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War-like Violence:
Violating the Ontological Contract

Abstract

Examining the continuities and differences between war and war-like violence, focusing on the war like violence of racism and rape through the lens of Sartre’s ontology of “The Look”, Merleau-Ponty’s concept of a body schema, and Beauvoir’s analysis of women as “the sex”, I argue that war-like violence deploys the affect perceptions of shame, degradation, humiliation and disgust to violate the ontological contract of intersubjectivity and mutual vulnerability.

Keywords: racism, rape, vulnerability, affect-perceptions, the body

1. The Provocation of a Phrase

The phrase war-like violence is provocative. In suggesting that some forms of violence are like war while others are not it raises such questions as: What is the difference between war-violence and war-like violence? What ties them to each other? What distinguishes war-like violence from non-war-like violence? Does this distinction matter? Why?

At the most general level what distinguishes war-like violence from other forms of violence is that like the war-violence that violates the humanity of enemies by legitimating their murder, war-like violence degrades the humanity of its victims, not by murder (though this is often one of the effects of its ideology and practices) but by policies of internal exclusion (segregation, for example) and/or marginalization (the subordination of women for example). Like the violence of war, the machinery of war-like violence is state enabled. As a violence embedded in a peace time community, however, it is also activated less formally,
but no less effectively, in social, cultural and religious norms and practices (shunning, shaming, silencing, for example).

The targets of war-like violence are not external enemies who carry the threat of invasion. They are an integral part of a social order that depends on and is stabilized by their inferior status. Where war violence secures the social order by destroying those strangers who threaten it, war-like violence sustains an exploitative social order by degrading the humanity of familiar faces within its midst. This degradation is aimed at convincing those victimized by war-like violence that their sub-human status is legitimate and at assuring perpetuators of this violence that their policies are justified. The idea that de-legitimating the humanity of some for the "protection" of others is both justified and legitimate is one way to note the continuity between war and war-like violence.

Fleshing out these generalities, I examine the continuity between war and war-like violence through the historical work of Martin Shaw and the ontological reflections of Jean-Paul Sartre. Where Shaw's work indicates that war-like violence is a legacy of the degenerate and genocidal wars that characterize our times, Sartre provides the ontological resources both for understanding the meaning of this degeneration and for critiquing the politics of its war-like violence bequest. I bring Sartre's ontology to phenomenological life through Frantz Fanon's descriptions of living in a world structured by racist war-like violence\(^1\), and the War Crimes Tribunal Witness 1 France, Linda Alcoff's, Susan Brison's, Susan Brownmiller's, Louise Du Toit's and Susan Griffin's accounts of sexist war-like violence.\(^2\) Their testimonies deepen our understanding of this violence by showing how it operates and how its tactics undermine the humanity of those caught in its vice. Where the body of this paper uses historical, ontological and phenomenological resources to detail the distinctive ways war-like violence has operated in the past and continues to work in the present, its last section looks to its future. Noting that those victimized by war-like violence and their allies has shown that understanding its mechanisms is essential to jamming them, it asks about the enduring power of this jamming. Like everything else about the future, the section that closes this paper opens it to the undecidability of time.

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2. From Degenerate Wars to War-like Violence

Martin Shaw's account of the devolution of war from a form of violence governed by rules of military engagement to the degenerate and genocidal wars that characterize our times where violence is directed at a people for who they are, rather than at enemy armies for what they do or can do, provides one way of accounting for continuity and difference between war-time and war-like violence. According to Shaw, today's wars obliterate the traditional distinction between civilians and combatants. Wars of the past limited legitimate targets of violence to combatants, agents of enemy governments. Civilians, considered innocent by-standers, were not considered enemies. Attacking them violated the rules of war. In today's degenerate wars no one is innocent. There are, strictly speaking, no civilians. Anyone may be treated as an enemy. Military violence seeps into peoples' everyday lives. They are stalked by drones, their homes are invaded, they are stopped and searched at random. According to Shaw, the degeneration of war does not end here. As traditional wars became degenerate wars, degenerate wars became genocidal wars. The degenerate war denial of civilian innocence devolved into the genocidal war denial of a peoples' humanity.

In traditional and degenerate wars, violence is directed at military personnel and/or civilians because of what they do or can do – fire a grenade, throw a bomb. In genocidal wars it is not what a person does or could do that subjects them to attack, but rather their identity – their "who". The who of being Jewish. The who of being Bosnian-Muslim. The who of being Tutsi. The who of being Armenian. The difference between the "what a person does or could do" and their identity is crucial, for insofar as one's status as an enemy is defined by what one does or could do, it is transient; the violence can be limited and ended through peace treaties and other forms of reconciliation. Yesterday's enemy can become today's collaborator. Germany, the World War II enemy of the allied nations of Europe, is now a member of the European Union. Insofar as the who of a person defines them, however, nothing can limit the violence. Thus the principle of final solutions that characterize genocidal wars.

In genocidal wars, a person's who is aligned with their religious, ethnic and/or social markers. As so marked, certain groups of people are said to be a threat to the integrity of the body politic – a threat that must be destroyed. Like the violence of genocidal wars, the war-like violence of peace time worlds targets people for who they are. It does not, however, call

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for their destruction. As the principle of the "who" constitutes the continuity between genocidal wars and war-like violence, the separation of the principle of the "who" from the principle of annihilation marks the difference between them. In war-like violence it is not a matter of removing a group of people from the social body but of situating them within it as marginalized, stigmatized and humiliated so that they can be exploited for the profit of others – either the material profit of their labor or the psychological profit of securing the position of those who are not so marked as superior human beings. These profits, though distinct, are intertwined, for it is in their claim to be superior human beings that some people legitimate their right to undermine the humanity of others.

Lying at the heart of war-like violence, this declaration of human superiority is an assertion of absolute and invulnerable subjectivity. It is an attempt to escape the ontological condition of the human situation – a condition that embeds our subjectivity within an intersubjectivity marked by the risks of vulnerability. Those who claim the status of the absolute subject – a subjectivity that escapes the risks of intersubjectivity – are making an impossible ontological claim. They are attempting to re-write the ontological conditions of intersubjectivity by dividing humanity into two types of phantasmatic subjects, absolute subjects immune from the risks of intersubjectivity and vulnerable subjects, condemned to live these risks without appeal. The prevalence of racist and sexist materializations of these phantasmatic subjectivities show that the terms of the conditions of intersubjectivity can be existentially rewritten. Those who rebel against the existential corruption of these conditions show, however, that though the ontological conditions of intersubjectivity can be cracked they cannot be destroyed.

3. The Ontology of Intersubjectivity that Sets the Conditions of the Ontological Contract

Sartre's vignette *The Look*\(^4\) depicts the ontological conditions of intersubjectivity through an account of a park encounter where one person passes by another seated on a bench. By pointing to the role the body plays in this encounter it provides insights into the ways that the racialized and sexualized body becomes the target of war-like violence.

There is nothing about either person in this park scene that appears to be threatening. Yet a threat is present, for according to Sartre, the person on the bench simply by looking at the person walking by negates the walker's status as a subject. As looked at the walker becomes an object in the bench sitter's world – evicted from their place as a subject in a world of their making. This eviction is not, however, permanent. As described by Sartre, the Look inserts the walker and the bench sitter into an intersubjective, ongoing, and indecisive dialectic of vulnerability. By looking at the stroller in the park, the person sitting on the bench incorporates him into their world. By returning the Look the stroller inserts the bench sitter into their world. Because the person on the bench and the stroller engage in mutual thievery neither of their worlds are irrevocably destroyed. As vulnerable to each other's assertion of subjectivity, neither the bench sitter nor the stroller is permanently objectified by the other. Neither can rob the other of their subjectivity or eradicate their world forever. Neither can escape their vulnerability to the other's impending theft.

What will become significant in the racist and sexist war-like violence that upends the ontology of mutual vulnerability, is that by virtue of being a perceivable body each person in the park is at risk before the other. As set by The Look embodiment is the source of our intersubjective vulnerability.

The stroller in the park and the person on the bench are now subjects and then objects. They are neither one nor the other. They are both. This ambiguity sets the terms of the ontological contract that flows from the ontology of intersubjectivity, for insofar as we each can situate others as objects in our world we are obliged to remember that the objectified human being, unlike other objects before us, is also a subject who can objectify us. Guided by The Look, the subject emerges as a world constituting activity who, in living among other subjects, confronts the fact that the world they constitute is one among many world possibilities. War-like violence may be read as the power of the illusion of absolute subjectivity to convince a person and groups of people that those caught by their gaze are fated to be permanently objectified as bodies alienated from their world making capacities – the illusion that there is only one possible world and only one form of legitimate humanity. The power of this illusion may be read as a willful forgetfulness that disremembers the difference between perceivable human bodies and other perceived material objects.

As an ontological account of the human condition, Sartre's Look tells us that though as perceivable objects we seem to be like other material things, in fact we are not. The human body object is the only object that can undo our subjectivity. Ontologically, this danger, though unresolvable, is livable insofar as its dynamic of reversibility preserves the
humanity of the one who is objectified. What I am calling the ontological contract moves this "is" of our ontological condition to an existential "ought" that requires us to structure human worlds such that they preserve the humanity of objectifiable human bodies. This contract, in translating the ontological principles of intersubjectivity into existential obligations requires remembering that the difference between objects and objectifiable human beings concerns the dignity of the subject as a lived body whose vulnerability is part of its life blood.

Directed by the ontology of The Look, and the ontological contract it entails, I identify war-like violence with those policies and practices that, like the violence of war and especially the violence that characterizes the degenerate and genocidal wars of our times, violate the dialectic of subject-object ambiguity and intersubjective vulnerability. These institutions and practices, however different they seem, share this: they make it impossible to return The Look. This impossibility characterizes colonialist institutions that situate European Whites as absolute subjects who may legitimately situate Brown and Black bodies as permanent objects in their world. It is at work in the sexist ideologies that signify women as sexed body objects to be used in accordance with men's desire.

4. The War-Like Violence of the Racist Contract

Speaking ontologically, Sartre gives no existential account of the body of the person on the park bench or the person passing by. These are merely perceivable bodies whose only difference is that of being in the fluid place of a perceived or a perceiver – a difference that makes no difference insofar as one can, by returning the Look, become the other of the one who is looked at. Once Sartre's ontological bodies are figured as existential human bodies with their perceivably distinctive markers, their differences, caught up in the human environment of imagination, consciousness, desire and culture, begin to shape their perceptions. Differences of sex, race, ethnicity, for example, transform simply perceivable bodies into bodies that are affectively perceived as dangerous, disgusting and/or degraded. Once these bodily distinctions become triggers of emotionally charged affective perceptions, the Look-world of ontological mutual vulnerability disappears. It becomes an existential world where certain people are situated as subjects who look and others are permanently positioned as their objects. It becomes a world where violating the rules that distinguish those who have the right to look from those who do not can be deadly. In this world, Emmett Till, a fourteen year old Black boy in 1955 Mississippi will be lynched for looking at a White woman.
In this world Eric Garner in 2014 New York city and George Floyd in 2019 Minneapolis, will die in choke holds for attempting to flee The Look of a White police officer.

Frantz Fanon, a Black man living in the French Colony of Martinique was not murdered for being Black. He lived by remembering his place – a place where White colonists, institutionalizing their flight from the dialectic of mutual vulnerability, made it impossible for a colonized Black man to return the Look. As a Black body he became a looked at body frozen into an objectified existence. In this world, the Look looks quite different.

Where Sartre creates an imaginary park scene to describe the Look, Fanon describes an actual train scene where he accosted by the words of a little White boy. "Look mama a Negro. I'm frightened." Though now it is a matter of words, not stares, what is critical is that Fanon cannot return the gesture. The possibility of reclaiming his body as non-threatening is foreclosed. He cannot say to the boy, "There's nothing to fear."

The little boy who greets Fanon with "Mama see the Negro. I'm frightened" is sitting beside his mother. Like the rest of us, he learned how to perceive the differences of others in the early intimacies of family life. His mother's silent presence, or at least in Fanon's account we do not hear her saying that there is nothing to fear from the Negro, is a confirming in several respects: she approves of his fear; her White maternal body will protect him; he is safe so long as he remains near her ideologically. The little boy will grow up to be a White colonist man whose sense of absolute subjectivity is as intimately incorporated into his body as Fanon's place as an objectified body is incorporated into his. Here war-like violence takes the form of privilege. Material advantages hide its distortions of the oppressors' humanity. Noting their presence, my focus here is on Fanon, a speaking subject who, in belatedly defying being silenced by the boy's outburst, tells us how the boy's fear was inscribed in/on his body.

Fanon begins by describing how, long before his encounter on the train his body schema is overridden by a racial epidermal schema. As a body schema, Fanon exists in "a manner of expressing that my body is in and toward the world as a posture toward a certain task". As a body schema oriented to the task of smoking, it is a matter of the taken for

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granted gesture of removing a cigarette from a pack and lighting it with ease.7 In a racist world, this corporal schema, lived with ease and oriented toward his projects, such as wanting to smoke a cigarette is fragile. It is overrun by historical-racial forces.8 It crumbles under the weight of a racial epidermal schema that orients him to the projects of the White colonist.9

More than a substitution of projects is involved. His body's tactile navigation of the world is also, and perhaps more fundamentally, coopted by "the white man who had woven me out of a thousand details, anecdotes, stories."10 These stories will set the boundaries of his life and of others whose bodies are Black like his. "In America Negros are segregated. In South America Negros are whipped in the streets and Negro strikers are cut down by machine guns. In West Africa the Negro is an animal."11 In Martinique, Fanon is given back to himself as a bad, mean and ugly animal.12 Why is the little boy afraid? The animal will eat him up.13 As an animal among civilized people, he must be put in and stay in his place—the place of an animal among civilized people, caged.

Once Fanon "picks up the catch phrases strewn over the surface of things – nigger underwear smells of nigger [...]" he has "the Negro's sui generis odor" he knows that he will be kept in his place by disgust.14 The fear of getting too close to a mean, ugly animal is energized by an affect that throws White bodies into recoil in his presence. The recoil effect of disgust boomerangs. It returns to Fanon to contaminate him. The white disgust at his stinking body becomes his "Shame and self-contempt. Nausea."15 When Fanon describes himself as walled in, we need to feel the space within which he is confined as permeated by the repugnant smells that keep others away from him and make him nauseous to himself. They are disgusted by him. He is disgusting to himself.

7 Fanon, Black Skin White Masks, 11.
8 Ibid., 111.
10 Fanon, Black Skin White Masks, 111.
11 Ibid., 113.
12 Ibid.
13 Ibid. 114.
14 Ibid. 116, 129.
15 Ibid. 116.
This disgust neutralizes the fear that as an animal Fanon might attack those who set the boundaries of his life. It reveals that though a little White boy might be afraid that the animal would eat him up, a grown White man will experience the danger of the Black body differently. He will fear coming too close to the smell of a disgusting, repulsive body whose odor might stick to him.

Fanon is clear: what is at stake in confining him to a despicable body is his status as a person. While the bloody violence of racist regimes may make Black people afraid to return the Look, Fanon's self-disgust serves the war-like violence of racism by giving him back to himself as someone who has no right to Look. Yet Fanon writes. Racist disgust does not have the last word.

5. The War-like Violence of the Sexual Contract

Sartre gives us a park scene that sets the terms of the ontological contract. Fanon recounts a train scene where the racist contract upends these terms. Witness 1 (a woman named "France"), testifying at the International Tribunal on Crimes Against Women, accosts us with a rape scene that depicts the war-like violence violation of the sexual contract. She tells the Tribunal, "the look in his eyes completely negated my existence as a human being. I was no longer a person I was only an object, his object."16

Her rapist's look is neither the look of a mere perceiver nor that of a frightened little boy. It is a look that exposes the possibilities of aggression inherent in the position of the perceiver and the threat embedded in the little boy's fear. This rapist's look, like the racist colonist look, is the look of the absolute subject. Both invoke the power of their fantasy subjectivity to evict others from their humanity. As often as not the racist, colonialist, and sexist looks collide and fortify each other. Though similar in their de-humanizing intent, however, they deploy distinct tactics. Tracking their differences gives us a way of seeing where and how they intersect and of undermining the exploitation of the intersectionality of lived bodies that are never just a sex or a race but are always sexed and raced among other things.

Simone de Beauvoir's *The Second Sex*, in identifying the terms of the sexual contract, reveals the role Witness 1 France's rapist and others like him play in enforcing it.

Beauvoir opens *The Second Sex* with a question: "What is a woman?" Though none of the proposed answers satisfy her, she finds one derogatory expression notable. Women are called the sex.\(^{17}\) Identifying women as the sex is a particularly apt short-hand for the war-like violence that defines the sexual contract. It captures the fact that a woman's sex will objectify her as a perceivable body whose existence as a perceiving subject is erased. Where Fanon's corporeal schema was overridden by a racial schema that foreclosed the possibility of returning the Look, here the dialectic of intersubjectivity is corrupted by the sexual difference where a woman's corporeal body schema disappears in her designation as the sex.

Beauvoir's detailed analysis of how a person born female becomes the sex, provides the long-hand, philosophically packed version of the sexist truth captured by this epithet. Deploying the concepts of the other, the inessential other, and the subject, Beauvoir describes how woman as the sex is not positioned as an Other who carries the threat of becoming a subject, but as an inessential other, the one whose potential subjectivity is defanged.\(^{18}\)

One cannot imagine a scene where a little boy would say to his mother, "Look ma-ma, a woman. I'm afraid." Its laughable message is clear. There is nothing to fear from an inessential other. Women, unlike enemy or racialized men others, pose no threat to the social order. They are the weaker sex, the second sex, the sex whose nature directs them to accept their subordination to the stronger, first sex, man.

In accepting herself as the inessential other a woman will be validated as an honored member of her community. An ironic, diabolical bargain is struck. Accept your subordination as an inessential other and receive in exchange the recognition that your sexed birthing body is essential to your community's future and that your gendered caring body is essential to its current wellbeing. You will be revered as the sex that, though powerless, holds the social order together.

The nursery rhyme "Peter, Peter pumpkin eater had a wife but could not keep her. Put her in a pumpkin shell and there he kept her very well" exposes the violence that sustains this bargain. Kept in a pumpkin shell by a pumpkin eating husband, the fear of being eaten guarantees her fidelity as his wife. Here the designation of woman as the inessential

\(^{18}\) Cf. ibid., 6.
othered sex is institutionalized in marriages that are defined by the submission of a wife to her husband.

In a patriarchal world inhabited by men who are not pumpkin eaters the violence that defines women as the inessential othered sex and sustains the sexual contract is rape.\textsuperscript{19} As epidemic, there is nothing hidden about this violence. That it is a necessary part of the patriarchal order indicates that like the pumpkin eater's wife, not all women will be seduced by the idea that there is something honorable in being subjected to the rule of men. Not all women will accept being defined as sexed bodies who, as the sex, have no right to claim their right as a subject to Look. For these women and women who might be tempted to entertain such thoughts, rape, the violence that objectifies women as the sex, will make it clear that the price of refusing the patriarchal bargain that honors them as the sex, will be their humiliation and degradation as the sex.

Witness 1 France describes her denigration in terms of the devasting look of her rapist. This Look, however, needs to be distinguished from the Look in Sartre's park scene. The distance between the bench sitter and the walker is closed. It is not just the rapist's eyes that objectify Witness 1 France. It is his body on/in hers that robs her of her right to be in a world of her making. Whether she sees him looking at her or whether he blindfolds her, it is his body entering hers, that makes her into the sex that can and will be used as a thing.

Where Witness 1 France speaks of her rape as transforming her into an object body, Susan Brison speaks of her rape as transforming her body into an enemy body.\textsuperscript{20} For her, it was not a matter of being objectified, but of becoming an intensely vulnerable body whose vulnerability makes it an enemy to herself. This enemy body poses no danger to others. It only threatens her. Louise de Toit describes the body transformed by rape into an enemy body as treacherous. She writes, "For the duration of the rape, the body with its pain and humiliation, and the body as a thing causing that suffering becomes the victim's only experience of herself…With trauma enhanced clarity a new despicable treacherous version of herself is burned into her consciousness."\textsuperscript{21} Here the thing body is not just an object. It is a despicable, treacherous object. That this experience of herself as contemptable is not an accidental effect

\textsuperscript{19} For a detailed discussion of how as the sex women bodies are signified as rapeable see D. Bergoffen, "Why Rape? Lessons from The Second Sex", in: A Companion to Simone de Beauvoir, ed. L. Hengehold, & N. Bauer, New Jersey 2017, 311–324.
\textsuperscript{20} Brison, Aftermath, 44.
\textsuperscript{21} Du Toit, A Philosophical Investigation of Rape, 85.
of rape but is one of its intended consequences is evidenced by the fact that rape is often accompanied by gratuitous acts of defilement aimed at degrading the woman as dirty and disgusting to herself.\textsuperscript{22}

Linda Alcoff attributes this degradation to the repulsiveness of the intrusive and unwanted touch. This touch alters her subjectivity. Saying this, she stops us from thinking of rape exclusively as an affair of sex organs and of slipping into the trap of mind-body dualism. One's subjectivity is lived with/in one's body. What happens to my body happens to me. In the same way that understanding the effects of rape requires us to note the intertwining of the subject and the body, it also confronts us with the way that rape is situated within a culture that enables and legitimates it. Rape, an attack on a woman's subjectively infused body though profoundly intimate is neither particularly personal nor spontaneous, it is structural and institutional. Susan Griffin makes this clear when distinguishing rape from robbery. She finds that though in both one is forced and injured, in rape, "[…] the very odor of the body of the rapist, his gestures of brutality, the menace of his threats echo back into centuries of debasement […]."\textsuperscript{23}

Using the words treacherous, despicable, dirty, disgusting, repulsive, these descriptions of rape's transformation of women's relationship to their bodies echo Fanon's experience of his body schema being overridden by a racial schema that makes him repugnant to others and offensive to himself. This echo is not accidental. It speaks to the fact that as Sartre's perceivable bodies need to be materialized through the differences that characterize human bodies, his neutral perceptions need to be existentialized in the affectively saturated perceptions of war-like violence.

The affect perception of the Black body as repugnant is as immediate as the perception of pain in the hand on the hot stove. It infiltrates the Black body and lines the nostrils of the White colonist. More powerful than arguments against the humanity of the Black body, these affect disgust perceptions are visceral testaments to its racial inferiority. Fanon, in quoting some of the racists' words gives us a sense of how the disgust that energized their racism infiltrated him. Witness 1 France, Alcoff, Brison, Brownmiller, Du Toit, and Griffin tell us what disgust does to them. They do not say how or if it operates in the rapist. We can surmise from Witness 1 France that the rapist perceived her as an object, but what sort of object he perceived her to be is left unsaid. From what Witness 1 France and the other women do say,

\textsuperscript{22} Brownmiller, \textit{Against Our Will}, 215, 281.
\textsuperscript{23} Griffin, \textit{Rape}, 43.
however, we know that rape does its degrading work by turning the perceivability of their bodies into affect perceptions of themselves as disgusting. The odor of the rapist's body, the repulsiveness of his unwanted touch sears itself into her with intense immediacy. Whether her self disgust is expressed as an experience of an objectified body, an intensely vulnerable body, or a treacherous body, the raped woman's disgust is not an argument that legitimates her designation as the sex, it is an irrefutable experience of her degradation as the sex.

Yet women are refuting it. They are refusing to be undone by the disgust impact of rape. They are rejecting their designation as the sex—the vulnerable inessential other who absolves men, the invulnerable subject, of the risks and obligations of intersubjectivity. In speaking out, they speak to the fact that though the terms of the ontological contract can be fractured they cannot be destroyed.

6. The Future of War-like Violence

Those broken by war-like violence do not always break. They act up. They speak out. They rebel. They resist. They generate what John Lewis called, "Good Trouble". They do not give their humiliated humanity the last word. Speaking for the ontological contract that sets the terms of existential justice they refute the flight from vulnerability that creates the fantasy of the absolute subject and the realities of its attendant war-like violence. They return vulnerability to its place in the dialectic of intersubjectivity. Accepting its risks, they do not allow the equation vulnerability = victimization to take hold.

Deciphering the mechanisms of war-like violence to better understand its impacts and effects, the question concerns its future. Can understanding the machinery of racist and sexist war-like violence lead to its dismantling? The stories of those who have endured this violence and resisted it, show us that the machinery can be jammed. They do not, and cannot, tell us whether it will be jammed. The history, ontology and phenomenology of war-like violence, in fleshing out its meanings, tells us this: whether or not war-like violence becomes the matrix of our lives will depend on whether our commitment to accept the risks of vulnerability inscribed in the ontological contract – risks that in ensuring the humanity of others, guarantees ours as well – can outmaneuver the desires to flee them.

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