

Preface: Evil Beyond Repair

David Scott

1

On the evening of 17 June 2017, I had the pleasure of presenting a short paper to an audience at documenta 14, in Kassel, Germany, as part of what was called the Parliament of Bodies curated by the inimitable Paul Preciado. We were a panel of four; along with me were Pélagie Gbaguidi, Françoise Vergès, and Tavia Nyong'o (Colin Dayan was to have been there with us but, sadly, couldn't make it). This specific occasion of the "parliament" was devoted to a "trial" of the *Code Noir*, a copy of an original edition of which (a strangely diminutive text) was on display in a glass case at the nearby Neue Galerie as part of the larger exhibition. The title of my presentation was "Irreparable Evil." In what follows, although I do not intend to rehearse its argument in every detail, I want to clarify some of what motivates and propels this direction in my thinking about the contemporary afterlives of New World slavery.¹

2

In this conjuncture, my concern, above all, is to *reorient* our thinking about New World slavery in the direction of a *moral* and *reparatory* history. I want to think of New World slavery as part not only of the social, political, legal, cultural, and economic history of the present but also of its *moral* history. I am using "moral" history here restrictedly as the covering name for an interpretative historiographical orientation that centers our attention on the perpetration of past acts—social and systemic—of large-scale atrocity and especially on the moral-psychological harms that these have brought about.² Moral history, in other words, is a history-of-the-present of past orders of evil, forms

1 See www.documenta14.de/en/calendar/22937/black-athena-reloaded-2-a-trial-of-the-code-noir.

2 See David Scott, "Preface: A Reparatory History of the Present," *Small Axe*, no. 52 (March 2017): vii–x.

of wrongdoing that involve the deliberate and systematic violation of dimensions of our common humanity.³ New World slavery belongs unequivocally to the orders of moral evil. Now, in particular, the form of moral history with which I am interested is *reparatory* history, by which I mean that instantiation of moral history concerned with those historical evils—like New World slavery—that *remain unrepaired* in the present, whose wrongs continue to disfigure generations, and which, in consequence, *call out* now for a just response. A reparatory history aims to reconstruct these evil pasts in ways that potentially enable us to rethink the moral responsibility that the present owes in respect of them. In this sense, moral and reparatory histories confront us with pasts that are not past but that remain unresolved or unreconciled such that they weigh upon the psyche like a blighted and hobbled and afflicted revenant.⁴ Evil has the quality of a postsecular presence that haunts.

Note, however, that from my perspective a moral or reparatory history does not suppose that *all* historical wrongs are such as *can* be repaired. In my usage, anyway, a moral and reparatory history is, expressly, not a *progressivist* history.⁵ Part of the significance of a moral and reparatory history is precisely that it emerges in the context of the exhaustion of progressivist histories to point a future beyond the present. A moral and reparatory history does not presuppose moral improvement. To the contrary, what a moral and reparatory history tries to do is to *attune* itself to the uncomfortable thought that some loss or damage or injury or failure can be permanent and irreparable. *This is the kind of wrong that evil seeks to describe*. To my mind, therefore, the sensibility of a moral and reparatory history is both *catastrophic* and *tragic*—catastrophic inasmuch as it registers the constitutive features of a founding social rupture and human devastation, and tragic inasmuch as it aims to be responsive to the fact that, once set in motion, some human actions are, quite simply, irreversible, their consequences, unstoppable. To my mind, New World slavery is one such irreparable world historical wrong.

3

The question of evil has been reflat in certain critical agendas, marked by the publication of a number of provocative philosophic texts.⁶ Without trying here to sort through the various approaches that run through these works, what is important for my purposes is the wider conceptual problem-space they share that seems to animate the idea of evil with a quickened intellectual relevance. To begin with, this is a problem-space shaped, as I've already suggested, by the exhaustion of

3 I borrow the idea of an "order of evil" from Adi Ophir, *The Order of Evils: Toward an Ontology of Morals* (Brooklyn, NY: Zone, 2005).

4 It is important to acknowledge here the pioneering work of David Brion Davis, whose great trilogy on slavery should be read as so many chapters in the relationship between slavery and the moral history of Western civilization. See, in this respect, Steven Mintz and John Stauffer, eds., *The Problem of Evil: Slavery, Freedom, and the Ambiguities of American Reform* (Amherst: University of Massachusetts Press, 2007).

5 For explorations of a moral history with a more progressive bent than mine, see Didier Fassin, *Humanitarian Reason: A Moral History of the Present* (Berkeley: University of California Press, 2012); and Jonathan Glover, *Humanity: A Moral History of the Twentieth Century* (New Haven, CT: Yale University Press, 1999).

6 I am thinking, for example, of work such as Susan Neiman, *Evil in Modern Thought: An Alternative History* (Princeton, NJ: Princeton University Press, 2002); Ophir, *Order of Evils*; Laurence Mordekhai Thomas, *Vessels of Evil: American Slavery and the Holocaust* (Philadelphia: Temple University Press, 1993); Richard Bernstein, *Radical Evil: A Philosophical Interrogation* (Cambridge: Polity, 1992); Peter Dews, *Idea of Evil* (Oxford: Blackwell, 2013); and Simoni Forti, *New Demons: Rethinking Power and Evil Today* (Stanford, CA: Stanford University Press, 2015).

the great modernist narratives of social and economic and political progress, principally Marxism and liberalism. What was central to these Enlightenment accounts was of course their optimistic self-confidence in the powers of reason to identify the sources of our discontent and to offer the rational basis of a path beyond it. In these discourses, the future was an assured prospect, the past a time to rapidly leave behind. By contrast, something about what is wrong with our present world (not least our economic and environmental worlds) seems more opaque, less amenable to rational analysis. Certainly, we have now lost any real confidence in our capacity to understand, much less fix, our world. In short, the exhaustion of these narratives of rational progress leaves us with a less transparent world, a darker, more mysterious, and less readily intelligible one. And with this darkening a conceptual *void* has opened in which a postsecular evil has acquired critical force as a way of marking an extremity of human experience, of human violation, of human suffering.

Needless to say, in the portentous archive of the new literature, the Holocaust is the paradigm instance of historical moral wrong. By contrast, New World slavery scarcely appears—and when it does appear, barely sustains that appearance. Rather, the Holocaust stands as a unique and unparalleled order of evil that not only supersedes all others but also frames their intelligibility. Undoubtedly, in many ways it is the work of Hannah Arendt that has given a certain impetus and direction to contemporary considerations of evil and to the prevailing place of the Holocaust in them. Famously, in an early review, “Nightmare and Flight,” she offered the prescient suggestion that “the problem of evil will be the fundamental question of post-war intellectual life in Europe—as death became the fundamental problem after the last war.”⁷ Not that Arendt’s thinking about evil has been either systematic or uncomplicated. It is well known, after all, that her ideas underwent something of a transformation—between her earlier conceptualization in the 1951 book *The Origins of Totalitarianism*, in which she uses Kant’s late idea (1793) of “radical evil” to frame a discussion of the concentration camps as killing machines that produced death for the sake of death, and her later conceptualization in the 1963 book *Eichmann in Jerusalem*, in which she develops her controversial idea of the “banality of evil” to evoke the mindless administration of killing in which genocide occurred as an aspect of a thoughtless organization of systematic death carried out by minor functionaries.⁸ This is not the place to interrogate these extraordinarily influential ideas. What is notable for our purposes is that in *both* formulations, despite the evident differences, it is the association of evil with systematic death by killing that remains the central idea. The point and purpose of the organization of evil, it seems, is the perpetration of *death*.

4

New World slavery was an order of evil. But it was an order of evil differently organized than the Holocaust in relation to much—including in relation to death. As everyone knows, New World slavery was built on a pervasive practice of systemic violence. The African or African-descended slave

7 See Hannah Arendt, “Nightmare and Flight” (1945), in Jerome Kahn, ed., *Essays in Understanding, 1930–1954* (New York: Schocken, 1994), 134.

8 Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1951), and *Eichmann in Jerusalem: A Report of the Banality of Evil* (New York: Viking, 1963).

was a subject whose legal and existential status was one of continuous and arbitrary *exposure* to violent death. This was the point of the *Code Noir*. The slave was a body that could legally be disposed of at will. And yet the singular peculiarity of New World slavery was that, institutionally, it depended as much (or more) on *life* as on death—or rather, it depended on the production and reproduction of a certain *kind* of life, namely, *dead* life. Orlando Patterson’s theory of social death, I want to suggest, is as much a moral theory as a social-historical one. Or, to put it slightly differently, his *Slavery and Social Death* should be read less as comparative empirical sociology than as the *model* of a moral theory of evil. Memorably, Patterson’s aim is to develop an account of a distinctive social-moral relationship of *domination*. The institution of slavery, he says, was characterized by the near total power of the master and the near total powerlessness of the enslaved. It involved a pervasive and all-embracing coercion and a continuous violence or (what amounts psychically to the same thing) *threat* of violence. But this violence was of a distinctive kind precisely because of its relation to death: classically, slavery emerges as a *substitute* for violent death. The physical life of the enslaved is preserved but in a distinct condition that Patterson describes as “natal alienation.” What the enslaved suffered, he maintains, as the characteristic feature of his or her powerlessness was a forced loss of “native status”—the enslaved was permanently and irrevocably *deracinated*. Removed from all rights and claims of birth, the enslaved no longer belonged (in her or his own right) to any legitimate social order or moral community. The condition of the enslaved was that of a “genealogical isolate,” a dishonored person, in Patterson’s arresting formulation, with a past but no heritage—that is, no right or capacity of inheritance of what is commonly shared. “Slaves differed from other human beings,” Patterson writes, “in that they were not allowed freely to integrate the experience of their ancestors into their lives, to inform their understanding of social reality with the inherited meanings of the natural forebears, or to anchor the living in any conscious community of memory.”⁹ *What else is this but the conceptual description of an order of evil?*

As I say, I do not believe that slavery is a reparable evil. Perhaps *no* evil is, but slavery certainly isn’t. And yet its essential irreparability should not preclude—indeed, paradoxically, should *drive*—the moral indictment of slavery in the contemporary Americas and the white supremacist politics that lives on in the disavowals of its beneficiaries. In this sense, note that the problem of reparatory justice is not (necessarily) a “forward-oriented” one (to use the language of justice-as-reconciliation). Postslavery politics, as I wish to commend it, stores no utopian hope in the long-deferred futures of a reconciliatory emancipation. Reparatory politics, rather, is a *demand* for neither equality nor fairness. It is a demand *now* for what is *owed* for what was taken, morally and materially, symbolically and spiritually, a demand that includes the recognition that the *unforgivable* wrong of generations of enslavement has given rise to a permanent racial debt that, while it can *never* be finally discharged, has necessarily to be honored *before* any common future of freedom can begin.

Naples—New York

December 2017

9 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 5. I have urged elsewhere that Patterson should be read in just this way; see David Scott, “The Paradox of Freedom: An Interview with Orlando Patterson,” *Small Axe*, no. 40 (March 2013): 96–242.