The Human Recycled: Insecurity in the Transnational Moment

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Questions governing the value of human life, the premium placed on life and death itself, have arguably emerged as the most profound bases for interrogating modernity. After Michel Foucault, the transition to the modern has often been understood within the terms of biopolitics, as a complex shift away from the sovereign’s right to kill in favor of the management of life. Building on his claims, we find that late modernity requires us to extend and reconceptualize these earlier economies of life and death, as well as the terms in which they define humanity.1 Thus we contend that the uneven social terrain of transnational modernity is produced by a singular notion of humanity as recyclable, a notion that holds in its balance any steady distinctions between life and death.2

We call attention to the concept of recyclability in order to suggest that certain liminal populations are outside of any fixed notion of absolute life or death. Within transnational circuits of migration and exchange, these individuals are at risk of being parcelled and substituted...
in such a way as to render the absolute life of the whole body immaterial. At once economic and biopolitical, transnational modernity yokes the accumulation of capital to the management of resources and bodies, using bodies as resources in an era characterized by ever more radical claims to national security, amid the fear of increasingly violable borders. Transnational modernity accelerates mobility between unevenly constituted zones of finance, technology, culture, race, geography, and gender. The aleatory character of these new mobilities produces a structured difference between lives considered invaluable and those deemed disposable. Transnationalism suspends humanity for those populations whose lives and bodies are routinely circumscribed by the struggles of (in)visibility, (in)security, and an uncertain possibility of substitution that threatens to breach, at any moment, the continuation of their life narratives.

This is the notion of expendable or recyclable humanity that Stephen Frears's film *Dirty Pretty Things* captures both literally and metaphorically. The abject condition of the recyclable human heart, severed from its body and flushed down the toilet, provides a metaphor for questions of power over life and death for the alienated migrant. The film’s framing of transnationalism compels us to consider not only what it means to have certain swaths of humanity mined for their organs but also the questions of subjectivation, commodification, and resistance that motivate postcolonial critiques of power. What we suggest is that the film takes shape around the imagining of a material body, one that is at high risk for being recycled, to represent enactments of sovereignty in the face of biopolitical strategies of management. The assertion of sovereignty is articulated through the politicization of death and a reckoning of the dying body, through what Achille Mbembe refers to as “necropolitics.”

Drawing on the work of Mbembe, Foucault, Giorgio Agamben, and others, we examine the material struggle over death and the attendant ontological insecurity that shadows the itinerant transnational subject within the westernized metropole. We contend that transnationalism conjoins national exclusion to an absolute devaluation of life, where the test of humanity rests on a risky transaction of difference between sovereignty and disposable or recyclable life.

*Dirty Pretty Things* confronts the issue of the third-world subject as an object of state dissection in London. Frears's film foregrounds the arena of the mass commodification of material bodies, invoking the foundations of capitalism within the slave trade, in contexts ranging from the sale of human organs, to prostitution, to trafficking in migrant
In the postcolonial era, the resituating of the body as commodity within a global marketplace moves the practice of state control away from the exercise of sovereignty, or the colonial state’s right to kill, to the management of life with death as its extreme limit—or the paradigm of biopolitics. What emerges is a model of salability based on conceptions of disposable life and recyclable humanity where entry into the market as either subject or object is the condition of survival. Given that death is the point at which both profit and political resistance cease, our reading of Frears’s film grapples with the possibility of negotiating viable modes of struggle when both capitalist interests and resistance to those interests share the allied objective of managing living bodies. Despite the precariously asserted and suspended forms of subjectivity permitted under state sanction, we consider the limited possibility this film presents of realizing a collective politics that subverts and seizes the management of life on the verge of death. In response to perceived transnational threats, the West has endeavored to attain a state of security through the manipulation of the very materiality of life and death. Because the claim to human rights is asserted on the basis of life, those left out of the discourse of rights are rendered inhuman and placed outside of the human community. We suggest that this exclusion inaugurates a crisis of ethics, which the film attempts to resolve by its closing gesture of the gift of love.

Still Life

Dirty Pretty Things exposes the gritty scenes of trafficking in human body parts and the wretched existence of refugee life that constitute the underbelly of London’s glamour by holding viewers in the thrall of a constant mobility. The film opens and closes with scenes in an airport, the quintessential place of modern transit, which reflects the transience of the characters whose life stories are composed of the journeys they are compelled to take. Between these framing travel scenes, the city itself is cast as a place of continual and fervent activity where incessant attempts to police its fringe inhabitants jostle against the alert escapes and hastily improvised life plans of those being tracked. Okwe and Senay, the two protagonists, are always on the run from immigration officials, searching for a new place to rest each night. Panning shots of city streets and traffic jams, tunnels and night markets not only capture the bustle and halt of crowds but also signal the anonymity of refugees’ movements. Offered in contrast are more still moments of narrative horror: a heart in a toilet,
police monitoring the video surveillance of arriving workers, a sexual assault, passports furtively exchanged for kidneys in Styrofoam coolers, sterile morgues serving as bedrooms. Even temporally, the film presents itself as one continuous movement without clear distinctions between day and night, as Okwe’s drug-induced insomnia sustains the present of the unfolding action. It is as if the film itself, as a lens on insecure refugee lives, were the effect of a condition of artificial wakefulness: an urgently manufactured narrative for staying alive.\textsuperscript{10}

Dirty Pretty Things charts the struggles of Okwe and Senay, two undocumented laborers in London from Nigeria and Turkey, respectively. Seeking asylum in Britain through legal channels, Senay is prohibited by immigration statutes from holding employment while her case is under review, forcing her to work illegally in an upscale London hotel, cleaning rooms. Okwe, who was a doctor in Nigeria, entered Britain without papers and has so far escaped detection by immigration authorities. He works as the hotel’s night receptionist and as a minicab driver during the day. The two come to know each other through an arrangement in which Okwe rents Senay’s couch to sleep on during the day while Senay works. The film begins when Juliette, a prostitute who visits the hotel nightly, hints that Okwe might want to inspect one of the rooms upstairs. “There is a problem?” Okwe asks, and Juliette responds, “How should I know, I don’t exist, do I?” What follows is a stark portrait that reveals the intricate web of the exploitation of invisible lives.

Upon entering the room, Okwe discovers that the toilet is clogged, and as he removes the blockage, blood bubbling up from the bowl, a human heart is revealed. In unraveling the mystery of how the heart came to be there, the film eventually uncovers the dangerous limit of the commodification of human bodies and labor within a transnational market economy.\textsuperscript{11} We learn that Sneaky, the hotel proprietor, himself an immigrant from Spain, runs an underground organ trafficking operation in which disenfranchised immigrants can exchange their organs for European passports or citizenship papers.\textsuperscript{12} In a desperate attempt to find a way out of her financial and legal difficulties, Senay decides to sell her own kidney for an Italian passport.\textsuperscript{13} Her dream is to own a café in New York, where she imagines lights in the trees and the protection of policemen on white horses. Okwe, whom Sneaky has been trying to recruit to carry out the organ harvesting, agrees to perform Senay’s surgery. With the cooperation of Juliette and Guo Yi, Okwe’s friend who is a porter in a London morgue, the team drugs Sneaky and harvests his kidney in place of
Senay’s. While Senay uses the payment and the forged passport to purchase tickets to go to New York, Okwe returns to his seven-year-old daughter in Lagos. At the airport, Okwe, who studied medicine in New York, tells Senay, “When you arrive at the airport you will see a whole line of yellow cabs. The car will take you across a bridge. When you have crossed the river you will see lights in the trees, policemen on white horses.” But Senay responds, “No. I know that it won’t be like that. Goodbye Okwe.” The film closes with the scene of her departure.

Dirty Pretty Things belongs to an emergent body of work concerned with the ethical paradoxes that confront those whose lives are considered expendable within the economies of transnationalism. The film foregrounds the transformation that follows the era of formal colonization, which Mbembe has described as a delirium that confers death without regard, the flattening “spirit of violence” that is conquest itself (On the Postcolony 174–75). If the colonized appeared as mere objects without humanity, then the colonizer alone “exists” as human and is bestowed with a sense of self. The postcolonial milieu of the film consequently identifies a shifting zone between the human and nonhuman in which the ex-colonized dwell, the “half-life” that characterizes the transition beyond colonialism. “But,” Mbembe asks, “how does one get from the colony to ‘what comes after’? Is there any difference—and, if so, of what sort—between what happened during the colony and ‘what comes after’?” In response, he asserts that ours is “the age and space of raw life [. . .]. It is a place and time of half-death—or, if one prefers, half-life. It is a place, moreover, where life and death are so entangled that it is no longer possible to distinguish them, or to say what is on the side of the shadow or its obverse” (196–97). The routine processes of colonization discard bodies through domination, casting them aside as the putrid and corrupt residue of conquest, a “nothingness” that nevertheless must be killed and put out of this world. In contrast, the daily forms of dying, the many partial as well as full deaths, constitute, for Mbembe, the signal feature of life in the postcolony that makes it impossible to answer the question, “Is that man still alive or dead?” (197). The fraught life of the refugee-migrant, subsisting in the contradictory world of the postcolony within the Western metropolis, is depicted in the film by a family of Somalis who implore Okwe for medical aid. In Sneaky’s office at the hotel, Okwe accidentally meets an old man clutching a younger man writhing in pain from a barely concealed wound in his side. The spectacle of the wound, the result of botched surgery, stands in
synecdochically for the ethical, legal, and material contradictions organizing everyday life for such marginalized subjects. The wound registers the refugee’s body as the site of a series of exchanges that can occur because it exists at the very threshold of life and death. Unrecognized by the state and hence outside the parameters of any official remedy, the young man’s sentience, the visceral aspect of his pain, propels Okwe toward immediate and ethical action beyond the sanction of the state. In a rapid sequence of shots, the film details Okwe’s reluctant theft of medical supplies, his impersonation of a hospital janitor, and his desperate attempt to save the man’s life in the back room of a small flat. At this point, even linguistic exchanges become barely possible as Okwe’s medical directions to the patient become intelligible only through the translations of a child. The scene distills the complex horror of the life and death struggle into which Okwe is drawn. The explanations he receives—“He is English now” or “He swapped his insides for a passport”—confirm the palpable substitutions that devalue refugee bodies in the invention of their freedom.

On the management of life under state conditions hostile to the laborer’s body, Mbembe offers the concept of “necropolitics,” which he identifies with “contemporary forms of subjugation of life to the power of death” (“Necropolitics” 39). For Mbembe, the transnational exercise of power results in “death worlds, new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of the living dead” (40). In Mbembe’s discussion, necropolitics represents the collusion of the state and the market in the drive toward death of disenfranchised bodies. This concept of necropolitics also reflects on the representability of death itself in view of the strangeness of its temporal suspension. Mbembe asks, “How, then, does one live when the time to die has passed, when it is forbidden to be alive, in what might be called an experience of living the ‘wrong way around?’” (On the Postcolony 201). One lives, as in Frears’s filmic narrative of transnational struggle, not only in palpable relation to death but also with the hope that, however fragile and attenuated, the palpability of living cannot be wholly conscripted into the alliance between capital and sovereignty.

**Securing Modernity**

Okwe’s discovery of a human heart in the toilet of the boutique hotel in London where he works the night shift immediately heightens the sense of insecurity that surrounds his existence as an undocumented
alien within the underground economy of the city. His attempt to prompt a legal and ethical response from authorities that might account for this debased and discarded organ is dismissed by his boss Sneaky, whose rejoinder, “What the fuck do you know about hearts, Okwe?” bluntly casts doubt on Okwe’s understanding of the value of his own heart, and of life itself, given his existence outside of the law. Okwe’s grotesque find cannot be made public, just as the death it represents must remain repressed precisely because of the many ways in which Okwe cannot identify himself or be recognized within the legal, disciplinary, and security mechanisms of the milieu in which he lives.18

In his account of biopower as the discursive management of life under conditions of modernity, Foucault describes the consolidation of sovereignty as the deferred threat of death and the active governance of life. According to Foucault, the modern state replaces the still present but routinely repressed threat of death at the hands of the sovereign with the sovereign’s capacity to “let” or even to “make” the subject live (History 136; “Society” 240).19 In effect, modern forms of governance implicitly appropriate death for an exercise of sovereignty that makes explicit claims to “fostering” life in general, while retaining a passive right to “dispose” of or “disallow” certain lives in particular (History 158). Thus the “formidable power of death” becomes the residual and shadowy back logic for the extension of biopower as a pervasive “influence on life” governing both the “anatomo-politics of the human body,” or “the body as machine,” and the “biopolitics of population,” or the “species body” (140). This shift to biopower marks the “threshold of modernity” in making bodies available for the propagation of capital. As Foucault explains, “This biopower was without question an indispensable element in the development of capitalism; the latter would not have been possible without the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes” (141). The alignment between biopower and capitalism as vast processes of modernity synchronized through control over particular bodies produces an ethical impasse.

In Dirty Pretty Things the threat of death is manifest precisely at the limit of biosovereignty. To acquire self-sovereignty within the economy of this film means to engage intimately with the power of death over one’s body, to seize control over that body as machine and species so as to inactivate its already conscripted place within transnational economies of capitalism. Foucault alludes to this possibility when he writes: “[D]eath is power’s limit, the moment that escapes it; death becomes the most secret
aspect of existence, the most private” (History 158).\textsuperscript{20} The dividing line between justice and ethics in the film is formed by the struggle over the human body, by and against those who are precariously placed on the very edges of the security of person and property that modernity guarantees.\textsuperscript{21} We will return to this question of justice and ethics in our closing analysis of the film’s productive impasse by first considering the theoretical factors that produce the urgencies of life depicted in the film.

In his lectures on \textit{Security, Territory, Population}, Foucault writes of mechanisms of “security” as the emerging forms through which modern regimes of power consolidate governance. As part of “a complex series of edifices” constituted by older forms of legal and juridical codes, as well as disciplinary mechanisms of surveillance and correction focused on regulating individual bodies, security mechanisms calibrate a more diffuse and uncertain but economically motivated relationship between populations and threats posed to them by the modern state (8). Concerned with the circulation of goods and people, “security is exercised over a whole population” to ensure the continuity of those who are “biologically bound to the materiality within which they live” (11, 22). What is striking in Foucault’s formulation is the direct correlation he makes between the rise of security functions in modernity and an assurance, albeit uncertain, of safety at the most fundamental level of biological life for those living in secure zones. Using examples from early modern France that range from the spatial to the biological—“streets, grain, contagion”—Foucault makes the case that the rise of secure regimes produces a “milieu” for assessing risks posed to whole populations (64). Security, for Foucault, comprises a calculus by which risks (“zones of higher risk” and “zones of lower risk”) can be gauged, and the points of “inherent danger” within any mode of circulation can be “plotted” and “canceled out” to generally ensure the protection of the population (61, 63, 65).

Modern states characteristically attempt to secure populations by normalizing “uncertain” risks within a matrix of probability that weighs costs against benefits. This process reveals much about how modernity values human life. Such assessment confers on the human a “natural” value that must be preserved only insofar as humans are understood as dwelling within a social milieu that remains distinctly “artificial” (Foucault, \textit{Security} 22).\textsuperscript{22} A constitutive disjunction unique to modernity arises when human life is generally conferred with value through a process of alienation that maintains that lives can be secured, the overall sanctity of the human realized, only by planned measures that remain completely
disengaged from valuing any particular human life. Security is premised on the allowance that some lives will be insecure and some populations will be vulnerable to dangers that remain permissible and accounted for within the security apparatus. The dimension of transnational modernity that we are focused on here presumes such a paradigm, which subsumes insecurely lived lives under a blanket of security. Modern security systemically allows vulnerabilities to persist as long as an overarching presumption of freedom is signaled. Moreover, such claims of security also align neatly with the ethos of liberalism that simply “lets things happen” for the sake of uninterrupted circulation, thereby suggesting that this mode of security is the primary conduit of “freedom” (45, 48). In the stage of late capitalism coextensive with transnational modernity, this premise of “laissez-faire” security is heightened in unprecedented ways, producing acute consequences for those who work and dwell in zones of insecurity.

That modern notions of freedom are at least in some sense contingent upon extracting value from laboring bodies is a basic premise for Marx. Marx points us toward the way in which late capitalism inaugurates a new terrain of negotiations over death as the site for the hyperextraction of value from the laboring body. In his discussion of “The Sale and Purchase of Labour-Power” in Capital, he identifies two conditions for the market sale of labor power: 1) the laborer must be “the free proprietor of his own labour-capacity, hence of his person,” and 2) the laborer’s labor-power “exists only in his living body” (271). In order for the transaction between body and value to be commercially viable, the worker must be both nominally free and alive. Slavery and death are thus the limits of the commodification of labor. For the sale of his labor to continue, Marx writes, “the proprietor of labour-power must always sell it for a limited period only, for if he were to sell it in a lump, once and for all, he would be selling himself, converting himself from a free man into a slave, from an owner of a commodity into a commodity.”

Within the impossibly paradoxical economy of undocumented labor set out in Dirty Pretty Things, the workers’ freedom and, indeed, their lives are both the condition of the sale and the value of the payment. In order to realize the value of their labor power, the immigrants who consent to sell their organs must both sell their bodies and risk their lives. In the market for human organs, the body part, potentially even the whole body, is exchanged for the possibility of entering the state-sanctioned labor market as a free laborer.25 As portrayed in the film, the dynamics of this transaction reflect the two related limits to the commodification of
labor identified by Marx. The death of the laborer marks the first limit, and it is precisely at the realization of this limit, when Okwe discovers the bloody heart in the hotel toilet, that the narrative of *Dirty Pretty Things* begins. Marx’s formulation, “[I]f money comes into the world with a congenital blood-stain on one cheek; capital comes dripping from head to toe, from every pore, with blood and dirt,” is visualized in the image of the discarded heart that serves as a metaphor for the commodification of life (925–26). The other limit, the enslavement of the worker’s body, is also implied within the narrative. When Senay first begins to consider selling her kidney, she says to Okwe, “The laundry girl did it and now she is free,” to which Okwe replies, “Others are dead.” Senay responds, “They, too, are free,” suggesting that freedom within the market and freedom through death are closely allied in the conditions under which these laborers exist. Within the narrative of *Dirty Pretty Things*, then, the living dead occupy the threshold of what Marx identifies as the limit of the commodification of labor power, the place at which both life and freedom are under threat.

**Insecure Freedoms**

The fabrication of security as a mark of progress in modernity’s narrative occludes the vulnerability of some segments of the population to forms of injury that modern states deem necessary, if incidental, to their larger economic goals. The bodies of itinerant transnational workers constitute a population, in Foucault’s sense of the term, in that they exist only as biological agents, bodies whose vulnerability and “injurability” enable the very circuits of exchange that secure the uneven dominance of globalized capital. To the extent that the security edifice always accounts for any “problem of the uncertain, or aleatory,” within these circuits of exchange, the routine chance of injury is written off as attached to invisible, uncertain, and substitutable lives considered irrelevant to the well-being of the population as a whole (Foucault, *Security* 20–21). Such lives ironically enable circuits of the larger security apparatus even as they are lived through prohibitions and threats that make them always insecure. These insecure bodies are always open to injury and are wholly replaceable, because they are only recognized as an expendable segment of the population. Foucault’s paradigm of security as the pervasive development in modern societies gathers urgency in the moment of transnationalism precisely because it reveals the dirty, lingering problem of insecurity. That the modern state is secure, normal, risk free, and safe is a ruse premised on insecurity.
Frears’s film shows how the forms of security from which the migrant-refugee is structurally excluded inevitably work to secure life for the citizenry under the state: the organs procured from migrant-refugee bodies for transplantation maintain one life at the expense of another. The labor performed by the migrants on the fringes of visibility secures a way of life, or standard of living, for those able to avail themselves of it. In terms of the kind of labor they perform, it is immaterial to the larger security apparatus whether a particular fringe body survives or dies, so long as the chain of replacement remains intact. To put it another way, there are lives within the security zones of the transnational West whose value is realized exclusively through an itinerary of unpredictable exchange mediated by their bodies.

In her work on the transnational trade of organs and the persistence of rumors surrounding organ theft, Nancy Scheper-Hughes concludes that the structured rift between “donor” and “recipient” nations, drawn along axes of first and third worlds, compels “anxieties about modern life” expressed in the circulation of “whispers” about dismembered bodies and stolen organs (“Theft” 5–4). Scheper-Hughes contends that lives lived in what she calls the “negative zone of existence” buoy the suspicion that some “bodies are worth more dead than alive” (9, 7). The relative devaluation of some bodies in comparison to others, she suggests, generates in certain populations “a kind of existential terror and ontological insecurity” heightened by their “already fragile sense of ‘ownership’ over [their] bodies” (9). The “radical commodification of the body and body parts” that Scheper-Hughes traces is produced by competing economies: bodies snatched versus body parts purchased, bodies dismembered and sold versus body parts received as gifts (7). The transnational trade in human bodies observes the divergent narratives emerging from ethical contestations within the logics of these economies. Those in the “negative zone,” which corresponds to what we have been calling insecure zones, hold fast to rumors about organ theft precisely because they seem “true at the indeterminate level between fact and metaphor” (5). Scheper-Hughes shows how grotesque metaphors of bodily harm and exploitation arise in response to state-sanctioned disciplinary tactics—medical, social, and economic—that constrict notions of bodily freedom within zones of insecurity. When “bodies are experienced as a constant crisis” trapped between the exigencies of material want and existential threat, ambivalence permeates any sense of freedom that the liberal social contract considers the basis for a secure society (9). The freedom to imagine corporeal betrayals, and
through this imagining to anticipate, avoid, or proclaim possible injuries, wrestles with and against guarantees of freedom extended under the modern security state.

The state of security that achieves “freedom” through the commodification and continual replacement of insecure populations is linked directly to the capacity of the modern state to absorb human death as a condition of its own maintenance. The power over life and death emerges from the founding contract of the modern state with its citizen-subjects, namely, to protect them from harm. This obligation of the state to “make live,” or to offer a sense of “protection” of life, supplants the idea of “sovereignty’s old right—to take life or let live” (Foucault, “Society” 241). However, this contractual force of the modern state to assure protection or security—in short, to exercise its life-giving power—comes, as Foucault argues, from a paradoxical logic of racial death “entirely compatible with the exercise of biopower”: “If you want to live the other must die” (255). Foucault points specifically to the biopolitical dimension of racial otherness as that which “in a normalizing society” such as the security society serves as the “precondition” for rationalizing the irrational: “[R]ace or racism is the precondition that makes killing acceptable” (216). If the liberal social contract rationalizes itself as a life force by placing death “beyond the reach of power,” then racism allows the modern state to reassert its “right to kill” (248, 256). The refugee, the transient, the undocumented worker, in fact all subjects with tenuous social contracts, face the prospect of their deaths through processes of racialization.\(^{20}\)

While the modern security apparatus is propelled by concerns over systemic cost and efficiency, it is not, at least in Foucault’s analysis, driven by a focus on regulating individual bodies. Lives that fall through the grid of cost-benefit analysis by means of which security becomes a major form of governance are, by contrast, thick with the forces of legal and disciplinary regulation that work in concert with forms of security. Thus we find Okwe and Senay haunted by threats of deportation and police assault. Their everyday lives are organized around detailed and painstaking efforts to evade the processes of disciplinary surveillance and legal prohibition that, in providing security, serve as power’s main regulatory force within modernity. The zone of insecurity, unlike the promise of security that overrides it, is permeated by state-sanctioned bodily threats against those whose lives, even when seeking refuge, cannot be secured. Besieged by violence, disease, and scarcity, these subjects live at the margins of life itself. With bodies that are repositories of risk, they must
continually negotiate the terrible liminality of life and death knowing that they are already considered disposable.

Seeking shelter for the night, a place to stay in Chinatown, Okwe and Senay pass by a cemetery, where Okwe first speaks about his wife. Not yet aware that she is dead, Senay questions Okwe’s love for his wife, and implicitly for Senay herself:

Senay:  *Do you love her? Do you love her?*

Okwe:  *There is a room above a restaurant. The immigration police do not dare go into Chinatown. You will be safe there.*

Senay:  *Do you love her?*

Okwe:  *Here is some money for the rent I owe you. Here is some more for the trouble I have caused you, Senay.*

Senay:  *Okwe, do you love her?*

Okwe:  *For you and I, there is only survival. It is time you woke up from your stupid dream.*

A moment of stillness follows the scene, as Senay stares painfully at Okwe and then turns and walks away. Within the dialogue, the forces of security, money, and immigration police interrupt the possibility of affection. For Okwe, the severe material demands of survival make love impossible. In short, market relations encapsulate human relations so as to foreclose the realm of affection for those excluded from the privileges of security.

**Lifeworlds**

Extending Foucault’s brief analysis of biopolitics in *The History of Sexuality*, Agamben offers the idea of *homo sacer*, or bare life, a life that exists at the mercy of the sovereign, establishing both the materiality of life and the sovereign’s capacity to kill. Within Agamben’s formulation, *homo sacer* may be killed with impunity or allowed to live, such that both options exert and reveal the sovereign’s power over the subject. Tracing the genealogy of bare life, Agamben highlights the French Declaration of the Rights of Man and Citizen of 1789 as the moment at which bare life becomes attached to the possibility of rights under modern state formations. Within the modern state, then, the rights of the human, ostensibly understood as accruing to life itself, undergo a shift toward the rights of man as citizen, wherein rights become the privilege of citizenship, even as the figure of the citizen masquerades as the abstract human. In a sleight
of hand, citizenship stands in for humanity: “The fiction implicit here is that birth immediately becomes nation such that there can be no interval of separation [scarto] between the two terms. Rights are attributed to man (or originate in him) solely to the extent that man is the immediately vanishing ground (who must never come to light as such) of the citizen” (128). As the “vanishing ground” of the citizen, the notion of man as a figure whose rights originate in his person is the necessary fiction that makes the substitution of the citizen for man appear tenable.

At the same time, the figure of the citizen provides cover for the absence of rights attached to man himself. Even as the citizen is presented as safeguarding the rights of man, the very demands of citizenship systematically dismantle those rights. As soon as rights become attached to claims of nation and birth, the more holistic possibility of rights “attributed to man” disappears. Ideals of universalism have historically been the foundation of human rights discourse. Yet the problem of rights is precisely that abstract universalism provides an inadequate platform for thinking about the particularities of their material distribution. As a result, the discourse of rights takes on a hypervisibility while the practice of their universal distribution remains untenable. The hypervisibility of the discursive claim to the rights of man is deferred materially and politically onto the visible figure of the citizen in order to preserve the fiction of the state as guarantor of rights. What remains invisible is the range of possible subject positions that fall wholly outside of the economy of rights assigned by the nation or state, for example, the refugee, the criminal, and the undocumented laborer. For these figures, invisibility is both a condition of survival and the limit of recognition or representation. Frears’s film gives us portraits of each. Juliette, the prostitute, a felon who is not yet caught, must remain invisible in order to preserve the nominal freedom required for her to sell her labor, and her body, on the market. Okwe and Senay must likewise elude the surveillance of the state in order to earn a wage in London. For each of these characters, invisibility is at once a strategy employed in the struggle to live as well as the evidence of their social death. The invisibility of those denied the rights of citizenship reveals the material limit of the discursive hypervisibility of the man of rights.

Mediating concertedly at the threshold of forced and free labor, Dirty Pretty Things draws attention to the invisibility under which Okwe, Senay, and Juliette labor, while revealing how such invisibility functions as a cover for the exchange of bodies as commodities. When Okwe hands over what is ostensibly the kidney of another undocumented immigrant,
the trafficker asks, “How come I’ve never seen you people before?” As he accepts payment for the kidney, Okwe responds, “Because we are the people you do not see. We drive your cabs, and clean your rooms, and suck your cocks.” The cost of the movement from invisibility to visibility, refugee to citizen, is the price of a kidney, or maybe a life, yet that life will always remain invisible to the structures of power that control its circulation. Any interruption to this dominance must be deathly and spectacular to make its claim known; the staging of death must be palpable, its peril fully realized, in order to effect a representational intervention. Within the film, the spectacle plays out around the visual image of the dislodged heart.

For Agamben, the figure of the refugee provides a particularly useful example for theorizing the cultural politics of life as defined through the possibility of death. It is through the refugee that Agamben broaches the question of rights. As one who disturbs the discourse of rights by “breaking the continuity between man and citizen, nativity and nationality,” the refugee calls into question the “fiction of modern sovereignty” (131). If man as citizen is the limit point of man as the subject of rights, the refugee provides the site at which the fictionality of the discourse of rights is made most apparent. For this reason, the refugee also provides a crucial site of intervention for considering the discourse of rights in relation to those to whom its promise is denied:

*The refugee must be considered for what he is: nothing less than a limit concept that radically calls into question the fundamental categories of the nation-state, from the birth-nation to the man-citizen link, and that thereby makes it possible to clear the way for a long-overdue renewal of categories in the service of a politics in which bare life is no longer separated and excerpted, either in the state order or in the figure of human rights.* (134)

In the figure of the refugee, Agamben sees the possibility of the “long-overdue renewal” of a notion of rights that is not circumscribed by the limitations of citizenship. While his comments are importantly limited to the discursive politics of human rights rather than their material practice, this position holds the potential danger of conscripting the refugee into the service of restoring the unity of rights and the human. The dyadic nature of the relationship between citizen and refugee leaves open the possibility that by renewing the category of rights in the service of the refugee, we might also enable such a renewal for the human at large, which in a sense subsumes the interests of the refugee into those of the citizen or human.
The risk, then, is that the figure of the refugee, having satisfied the aims of a certain liberal humanism, once again disappears into invisibility. For Agamben, this disappearance would signal the end of the distinction between human and refugee, restoring rights to both. Yet such a position would account inadequately for the shifting materiality of exploitation within a transnational frame.

**Rights and the Limits of the Human**

Is the renewal of rights through the figure of the refugee an ethical imperative, or does the refugee only heighten the ambivalence of a discourse of rights itself? We would submit that the figure of the refugee, rather than opening up the possibility of the ethical distribution of human rights, radically forecloses any neat ethical resolution to the question of rights as such. We arrive at such an ethical impasse in Frears’s film when Okwe is forced to perform the surgery in order to harvest Senay’s kidney. The terms of the bargain are clear: in a gendered economy that doubly marginalizes her, Senay must allow Sneaky to take her virginity as well as her kidney in exchange for an Italian passport. She submits to the rape, an irrecuperable excess that dramatizes the failure of abstract humanity to capture the particularities of violence. In order to protect Senay from the fate of the discarded heart that set the plot in motion, Okwe agrees to perform the operation:

Okwe: *I will operate on her myself.*

Sneaky: *You’ll do what?*

Okwe: *I will do it. It is the only way I can be sure she will not die. In return, I want a passport. A new identity.*

Sneaky: *Well, holy shit! So you are human?*

Sneaky pronounces that Okwe is human, but what is it that constitutes humanity for Sneaky? Is it Okwe’s willingness to operate on Senay? His desire to save her life? Is it his capacity to participate in the organ trade he finds so abhorrent and unjust? Or is it his own desire for a European passport that would neatly convert him from refugee to citizen? The radical ambiguity of this dialogue captures the ambivalence of the film’s representation of the human. By declaring Okwe human, Sneaky demonstrates that the human is constituted through the double demand of acquiring citizenship and participating in the relations of power that perpetuate cycles of exploitation. His declaration empties the category of the human—insofar
as it is made available to the figure of the refugee—of any transcendent possibilities. The only notion of humanity that can be assigned to Okwe is one that captures the essence of recyclability: he agrees to accept a forged passport, one identity substitutable for another, and he consents to perform the surgery, harvesting organs from one living body in order to place them in another. As the holder of a European passport, Okwe emerges with a set of rights intact, but these rights are attached to the figure of the citizen, not to the man himself. As the holder of a forged passport, Okwe is defined as the subject of rights only insofar as he can exchange his body for the identity he assumes. Moreover, the transaction by which Okwe is able to secure his humanity is characterized by constant risk to himself and others, whether by the detection of his false passport or by the failure of the surgical operation he performs.

Within the film, humanity is endlessly recyclable, or substitutable, but so, too, are the rights attached to the figure of the human. Broadly conceived, rights may be understood as any set of privileges, distributed either by the state or by individuals, that ensure human life. More specifically, any such privileges create the conditions of possibility for experiencing pleasure or happiness. For Sneaky, the hotel proprietor who runs the underground organ trade, his is a business of happiness, yet his discourse underscores a crucial problem in any abstract model of rights: “You give me your kidney, I give you a new identity. I sell the kidney for ten grand, so I’m happy. The person who needs the kidney gets cured. So, he’s happy. The person who sold his kidney gets to stay in this beautiful country, so he’s happy. My whole business is based on happiness.” The transitive nature of happiness in Sneaky’s model captures well the fundamental breach in contemporary discourses of rights. If the limit of rights is death, the person who needs the kidney faces the same barrier to rights as the person who sells the kidney. On one end of the spectrum, the threat against happiness, or life itself, is the natural factor of disease, and on the other, it is the market relations of capital. On an abstract level, however, the need of the person who faces death from kidney disease is no less material than the need of the person who faces death through the sale of his organ.

Our point is not to draw an equivalence between the individual with the capacity to purchase an organ and the person who needs to sell an organ, but rather to suggest that the discourse of rights as attached to the abstract human, as in Agamben’s concept of bare life, covers over the
intricate ways in which rights, in order to be effective, must be particularized and distributed in such a way as to enable each individual to actualize the conditions of possibility that the rights themselves make available. What Sneaky points out, then, is that happiness, like any instance of rights, is inherently relational. It is the intervention of capital that assigns a value to the rights of certain individuals over those of others. Within a field of distribution marked by the presence of capital and the set of relations that it enables, any abstract notion of rights is questionable. What does it mean to think of a set of rights that are guaranteed to all humans? On whose needs will these rights be based? What happens if one’s access to rights must come at the expense of harm to another?

Dirty Pretty Things ends when Okwe and Senay, with the help of Juliette and Guo Yi, turn the tables on Sneaky by drugging him and harvesting his kidney instead of Senay’s. With money from the sale and new passports in hand, Senay departs for New York and Okwe returns to Nigeria to be reunited with his daughter. Tempting though it might be to read this reversal as a moment of retributive justice, doing so provides little by way of an ethical solution. Sneaky’s kidney is taken and sold, revealing that his own humanity is ultimately not entirely secure from the recycling of bodies of which he is otherwise the beneficiary. Sneaky is, indeed, reduced to the level of the refugee, but the simple reversal of power relations does little to change the hierarchical structure of those relations other than to temporarily invert their dynamic. Any ethical solution is foreclosed, as Okwe is forced into the position of violence and injury to others normally occupied by Sneaky. Even as the characters embark on new phases of life, the narrative reflects a certain stasis:

Okwe: *When you arrive at the airport, you will see a whole line of yellow cabs. The car will take you across a bridge. When you cross the river, you will see lights in the trees. Policemen on white horses.*

Senay: *No. I know it won’t be like that. Goodbye, Okwe. Hold me.*

Okwe: *You must go . . . Isabella.*

Senay: *Always we must hide.*

The conviction that nothing will change haunts the possibility of a new life for either Okwe or Senay. And the prospect of these lives emerging into visibility seems untenable.
Ethics of the Gift

The stasis of the characters’ lives mirrors the stasis of the ethical dynamic of the film. The subject of organ transplantation provides the point of entry into the question of ethics where life is the ultimate limit at stake. When an organ is taken from one individual so that it may be given to another, the donor will have one of two concerns. If the organ is given as a gift, the greatest concern is for the life of the other. If, by contrast, the organ is taken or offered for sale, the greatest concern may be for one’s own life. Within the context of the film, the migrants who sell their kidneys do so in exchange for passports, highlighting what Agamben points to as the rift between man as the subject of rights and man as citizen. In this instant, the interests of man as bare life are at odds with the interests of man as citizen. For the migrants who must sell their organs in order to receive their citizenship papers, fraudulent though they may be, the only possible condition under which the organ may be given is through an economic transaction. This, in turn, strips the migrant of ethical volition to act out of concern for an other. The migrant-refugee, forced to sell his organ, is precluded at the outset from participating in an act of generosity and is subsumed instead by the sheer force of the economic. As a result, the migrant-refugee is denied the capacity to act out of love and to share in affective structures of community that are not reducible to models of citizenship and rights. One mode of violence that the film represents, then, is the removal of the migrant-refugee from the realm of the ethical. The limit of concern for the other is revealed as the fear of risk to one’s own life, and this is the position the characters in the film occupy.

Contemplating Emmanuel Levinas’s dyadic framing of the demands of concern for one’s self and the other, Judith Butler offers the following:

Within the ethical frame of the Levinasian position, we begin by positing a dyad. But the sphere of politics, in his terms, is one in which there are always more than two subjects at play in the scene. Indeed, I may decide not to invoke my own desire to preserve my life as a justification for violence, but what if violence is done to someone I love? What if there is an Other who does violence to another Other? To which Other do I respond ethically? Which Other do I put before myself? Or do I then stand by? Derrida claims that to try and respond to every Other can only result in a situation of radical irresponsibility. And the
Spinozists, the Nietzscheans, the utilitarians, and the Freudians all ask, “Can I invoke the imperative to preserve the life of the Other even if I cannot invoke this right of self-preservation for myself?” (139–40)

These are the questions with which the film ultimately leaves us. Even as the forces acting on the migrant-refugees demand that they preserve the life of the other at the risk of their own, the body of the donor undergoes commodification the moment this demand is met.

Yet the final words exchanged between Senay and Okwe are “I love you.” In what we read as an attempt to recapture a space for the ethical, Senay and Okwe articulate an alternative to the horizontal bonds of kinship imagined through the metaphor of citizenship. Instead, they enable a collective politics that moves around the demands of the state rather than toward the satisfaction of those demands. Because their passports are fake, they grant these refugees no real protection, but neither do these documents signify any real allegiance on the part of their bearers. The words “I love you,” spoken by two friends, encapsulate the film’s final gesture of representing different horizontal communities. As such, the film offers a model based not on ties of proximity but rather one that is specifically and insistently territorially unbounded. Importantly, it is an affective relationship that is consolidated at the moment of parting. As an instance of affection that cannot be verified, what Senay and Okwe offer is the singular possibility of an ethical ideal of love.

In closing, we would like to think about this ethical ideal of love in relation to the metaphor of the gift. While we indicated above that the migrant-refugee is radically foreclosed from the ethical field because, for him or her, the possibility of the gift is transformed by the economic exchange of an organ for the rights of citizenship, the metaphor of the gift nevertheless attaches itself to two referents within the film, namely, the gift of the organ and the gift of the utterance of love with which the film closes. On this basis, we argue, the film reinstates the ethical through the gift of love.

In *Given Time: 1. Counterfeit Money*, Jacques Derrida theorizes the gift as an instance of “the impossible” because of its state of suspension in relation to the economic:

*But is not the gift, if there is any, also that which interrupts economy? That which, in suspending economic calculation, no longer gives rise to exchange? That which opens the circle so as*
to defy reciprocity or symmetry, the common measure, and so as to turn aside the return in view of the no return? If there is gift, the given of the gift (that which one gives, that which is given, the gift as given thing or as act of donation) must not come back to the giving (let us not already say to the subject, to the donor). It must not circulate, it must not be exchanged, it must not in any case be exhausted, as a gift, by the process of exchange, by the movement of circulation of the circle in the form of return to the point of departure. If the figure of the circle is essential to economics, the gift must remain aneconomic. (7)

As Derrida’s analysis makes clear, the migrant-refugee’s giving of an organ cannot be considered a gift, precisely because the act of donation is grounded in the realm of the economic. Because the organ is given in exchange for the rights of citizenship, it remains outside the aneconomic demands of the gift. But what of our suggestion that the film’s second representation of the gift occurs in the exchanged utterance “I love you”? For Derrida, the ethical imperative of the gift is the proscriptive commandment that it “must not circulate.” The moment the words are said, there is no way to verify either the sincerity of the claim or the materiality of the gift. Moreover, because these words of love are uttered at the moment of departure, it will be impossible to call forth the gift at a later date. Neither is there a way to demand that the gift be equally sincere on the part of each of the speakers. Yet the words remain the most profound gift that Okwe and Senay could give one another. Though reciprocity in love can never be verified, or demanded, one’s best hope is that it exists. The commandment that the gift “must not circulate” falls short of capturing the magnitude of human relations freely given through the exchange in friendship of the words “I love you.” What Derrida seems unable to account for, then, is the possibility of thinking of reciprocity in a way that cannot be reduced to the economic.⁴¹

Indeed, within the terms of Western capitalism, reciprocity is wholly conflated with the economic, as we see demonstrated in the complex transactions surrounding the giving and taking of organs in the film. Nevertheless, we insist, the film closes by opening another possibility of the gift that, by virtue of its intractability, interrupts and alters the very terms of economic exchange. The words “I love you” in the film are aneconomic not because they resist exchange but because they might enter into reciprocity. The final affective moment of the film unmoors
exchange from market relations. In this event, what the film offers is the possibility of thinking of human affection and sociality—thus of humanity itself—in a way that is not wholly reducible to the workings of capital. The film’s final refusal to anchor the human to the recyclable body turns us instead toward a mode of humanity that the market can neither imagine nor completely subsume. That is, the possibility of love.

In remembrance of Lindon Barrett, for the many cherished, always revelatory, and sadly incomplete conversations we had about the status of our humanity. We are grateful to David Lloyd, Gabriele Schwab, and Marlon Ross for being such superb interlocutors for our work. And, finally, we thank Warren Montag and Jeffrey Atteberry for helping us work through some difficult knots in the argument, and Nancy Armstrong for her excellent editorial suggestions.

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Notes
1 Fredric Jameson, David Harvey, Anthony Giddens, and others argue for understanding the expansion of global capital under late modernity as a universal process constituted by highly differentiated and structured modes of production, consumption, and accumulation. These theories of globalization conceive the social terrain of transnationalism as a place where the resolutely homogenizing influence of global capitalism overrides almost any calculus of difference. Jürgen Habermas associates the transnational with a utopian “cosmopolitan democracy” that has the capacity to reform the distributive inequities of the globalized world; the transnational condition in this case engages normative public discourses of rights only in “the postnational constellation” formed around the contracts of liberal democracies. See ch. 4, “The Postnational Constellation and the Future of Democracy” 58–112.

2 Historically, the transnational marks its difference from early modernity through the erosion of the center-periphery models
constituting global relations under colonialism. Transnationalism here is also meant to suggest, as Lisa Lowe and David Lloyd have argued, a state of late capitalism that works through mixed production and flexible accumulation to encapsulate most sectors of the globe under highly differentiated economies of commodification. As Lowe and Lloyd point out, it is important to recognize that transnational expansion produces unanticipated sites of cultural contradiction often incommensurate with its own forms of commodity culture.

5 Here we mean to invoke both resonances of the term *immaterial*: “not relevant” and “not real.”

4 Postcolonial studies has theorized transnational and transcultural formations as acquiring valence by means of the flexible borders and hybrid, nomadic identifications enabled by the flows of globalization. Often such theories of what might be called the migrant present take on emancipatory overtones by portraying migrants as unique representatives of global syncretism. See Bhabha; Braidotti; Ong. We contend, however, that such understandings of migrancy need to be further thought in terms of the unevenness with which the migrant remains distinct from the refugee insofar as their claims to humanity are recognized, rejected, or remade.

5 Here we want to emphasize the deceptive appearance of such unpredictability of movement. What appears unpredictable is situated within circuits and flows that are, in fact, highly predictable: bodies and capital tend to flow from south to north, while goods and products for sale on the market flow from north to south.

6 Deleuze and Guattari’s formulation of capitalism as the desiring machine, where desire proceeds from productive forces rather than the psychoanalytical terms of lack, points to the sense of the regulated *socius* of transnational movements or flows and in turn to the human as recyclable: “[T]he prime function incumbent upon the socius has always been to codify the flows of desire, to inscribe them, to record them, to see to it that no flow exits that is not properly dammed up, channeled, regulated” (35). See Barrett for a brilliant reading of this form of desire as the unique fantasy of capitalism that regulates the presence of racial blackness in American popular culture through a material aesthetics of death.

7 The notion of sovereignty as the site of contestation that has life and death consequences has a long history within both colonialism and slavery. We would emphasize the ways in which slavery and colonialism are articulated in the expansion of western capitalism, allowing us to examine the relationships among sovereignty, subjectivity, and racialized economies.

8 Kevin Bales examines the correspondences between institutions of chattel slavery and what he identifies as the emergence of “new slavery” linked to economies of globalization and the transnational traffic in human bodies. Bales examines the prominence of forced labor, bonded labor, child labor, and sexual servitude in a multiplicity of locations ranging from African and Arab countries to the Indian subcontinent, Southeast Asia, and Brazil. He explains how modes of servitude have changed from policing slave bodies so that they remain viable for work to
the overuse of human bodies as available raw materials whose very excess makes them easily disposable. See also Cockburn for a documentary investigation linking the underworld of transnational trade in humans to chattel slavery.

9 Our discussion follows from Eric Williams’s seminal account of the roots of Western capitalism in the racialized economy of the slave trade.

10 “I do not care to sleep,” Okwe says at one point to explain his dependence on the herb he chews to stay awake.

11 According to the “Guiding Principles for Human Organ Transplantation” of the World Health Organization’s Legislative Responses to Organ Transplantation, the Transplantation Society’s statements of its “Morals and Ethics,” and the U.S. National Organ Transplant Act of 1984, the legal ban on trade in organs is generally enforced. But the debate regarding the value of a free-market trade in organs is nevertheless ongoing. Mark J. Cherry, for one, strongly advocates for “a futures market or a market in cadaver organs” as necessary for the greater good, to alleviate suffering and to increase systemic efficiency of transplants (3), while others such as Fox and Swazey condemn free-market trade of organs on the grounds that they reduce bodies to things. Russell Scott makes a historical case against legalizing organ sale based on the disastrous effects of treating bodies as property that follows from the history of chattel slavery.

12 The commercial trade of organs is legally banned in the United Kingdom, and organ transplants are permitted only when not motivated by financial or material gain. The punishment for breaking this law, however, is minimal: a fine and incarceration not exceeding three months. See the Human Organ Transplants Act of 1989.

13 In its focus on the exigent life conditions of its protagonist, the film forecloses any possibility of sexual pleasure for Senay and the other transient workers. The gendered body as a site of pleasure is displaced by the otherwise gendered body as a site of need, recalling Irigaray’s question: “How can this object of transaction assert a right to pleasure without extricating itself from the established commercial system?” (105).

14 See, for example, Abani; Aidoo; Ondaatje; Padmanabhan; and Rushdie. These novels are among those confronting the problem of bodies constructed, dissected, and traded within transnational environments.

15 Scarry explains how the body’s sentience mimes death in instances of torture and war to produce the perceptual political field. In contrast to the way Mbembe perceives discourses of life and death as endlessly entangled in the postcolony, Scarry argues that the suffering body exists in a mimetic relation to the dead body, so that the former represents the negation of the human as a felt experience that stands in radical difference from death as a negation that is beyond feeling. Where for Scarry the suffering body reveals how the world is made or unmade, Mbembe claims that in the postcolony, it is precisely at the threshold of pain and death, in their entanglements, that life is lived.

16 Mbembe citing Amos Tutuola’s The Palm-Wine Drinkard (197; Tutuola 12).
In response to Senay’s question, “Where have you been?” Okwe can only utter the one word, “Africa.” This moment of intertextuality with Conrad’s Heart of Darkness returns us to the “horror” of that earlier text, the heart of Western modernity. Africa here is conjured, outside of its own reality, as that throwaway imaginary space that is nonetheless essential for buoying up the security zones of the Western metropolis.

In his discussion of the architectural plans that inaugurated the security milieus of early modern France, Foucault details Rousseau’s oneiric geography for Nantes that tellingly collapses distinctions between spatial and embodied circulation. Rousseau’s design conceived the town’s boulevards and promenades in the “form of a heart.” As Foucault notes, the problem of circulation of people and goods could only be perfectly mapped on that “perfect agent” of circulation, the heart, “that ensures the circulation of blood” (Security 17).

In ancient models of sovereignty, sovereign power asserts itself through direct governance of death, identified by Foucault as the sovereign’s capacity to “take life.” During the modern period, sovereign power shifts from such direct imposition of the threat of death to more passive influence over life and death, the power to simply “let die,” by which authority makes itself known within modern democracies (History 135–41; “Society,” ch. 11).

The example Foucault gives is that of suicide.

Butler’s discussion of Levinas’s notion that the face of an other serves as the ethical call to admit the suffering of those who remain faceless is relevant here. See Butler, esp. ch. 5.

The milieu, as Foucault notes, is a notion that symbolically originates in biology with Lamarck and is adapted to the environments of the security state’s concern with circulation. In essence, it connotes the transformation of a natural archetype of organization into an artificial facade concerned with regulating the fields of action between bodies (Security 20–21). The milieu in this sense can be thought of as specifically designed to intervene in the manner in which whole populations interact.

Like their predecessors in the slave trade, contemporary organ traffickers profit from the commodification of human bodies. While slavery, coterminous with Enlightenment rationality, prof ered for sale the intact body, the current trade in organs can be read as a material manifestation of the fragmentation of postmodern and postcolonial subjectivity.

Like slavery, organ procurement takes place at the limits of personhood, in the space of the persistent paradox of both being human and not. The organ donor, and the slave, must be human to the extent that his or her body is available for use, yet the identification cannot be so complete as to endow the subject with a complete set of rights.

Butler considers bodily injury paramount to questions about political life and the ways in which permissible forms of “injurability” and “aggression” determine what we consider “normatively human.” Her argument that normative humanity depends on “what counts as a livable and grievable life” forms an important model for our own argument.
about recyclable humanity (xiv–xv). Butler articulates the limits of psychic discourses within the public realm, especially in their failure to mourn those whose lives remain unviable as the subjects of political life. See esp. ch. 2.

Aside from Brazil, Scheper-Hughes offers the example of South Africa as a new democracy in which “presumed consent” laws meant that any immediately unclaimed body could be mined for organs useful for scientific research and transplantations. Because most “donor” bodies were identified as belonging to poorer, racially black populations benefiting more affluent, white recipients, a rampant fear of government medical establishments came to dominate townships of color. So prevalent was this fear that the African National Congress was compelled to amend the second section of its Bill of Rights, which dealt with personal security, to extend greater protection of “bodily integrity” (“Theft” 9). As her argument makes all too clear, these issues of security and threat persist across an international division within the trade of human bodies that mirrors the international division of labor under transnationalism.

See also Scheper-Hughes, “Keeping.”

The assertion of life and liberty as “inalienable rights” in the Declaration of Independence for the North American colonies in 1776 makes liberty an integral aspect of the claims made in this founding document to “secure” the rights of subjects. In the context of the French Revolution, Article 1 of the Declaration of the Rights of Man and Citizen (1789) also asserts “freedom” as the basis on which all rights are subsequently articulated in this other founding document of liberal democracy.

“What in fact is racism?” Foucault asks. In response, he identifies racism as the catachresis contained within the security state’s guarantee of life: “It is primarily a way of introducing a break into the domain of life that is under power’s control: the break between what must live and what must die” (“Society” 254).

Here we mean to invoke the double meaning of representation as both “portrait” and “proxy” as outlined by Gayatri Spivak.

As Braidotti notes: “[T]he dismemberment of the body [. . .] has to do with the idea of visibility, with looking, and consequently with the gaze” (66), and so, in effect, with the disciplinary measures of surveillance.

In her reading of Dirty Pretty Things, Davis argues, “As they participate in the economy of self-commodification, Senay and Juliette also confront their particular objectification as poor women of color. Sexism aligns women with the body and breaks them down into parts that act as sexual fetishes—in other words, aside from a literal traffic in organs, they are already ‘organized’” (55–54). Drawing a connection between the borders of the nation and the borders of the feminized body, Davis suggests that “the film thus associates a sexualized concern about the boundaries of the body with a concern about immigration and national border crossing” (48).

The connection between rights and happiness, where rights are understood as the juridical means by which happiness is secured, emerges with modern political
rights discourse. See Richard Hey’s 1792 text.

While the debate surrounding the purchase of organs from living bodies deals squarely with the literal commodification of life, bioethicists such as John H. Evans and Robert M. Arnold have recently considered strategies for alleviating the shortage of organs by providing financial incentives to those who decide to donate the organs of a deceased family member.

For an extended debate surrounding human rights discourse, see Donnelly; Tony Evans; Ignatieff; and Mutua.

This is not to undermine the violently insurgent nature of the action that produces material results for Okwe and Senay. Rather, we are trying to rethink the terms of the binary that casts each of the characters in wholly relational terms.

Debates around various aspects of organ selling and giving have been a constituent feature of organ transplantation since its inception. In 2003 the Kennedy Institute of Ethics Journal devoted an issue to extended analyses advocating for and against the legalization of organ sales and the ethical demands of the gift (Organ Donation). Arguments from both sides focus on such issues as organ shortages, the viability of organ sale as a means of mitigating poverty, and the role of the state in regulating organ procurement.

Lock makes the point that violence is an inevitable by-product of the harvesting of organs: “My position is that violence, both visceral and structural, is unavoidable when performing transplant technologies, and that this violence has been largely masked to date by the powerful rhetoric associated with the ‘gift of life’” (275).

Notably, the legal consensus in the West regarding the nationalization of organ donor programs is based on the altruistic notion that organs are a national resource that in their donation signify a “gift of extraordinary magnitude” (World 462). See the Transplantation Society’s guidelines regarding commercialization of the donation process reprinted in the World Health Organization’s Legislative Responses to Organ Transplantation.

See Anderson.

For Derrida’s own discussion of the affective and political possibilities of friendship, see The Politics of Friendship. Here Derrida’s model of love functions as a promise rather than a gift, which extricates it from the terms of economy.

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