Class War Comix: Volume 1

Angela P. Harris† and Kit Young**

† Copyright © 2012 Angela P. Harris and Kit Young.
‡ Professor of Law, University of California, Davis. This comic began as a talk I gave to the Northeast People of Color conference in October, 2009. The theme was “A New Class War?” My thanks to the organizers of that conference, including Rick Su, Teri Miller, and Elaine Chiu. Thanks as well to Kit Young, my partner, friend, and collaborator. Finally, love and thanks to my dear friends Keith Aoki, Luke Cole, Tucker Culbertson, and to all the unsung heroes.

** Sculptor, video and performance artist. My thanks to The Beehive Collective, Food Not Bombs, the Occupy Wall Street movement, and Angela P. Harris for doing such great work.

1849
In an article published in the journal Urban Geography, Don Mitchell and Nik Heynen discuss an ordinance passed by the Las Vegas City Council in July, 2006 that made it illegal to provide food in public parks to indigent people for free or for a nominal fee.


It remained legal to give food at low cost or no cost to well-off people. Asked how the police would tell the difference between indigent and non-indigent people, Las Vegas mayor Oscar Goodman replied,
Las Vegas is not unique.

In 2007, Mitchell and Heynen report, the city of Wilmington, North Carolina passed an ordinance making it illegal to share food on city streets or sidewalks.
The city of Orlando, Florida makes it illegal to share food with more than twenty-five people without a permit, and restricts organizations to no more than two one-day permits per year.

In all, Mitchell and Heynen report, at least 22 US cities since 2003, and at least 15 just since 2006, have either passed new laws restricting free public food distribution or stepped up enforcement of health and food safety laws to shut down existing food distribution programs.
As they further note, these laws -- like anti-camping ordinances that make it illegal to sit, lie, or sleep on sidewalks, parks, or other public places -- are designed to make the homeless - not homelessness, but the homeless - disappear.

In the last few years, there has been a lot of talk from different ends of the political spectrum about "class war."
But I want to suggest that the question of whether there is or isn’t a new class war under way is in some sense a distraction from a more important question.

That question begins with the observation that capitalism as we know it is unsustainable.
In this moment of global macroeconomic crisis, of course, the breathtaking folly of laissez-faire capitalism has become visible for a minute or two.

Even more interestingly, the economic disaster has called attention to the fact that the intellectual framework on which neoliberal policy was built is visibly falling apart. The discipline of economics itself suddenly seems to be imploding.
But even if we get through the global depression that we’re in, capitalism as we know it is not long for this world.

Marxists and post-Marxists, of course, have been waiting for capitalism to founder on its own internal contradictions for a long time.
But more importantly, it seems to me, before capitalism as we know it has a chance to implode, it is going to be destroyed externally by the limits of the natural world. Let’s review . . .

May 2011 was the globe’s 10th warmest May on record, according to the National Oceanic and Atmospheric Administration’s National Climatic Data Center (NCDC).

"[D]uring the spring period of March, April, and May 2011, 46% of the U.S. had abnormally (top 10%) wet or dry conditions -- the greatest such area during the 102-year period of record."

[On average, just 21% of the country has exceptionally wet conditions or exceptionally dry conditions in spring.]

In addition, heavy 1-day precipitation events -- the kind that cause the worst flooding -- were also at an all-time high in the spring of 2011.
Meanwhile, current levels of air pollution, water pollution, toxic waste, and solid waste production that industrialized societies produce are unsustainable once more and more nations, in particular China, join the club.

Who’s going to suffer the most from global warming and the natural disasters that it will bring?
As we know from Hurricane Katrina: the poor people, the black and brown people.

Women and children first.
The island people in the Maldives, and the peoples in the Arctic for whom global warming isn’t an inconvenient truth; it’s cultural genocide.

There’s your class war.
And still . . . it is politically "unrealistic" to say that capitalism as we know it is doomed.

So for me, the question is not whether or not there is a class war. The question is, how do we, as professional un-confusers, as people who understand how race works in America, help figure out what comes after capitalism?
By the way, I’m pretty sure it won’t be lawyers or law professors who actually invent post-capitalist economics. But what we can do is give our students, who may be the ones who implement the legal frameworks to make post-capitalist economies run, some basic principles on which to build in the coming period of creative destruction.

The first principle is the one that so many Crits have emphasized: Economics is political.

Keith Aoki

Martha McCluskey
As Lisa Iglesias has observed, we currently live in an anti-political economy: an economic system that pretends to be a scientific process guided by natural laws.

But market and market institutions are social relations, and therefore are saturated with politics.
From a legal perspective, then, any sustainable post-capitalist economic system has to begin by rejecting what I call structural liberalism, or the presumption that “public sphere” notions like equality do not apply to the “private sphere” of the market.

Structural liberalism gives us a society in which we have long and serious arguments about whether the fact that hazardous waste sites are disproportionately sited in poor and minority neighborhoods is because of “racism” or because of “market forces.”
This question only makes any sense because we have agreed that if the answer is “market forces,” there’s nothing anybody could or should do about it. And that is only true, in turn, because of our belief that the private sphere is free of justice claims.

WARNING
Site contains chemicals known to cause cancer

Structural liberalism therefore both degrades our ability to understand the workings of market institutions AND social subordination, because we imagine markets to be natural and race-free, and subordination to be only individual and conscious prejudice, rather than an institutional and historical process of structural dispossession.
The second foundational principle of a post-capitalist economics follows from the fact that economics is political: the material and the symbolic are in a constant feedback loop. There is no "real" ground of economic relations on top of which there is a "cultural" superstructure. Ideas make material relations, and material relations give rise to ideas.

For example, property values are "real," but where they come from is people's ideas about what communities ought to look like.
Capitalism accustoms us to inequality. It can't function without some kind of differential, whether it's reliance on a historical moment of primitive accumulation, or the leverages of cheap labor or technologies that enable profit.

But more than that, capitalism teaches us that inequality is good, that submission to the discipline of the market is good, that inequality is what makes us free.
Why can't I see that guy over there?

The other ideological effect that capitalism consistently produces is invisibility.

As Marx observed long ago, the commodity form makes the social relations involved in its production invisible.
In the complex capitalist system under which we live, flows of wealth themselves may become invisible.

The New York Times recently reported that “Today, [only] 36 percent of daily trades in stocks that are listed on the New York Stock Exchange are actually executed on the exchange, down from about 75 percent nearly four years ago.”
“The rest of them are conducted elsewhere, on new electronic exchanges or through anonymous trading platforms called ‘dark pools.’”

And standards that purport to measure economic wellbeing, like GDP, make invisible the social and environmental costs of endless growth.
Finally, as Anthony Farley has reminded us, capitalism as we know it relies on the continued invisibility of the moment that human flesh itself was made invisible as flesh, when it was reduced to labor power that could be owned, and therefore bought and sold.

And we should remember that that moment, however momentous, was itself just a small step forward from the moment when the world itself was reduced to a collection of dead things, things that could be owned and therefore bought and sold.
The horizon of capitalism is death - both the death of the Other, which is reduced to a subject of the infinite self's pleasure, and the death of perfect market equilibrium, when every natural resource is exhausted and every possible exchange has been made, every differential erased.

Third: the thing we've gotten used to calling "intersectionality" is indispensable for understanding how economic or any other social relations operate.
Indeed, there are, strictly speaking, no “intersections” of race, class, and gender; rather there are nested and linked chains of associations through which every debasement, every subordination, makes a new one thinkable, and then possible, and then accomplished.

The fourth principle that we should use to ground the search for a post-capitalist economy is the hardest to talk about, because it’s the one that is the most severely suppressed in both the market and the state: love.
Love is an idea that has been debased in political theory, because it is gendered female, and because it has been relegated to the private, domestic sphere. We are used to thinking of love as a private, romantic thing that is somehow weak in public life.

In contrast, political theory from Hobbes on and the practice of national security are founded in violence and fear.
Because all humans fundamentally fear one another, and therefore use violence against one another, the state needs a monopoly on violence in order to protect its citizens from the greater violence of the war of all against all.

What is existing economics about? The allocation of scarce resources.
What might a post-capitalist, sustainable economics be about? I’ve described it as the institutional conditions for human flourishing.

But as I think about it, the qualifier “human” in that phrase is already problematic. Love taken seriously is love for all sentient beings.
My friend Tucker Culbertson calls for a jurisprudence of adverbs, not nouns. Instead of a politics in which we try to figure out whether something is properly the subject of rights before we treat it with respect, what if we lived from a daily practice of treating everything with respect?

I want to end by going back to homelessness.
Food Not Bombs

Many of the ordinances against sharing food that I mentioned at the beginning were passed in order to target one organization in particular - Food Not Bombs.

Food Not Bombs, according to its website, is "an all-volunteer organization dedicated to nonviolent social change. It began in the United States in 1980 as an outgrowth of the anti-nuclear movement, but now works for peace, the environment, and social justice both here and elsewhere in the world."

On tour this fall semester.
ELECT TO END HUNGER AND POVERTY TOUR
(Fall 2011 to Spring 2012)
A presentation on the campaign to end the criminalization of poverty and the global protest against austerity!
See the current tour schedule

Occupy Wall Street;
The Most Important Thing in the World Now by Naomi Klein
PROPOSED 99 PERCENT DECLARATION FORM A OCCUPY WALL STREET WORKING GROUP
HELP FEED THE OCCUPATIONS!
SUGGESTED SUPPLIES TO FEED YOUR OCCUPATION
Food Not Bombs follows an anarchist philosophy and practice; it has no formal leaders and strives to include everyone in its decision making process.

Each group recovers food that would otherwise be thrown out and makes fresh hot vegan and vegetarian meals that are served in outside in public spaces to anyone without restriction. Each independent group also serves free meals at political protests and other events.
Food Not Bombs' fundamental principle is that "society needs to promote life, not death." Despite its philosophy of nonviolence, Food Not Bombs has been placed on the FBI terrorist watch list.

The ACLU has discovered a number of FBI memos stating that Food Not Bombs is under investigation by the FBI Joint Terrorism Task Force in California, Colorado, Missouri and a number of other states. In Texas, Food Not Bombs is apparently considered a terrorist organization.

"Threatened by a plate of food...!"
The point I want to make is that taken seriously as a practice of everyday life, the commitment to nonviolence, life, and the alleviation of the suffering of all sentient beings has a force that can disrupt and threaten the practices of invisibility and acceptance of inequality on which capitalism runs.

In this way, Food Not Bombs is a revolutionary organization, not only because of its philosophy but because of its practice. Food, not bombs.
That’s the thing about revolutions: the most lasting are those that are grounded not in a utopian future, but in the disciplines of taking care here and now, in the present, in developing practices, like nonviolence, which are relentlessly principled but also relentlessly compassionate.