strategic usages of the N-word as well as other racialized and sexist slurs – especially in popular culture – are subjects of on-going controversies and reflections *within* the Black community.

<sup>40</sup> According to Edwards (2003: 28-29), Lamine Senghor was one of the first – before the Negritude movement – to call for an appropriation of the word *nègre* in his essay "Le Mot 'Nègre'" ('The Word "Nègre"'), published in the first issue of a newspaper call *La Voix des Nègres*, the mouthpiece of his group the *Comité de Défense de la Race Nègre*:

Yes, sirs, you have tried to use this word as a tool to divide. But we use it as a rallying cry: a torch! [Nous, nous en servons comme mot d'ordre de ralliement: un flambeau!] We do ourselves honor and glory by calling ourselves Nègres, with a capital N. It is our race nègre that we want to guide on the path of total liberation from its suffering under a yoke of enslavement. (Senghor quoted in Edwards 2003: 33)

Butler does not explicitly formulate a series of tasks for addressing particular utterances that might actualize an injury.<sup>41</sup> However, I derive *two analytical tasks* from her theory of performativity. The first task *historicizes* the scene of utterance, investigating which historical and conventional relation attaches a particular word or image to particular injuries that could count as impediments to equality. One should question “how particular names have acquired the injurious force they have” (Lloyd 2007: 133), how particular signs have become injuriously sticky, or how particular addresses have accumulated the power to kill. In sum, one should account for the specific historical conditions of possibility within which given interpellations can enact injuries.<sup>42</sup> The second task *sounds* the injurious force at work within the scene of utterance. It inquires whether the given scene of utterance reinforces the conventional relation between a word or image and its power to inflict an injury, and whether this reinforcement actualizes an equality-impeding power. One should ask whether the utterance reinforces injurious power, to the extent that it gives sound reason for demanding equality. In the next section, I argue that these tasks must be conducted from a postcolonial stance.

### Injury and Postcoloniality

How can we determine whether given *racialized* utterances – for instance Guerlain’s utterance of the “N-word” – impede subjects marked by racial differences from enjoying equality? How can we account for the historicity and injurious force of these interpellations? In this section, I suggest that we address these queries from a postcolonial stance. Despite their diversity,<sup>43</sup> postcolonial approaches share two analytical ambitions. They explore the colonial structuration of epistemic, normative, legal, socio-political, and cultural institutions of modernity (Vergès 2005).<sup>44</sup> And they examine how the colonial structuring moment informs contemporary power relations and constructions of difference (Mbembe 2006; Vergès 2005; Diouf 2006; Gilroy 1993). I argue that the postcolonial stance enables

<sup>41</sup> According to Moya Lloyd, Butler’s failure to account for particular instances of injury is related to her tendency to discuss iterability as an ontological rather than a socio-political instance. Lloyd asserts the following:

Part of the difficulty, for me, rests with the concept of iterability, which seems to offer an ontological explanation for change. All language is indeterminate therefore it can all be recited. Even though Butler describes her own project as focusing on the “social iterability of language” (150, emphasis added), rather than on language’s general inherent iterability, thus stressing that it is the social operation of language with which she is concerned, in my view she still fails to pay sufficient attention to the specific social and political conditions (the exact power relations, institutions and practices) that facilitate particular acts of iteration and resignification. This affects not only her neglect of how the historically specific conventions governing state discourse might render such speech less open in particular historical contexts to recitation than it is in other contexts. It is also linked to her avoidance of questions such as how particular names have acquired the injurious force they have. (Lloyd 2007: 132–133)

See also Ahmed’s proposition of redefining iterability and historicity in terms of stickiness (Ahmed 2004: 59)

<sup>42</sup> Following Lloyd, such an analytical move can also be called an “eventalization,” that involves discerning “the plurality of contingent factors that converge, however haphazardly, to make an event possible.” (Foucault paraphrased by Lloyd 2007: 134). In the section “Injury and Postcoloniality,” I contend that eventalization of racialized discursive injuries benefits from a postcolonial stance.

<sup>43</sup> Postcolonial studies consist of a heterogeneous and complex constellation of theories and methodologies. They emerged in the 80s and gained importance, mainly in the Anglophone academy in various disciplines such as literary studies, social sciences, history, and anthropology. The approaches that I mobilize here are thus very diverse. They nevertheless share a common commitment to give meaning to “postcoloniality.” Hence, I include in this group analyses and theories that are commonly identified with critical race and whiteness studies.

<sup>44</sup> The colonial moment as understood here covers five centuries, as it runs from the “great Discoveries” to the independences of former colonies.

us to conduct the double task for reading claims of racialized discursive injury formulated in the previous section. It allows us to grasp the injurious force acquired through history by specific addresses, as well as to assess whether specific utterances reinforce this injurious power to the extent that they impede equality. By mobilizing examples of recent studies on colonial and postcolonial France, I thus call for a *postcolonial reading* of the links between equality and claims of racialized discursive injury.

### *Discursive Markers of Colonial Inequality*

How have specific racialized addresses acquired the force to injure? How, for instance, did the “N-word” gain sticking power across national contexts and languages? I suggest that the postcolonial stance enjoins us to derive racialized injurious power from the institution of racial otherness under colonialism. Indeed, an important amount of postcolonial theory is devoted to the study of “race” understood as one of the central institutions under colonialism. This work shows how, during the colonial moment, “race” produced “othered” subjects and fixed their social position within a hierarchy of humans (Goldberg 1993; Michel and Honneger 2010). For instance, Thomas McCarthy emphasizes that “race” worked as a diffuse institution, and as an organizing principle of modern societies:

Systems of racial categorization centered around visible body types acquired not only expressive but also constitutive significance in modern society; they not only justified practices of racial domination but also entered into and informed them; and their rankings of racial capacity and incapacity did not merely reflect institutional reality but were essential to its very intelligibility and normativity. Such systems of “natural” racial differences were integral to arrangements as otherwise disparate as colonial labor regimes, US immigration policy, “Jim Crow” segregation, eugenics programs and extermination camps. In a word, “race” has functioned as a *marker* of inclusion and exclusion, equality and inequality, freedom and unfreedom throughout the modern period, both locally and globally. (McCarthy 2009: 24, my emphasis)

Postcolonial studies investigate how the “marker” of “race” constitutes and stabilizes subjects within racial hierarchy. “Race” produces “visible body types.” It produces bodily markers referring to skin colour, capillary texture, musculature or facial traits that become signs of fundamental difference, and, consequently, of a natural “endogeneous” inferiority (Mbembe 2005; Goldberg 2002 and 2006).<sup>45</sup>

I argue that a postcolonial stance enables us to account for the discursive generation of “race.” This stance allows us to identify how bodily attributes of “race” acquire meaning through their articulation to a set of *discursive markers*, to various speech acts, namely to various addresses, legal categories, or representational schema. Let us mention here the racial categories referring to degrees of blackness and fixed by the *Code Noir* of the French Empire such as “*nègre*,” “*quarтерon*,” or “*mulâtre*” (Chanson 2008; Ndiaye 2008), popular exhibitions of the colonized all over Western Europe such as “human zoos” (Bancel, Blanchard, Boëtsch, Deroo and Lemaire 2002),<sup>46</sup> or narratives and images of the “cheating

<sup>45</sup> “Race” also generates a series of markers of racial superiority. These markers operate in an insidious and implicit way in order to position some subjects within whiteness. See Nayak (2007); Essed and Trienekens (2008) and Michel and Honneger (2010)

<sup>46</sup> Colonial imaginaries, discourses and imagery also circulate and structure socio-political constructions of differences within countries without formal colonies such as Switzerland (Purtschert, Lüthi and Falk 2012). See Minder (2011) for analyses of representations of blackness in Switzerland and Mottier (2000) for analyses of eugenicist discourses.

Arab” or the “lazy Black” implied by various colonial policies (Bancel, Blanchard and Vergès 2003).<sup>47</sup> The politics of naming in the French colonial Antilles evoked above belong to this very broad and diffuse group of linguistic practices and conventions that produce racial otherness within the colonial world. These conventions stick to some subjects by marking their body and subjectivity as fundamentally and “naturally” other and inferior.

The postcolonial stance not only sheds light on the role of certain speech acts in the generation of “race,” it also allows us to identify the injurious and equality-impeding power of these speech acts. Studies of the “colonial *République*” show how interpellations as “natives,” “bestial” or “primitive”; along with narratives and visuals about the purported incapacity of the colonized to “work” and “own property,” constitute the colonized as fundamentally different from rational, autonomous and civilized “white” humans (Bancel, Blanchard and Vergès 2003; Mbembe 2005). Under racial hierarchy, killing those who are not fully human, usurping them, and colonizing them do not constitute harmful acts against humanity. On the contrary, the French “civilizing mission”<sup>48</sup> stipulates perpetrating violence and killing *for* the progress of humanity. The Republican French government adopts a discourse of “racial war” associated with humanitarian purposes, namely with the aim to “help” and “civilize” inferior “races” (Bancel, Blanchard and Vergès 2003: 89). In sum, analyses of the colonial *République* shed light on various interpellations into racial otherness that correspond to colonial instances of impediments to equality understood as full belonging to humanity.

Discursive markers of “race” thus dehumanize, but they can also thwart the actualization of a political form of equality. The illustrative case of what Bancel, Blanchard and Vergès call the “paradoxical citizenship” enables us to signal how discursive markers of “race” work to exclude the colonized from the body of French citizens (2003: 123). The French republican regime grounds political sovereignty on the *potentiality* for each human to be rational (Bancel, Blanchard and Vergès 2003: 50). However, various interpellations of the colonized into racial inferiority place the latter outside of rationality. Interpellations into otherness exemplified above, but also specific citizenship statuses like “*Français Musulman*” (“French Muslim” Sheppard 2006), or “*sujet de France*” (“subject of France” Blanchard 2005: 182), mark the colonized as lacking the cognitive capacities and the civilizational attributes that would enable them to take part in the social contract, and thus to be entitled with political equality and citizenship rights. “Race” affirms that some are more legitimate citizens than others (Bancel, Blanchard and Vergès 2003: 123).<sup>49</sup> The colonial “paradoxical citizenship” generates interpellations that we could describe as equality-impeding operations, where they stick certain subjects to the margins of the French community.

In sum, drawing from these studies on colonial France, I argue that acknowledging the colonial structuration of modernity allows us to tell how racialized names have acquired the injurious force they have. Such an acknowledgment enables us to identify the colonial

<sup>47</sup> See Fanon’s seminal essay *Peau Noire, Masque Blanc* (“Black Skin, White Masks”) for a phenomenological account of being interpellated as a “*nègre*” under French colonialism, especially in the context of the Antilles (Fanon 1971[1952]).

<sup>48</sup> In order to defend a renewed French colonial expansion, Jules Ferry declares at the French National Assembly in 1885: “[Superior races] have the duty to civilize inferior races. I sustain that nowadays European nations realize this superior civilizing duty with broad-mindedness, greatness and honesty.” (Ferry 1885, my translation)

<sup>49</sup> Bancel, Blanchard and Vergès analyze how during the republican-colonial moment, paradoxical citizenship is institutionalized through different laws and statuses. 1881’s *Code de l’Indigénat* establishes for example the different statuses of “French from France” (“*Français de France*”) and “French subjects” (“*sujets de France*”) (Blanchard 2005: 182).



matrix of racialized linguistic practices and conventions,<sup>50</sup> to demonstrate how racialized addresses derive their injurious power from the institution of racial and colonial otherness, and to thoroughly account for their lethal or sticking equality-impeding operation under colonialism. The postcolonial stance fosters awareness of how, during the colonial moment, the constant invention and reiteration of racializing addresses stuck some subjects at the margins of equality, namely at the margins of humanity or of a given community.<sup>51</sup>

### *Discursive Markers of Postcolonial Inequality?*

Let me recall my concern with *contemporary* claims of racialized discursive injury. My point is to trace links between the grammar of equality and discursive injuries in societies where legal, administrative, military and political institutions of the colonial empires have been dismantled, and whose authorities have adhered to various national and international conventions against racism. In such contexts, how should we tackle the contemporary reiteration of racialized speech acts which were invented during the colonial moment? Under which conditions do given scenes of utterance actualize impediments to equality in postcolonial contexts? I suggest that postcolonial approaches' second ambition addresses these queries. Without postulating that the present consists in a mere repetition of the colonial past, postcolonial scholars share the ambition to explore how contemporary socio-political processes are marked by colonial legacies. They explore how ideas, systems of meaning, practices, institutions and power relations stabilized by colonialism inform contemporary socio-political arrangements and subject positions (Bancel, Blanchard and Vergès 2003: 133; Le Cour Grandmaison 2005). I argue that such an exploring of colonial and postcolonial temporal entanglements<sup>52</sup> is necessary to identify the actualization of an equality-impeding injury in a given scene of racialized utterance.

Two examples of recent studies of postcolonial France help me develop my argument.<sup>53</sup> First, Abdelmalek Sayad (2006) analyzes how the French postwar integration discourse produces a boundary between the French citizen "*de souche*" ("native French") and the French "*issu de l'immigration*" ("French with a migrant background") who is most often also descendant of former colonized. He contends that this integration rhetoric produces immigrants who "come from nowhere," who are accused of inadequate integration because of their "inherited" culture, religion or (inferior) civilization. This discourse echoes the civilizing and assimilating logic of the "paradoxical citizenship" discussed above. The interpellation as "French with a migrant background" positions certain citizens at the margins of

<sup>50</sup> My discussion focuses on the links between racialized interpellations and the construction of racial hierarchies and inequalities. It is important to note however that "race" was generated and stabilized co-extensively with other categories of differences such as "gender," "sexuality" and "class". Hence, to some extent, being interpellated racially also means being interpellated as a sexualized and gendered subject. See for instance Dorlin (2006 and 2007), and McClintock (1995).

<sup>51</sup> The institution of "paradoxical citizenship" exposed above with Bancel, Blanchard and Vergès (2003) shows how the definition of the proper Republican citizen bears on definition of the proper human. It thus sheds light on the co-construction of racially exclusionary spheres of humans and of modern citizens in colonial European modernity.

<sup>52</sup> See Chakrabarty (2000) for a discussion about the structure of time and history within postcolonial and subaltern critique.

<sup>53</sup> Recent research address the issue of Switzerland's relation to colonialism and postcolonialism from a postcolonial perspective, see for instance Purtschert, Lüthi and Falk (2012) and Michel and Honegger (2010).



the French community of autonomous and rational citizens. Second, Etienne Balibar (2007) analyzes the official discourse about the events in the French *Banlieues* of November 2005. He shows how this discourse privileged the semantics of “burning,” and “riots” to the semantic of “uprisings” or “rebellion.” Balibar contends that this semantics contributed to mark French youth’s action as “pre-political” and “criminal” and that they thus legitimized the Prime Minister’s proclamation of the state of emergency, which was based on a legislation dating from the Algerian War of independence. (Balibar 2007) This rhetoric thus echoed the colonial interpellations of the colonized as “a-political” and “heteronomous” which allowed usage of imperial conquest and violence against them.

With the example of Sayad’s and Balibar’s studies, I intend to suggest that postcolonial posture’s acknowledgment of entangled temporalities provides us with the key for reading a given contemporary scene of utterance as a potential actualization of inequality. Indeed, this acknowledgment leads us to read a given scene of utterance as a *node of temporalities*. The scene – for instance Guerlain’s enunciation about the “lazy *nègres*” – resonates with *past* equality-impeding interpellations. It re-invokes the colonial context within which such interpellations into racial otherness stuck some subjects outside of the sphere of survivable humans or at the margin of the community. The scene of utterance also resonates with an *uncertain future*, that is *with inequality to come*. The reiteration foreshadows a potential tightening and re-inforcement of the link between the racialized speech act and its historically accumulated power to inflict an injury. When a scene of utterance prefigures a future that strongly resonates with a past of death and exclusion, could we not claim that this scene actualizes an equality-impeding injury? In postcolonial discursive contexts marked by the persistence of racialized arrangements, could we not legitimately ask whether racializing utterances constitute a sound reason for feelings of “constant threat of living a life unworthy of a human being”? (Margalit 1996: 122) Could we not contend that such utterances seriously threaten to stick their addressee to a “no place” (Butler 1997: 4) and prevent them from “participating as peer in social life”? (Fraser 2008: 134)

Moreover, the postcolonial stance sheds light on the *body’s involvement* in the actualization of a discursive injury. The scene of utterance – the scene of entangled colonial and postcolonial temporalities – resonates with, and within, the body of the racialized subject. By being injuriously interpellated, re-iterated, re-stuck into racial otherness, the body marked by “race” becomes the privileged site of a condensed history. It registers past inequalities and is placed under threats of future exclusion or death. The racialized body constitutes the witness *in the present* of haunting pasts of racial inequality and threatening futures of death or socio-political exclusion. One can thus better understand why racialized subjects often express and contest discursive injury through a bodily semantic. One can better grasp why when confronted with the “N-word,” O’Neal Parker loses control over her body, why her stomach grows icy, why she risks to “wet her panties,” why she loses her words, and needs to run (Kennedy 2003: 19). One can understand Pulvar’s insistence on the “spit in the face” inflicted by Guerlain’s declaration about “lazy *nègres*.” One can better understand the “shattering,” the experience of being put in “no place” by speeches that Butler signals as “linguistic pain” (Butler 1997: 5).<sup>54</sup>

<sup>54</sup> I suggest that the postcolonial stance helps us understand the modern injurious institution of discursive markers of difference beyond race – markers of gender, sexuality, ability, age or class – that give meaning to and hierarchize bodies. Hence, although my focus is on claims of discursive injury contesting racialized interpellations, the postcolonial stance’s reading of bodies’ historicity would also enable us to apprehend claims of discursive injury directed against various kinds of interpellation into difference like sexist, homophobic and ageist addresses.

In this section, I have demonstrated that the postcolonial analytical stance helpfully nurtures the reading of given racialized utterances as potential equality-impeding utterances. The postcolonial posture's attention to the colonial structuration of modernity enjoins us to retell racialized interpellations' specific histories under colonialism as well as to connect their injurious operation to the institution of "racial" otherness. The postcolonial stance's concern with colonial and postcolonial temporal entanglements enjoins us to read discourse's lethal or sticking power as deriving from past racial inequalities that resonate with threats of future death or exclusion. The stance also sheds light on how discursive injury resonates with(in) the racialized subject's body.

### Conclusion: Claiming Equality in the Name of Difference

Adopting a method of claim-centered critical theorizing, I discussed the possibilities and implications of tracing links between "claims of racialized discursive injury" and the grammar of equality. I examined these links at the crossroads of three corpuses. First, I established the democratic relevance of claims of discursive injury by outlining converging insights among contemporary normative theorists that conceptualize the discourse's infliction of injury as an impediment to equality conceived either as full belonging to humanity or as full belonging to a given community. Second, drawing upon Butler's theory of performativity, I defined discursive injury as enabled by the subject's vulnerability to interpellations by others, and I specified discourse's injurious operation as lethal – in the sense of impeding full belonging to humanity, or as sticking – in the sense of impeding equal participation to a given community, and I formulated the tasks for assessing given utterances' equality-impeding power. Third, I called for a postcolonial undertaking of these tasks. I argued that the postcolonial stance enjoins us to link the contested words and images to racializing processes invented during modern Europe's structuring colonial moment. I showed that this posture also enjoins us to reveal the actualization of discursive injury by reading given scenes of utterances as scenes where past colonial inequalities resonate with future threats of death or exclusion, and to apprehend how such resonances involve the subject's racialized body as a condensed history.

The reading that I developed does not constitute a set of pre-given standards to examine particular claims of racialized discursive injury across time and context. Rather, it articulates core concepts and analytical tasks that form a *posture* enabling us to critically apprehend the equality-impeding instances that may be exposed by these claims. This posture allows us to read claims of discursive injury as potential claims to equality, and thus to confront alternative sceptical readings – for instance readings of Audrey Pulvar's claim against Guerlain's declaration about "lazy *nègres*" as driven by particularistic interests, or as the sole expression of subjective emotions, or readings of the Swiss anti-racist complaints against the Swiss Democrats' tract asserting that "*Neger* should stay in their continent" as "only words" therefore as "not highly" infringing the Swiss norm of equality. The equality-focused approach enables a critique of these sceptical readings.

My equality-focused approach also emphasizes the transformative potential of claims of racialized discursive injury. It outlines their potential to challenge current parochial and exclusionary understandings of equality, to expand the horizon of equality, and thus to renew democratic politics. Indeed, I suggest that claims of discursive injury take part in "politics of resignification" defined by Moya Lloyd as "the capacity to recite language oppositionally so that hegemonic terms take on alternative, counter-hegemonic meanings." (Lloyd 2007: 129). The public claims of discursive injury open up the possibility

for several resignifications that are crucial “to the continuing revision and elaboration of historical standards” of equality (Butler 1997: 89–90). These claims expose the racist and exclusionary meanings of discursive markers invented and stabilized during the colonial past. Through this public critical exposure, they certainly run the risk of being expropriated, criminalized, hystericized or recolonized, and they thus run the risk of reinforcing injurious power – as Lloyd states, “[t]here is always a degree of unpredictability attached to resignificatory politics *per se*” (Lloyd 2007: 139; see also Brown 2005). However, claims of discursive injury enable the resignification of racializing addresses in the postcolonial present. They pave the way for potential future disjunctions of these modes of interpellations from their power to inflict an injury, and thus seek to stabilize the social and bodily existence of racialized subjects into a secure place within the community. In the same move, claims of discursive injury open up the possibility for resignifying the “we,” namely the community within which they are expressed. By exposing how given modes of address iterate a “we” that excludes bodies and subjectivities marked by racial difference, these claims seek to disconnect this “we” from given colonial and racist formulations.

Finally, I wish to emphasize that claims of racialized discursive injury trouble previous authorized way of reclaiming equality. Whereas dominant liberal normative discourses favor abstract and a-historical formulations of equality (Hartman 1997; Butler 1997), claimants of discursive injury refer to equality by telling specific histories, by exposing their specific body and injuries, and by naming themselves through particular racialized subject positions. Their rhetoric suggests that in contexts marked by postcolonialism and “race,” the claim to equality requires for certain subjects to speak in the name of, and with the body of, racialized difference. Consequently, fear of public articulations of differences, calls for erasure, assimilation, or equalization of differences might hinder re-elaborations of democratic equality. They might hinder the ongoing projects of disjoining signs of racialized differences from their colonial exclusionary institutions, and thus hinder subjects marked by “race” from gaining a voice within the democratic community of speakers.

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