

Endangered Scholarship, Academic Freedom, and the Life of Critique

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ABSTRACT The recent attack on academic programs and scholars is an effort to shut down critical thought, attesting to the link between critical theory and social transformation. Following Frantz Fanon's meditation on how questioning implicates embodied life, this essay lays out three trajectories for critique in an effort to oppose censorship, the criminalization of knowledge, and the destruction of both academic freedom and the politics of dissent. Focusing on recent attacks on gender studies, the essay argues that new alliances must be forged on a transnational model to support academic freedom, critical thought, and its important relation to democratic practices and ideals. It further suggests that academic freedom might be considered an international human right without making any claims about what the human is or can be. Finally, a case is made for the humanities in the field of critical theory, linking its practices of reading and judgment to the kinds of inquiry and forms of living that sustain the ideals of democracy.

KEYWORDS endangered scholars, academic freedom, Frantz Fanon, gender, critique

The global attacks on gender studies, critical race theory, and a range of programs maintaining a critical view of disciplines and topics are linked with the situation of endangered scholars who are forced to leave their universities and, indeed, their countries because of their extramural views or because of the content of their scholarship. The defense of the academic freedom of researchers is important, but so too is the defense of their forms of scholarly inquiry. The attack on programs is sometimes an attack on individual researchers, or the defunding of programs altogether has a clear impact on faculty who lose their positions or the ability to work in their chosen fields. In general, there are scholarly works that are concerned with the fate, say, of gender studies programs, and there are other initiatives that seek to address endangered scholars. One might conclude that these are two different sorts of attacks on academic work, but I will argue that it is useful to think of them together, not only because there are gender studies scholars who have been

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deprived of their employment or, indeed, threatened with death, but because we are faced during this time with a broader set of questions: What are the obligations of universities toward those whose work within those institutions is considered “critical,” what role does critical thought play in the idea of the university, and how can we strengthen notions of academic freedom in light of these attacks? My suggestion is that we must reformulate and publicize the critical nature of our work as central not only to the university but to democracy more broadly, to the extent that critical thought, whether inside or outside the university, is essentially related to dissent, judgment, and public engagement. In the recent past, there was a prevailing discourse about public intellectuals, but today we have to make public the importance of our intellectual undertakings, the work we do in universities, and show that no democratic public life is possible without the practices of careful reading, interpretive judgment, and critical thought. As I will suggest, critical thought is not a simple act of debunking existing views. It is, rather, a rigorous inquiry into the conditions of possibility of knowledge as well as the process by which those constraining conditions have been established. To ask after the presuppositions of an inquiry is to ask what work those presuppositions do: do they establish in advance who is intelligible and what is debatable? If so, do we have grounds to contest those frameworks?

I am aware that right-wing attacks on Black studies, especially critical race theory, on ethnic studies, and on gender, differ depending on the part of the world in which they occur, and we cannot always generalize about the means and aims of such attacks. And yet, we can refer to “attacks” rather than harsh criticisms or even forms of censorship because these are situations in which the future of programs and departments is at stake as well as situations in which the lives of researchers are threatened with imprisonment, exile, injury, or death as part of an effort to nullify the kinds of research they are doing or the political viewpoints they have enunciated, or are imagined to have enunciated, given how consequential the mere attribution of viewpoints can be for any number of people in public discourse regardless of whether or not it bears a resemblance to their actual positions. The viewpoints and research projects attacked are often caricatures and deformations of those positions. Indeed, censorship not only outlaws a position but also distorts the position it censors, so the two acts go together; in the course of taking a position out of the sphere of debate, rendering it unspeakable and undebatable, that position becomes frozen in a disfigured form. A potentially transformative knowledge project or a public position is more often than not the precipitating reason for a threat of defunding or, indeed, a governmental order that robs scholars of their employment, their homeland, and their passports, or lands them in prison.

In such cases, it is surely the scholarly work or attributed political viewpoint that is attacked, but also the life of the one who is speaking, thinking, writing, and

publishing by these acts of censorship, expulsion, the withdrawal of employment, and detention. These attacks tell us perhaps more about those who think they are warranted than those who are attacked. But what we also can discern is the political fear of academic work precisely when some of us in the academy were wondering what effect we might now have on the world. The act of censorship, as we know, attributes power to the one who is censored or to the ideas that they are seen as promulgating. The viewpoints opposed are thus imagined to be enormously powerful and destructive, even when what they seek is knowledge or, minimally, a space for questioning and open-ended inquiry. Whether the critical inquiry addresses Hindu nationalism, authoritarian regimes, radical social inequality, the rise of fascism, or sexual and gender violence, it incites those who would keep those social and political structures in place. They do not want the taken-for-granted status of those social structures to be questioned.

As much as we understand the pursuit of knowledge as the goal of university life, we cannot begin to gain knowledge without posing the right question, without formulating the right hypothesis, without first understanding what is known and what there is yet to know. To understand knowledge as a pursuit is to acknowledge it as a process in which the end result is not known in advance. Knowledge starts with a question, suggesting that we know enough to pose the question (which we may end up reposing in new ways) and that we do not know enough about what the answer is or even how best to go about finding that answer. The interrogative mode is not exactly overcome as we start to learn more, since as we learn more, we refine or reformulate the questions with which we begin. Indeed, a question or hypothesis can be tossed when it becomes clear that it is bound up with presuppositions that keep us from getting to the root of the matter, when it is not radical enough. This is surely part of what is meant when we refer to the living character of thought, thought that is open to its own redirection, compelled into a reflexive moment by new material, thought that opens to the world in a new way. Further, when we refer to living thought, the open question is also bound up with the living character of the one who poses the question. We have to live long enough to keep pursuing the question, and questioning is itself one way to live, one way of responding to others, what is new, or what remains unknown.

These are reasons why the attacks on scholars and researchers take aim at both their person and their thought. The living being who calls into question a political or social reality as unjust puts their life into the question and on the line. The censors know that life and thought are bound together, which is why the way to stop the thought is to arrest the person, the one who gives their own life to thought, the one whose life has determined itself in the form of the question. Those who censor and restrict academic inquiry into matters of injustice know that the free operation of thought leads to dangers for them. So even in their attacks, they acknowledge the

transformative character of knowing as they seek, as it were, to arrest that transformative process. That claim is implicit in their denunciations, so shall we perhaps more explicitly seek to own that very insight as our own?

Fanon's Prayer

At the very end of Frantz Fanon's *Black Skin, White Masks*, he offers a kind of prayer to the questioning life. It may be a prayer, if what is addressed is in some sense a power beyond the finite self, or perhaps it is only an encomium to the questioning life that takes over the form of a prayer. He is trying to live as a Black man within a racist Europe; he is trying to question, savoring the question, worried that one day the question may stop. It is as if his life depends upon the question form, and to keep the question alive he must also continue to live. The ending of the text is odd since neither God nor theology has played much of a role in the previous 230 pages of this work. This book wrestles with the suffering and resistance of Black people in a Europe pervaded by racism, the tortured posture of assimilation, the open question of whether he, a Black man, is a man, can be a man, whether the Black man is a man, whether humanity can emerge if racism is vanquished, whether humanization can be revised to include his humanness. To do this, he stretches grammar as a way to contest the settled rules that organize thought and to allow for the thought of something new. Toward the end of that text, he writes two short sentences: "The Negro is not. No more than the white man [*Le Negre n'est pas. Pas plus que le Blanc*]."¹ What has he just done? He puts sociological classification into crisis by asserting that these categories are themselves a problem. We should not consider the term "Negro" to be a kind of being: it is outside of ontology, or, at least, beyond existential predication, outside the prevailing understanding of what people are, what they can be.² The point is less metaphysical than historical, exposing the limits of established schemes of intelligibility: "It is not my duty to be this or that. . . ."³ Fanon is calling into question obligatory categories, so his critical operation can be described as negative, to be sure. But note that he is negating the categories that negate life, freedom, and the ideals of reciprocity. Thus, one is compelled to ask, is he not negating those categories in order to live? He is calling them into question in order to see, to know, what kind of life is still possible, what kind of world might yet be inhabitable. The questions he poses are future-oriented, and they are asking about knowing the future. But the courage of the question is precisely the opening itself, a refusal to remain a prisoner of the past, encased in an already established social category.

Fanon writes about "the lasting tension of freedom"—for every person born into a world that is over-structured, clotted, and that for Black people, in his view, threatens to drown them in historically contingent realities—and the historical formations of deadly racism. And yet, some freedom endures in the midst of this struggle to live within this constraining situation.⁴ It is, he writes, "through a per-

manent tension” that “man can create the ideal conditions of existence for a human world.”⁵ Here, as elsewhere, the human emerges as a term distinct from “man”; it emerges in and as a relationship to the world. And though there are many reasons to fault Fanon for his conflation of the human with masculinity, he seems here to be holding out for a human yet to come. Here his view is proximate to Simone de Beauvoir’s in *The Ethics of Ambiguity*. To be human requires a world, is not thinkable without a world. He proceeds: “Superiority? Inferiority?” Not even full sentences, but two words: juxtaposed, questioned. And then a new question comes forth from those two terms put into question: “Why not simply try to touch the other, feel the other, discover [*me révéler*] the other?”⁶ Are we missing a link, or do some of us simply not know how to see it? Fanon is asking about the possibility of a tactile relation to another, a form of unwilling proximity he has been reflecting on throughout this book, the question of what humanity might emerge in the context of reciprocal exchange once racism is finally vanquished. But here, perhaps suddenly, the question of touch is linked to an exploration, a sensuous desire to know that is neither a form of domination nor one of capture: the French “*me révéler*” is to reveal oneself. The other is less “discovered,” as the Richard Philcox translation would have it, than revealed on its own accord, and yet the verb is positioned as an act undertaken by the subject of the sentence. I broach the other in its self-revelation through touch and feeling. The interplay is equivocal, and importantly so. As the text comes to a close, he has nothing but questions to offer, and yet they become petitions, if not prayers. The form of Fanon’s text is always in question in part because the mode of address is uncertain, as uncertain as the addressee. Who will read this book, listen to this voice? “I hailed [*hélaïs*] the world and the world amputated my enthusiasm [*m’amputait de mon enthousiasme*].”⁷

The final three lines equivocate between a petition, a position, and a prayer. Or, rather, the first line is a question posed to another who may not yet exist, a reader for the future: “Was my freedom not given to me then to build the world of the you [*le monde du Toi*]?”⁸ Well, we have heard briefly about the human world, but now we are told it is the world of the You. This familiar “tu” is not one who owns the world as the white man does, but the one who will be reached, with whom familiarity and intimacy will be possible, one whose way of belonging to the world will exceed the language or property. Whatever world this is, it is one that opens toward another who is a familiar You, or perhaps an indefinite number of those “yous” whose intimacy is the ground for a new equality based on a form of reciprocal recognition that transforms those who are recognized and recognizing.⁹ It recasts what he writes in relation to Hegel (and implicitly Sartre) a few pages before: “I ask that I be taken into consideration on the basis of my desire. I am not only here-now [*ici-maintenant*], locked in thinghood [*enfermé dans la choseité*], I am for somewhere else and something else. . . . I am fighting for the birth of a human world—in other words, a

world of reciprocal recognitions.”¹⁰ Although Fanon refers here to the fight and the possibility of giving birth to a new world, he is clear that this freedom to build a human world is “a negative activity.” As negative, however, it is not aimlessly destructive, even though Fanon has, especially in the attacks on Black studies and critical race studies, been figured as destructive. Yes, the structures of racism must be destroyed in full. That negation gives rise to the possibility of a newer world. In this sense, the freedom given to him is a freedom to build not his own world, but a world in which to touch and know another, and so precisely not to be locked away, encased within a racial category. To enter into those reciprocal and intimate relations is to break out of the historically entrenched categories that racism has imposed in order precisely to reach another, an indefinite set of others, to be for something other than oneself, and to build a world, let one emerge that can support that reach and that creation.

He states his desire and, in so doing, references his life as bound up with the world in which he wants to live: “At the end of this book,” he writes, “we would like the reader to feel with us the open dimension of every consciousness.”¹¹ What is this open dimension of consciousness, unsealed, unlocked? Being for an elsewhere, being for something else (“*pour ailleurs et pour autre chose*”¹²) breaks out of the self-referential ontology of being, figured as encasement, and insists upon an ecstatic trajectory of consciousness in the midst of intimate equality—a new way of understanding freedom. And then, after staccato paragraph breaks, a final line, a radical address: “My final prayer: O my body, always make me a man who questions!”¹³ This final prayer is not directed to God, but to his own body, as if the body ultimately holds the guidance he needs: “make of me . . . a man who questions.” His prayer to his body is that it will not let questioning be shut down, suggesting that questioning emerges from the body, the living body. His petition to his body is to make of him someone, a man or a future human, whose open dimension assumes the linguistic form of the question and whose imprisonment or encasement shuts down the question form. He exhorts his body, or perhaps its open and living dimension, to let him build a world in which one can live in freedom and equality. His body opens toward the world, and if the world rejects that opening, it refuses his desire to know and to question. His body is that very opening, and so breaks free of the categories that would seal his body off from the world.¹⁴

So, as in the cases of scholars at risk, endangered scholars, threatened schools of critical thought: it is always the living being who questions, and the elimination of the question strikes at the life of the one who questions. Perhaps we can think of Fanon as a scholar at risk: a scholar, a writer, and a person who risks himself in order to know and to let the world know his desire. The thought in writing relates directly to the existence of the person precisely because that existence is being done away with by killing categories.

Endangered Scholars and the Humanities

I engage my profession as a humanities professor to draw the link between questioning and life, for that link is already at stake when scholars lose their jobs, universities lose their programs, and instructors are laid off because of the questions they pose, the presuppositions they call into question in order to advance a more livable and just form of life. Fanon has already drawn this link in a way that we must keep in mind. The attack on scholars is aimed at their scholarship and implies a judgment about what a university should include or exclude. To understand this form of power, we need the forms of thought supplied by universities, including the humanities, but we also need a way to relate the existential risk that thinking can imply to the institutions that bear responsibility for keeping critical thought alive. I am struck by the fact that when we draw attention to the plight of endangered scholars, we generally start with a sequence of events, or we ask them to tell their stories, or we explain how it came about that they signed petitions, received warnings, and then the police were at the door; the legal document served; the sudden discovery that they are locked out of the university, or that it is too dangerous to come to the university. In other words, being fired, censored, threatened, or expelled takes place through a sequence of events where interpretations and judgments have been made and executed, and the injustice of these acts is established through narrative means. Understanding how censorship and expulsion works requires an ability to construct a narrative and conduct an interpretation. An interpretation based on evidence is crucial not just in a court of law for the purpose of illuminating an injustice but also in a humanities classroom, where the point is to learn how to work with a text, to understand how it communicates what it does, the kind of evidence it supplies for its claims, and what relationship to the world it seeks to open or close.

Fanon suggests that questioning is, or can be, a matter of life and death, a decision to build a human world or let the world dissolve into inhumanity. But he also points to a kind of freedom that is helpful for us to remember as we broach the question of academic freedom—a freedom that requires moving beyond established parameters of knowledge. Although some invoke academic freedom to justify their circulation of falsehoods and hatreds, it is important to remember that academic freedom is a faculty right that comes to exist within institutions that establish norms for academic inquiry. We can quarrel about whether some of those norms are justified, as we do within institutions in which we are obligated to demonstrate the claims we make. That obligation to demonstrate our claims, what we seek to know, and why, exists across the disciplines both in our research and as a practice of our teaching. In the humanities and the arts, demonstration takes many forms: we are bound to the organization of words on a page or images on a screen or a canvas when we give an interpretation, or we present the archives that

establish and elide the histories yet to be told. When a student treats a character in fiction as a person, we try to explain how the character belongs to the fiction even as it resonates with our lives. We ask students to find the part of the text that can ground that interpretation, and we ask for a reading of that passage, a way of getting bound up with the text that yields an interpretation that shows that the text has been understood. There is no one right interpretation, but ungrounded speculation that bypasses the material at hand fails, in my view, to qualify as a good reading. We seek to demonstrate that difference when we teach students how to think critically and judge well. At the same time, in the course of reading, we come up against the limits of disciplines and the constraining, if not destructive, character of certain categories and modes of thought. Critique, as an operation of thought, does not always stay within the bounds, since one of its aims is to question what and how thought is bounded, and whether those limits should be dismantled in the name of another university, or another world.

As we know, such practices belong at once to the classroom and to public life, which is one reason that critical thought is linked with the capacity for judgment and dissent in the public sphere. As we take note of the large number of people convinced that our most recent election in the United States is fraudulent, or that baseless conspiracies explain the complexity of our world, and we see forms of speculation that are not based on sound judgment, we have to ask whether we are witnessing the effects of an educational system that has failed in its task—not just in the classroom, but in making clear why critical thinking is crucial for the preservation and renewal of democratic politics. If an authority threatened with the loss of powers claims that his opponents have won an election on fraudulent grounds, then that is a good moment to ask on what basis he makes such a claim and whether there are good grounds to accept it. To pose such questions is to be engaged in critical thinking, not accepting that the speech acts of authorities who seek to establish reality through their words actually have the power to do so. To refuse what the speech act seeks to accomplish in such instances is to refuse the authority that arrogates to itself the power to define reality. To say no, to negate that speech act, is to insist on a different order of reality. As Fanon made clear, a certain negating activity is part of building, reaching, inhabiting a better world.

Academic Freedom and Critical Inquiry

As we know, academic freedom is not the same as personal liberty. It is a complex doctrine that includes provisions for shared governance and open academic inquiry free of external intervention. It establishes a provisional zone of intellectual freedom for faculty whose academic credentials have been approved. That does not mean that once one is appointed to a faculty position, one can say whatever one wants in the classroom. No, we are obligated to teach in fields for which we are prepared to help

define the academic standards that universities represent, and to provide classrooms where students can express their points of view without fear of retaliation or punishment. The atmosphere of free and open inquiry that teachers provide for their students is also one that institutions must provide for their faculty. And by “provide” I mean only that administrations must be prepared to stand up to state actors, including elected and appointed governmental officials, who seek to close down programs that are perceived as a threat to society, or seek to make appointments within the university, bypassing shared governance procedures. Administrators themselves must accept that they cannot intervene in academic inquiry even if it offends political or church authorities, or key donors to the institution. And yet, as we know, universities are very often dependent on state funding and state certifications for their programs or increasingly dependent on donors to keep programs alive, and some universities seek to secure ownership over syllabi, claiming courses were their property. Most recently, we have seen universities compel their faculty and graduate students to teach on campus even when the conditions are hazardous to their health. Shared governance should imply faculty power in helping to set the working conditions of their teaching and to maintain autonomy over curricula. In other cases, to secure donors, universities ask for the curriculum to be changed or texts to be deleted, for professors to be appointed or deposed—these acts are all clearly abrogations of academic freedom. Increasingly, programs and departments in universities in this country are asked to find funding for themselves or agree to fold. This situation for many universities across the world is made especially difficult when universities are compelled to offer a state-approved curriculum. The powers of faculty to exercise academic freedom, to set the course of their own research, to decide the content of their curriculum, is further narrowed when knowledge is construed as a preset body of information, a commodity or a form of property, to be owned and delivered, like other kinds of goods.¹⁵

When knowledge is preformatted, as it were, faculty can be reduced to vessels whose job it is to relay information already established as valuable, thereby bypassing the essential dimension, that “open dimension” of questioning, reading, interpretation, and judgment. The judgment is made in advance, and reading becomes a dangerous form of relativism rather than an essential act of thought. And faculty members lose their freedom, their academic freedom, which requires the open field of critical inquiry where the exercise of critical judgment is not only supported but cultivated.

Most recently, attacks on higher education from reactionary powers object to “critical” studies of all kinds, whether critical race theory, critical educational studies, critical prison studies, or critical theory. It does sometimes seem like a joke when “critical” becomes an obligatory prefix to whatever one is studying. But for “critical” to mean something, and to mean something we should value, it becomes important to explain what “critical judgment” or even “critical thinking” is in order

to rebuff the claim that critical thought is a danger to society and to advance the conviction that critical thought—and judgment—is a precondition of democracy. Although I do not have a full theory of democracy to offer, I would suggest that without the ability to critically distinguish good and bad arguments, good and bad information, people are generally deprived of the tools they need to participate meaningfully in public debate on matters of common concern.

Let us consider that the term “critical” carries at least three meanings. What is critical *belongs to a crisis*, demanding an action or intervention, a turning point where matters can get better or worse.¹⁶ What is critical is also that which *calls into question a set of presuppositions* that have been considered sacrosanct or simply taken for granted and whose justification has not been examined at all. In this second sense, a critical approach is one that asks about the *justification* for how things are even when defenders of the status quo do not want those kinds of questions raised. Some regard this second operation of critical thought as destructive because it unsettles accepted presuppositions. Indeed, all along the political spectrum we hear that critique is negative; it is caricatured as a disposition to unsettle everything for the fun of it or for nihilistic reasons. But more often, its negative or destructive character is highlighted when it interrogates social institutions, like the heteronormative family, the authority of the church, or the naturalized status of capitalism and the radical social inequalities it produces.

I have sought to show that in Fanon, however, negation served the purposes of a more livable and just way of life, a world characterized by radical equality. I suggest that this opens up a third sense of what is “critical” that pertains to the very idea of education as it relates to the basic precepts of democracy. What if critical thought is precisely the name for a kind of freedom without which the university cannot survive? What if it is another name for a kind of open inquiry that is willing to pose questions in the face of dogma and superstition, as Kant maintained, even in the face of losing one’s job or becoming subject to state censorship or detention? Those academic forms of inquiry that ask about the settled forms of gender, including the gendered division of labor, the disproportionate number of women who are illiterate or impoverished, the pervasive character of sexual harassment and violence, the reduction of gender to the sex medically assigned at birth, the intersection of race with gender and class in the context of a prison industrial complex—these are at once social issues and academic topics that are muffled, censored, or criminalized in several regions of the world. Organizations for endangered scholars like the University in Exile can only do so much for people who lose their jobs because of what they study or the extramural viewpoints they have taken. But perhaps the task of such organizations is to remind universities that it is their obligation to keep inquiry open, even when the topics are disturbing or enraging to the public. At the same time, we have to insist on the public value of what we do,

to link the critical operation of open inquiry—the questions that let us live—to the democratic values of public participation and engagement, open discourse and debate, and opposition to forms of censorship that seek to disenfranchise those subjugated within society.

We keep questions open, and we insist on funding for doing so, not because we thrill to the idea of throwing all settled knowledge into question but because we seek to dismantle killing forms of power and knowledge, and to transform society, to know more clearly what freedom and equality might mean, and to build in common a world that reflects and embodies those ideals. In this way, critical inquiry within the academy is essential to radical democratic ideals throughout society. And, as I suggested, the open question implies an opening of the body to the world, and courage is surely one instance of such an opening. The courage it takes to open up a question, to keep it open, and let it be known, can be a matter of life and death for the one who speaks it.

Under the Trump administration, an executive order sought to attack an academic field of inquiry called critical race theory: “Students in our universities are inundated with critical race theory,” Trump maintained. “This is a Marxist doctrine holding that America is a wicked and racist nation, that even young children are complicit in oppression, and that our entire society must be radically transformed. Critical race theory is being forced into our children’s schools, it’s being imposed into workplace trainings, and it’s being deployed to rip apart friends, neighbors, and families.”¹⁷ In his executive order of September 22, 2020, since reversed by the Biden administration, Trump made clear that both critical race theory and gender perspectives were “ideologies,” and that critical race theory was a disease, a “malign ideology” threatening to “infect core institutions.” Maybe we no longer have to worry about what Trump says, but the campaign has now taken on a life of its own, imperiling scholarship and programs in the United States, the United Kingdom, and other regions of the world.¹⁸

The attack on Black studies predates the contemporary attack on critical race theory. But think as well of the attacks on ethnic studies in Arizona, where HB 2281, upheld by a US Circuit Court judge in January 2020, prohibits any class that “advocates ethnic solidarity” on the presumption that such solidarities threaten the nation, are unpatriotic, or are even revolutionary. As this essay goes to press, a number of historically Black colleges and universities have received bomb threats. A wide number of ethnic studies programs have been affected by bills such as these, although they have for the most part been challenged in court and found unconstitutional. But this struggle still rages. The effort to establish an ethnic studies curriculum in California last year met with similar kinds of arguments. The curriculum makes sense considering the multicultural character of California, the number of languages spoken, and the wide range of national and regional heritages

represented by students in the schools. And yet, the effort to develop a knowledgeable approach to this diversity was strongly criticized as “Marxist” rather than liberal, as prizing victimization over accomplishment. The battles over how to tell the history of slavery, the Spanish conquest, and the genocide of Indigenous peoples are all at issue. The anxiety appears to be that if we tell such stories or if we represent the history of racism as pervasive and structural, then we are undermining national pride. But is that the case, or is it rather the case that the dominant narratives that support white supremacy are precisely what is meant by “national pride”? There is no pride in such histories, except in the movements of resistance that overthrew the institutions of slavery, debt bondage, and segregation and that challenge ongoing voter suppression and the disenfranchisement of imprisoned peoples. In all of these struggles, a claim for freedom is being made, or remade, the freedom to vote, but also to tell a history of racism, call for acknowledgment and for justice, and consider the systemic dimensions of racism throughout our lives.

In the course of studying Palestinian subjugation to the state of Israel, I have found myself asking: Why is the call for equality among citizens of one state, or between states with equal powers, considered to be destructive? What if equality is the only path that leads to the end of destruction? Perhaps equality would be the destruction of the status quo, of a nationalist ideal, of an accepted form of subjugation, and the long history of settler colonialism in that region, but wouldn't that “destruction” constitute the beginning of freedom, the restoration of justice as an ideal? When it becomes a crime for a Palestinian in a detention center in the West Bank to read the work of Edward Said or the poetry of Mahmoud Darwish, we have to ask why the act of reading prose or poetry is criminalized.¹⁹ That criminalization takes place within a carceral system where detention can happen without communicating to the detainee any charge, where pretrial detention takes the place of trials as the carceral norm. We are left with the quandary of how a legal system that commits criminal acts can nevertheless name as criminal the act of reading that seeks to imagine life beyond the confines of detention. In addition to opposing such a system, we should also seek to understand its logic and its conditions of possibility. Or when scholars in Turkey sign a petition for peace that is taken to be an act of treason, we see the extremes of contradiction to which governments will go to shore up their power and silence their dissidents.²⁰ Luckily, in Turkey, the high court defied the president in 2019, but his efforts at censorship continue at Boğaziçi University in Istanbul, where academics are being criminalized precisely for objecting to political appointments and the destruction of faculty self-governance and academic freedom.²¹

If we want to throw off the shackles that suppress critical viewpoints, dissident voices, and those who imagine beyond the confines of incarceration and expulsion, we will have to build the platforms on which that can happen, and provide the

sanctuaries for those who have risked the public voicing of their beliefs and found themselves imprisoned or expelled, jobless, separated from those with whom they are most intimate, having lost their sustaining worlds. Networks and associations that provide for endangered scholars, scholars at risk, and scholars in exile are among those that seek ways for those deprived of their employment and home to pursue their research in collaborative settings, to find new kinds of employment. But to be part of such seminars and collaborations is also to learn the importance of critical thought: of judgment, of evidence, of the conditions and means of persuasion, and of the form of freedom that belongs to questioning, to open inquiry, and, ideally, to academic freedom. Participation in those seminars is also a way of being trained in a new field: critical thought for our times.

The Case of Gender Studies

The fate of the gender studies program at the Central European University in Hungary is well known, forcing that university to relocate to Vienna in order to be free of government censors and right-wing reactionaries.²² But the situation elsewhere, in Latin America and in Europe, is now very serious. As David Paternotte points out, “Gender scholars have been harassed online, threatened by email, and exposed on various kinds of websites. Major media outlets have denounced their scholarship and blacklisted supposedly dangerous scholars. Protest is no longer a rare occurrence at academic events, and various groups regularly pressure university authorities to cancel scholarly gatherings. A bomb threat against the Swedish Secretariat for Gender Research was even reported in 2018.” The attack has entered into peer review, hiring, promotion cases, and the censoring of syllabi. Paternotte maintains that

despite the diversity of their targets, these campaigns all identify gender, often labeled as “gender ideology,” “gender theory,” or “genderism,” as the ideological matrix of the various reforms they oppose, including abortion and sexual and reproductive rights, same-sex marriage and adoption, gender recognition and trans rights, new reproductive technologies, sex education, gender mainstreaming, and the Istanbul Convention combatting violence against women. In both Europe and Latin America, these campaigns became widely visible beginning in 2013, with massive mobilizations against same-sex marriage in France and a successful constitutional referendum on marriage in Croatia. Today, they are present in most European and Latin American countries as well as in Australia, the United States, the Philippines, and parts of Africa (in the Pentecostal Churches) and in Central Asia.²³

The argument that what happens in the academy makes no difference outside its walls is refuted by the systematic attack on gender studies as a field, which has

spilled over into the political domain, as we have seen in Romania, Hungary, and Poland as right-wing parties have developed their anti-gender platforms. Elections in France, Colombia, Costa Rica, and Brazil have pivoted on candidates' understandings of gender. And conservatives in the United States and United Kingdom focus on a cluster of issues often associated with "gender," "gender theory," or "gender ideology": the rights of trans people in the military, rights to abortion, lesbian, gay, and trans rights, gay marriage, single parenting, feminism, and other social movements for gender and sexual equality and freedom. The issue of whether "gender" as a term should be used, or whether a return to "sex" should be legally mandated, has preoccupied the regimes of Donald Trump, Jair Bolsonaro, Matteo Salvini, Vladimir Putin, and right-wing populist parties such as VOX in Spain and Il Fratelli d'Italia and La Lega in Italy.²⁴

In Latin America, the attack on so-called gender ideology was heightened when evangelical and right-wing Catholic forces joined, elaborating a position that understood gender as an "ideology" representing a social movement that would destroy the family, the human (especially "man"), and the doctrine of creation.²⁵ These political positions took shape in 2004 when the Pontifical Council on the Family wrote a letter to the Bishops of the Catholic Church indicating the potential of "gender" to destroy feminine values important to the church, to foster conflict between the sexes, and to contest the natural distinction between the sexes—indeed, the binary character of sex itself. In 2016, Pope Francis escalated the rhetoric: "We are experiencing a moment of the annihilation of man as the image of God." About "the ideology of 'gender,'" he exclaimed: "Today children—children!—are taught in school that everyone can choose his or her sex!" Then Pope Francis made clear what was theologically at stake: "God created man and woman; God created the world in a certain way . . . and we are doing the exact opposite."²⁶ Apparently, gender is destroying not only the divinely ordained hierarchy between men and women, but also the difference between them that depends on that hierarchy. And in destroying what God has made, gender ideologists are engaged in a mode of destruction while God is engaged in creation, which implies heterosexual procreation within marriage. This is a strong claim. The dominant force that opposes divine creativity is gender destructivity. Gender studies is thus no longer a way to ask about how gender is organized in the workplace or the public sphere, nor is it an open inquiry into how biology and culture interact to produce a range of gendered interpretations of the body. No, gender is here figured as a force of destruction. To the extent that it is the counterforce to divine creation, it is demonic—that is, the contemporary form that the devil now takes. One question for gender studies to now pose is how its own inquiry has been disfigured in this way. What social and economic forces converge to produce "gender" as a fearsome phantasm that, for some, must be expelled from the world?

Another strain of the strong attack on gender studies suggests that it is responsible for “cultural collapse,” by which is meant the dissolution of the heteronormative family form, the end of manhood and its prerogatives (the natural hierarchy between the sexes), and the contestation of natural and biblical law (or the Bible read through certain natural law doctrines). Although no one makes their gender in the way that sculptures are made out of clay, the religious opponents understand gender theory as usurping the power of the divine by claiming that gender is constructed. There are several ways of understanding what social construction means, and several academic inquiries on how best to understand it, ranging from Ian Hacking’s *The Social Construction of What?* to Sally Haslanger’s *Resisting Reality, Social Construction, and Social Critique* to Catherine Clune-Taylor’s “Is Sex Socially Constructed?” in the *Routledge Handbook of Feminist Philosophy of Science*.²⁷ In the anti-gender ideology movement, “construction” is taken to be creation ex nihilo—that is, the notion that we each make ourselves in whatever way we wish by virtue of a radical voluntarism. This mistaken idea of freedom seeks to take over the powers of creativity from the divine source, and is in that sense demonic. Those who act according to this notion of freedom not only misunderstand the limits of human freedom, but expand the concept of human freedom in ways that openly and dangerously defy the constraints imposed upon human action and creation by divine and natural law. The idea of gender freedom—the freedom to be or become a gender, the idea that gendered life can be an expression of personal or collective freedom—is thus a falsehood since, in this view, humans are not free to choose or “unchoose” the sex they are given; nor are they, for that matter, free to affirm sexual orientations that depart from established heterosexual norms.

Of course, social construction and radical individual voluntarism are not the same, and just as Fanon made clear that the struggle for freedom takes place within a set of overdetermined historical constraints, clotted and contingent, so too is gender a historical category—as Joan Scott has persuasively demonstrated.²⁸ That gender studies questions the forms of social and economic inequality that depend on a gendered division of labor means that it is interested in interrogating the historical forms that gender has taken, and asks what pathways toward equality might yet be possible. For gender to be historical in this sense means that it is reducible neither to sex nor to divine and timeless laws or dictates. Further, to open up the possibility of a new configuration of gender relations, including the conditions for trans rights, implies that social transformation is possible, but does not imply that freedom is the ground of all historical shifts. If a concept of freedom is operative in Scott’s view, it is a social one that becomes possible when social conditions change. The historical character of gender means that shifts in its meanings and powers can be tracked, but also that its future is not fully predictable.

The attack on gender studies as “ideological” is to some degree an attack on social change and historical transformation itself, recalling the more general attack

on critique and critical race theory. What makes gender an “ideology” for these critics is the very assumption that identities and sexual orientation can change through time, that different forms of kinship can emerge, that institutions like marriage and the family can open to LGBTQI people, that intimate association can form outside of the institution of marriage, that reproductive technology changes the way that birth takes place for a wide range of people, straight included, and that parenting can and does take place in nontraditional social arrangements, including queer and single parenting. The descriptive claim that gender has changed and will change is not the same as calling for specific changes to be implemented. The first is a historical observation; the second is normative. The anti-gender ideology movement seeks to thwart the second through censoring the first and sometimes fails to make any distinction between the two.

For some who attack gender ideology, social construction often means social engineering. For others, social construction is radical voluntarism. It either destroys freedom or represents a monstrous and destructive exercise of freedom. The German sociologist Gabriele Kuby, in her book *The Global Sexual Revolution: Destruction of Freedom in the Name of Freedom*, equates gender studies with totalitarianism.²⁹ And, as we have seen in the most recent US elections, the left is increasingly characterized as totalitarian, a claim that might seem especially jarring considering the liberation and freedom struggles that are identified by that accusation. The struggle against racial injustice is also often misnamed as a form of censorship and thought control. The call to end sexual violence is understood as censorship. And yet, the reason for limiting funding to Middle East studies programs is precisely to control the political perspectives available for scholarly debate and curricula.³⁰ The reason for calling for the banning of race and ethnic studies from the curriculum emerges from an understanding that these academic fields are linked to democratic struggles committed to rethinking and realizing basic principles of freedom and equality. To make those views available is not to demand that students or faculty adhere to those views. But the fear is inflamed by a belief that to know that an idea exists is immediately to be captured by that idea and to promulgate it in a dogmatic way. We can add critical theory to the list, for it has traditionally been linked with the opposition to fascism, to racism, including anti-Semitism, and to forms of domination emerging from both capitalism and technology.

Teaching about gender or racial injustice, or even promoting critical thought, does not involve telling someone how to live, but it does let us know how people do live at the same time that it opens up the possibility of thinking about a world that could be different and better. To affirm the complexity of gender as lived is not destructive: it affirms human complexity and the gender spectrum, and it offers and is guided by a general understanding that the world should be more livable

for those who suffer under contemporary gender constraints. The world of gender complexity is not going away. It demands greater recognition in order to support all those who seek to live, move, speak, and breathe more easily without fear of incarceration or violence. Those who fall to the side of the norm deserve to live in this world without fear of violence, to exist, to question, to seek to create a world in which equality and freedom more fully characterize our modes of relation. This is surely a normative aspiration but not, for that reason, a dogmatic prescription.

Human Rights and Academic Freedom

I have already suggested that critical thought makes an essential contribution to public life and democratic ideals, and that the constraints imposed by censorship imperil those who exercise their rights to academic freedom and extramural political expression.³¹ I am aware that a range of political viewpoints now travel under the rubric of academic freedom, but that is no reason to despair of the concept. Academic freedom involves critical inquiry and suggests that state powers in particular are unjustified intervening in and criminalizing academic fields and modes of inquiry that ask crucial questions about the formation and deployment of those powers. Academic freedom is not reducible to a human right, nor should it be confused with personal or collective claims to freedom. And yet, when academic freedom is denied, and faculty lose their positions, or students lose their place in an academic institution, their freedom to pursue their interests and their vocations can be imperiled—and sometimes their lives.

One question that remains is whether academic freedom has a relation to human rights and, if so, how we are to think about that relation. Each makes a separate kind of claim: academic freedom is a principle and practice that can only be invoked within an academic institution by those who are engaged in teaching and research. The invocation of human rights seems to operate quite independently of institutions and national boundaries, usually drawing on the putative universality of the human. If academic freedom is a principle that ought to be maintained across nation-states and other territories, it does not need to be grounded in an ontologically secure notion of the human but only in specific practices that define and support academic inquiry. Although some insist that Fanon himself was a humanist, it is important to note that he positioned himself, and many Black people, outside the construct of the human as it currently exists. Many of us understandably hesitate in the face of human rights invocations because we have witnessed the hypocrisy of human rights charges made by nations that are committing human rights violations themselves. Or we have seen the invocation of human rights in the launching of wars that are actually fought for other reasons altogether. Another worry about “human” rights is that the human subject invoked is abstract and decontextualized, which means that “the human” brings with it a set of unmarked contexts and

concrete realities of power: it tacitly assumes, for instance, the masculine form of a property owner, presumptively white. Or it belongs to those who are regarded as humans, reproducing the abjection of Black life that contemporary Black studies has underscored in its critique of humanism. Indeed, even the basic question of who is included in, or excluded from, the human, is one that ought to be asked within the academy, one that is worthy of reflection within the humanities and social sciences as they take up the challenges of trans, decolonial, and Black thought. Indeed, academic freedom should guarantee the ability to pose questions such as these and to support various forms of inquiry into such questions. Thus, why even try to ground academic freedom in human rights? It may be, as Jay Bernstein has argued, that human rights mark the limits of the tolerable without making any substantial ontological assumptions.³²

The human is itself a question worthy of inquiry. Some groups are seeking access to the category of the human, waiting at the door, or knocking on that door or even strategizing to break that door down, yet others have no desire to gain entry into the human, knowing the kinds of norms it has embodied, and the violent exclusions by which it has been constructed throughout history. Those who find themselves ejected from the human nevertheless form a community of life outside the norm or along its margins, drawing on other political and poetic vocabularies.³³ In the face of this challenge, one tactic has been to assert, for instance, women's human rights, which combines, or purposefully clashes, the socially specific group that has been excluded with the universal. Yet another approach is to formulate human rights claims in ways that are contextual and historical, and generally avoid universal claims about the human altogether. When framed that way, the human rights claim can be part of a local movement, even identitarian, but is tasked with forming links with other such movements in a chain of transnational solidarity.

Some now ask whether the framework of human rights is relevant or even dangerous in the age of the Anthropocene.³⁴ To some critics, and understandably so, human rights seem emphatically anthropocentric, and so to reproduce a version of the world where the human is at the center, considered superior to other animals and life forms, and where the ecological conditions of life, which are themselves living processes, seem not to have rights at all. Although scholars of environmental governance have debated for years now whether trees and oceans can have rights, or whether rights claims are too intimately tied to the human, those questions are still open and pressing. One question is whether human rights could be formulated in light of climate change, which would both displace the anthropocentrism of human rights and underscore the duty to protect the environment or to cease all forms of damaging interference. Perhaps what is most important is to adopt a new set of duties and obligations rather than a set of rights, emphasizing

stewardship and protections. Human rights can be part of this picture only if they are reformulated in light of all of these pressing questions. I would suggest that human rights frameworks need to move beyond the notion of the subject of rights conceived through the ontology of individualism and humanism even as they are called upon to protect individuals against certain kinds of violations.

What would it mean to reformulate human rights against anthropocentrism, insisting that humans are living creatures among living creatures and that their claim to a *livable life* depends fundamentally on a living world that can persist through indefinite time, a world whose persistence is protected by a series of interconnected covenants? A human life persists on the assumption that the conditions of livability are met, such as shelter and health care—or access to drinkable water and breathable air. This we know. And though social and ethical claims of this kind seem to privilege once again the centrality of human requirements, they also displace the centrality of the human, since the human is not simply a self-interested individual but a creature whose survival depends on the persistence of a living world, whose relations to the living world will determine whether or not the devastations of climate change are reversible. A living nature and a living world surely include people but also all kinds of organisms, plant and animal life, the built environment; land, water, and air; and the complex physical, chemical, aesthetic, and cultural properties and processes that are part of the entire complexity that is both earth and world.

The right of a human to live a livable life may be construed as a human right in the narrow sense, yet the condition of livability applies not only to human creatures, but also to all sorts of living creatures and living phenomena. They are differentiated aspects of the living world, or what the Earth Charter calls “a community of the living.”³⁵ For the human to be a living creature among other living creatures and processes is for the human to be interdependent, interconnected, and relational, belonging to a world.

As was the case under Latin American dictatorships, human rights frameworks allow for a reference point outside the national frame to illuminate injustice, providing a perspective that militates against corrupt and violent regimes, against sexual violence, femicides, and torture. But even as human rights claims break with one national frame, do they implicitly subscribe to another? The risk that human rights discourse runs is to import a specific rights regime from the West that operates in the service of cultural imperialism. When working best, rights claims that emerge from networks of transnational solidarity call into question the legitimacy of states or regimes of power such as incarceration that authorize and inflict such violations.

So, human rights activism only makes sense in the context of a social movement that seeks to address the fundamental structures of power, whether settler colonialism, extractivism, apartheid, or genocide. If we object to the reduction of

politics to human rights, then what follows is either a rejection of human rights altogether or a resituating of human rights within a global movement elaborated by transversal solidarities and an ecological decentering of the human.³⁶ The “human” continues to be the business of the humanities, even if as a topic of robust critique. Is there a way to refuse the “human” as ground, keep it as a critical theme, and to pursue academic freedom as a transnational right?

Importantly, activist scholars like Homa Hoodfar have started collaborative efforts to develop a transnational account of human rights, as laid out in her lecture “Critical Thinking as a Transnational Right.”³⁷ Hoodfar, an anthropologist at Concordia University whose scholarly field is women and sexuality in Islamic societies, was detained for 112 days in Iran’s notorious Evin prison in 2016, accused of opposing the state and promulgating feminism. In prison, she was deprived of pen and paper and so wrote a book in her mind, or, rather, performed writing motions with her hand on the wall of her cell to compose invisible pages making the case for academic freedom. She used every session with the guards and interrogators to teach them the meaning of academic freedom, posing critical questions and suggesting hypotheticals, and then consigned each lesson to memory. There she developed her transnational vision of academic freedom as a right, based on conventions and contracts that derive their legitimacy from the ways in which academic freedom serves the public good and the ideals of democracy. In her view, the conventions and agreements that stipulate academic freedom do not have to be based within the nation-state or even be ratified by a state to gain their legitimacy. How would the state be held accountable for a convention it both signs and disregards? Only a global consensus can uphold the conventions of academic freedom. For Hoodfar, the legitimacy of academic freedom emerges from a transnational understanding of how academic freedom constitutes a public good on a global scale, and how educational institutions based on that right can serve the purposes of a global solidarity movement to support and defend open inquiry as an integral component of education and democracy alike. Such forms of alliance have been exemplified by solidarity academies in Turkey and elsewhere, suggesting that the university can and should exist outside its walls, drawing on public knowledges unregulated by state control.³⁸

If we think of academic freedom as a transnational right, we base it neither on the notion of the human nor within the jurisdiction of nation-states. What we call a right in such instances is the supported power to belong to a world in which open inquiry is supported and protected, where the body, the living being, is at stake in what is thought, where the keeping open of the question is the way to stay alive. In this way, it is a right to belong to, and to live within, a livable world, and one that depends on public and institutional support for open inquiry and critical thought.

When these codified understandings are betrayed, so too is there a break in social relations, the obligations we owe one another to make and preserve a world for the open-ended community of life.

Humanities and the Life of Critique

I began this essay with a consideration of attacks on scholars and scholarship, and then turned to Fanon to understand how critical thought and its open questions relate to the very possibility of existence and of belonging to a world. Fanon's insistence on the existential urgency of questioning suggested a way to think about endangered scholars, threatened fields of study, as questioning activities, ones that in my view should be called "critical" because of the various senses that "critical" carries: pertaining to a crisis, opening up a practice of questioning, and linking what happens in the university to the broader struggle for democracy. I also sought to demonstrate that shutting down gender studies and gender discourse is one way for authoritarian powers to control not only movements of thought but the social movements whose legislative victories demand a rethinking of embodiment, kinship, sexuality, and power. Although local struggles are of the utmost importance, it is crucial to have a robust enough doctrine of academic freedom that emerges from transnational perspectives and to consider ways of rethinking academic freedom as a global human right in the contemporary world. Finally, I wish to make a case for the humanities not as the only source for critical thought but as a complex mode of inquiry that is crucial for the practice of critical thought, staying alive, and struggling for democracy.

As someone trained in philosophy and literature, someone who works with texts, language, arguments, fictions, and ideals, I want to insist that the value of the humanities has to be part of any effort to defend both critical thought and academic freedom in the context of waning or destroyed democratic public cultures. In these days when so many are struggling to establish the value of the humanities within their institutions and show the value of the humanities to the world, we should perhaps pause to ask: What would the world be without the humanities? To ask the question is to enter into the humanities, to ask a question that imagines the world otherwise than how it appears, that probes potentials, both utopian and dystopian. We are already within the frame of the humanities when we ask about any such possible world. So our question would be lost as well, and, without the humanities, we would not be able to take the measure of that loss. Almost all of us are faced with urgent and contemporary questions: How do we interpret the world, judge arguments that are made, consider evidence and archives, and openly imagine a more just and equal future without fearing punishment for putting those thoughts into words? We are already within the humanities when we

ask, as we do daily: How is the world being represented and imagined, what is being edited out, what forms of unreality now pose as if they are real, and what untruths call themselves true? What grounds do we have for objecting to injustice and struggling for justice, and how do we make those widely known across languages and borders?

I worry that as we have sought to correct all the lies and misinformation circulated by the last US president and his followers, we have unwittingly accepted a problematic set of rallying cries: Facts over Fiction! or Facts, Not Fiction! But let us not rush to embrace positivism and forget fiction or, for that matter, interpretation, reading, critical thinking, and the transformative powers of artistic practice, which bear truth in other ways. Let us also remember how powerful fictions can be, the other worlds that refract our own, their distinctive capacity to illuminate the powers that course through the world—the extraordinary work of the late Toni Morrison and James Baldwin, Virginia Woolf, Audre Lorde and the contemporary and fabulous fiction of N. K. Jemison.

The fabulous and the fictional have their place in a world where horizons have shut so firmly and quickly that no glimmer of hope shines through. Fictions let us speak about human action and its consequences, the limits and possibilities of time and space, of human and inhuman action, of justice, revenge, and forgiveness. An entire domain of values would remain unthinkable without fiction, and so, no, we do not want to live in a world without poetry, fiction, art, and film. In fact, we refuse to live in such a world. For there are questions of world-making and value that will never be fully reducible to markets and market value, and we see what happens when the world of the imagination is overtaken by phantasms that demonize Black and Brown communities, harass women back into subservience, and force queer and trans people back into their closets and deadnames. The imagination is powerful and, in its psychotic forms, dangerous, as we see when the tyrant imagines himself as winning an election when he has already lost. And yet, the basic questions, how to live, how to live with others, how to build together that more ideal human world, that world within a sustainable planet, all these implicate the humanities in a now-urgent sense of global responsibility. Academic freedom as a transnational right can only have meaning within a movement that links the academy with the publics in which we live. A more radical imagining of democracy, transregional and translinguistic, depends on a university where the freedom to imagine is supported, where questioning is savored, and where bringing forth visions and plans for undoing the ongoing effects of violence and destruction is lauded for its transformative power. If critique is negative, it negates the idea that the world as constituted is the only possible version of the world, that the human is the only possible version of life. Up against the limits of the intelligible is not the unintelligible, but the not-yet thought, or that which is not-yet recovered for the present. To broach

the unthought, to ask what can still be thought, is itself a question and a struggle, transnational and stubborn, calling for the rethinking of all the categories bound up with the prospect of continuing devastation.

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Notes

1. Fanon, *Black Skin*, 206; *Peau noire*, 187.
2. Fanon's rejection of "being" here focuses on the socially constituted and intelligible character of racial categories. He is thus left fathoming the nothing, metaphysically considered. The work on Black ontology undertaken by Christina Sharpe, Frank Wilderson, and other scholars tends now to focus on the problem of being that emerges on the basis of the negation that Fanon describes in different ways. Calvin Warren puts it this way in his introduction to *Ontological Terror*:

Black humanism and postmetaphysics, however, leave the question of being unattended as it concerns black(ness). Both assume being is applicable and operative—black humanism relies on metaphysical being and postmetaphysics relies on multiple interpretations or manifestations of being. In other words, the human's being grounds both philosophical perspectives. Although postmetaphysics allows for a capacious understanding of the human and Being, it still posits being universally as it concerns freedom; no entity is without it, even if it manifests differently, or as difference, if we follow Deleuze. This is to suggest that both discourses proceed as if the question of being has been settled and that we no longer need to return to it—the question, indeed, has been elided in critical discourses concerning blackness. *Ontological Terror* seeks to put the question back in its proper place: at the center of any discourse about Being. (5)

Christina Sharpe also argues against Black humanism, asking how various performances and genres seek to mediate ontological negation, perpetual abjection, and "un/survival." Sharpe writes,

To be in the wake is to occupy and to be occupied by the continuous and changing present of slavery's as yet unresolved unfolding. To be "in" the wake, to occupy that grammar, the infinitive, might provide another way of theorizing, in/for/from what Frank Wilderson refers to as "stay[ing] in the hold of the ship." With each of those definitions of wake present throughout my text, I argue that rather than seeking a resolution to blackness's ongoing and irresolvable abjection, one might approach Black being in the wake as a form of consciousness. (*In the Wake*, 14)

3. Fanon, *Black Skin*, 202.

4. See Beauvoir, *Ethics of Ambiguity*; Renault, "Gender of Race."
5. Fanon, *Black Skin*, 206.
6. Fanon, *Black Skin*, 206; *Peau noire*, 188.
7. Fanon, *Black Skin*, 94; *Peau noire*, 92.
8. Fanon, *Black Skin*, 206; *Peau noire*, 188.
9. See Fanon's adaptation of Hegel's doctrine of reciprocal recognition in "The Black Man and Hegel," in chap. 7, "The Black Man and Recognition," in *Black Skin*, 185–97.
10. Fanon, *Black Skin*, 193; *Peau noire*, 177.
11. Fanon, *Black Skin*, 206; *Peau noire*, 188.
12. Fanon, *Peau noire*, 177.
13. Fanon, *Black Skin*, 206.
14. See Gordon, *What Fanon Said*.
15. See Scott, *Knowledge, Power, and Academic Freedom*.
16. See Butler, "Critique, Crisis, and the Elusive Tribunal."
17. Trump, "Remarks by President Trump."
18. On October 20, 2020, the UK House of Commons declared itself opposed to critical race theory, and the government subsequently declared that "any school which teaches these elements of critical race theory, or which promotes partisan political views such as defunding the police without offering a balanced treatment of opposing views, is breaking the law." In the United States alone, the legislation against CRT is multiplying. As of November 2021, nine states passed legislation, including Arizona, whose legislation was subsequently reversed by the Arizona Supreme Court. Although most of the state bills that have passed did not refer to "critical race theory" explicitly, they did target the idea that the United States is inherently or thoroughly racist and opposed all forms of training that sought to uncover conscious or unconscious bias. They also took the opportunity to target lectures on gender, considering both kinds of trainings and discussions to be "ideological." School boards in states such as Florida, Georgia, Utah, and Alabama introduced new guidelines barring what they consider CRT discussions. Local school boards in Georgia, North Carolina, Kentucky, and Virginia also criticized CRT. At least twenty additional states have introduced or plan to introduce similar legislation. See American Civil Liberties Union, "Kimberlé Crenshaw."
19. *Al Jadid* Staff, "Said's Books Banned."
20. Scholars at Risk Network, "Peace Petition Scholars, Turkey."
21. Amnesty International, "Turkey."
22. Pető, "Attack on Freedom of Education."
23. Paternotte, "Gender Studies and the Dismantling."
24. Dietze and Roth, *Right-Wing Populism and Gender*.
25. See my piece on the anti-gender ideology movement: Butler, "Why Is the Idea of 'Gender?'"
26. Quoted in Zauzmer, "Pope Francis Says It's 'Terrible.'"
27. Hacking, *Social Construction of What?*; Halsinger, *Resisting Reality*; Clune-Taylor, "Is Sex Socially Constructed?"
28. See Scott, "Gender: A Useful Category," first published in *American Historical Review* in 1986 and reprinted in the thirtieth-anniversary edition of Scott, *Gender and the Politics of History*.
29. Kuby, *Global Sexual Revolution*. The book is published by Angelico Press, which, according to its website, is "dedicated to making the rich tradition of Catholic intellectual and cultural life more available to families, students, and scholars." For a critique of Kuby, see Hark and Villa, *Anti-genderismus*.

30. The use of Title VI of the Higher Education Act of 1965 to regulate and defund Middle East studies programs has been widely discussed. Demanding a diversity of viewpoints, the government can use Title VI to defund programs that feature courses on Palestinian history and rights. See, for examples, Wolf, “Title VI and Middle East Studies”; Center for Constitutional Rights, “Letter.”
31. See my further views on this subject in Butler, “Dissenting View from the Humanities.”
32. Bernstein, “Of Ecocide and Human Rights.”
33. See Moten and Harney, *Undercommons*.
34. Sokol, “Rethinking Rights”; Grear, “Human Rights and New Horizons?”; Bernstein, “Of Ecocide and Human Rights.”
35. Earth Charter Initiative, “Earth Charter Text.”
36. Tazzioli, “What Is Left of Migrants’ Spaces?”; Balibar, *Citizenship*.
37. Hoodfar, “Roadmap to Transnational Academic Freedom.” See also Biner, “Precarious Solidarities.”
38. Turkey Page Editors, “Solidarity Academies”; Solidarity Academy, “Solidarity Academy.”

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