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Racial Profiling and the Taboo of ‘Race’

Noémi Michel

On 7 November 2016, Mohamed Wa Baile and about sixty persons who supported him stood in front of the District Court in Zurich. A little more than a year previously, after enduring for the umpteenth time being stopped and checked, Wa Baile refused to show his ID card. When he then received a fine of 100 Swiss francs for not following official orders, he decided to appeal against this in collaboration with activists. After a first hearing in the city judicial office of Zurich, Wa Baile and his group of supporters decided to go ahead with the appeal, in order to confront the Swiss legal and police system with the problem of racial profiling. For this reason, Wa Baile had to appear in the District Court.¹ He came with his face painted white, and made the following statement to his supporters and the media:

‘I am not sure that I can leave the house, go shopping or come here without being stopped for an ID check. That is why I have made use of white privileges today. [...] It is not only my day. It is a day for *all Black people and all people of North African or Arab origin*.² It is a day for all people who protest against racist checks. It is important to me that you do not see me as a victim. I am not a victim, but – to make this clear, too – neither am I a hero. I am a normal citizen who fights for his rights, who has had enough of these racist checks. I want to live in Switzerland and go out with my children, like all *white people*, without being irritated or annoyed if I forget my passport. I want to be annoyed when I forget my mobile phone, like white people. Thank you [...]. I have to wash off the make-up. I need the colour of my skin again to go inside [the court building].’³

1 For a full report on the matter and on the various legal steps in the ‘Wa Baile case’, cf. [humanrights.ch](https://www.humanrights.ch): Rassistisches Profiling: Bundesgericht bestätigt Urteil im Fall ‘Wa Baile’. Update 12.9.2018, in [humanrights.ch](https://www.humanrights.ch), <https://bit.ly/2hFpTE7> (viewed on 5.1.2019). – Although the appeal was rejected, the mobilisation of the activists against the fine enabled what has so far been one of the most important public discussions of racial profiling in Switzerland.

2 Where italics are used for emphasis in this chapter, the italics are the author’s.

3 Address by Mohamed Wa Baile, recorded on video by Elisa Banfi, transcription by the author.

After this statement, Wa Baile and about fifty supporters – including myself – entered the courtroom. Many of us were people of colour.⁴ At the start of the proceedings the judge, a white man, repeatedly asked us to be quiet: 'Because there are many people here today, please behave calmly and quietly so that we can carry out these proceedings.' – 'Thank you for the fact that this has gone off so quietly. That was very pleasant,' he said, before we left the court for the official procedure of arriving at a verdict. 'I hope it will remain quiet and peaceful in the court [...],' he said before announcing the verdict, which found Wa Baile guilty. 'I remain very pleased that it is quiet here in the court,' he said once again after explaining why he had found Wa Baile guilty. 'You are protesting against the discrimination of people with your skin colour... Continue to protest, [...] but when you do so, continue to do it *peacefully*, as you have today. [...] Trust the rule of law. *Everyone is equal before the law*. Don't laugh [...],' said the judge finally, after announcing his verdict. 'Thank you once again for your attention and for the quietness,' he concluded. We left the court. A few months later, following an appeal to the Zurich High Court, the verdict was confirmed by the Federal Court.⁵

Wa Baile's public statement and his trial exemplify scenes of public discussion on racial profiling. Such scenes remain rare in Switzerland.⁶ The term 'racial profiling' originated in the USA. In wider public circles in Switzerland this term is not well known and is hardly used by

institutional practitioners and researchers who are interested in racism. The Alliance Against Racial Profiling, a network of organisations and individuals, founded during the mobilisation for Mohamed Wa Baile, associates racial profiling with 'all forms of police action that take place against groups of persons because of their external appearance as "foreigners", their nationality or presumed belonging to a religion'.⁷ In order to make this fairly broad definition more specific, the Alliance presents a video with the voices of persons who vary in age, gender, residency status and linguistic origin. What they have in common is that they are marked by racial difference, and have experienced checks and arrests that they describe as racist and unjustified.

The experiential knowledge featured in the film allows me to shed light on several constitutive dimensions of racial profiling. The latter usually takes the form of an ID check in spaces devoted to mobility such as stations, trains and highways. It is characterised by repetition: all participants in the film explain that they have often been stopped for checks and that this experience contrasts strongly with that of white people in their circles, who have experienced no checks or very few. Racial profiling is also caused by and reproduces the association of non-white bodies with suspicion of crime, i.e. illegal practices or unauthorised presence – as signified by the recurring question 'What are you doing here?', asked by the officials doing the checks. These repeated checks impede everyday life and mobility: they cause delays, subject the affected persons to verbal violence, threats with weapons and even the exposure of their bodies. Finally, racial profiling produces a strong feeling of not belonging, or even of being illegitimate in Switzerland: 'Am I Swiss if I affirm the values of this country, or am I Swiss if I am white?', a person in the film asks.⁸

The legal and political struggle⁹ of the Alliance is influenced by *critical race theory*: it values the experiential knowledge of persons who are directly affected by racism and calls for the importance of racial profiling to be seen not primarily in the prejudices and intentions

4 Due to the unusually large number of people who were mobilised for the trial, it took place in the largest courtroom of the District Court, with fifty seats. One aim of the procedure of Wa Baile and the Alliance Against Racial Profiling was to collect the views of persons marked by racism, to make them visible and to amplify them. For this reason persons of colour and the trial observation group had priority in attending the trial. As a person who is marked by racial difference and as a member of the European Race and Imagery Foundation (ERIF) and at that time also of the Collectif Afro-Swiss (CAS), two organisations that supported this mobilisation, I was therefore one of the firsts to enter the courtroom.

5 For written documentation of the trial, cf. Prozessbeobachtungsgruppe (trial observation group): trial report of 7 November 2016. For the entire documentation of the various legal phases that preceded and followed the public hearing and to which this chapter refers, cf. humanrights.ch, update 12.9.2018.

6 It should be emphasised that the public discussion of racial profiling is increasing, thanks to the mobilisation of persons who are directly affected by it. In this regard, see the legal battle of Wilson A. and his supporters, which will soon have lasted a decade (cf. humanrights.ch: Wilson A. – eine langjährige Auseinandersetzung mit institutionellem Rassismus. Update 27.4.2018, in humanrights.ch, <https://bit.ly/2JjDFsl> (accessed on 5.1.2019)) and the important mobilisations against a violent attack on a Black man jogging in Lausanne and after the deaths of Hervé Madundu, Lamin Fatty and Mike Ben Peter during police interventions in Waadt Canton. Cf. in this respect the press releases of the Collectif À qui le tour (<https://fr-fr.facebook.com/aquiletouroff>), the Collectif R (www.desobeissons.ch), the Collectif Jean Dutoit (<https://collectifjeandutoit.wordpress.com>) and an article in summary on humanrights.ch: Verdacht auf Polizeigewalt in der Waadt: Behörden müssen handeln. Update 4.5.2018, in humanrights.ch, <https://bit.ly/2HRYOES> (accessed on 5.1.2019). See finally, the historical mobilisations that took place in spring and summer 2020 against racist police violence and in defense of Black lives, in several cities of Switzerland.

7 Cf. stop-racial-profiling.ch.

8 The film can be seen on stop-racial-profiling.ch (accessed on 1.1.2019).

9 Cf. here 'Ethnographischer Bericht zum Prozess gegen Mohamed Wa Baile' by Rohit Jain and 'Mit Recht gegen Rassismus im Recht. Rechtsverfahren als Mittel des Widerstands' by Tarek Naguib. In: Wa Baile, Mohamed, Serena O. Dankwa, Tarek Naguib, Patricia Purtschert & Sarah Schilliger (eds.) 2019. *Racial Profiling. Struktureller Rassismus und antirassistischer Widerstand*. Bielefeld: Transcript.

of the police agents, but as an institutional practice linked to the long history of racist repression in Switzerland and in the West.¹⁰ If we acknowledge that racial profiling is linked to structural racism in Switzerland, then we need to examine this link more closely. How do the operation and effects of racial profiling interact with the wider regime that dictates the reproduction of race and racism in contemporary Switzerland?

I propose to characterise this wider regime with the term ‘racelessness’, a concept developed by the philosopher David Theo Goldberg. According to him, since the end of the Second World War, Western Europe has been marked by a shared and continually renewed desire to regard race and racism as having evaporated.¹¹ Although race is tabooed, it is still effective, i.e. it still generates social meaning and hierarchisation.¹² Recent research has examined the operation and effects of this taboo in the legal and socio-political context of Switzerland.¹³ Scholars have shown that the tabooing of race affects institutional spaces, public debates and interpersonal relations and makes an effective fight against racism more difficult. However, none of them has examined the connections between racelessness à la Suisse, racial profiling and the ways the latter is publicly

discussed. How does racial profiling inform the regime of *racelessness à la Suisse*? How, in turn, does racelessness facilitate the persistence of racial profiling? Can public discussion of racial profiling by means of demonstrations, legal debates and actions contribute to revealing racelessness and its racist effects? I address these questions by combining critical literature concerned with racelessness with an analysis of several scenes of racial profiling and its discussion retrieved from Wa Baile’s court case and from the video of the Alliance Against Racial Profiling.¹⁴

Firstly, I analyse the verbal, visual and affective mechanisms by which racelessness operates, and identify the specifics of racelessness à la Suisse. Secondly, I show how practices of racial profiling and the regime of racelessness mutually reinforce each other, as their interaction follows the logic of a vicious circle. Finally, I demonstrate that the public performance devised by Wa Baile and his supporters as a prelude to their entry into the court offers avenues for sketching strategies that could break this vicious circle.

Racelessness:
‘You don’t speak about race,
but you show it’

Racelessness is a regime, hegemonic in western European contexts, that prescribes how one can refer to race verbally and in writing, visually and affectively. It is a *politics of authorising and simultaneously repressing*: it permits certain ways of signifying race while preventing others.¹⁵ To make this complex politics clear, I first examine what racelessness permits or prohibits to be said, and in a second step what it permits or prohibits to be *shown*.

The desire for race to evaporate manifests itself in a strong verbal taboo, a shared feeling that recourse to racialised vocabulary is undesirable. This taboo comprehends racist insults, speech and symbols of hate that have been legally prohibited for decades in most western European contexts.¹⁶ However, the taboo is not restricted

- 10 ‘Critical race theory insists on the recognition of the experiential knowledge of people of color and our communities of origin in analyzing law and society. This knowledge is gained from critical reflection on the lived experience of racism and from critical reflection upon active political practice toward the elimination of racism.’ Matsuda, Mari J., Charles R. Lawrence III, Richard Delgado & Kimberlé W. Crenshaw (eds.) 1993. *Words that Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*. New York: Routledge, 6. Cf. also Möschel, Mathias 2011. ‘Race in mainland European legal analysis: towards a European critical race theory’. In: *Ethnic and Racial Studies*, 34 (10), 1648–1664.
- 11 Goldberg, David Theo 2009. *The Threat of Race: Reflections on Racial Neoliberalism*. Malden/Oxford/Victoria: Wiley-Blackwell, 152.
- 12 Goldberg 2009 a (cf. footnote 11); El-Tayeb, Fatima 2011. *European Others. Queering ethnicity in postnational Europe*. Minneapolis: University of Minnesota Press. – Goldberg and El-Tayeb use the expression ‘taboo’ for that which must stay in the realm of the unspoken and the repressed. Here neither refers to the racial and colonial history of the term. Originating in the Tongan expression ‘taboo’ it was introduced into the English language in the late eighteenth century with Captain Cook. This term was employed in anthropological writings for so-called ‘primitive’ societies. By using it in their analysis for the European context, it seems to me that both authors are engaging in a critical undertaking of the ‘provincialisation of Europe’. I would like to thank Patricia Purtschert, who drew the genealogy of the term ‘taboo’ to my attention.
- 13 Purtschert, Patricia, Barbara Lüthi & Francesca Falk (eds.) 2012. *Postkoloniale Schweiz: Formen und Folgen eines Kolonialismus ohne Kolonien*. Bielefeld: Transcript; Michel, Noémi 2015. ‘Sheepology: The Postcolonial Politics of Raceless Racism in Switzerland’. In: *Postcolonial Studies*, 18 (4), 410–426; Lavanchy, Anne 2015. ‘Glimpses into the Hearts of Whiteness. Institutions of Intimacy and the Desirable National’. In: Purtschert, Patricia & Harald Fischer-Tiné (eds.) 2015. *Colonial Switzerland: Rethinking Colonialism from the Margins*. Basingstoke: Palgrave Macmillan, 278–295; Boulila, Stefanie Claudine 2018. ‘Race and racial denial in Switzerland’. In: *Ethnic and Racial Studies*, 1–18; Naguib, Tarek 2016. ‘Mit Recht gegen Rassismus. Kritische Überlegungen zum Verhältnis von Recht und Antirassismus am Beispiel der schweizerischen Strafnorm zur Rassendiskriminierung’. In: *movements. Journal for Critical Migration and Border Regime Studies* 2 (1), <https://bit.ly/2CR6A6C> (accessed on 5.1.2019).

- 14 I have reconstructed these scenes on the basis of my personal notes of the trial and the comprehensive documentation made available by the Alliance Against Racial Profiling and humanrights.ch.
- 15 Goldberg 2009 a (cf. footnote 11); El-Tayeb 2011 (cf. footnote 12); Lentin, Alana 2011. ‘What Happens to Anti-Racism When We Are Post Race?’. In: *Feminist Legal Studies*, 19 (2), 159–168; Michel 2015 (cf. footnote 13).
- 16 Cf. Grigolo, Michele, Costanza Hermanin & Mathias Möschel 2011. ‘Introduction: how does race “count” in fighting discrimination in Europe?’. In: *Ethnic and Racial Studies*, 34 (10), 1635–1647;

only to violent discourse, but also prohibits the use of an explicitly racialised vocabulary that individuals or institutions would like to use in order to criticise racism, i.e. to describe racism and to combat it.¹⁷ Racelessness leads to discomfort or rejection when people describe themselves or others as 'black' or 'white'. The taboo can even go so far that those who make use of racialised vocabulary to fight racism are themselves sanctioned.¹⁸ By prohibiting the spoken and written use of racial categories, racelessness forces individuals and institutions to employ a vague, coded or metonymic vocabulary in order to point out realities that are informed by racialised power relations. In this way, expressions such as 'foreigners', 'people with a migrant background' or 'diversity' are preferred over more explicit expressions such as 'people of colour' or 'black minority'. The taboo also has the effect that racism is expressed less explicitly and more indirectly. The differentiation and hierarchisation of people on account of putatively endogenous attributes operates largely through metonymic expressions such as 'cultural difference' or 'different way of life'. Such expressions operate through an implicit association with racial difference, without employing explicitly biologising categories.¹⁹

The desire for race to evaporate from the realm of the speakable manifests itself through numerous mechanisms that minimise and relativise the relevance of race within the socio-political and geographical contexts put under discussion. One of the most commonly used mechanisms refers to what I call spatio-temporal externalisation. Through such a mechanism, racism and race are displaced to other spaces. In Switzerland, for example, one often hears comments such as

'racism especially relates to the USA and the banlieues in France'.²⁰ In parallel to this spatial externalisation, race and racism are often also transferred to other periods, to a past that only remains in the actions and utterances of elderly persons.²¹

The privatising of actions and statements constitutes a further logic that relativises race. Such privatising takes place when a racist incident occurs, is recognised as such, but is immediately reduced to the single action of an individual or group, assessed as 'ignorant' or 'stupid'.²² Furthermore, privatising also informs dominant ways people receive and respond to narratives of racism. Privatising occurs for instance when someone testifies about having suffered a disadvantage through racism, but sees the origin of their suffering immediately reduced to their subjective (and therefore private) feelings. This takes place through statements such as 'You are too sensitive', 'Don't be paranoid' or 'My black friend doesn't have problems with that'.²³ In sum, through the constant repetition of mechanisms of relativisation, race and racism are assigned a location outside social and normal 'democratic' everyday life; race and racism are connected to exceptions, bursting in through agents who are themselves regarded as out of the ordinary, for example neo-Nazis or mad persons.²⁴

The desire for 'race' to evaporate suppresses explicit references to race on the level of what can be said, but not on the level of what can be shown. As Fatima El-Tayeb emphasises, racialised visual codes, i.e. codes that associate not being white with not being European, have never

Möschel 2011 (cf. footnote 10). For the Swiss context cf. Naguib 2016 (cf. footnote 13); Zannol, Fabienne 2007. *L'application de la norme pénale contre la discrimination raciale. Une analyse des arrêts relatifs à l'article 261bis CP (de 1995 à 2004)*. Bern: EKR/CFR; Michel, Noémi 2013. 'Equality and Postcolonial Claims of Discursive Injury'. In: *Swiss Political Science Review*, 19 (4), 447–471.

17 Goldberg, David Theo 2009. 'Precipitating Evaporation (On Racial Europeanization)'. In: Goldberg 2009 a (cf. footnote 11).

18 I have revealed this logic in particular in my research on the controversy surrounding the 'Schäffchenplakat' ('sheep poster'). The poster was created for the initiative for 'automatic expulsion' of criminal foreigners. In the context of this debate, the supporters of the SVP regularly attacked racial minorities that criticised the 'racism' of the posters. They were accused of being racist themselves by referring to race. Cf. Michel, Noémi 2014. *Quand les mots et les images blessent: postcolonialité, égalité et politique des actes de discours en Suisse et en France*, doctoral thesis. Geneva: Univ. Genève.

19 On the emergence of what theoreticians of race and racism term 'neo-racism' or 'cultural racism', cf. Balibar, Étienne & Immanuel Wallerstein 1990. *Rasse, Klasse, Nation*. Hamburg: Argument Verlag; Solomos, John & Les Back 1996. 'Race, racism and popular culture'. In: *Racism and society*, Houndmills: Macmillan Press, 156–201; Michel, Noémi & Manuela Honegger 2010. 'Thinking Whiteness in French and Swiss Cyberspaces'. In: *Social Politics*, 17 (4), 423–449.

20 Regarding the spatio-temporal externalisation of 'race' in Switzerland, cf. in particular Purtschert, Patricia 2011. 'Chewing on Post-colonial Switzerland: Redigesting What Has Not Yet Been Swallowed, Part I, II and III'. In: Thal, Andrea (ed.). *Chewing the Scenery*. Zurich: Edition Fink, 95–100; 121–126; 149–154.

21 When for example in 2011 the well-known perfumer Jean-Paul Guerlain made a comment on the laziness of 'n*', many commentators condemned his comment by locating the word in 'the past'. For this controversy cf. Michel 2013 (cf. footnote 16).

22 Goldberg 2009 b (cf. footnote 17); Lentin, Alana 2016. 'Racism in public or public racism: doing anti-racism in "post-racial" times'. In: *Ethnic and Racial Studies*, 39 (1), 33–48.

23 For an analysis of how discourses about emotions create or conversely exclude collectivity, cf. S. Ahmed: *The Cultural Politics of Emotions*.

24 As Goldberg emphasises (Goldberg 2009 b, cf. footnote 17, 180–181), 'exceptional racism' is associated with groups that are themselves regarded as dangerous or marginal, for example neo-Nazis: 'Racism [...] is taken as the exception in European societies, the expression solely of the "far right", loony extremists, individual or collective, such as the various forms of "national front" or neo-Nazi groups waxing and waning across the continent to the tune of foreign presence and perceived local problems. Exceptional racism reinforces the status quo of exonerated, guiltless institutional forms and responsible individuals more silently and invisibly structuring European societies at large. Following an intersectional perspective, it can also be noted that this logic of the containment of racism pertains to class stereotypes and focuses only on those who are less educated, are marginalised or regarded as crazy nationalists.

ceased to be produced and circulate on the continent.²⁵ Public spaces are permeated by images that re-anchor a racial border: a border between those whose physical attributes point to a putatively natural 'Europeanness' or to 'European roots', and the 'others', whose bodies are read as different due to a series of attributes such as skin colour, facial features and musculature, but also to presumed ways of behaving and living.²⁶ When advertising campaigns for charities show Black children against a backdrop of barren landscape, in order to collect donations, they create a border and hierarchy between the space of 'Europe' and the spaces of the 'others'.²⁷ The same applies to children's books that show stereotyped images of 'Africans' and 'Europeans'.²⁸ When white people practice blackface, i.e. when they paint their faces brown and wear Afro wigs in the Christmas season or at Carnival, they appropriate racialised physical attributes to transgress and thus to stabilise their whiteness.²⁹ This transgression is legible and understandable even for children, as from their childhood onwards they learn to read such attributes as skin colour or hair texture as markers of difference and racial hierarchy. Race informs the construction of our 'eye', which reads through a racial grid and carries out grouping as it sees, classifies and hierarchises 'types' or groups of people.³⁰

When it *shows* itself, race makes itself understood. However, the authors of racialised visual representations do not usually recognise the racial dimension of their visual objects or performances. Confronted with accusations of racism, they defend themselves through a *discourse of denial or innocence*, as the following,

repeatedly uttered statements exemplify: 'This poster has nothing to do with race' in a case of racist advertising; 'It is a festive practice, and I have no intention of being racist' and 'That's ridiculous – stop seeing racism everywhere' in cases of blackfacing; or 'I see no colour – there is only a human race' in cases of accusations of racial discrimination. Racelessness here rests on a paradoxical articulation between what can be said and what can be shown: race easily shows and makes itself understood on a visual level, but on the verbal and textual level, this intelligibility is immediately denied by expressions that claim never to have seen or shown race.³¹ In sum, racelessness operates through a complex conjunction of visual and verbal codes that make race evaporate but at the same time – and here lies the paradox – obstinately make it remain, both as a source of social meaning and in its racist effects.³²

Although racelessness characterises the entire European continent, the forms that it takes vary across contexts.³³ In the context of former colonial empires such as France, Belgium or the Netherlands, a total negation of race is not possible. Such contexts give scope for more mechanisms of spatio-temporal externalisation, such as 'Race was in the past, we have gone beyond that' or 'Racism mainly existed in our colonial territories, but here we have always had democracy'³⁴. As Switzerland formally possessed no colonies, a form of colonial amnesia is prevalent there that resembles a black hole more than a form of repression or selective memory. Switzerland tends to see itself as a place *in which 'race' has no history*: 'In Switzerland, it can be concluded, there is a gaping "void" where questions of racism, its colonial genealogy and its societal consequences are concerned.'³⁵ Switzerland regards itself as an exceptional entity that has been able, thanks to an active politics of neutral-

25 El-Tayeb 2011 (cf. footnote 12), xxiv.

26 Cf. Hall, Stuart 1995. 'The Whites of Their Eyes: Racist ideologies and the Media'. In: Dines, Gail & Jean M. Humez (eds.) 1995. *Gender, Race and Class in Media: a Text-Reader*. Thousand Oaks, London/ New Delhi: Sage Publications, 18–22.

27 Cf. e.g. Mason, Corinne Lysandra 2016. 'Tinder and humanitarian hook-ups: the erotics of social media racism'. In: *Feminist Media Studies*, 16 (5), 822–837.

28 These stereotypes are perpetuated via the representations of persons, but also through images of animals. The latter is described by Darren Chetty as 'allegories of race' (Chetty, Darren 2017. 'The Elephant in the Room'. In: Lin, Ching-Ching & Lavina Sequeira (eds.) 2017. *Inclusion, Diversity, and Intercultural Dialogue in Young People's Philosophical Inquiry*. Rotterdam: Sense Publishers, 39–54). In respect of racialised codes in Swiss children's books, cf. Purtschert, Patricia "'De Schorsch Gaggo reist uf Afrika". Postkoloniale Konstellationen und diskursive Verschiebungen in Schweizer Kindergeschichten'. In: Purtschert, Lüthi & Falk 2012 (cf. footnote 13), 89–116.

29 On this, cf. the special issue of *darkmatter Journal*: Parnell-Berry, Bel & Noémi Michel (eds.) 2020. 'Editorial: (De-)facing the dark face of Europe. The ongoing struggle against blackface and anti-Black racist imagery'.

30 Insistence on the historical and socio-political constitution of the 'eye' was theorised in particular by Frantz Fanon (Fanon, Frantz 1952. *Peau noire, masques blancs*. Paris: Éditions du Seuil) and was taken up again primarily by Stuart Hall (Hall 1995, cf. footnote 26).

31 El-Tayeb 2011 (cf. footnote 12), xxiv; Michel 2015 (cf. footnote 13). The literature devoted to racelessness and new racism often characterises such expressions with the adjective 'colour blind'. In accordance with the publishers' wishes not to perpetuate any ableistic expressions, I avoid this term in the main text (see last page).

32 In order to make visible this logic of expunging and persistence, Goldberg uses the metaphor of 'vapour' or of 'evaporation' to speak of the status of 'race' in Europe. This metaphor also refers to the necropolitics of the Shoah and the gas chambers, the trauma of which, according to Goldberg, intensifies the taboo of 'race'. Although this metaphor appears heuristic, I find it sensitive because it tends to obscure the materiality of bodies that bear the brutal effects of racism.

33 Goldberg 2009 b (cf. footnote 17).

34 Cf. for France e.g. Stoler, Ann Laura 2011. 'Colonial Aphasia: Race and Disabled Histories in France'. In: *Public Culture*, 23 (1), 121–156; for Belgium Goddeeris, Idesbald 2015. 'Colonial Streets and Statues: Postcolonial Belgium in the Public Space'. In: *Postcolonial Studies*, 18 (4), 397–409; for the Netherlands Wekker, Gloria 2016. *White Innocence: Paradoxes of Colonialism and Race*. Durham: Duke University Press.

35 Purtschert, Lüthi & Falk 2012 (cf. footnote 13), 52.

ity, to keep itself away not only from the influence of the 'rest of the world' but also from the racist and fascist politics of the other European nations. Accordingly, *racelessness à la Suisse* points less to a wish for race's evaporation than to a conviction of its eternal absence. If, according to this perspective, race has no history in Switzerland, what is the meaning of a legal and political struggle 'against racist ID checks' and 'for all Black people and all people of North African or Arab origin'? How are scenes of racial profiling and of its public discussion informed by the hegemonic regime of racelessness in the Swiss context, and how in turn do these scenes inform the regime of racelessness?

Racial Profiling and Racelessness: A Vicious Circle

In this section I explore how racelessness affects racial profiling, by analysing the scenes described by Wa Baile and the other persons in the film made by the Alliance. I demonstrate that racelessness and racial profiling mutually reinforce each other, following the logic of a vicious circle: the different events and practices informing racial profiling reproduce racialised visual codes that fuel racelessness; and racial profiling benefits from the show-ability of race and unspeakability of racism, which in turn maintains the regime of racelessness.

Let us examine first the way in which racial profiling operates. Racial profiling can be apprehended as a 'scene of subjection', of both becoming a subject and being subjugated, as described by Saidiya Hartman.³⁶ The various events, images, affects, practices, bodies, spaces and relationships that compose such a scene (re)produce a subject marked by racial difference, and stabilise this subject within a cluster of power relations.³⁷ Let me elaborate. For one of the participants in the Alliance film scenes of racial

profiling take place primarily in the train. In one of these scenes, she reports, the police checked the identity of four persons who 'looked' Arab and were speaking Arabic. After the checks on these persons, one of the policemen looked at her and said, 'Ah, another one who needs to be checked!' This scene is pervaded by racialised visual codes: the uniformed persons approach only those bodies that are marked by racial differences. The bearers of these bodies are ordered to make themselves available and prove their innocence by showing documents. The weapons and uniforms represent the threatening, legitimised force that can be exercised on non-white bodies if the demand of the police is not complied with. This scene (re)produces a series of visual associations: non-whites are put apart, recognised, recognisable and therefore suspicious, possibly criminal: 'The whites are simply the norm', 'All of the others [i.e. the whites] are okay', as several participants in the film state; thus, the whites take the role of witnesses of the checks on those who have been put apart.

Furthermore, the episode described by the participant should be seen as part of a wider series of scenes of racialised subjection. On the one hand, it resonates with past and future scenes of racial profiling. In the film all participants emphasise that such checks recur. When Mohamed Wa Baile, for example, says: 'I am not sure that I can leave the house, go shopping or come here without being stopped and checked', he is stating that the repeated checks to which he is subjected, have gained such amplitude that his presence in public space has established itself as abnormal and therefore as suspicious. On the other hand, scenes of racial profiling further resonate with other racialised practices, events and visual expressions of race that pervade public space in Switzerland. I gave some examples above: political and advertising posters, children's books or blackfacing rituals. Racial profiling thus constitutes one of several scenes that shape the *spectacle of race* in the Swiss context. In this spectacle, certain subjects become stamped with the mark of racial difference through logics of objectivisation, sensationalisation and criminalisation. And, as seen above, this spectacle facilitates the (re)production of the regime of racelessness, which rests on the connection between the showability and unspeakability of race. As the spectacle of 'race' is continually fuelled by new scenes of identity checks, racial profiling feeds the regime of racelessness.

36 Hartman, Saidiya V. 1997. *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America*. New York: Oxford University Press.

37 Although Hartman developed her theorisation and analysis for context of the (post-)slavery North America, I believe it is heuristic to use her concepts for the Swiss context, too, especially because race materialises through the concatenation of multiple space-times and via the circulation and reification of bodies marked as Black within the global capitalist system. Accordingly theoretical and analytical tools must be able to circulate - and adapt - through diverse geographical contexts. Cf. in this respect the writings of F. El-Tayeb on the creolisation of theory (El-Tayeb 2011, cf. footnote 12, xviii-xix) and Vergès, Françoise 2005. 'Pour une lecture postcoloniale de Césaire'. In: Césaire, Aimé (ed.) 2005. *Nègre je suis, Nègre je resterai*. Paris: Albin Michel, 71-137.

Conversely, racelessness facilitates the (re)production of scenes of racial profiling because it prevents such scenes from being described and recognised as racist. Racelessness dictates the verbal denial of the racialised nature of various practices and events that generate racial profiling. One can apprehend such a logic of denial in the Alliance film. Denial meets the participant subjected to a check in the train when she suggests to the police that she has been selected on account of the colour of her skin: “They did not consider that it could have been racist, but said, “No, no, it’s because of your age.”” Denial in the form of a threatening counterattack meets another speaker in the film, as he shows astonishment when the police asks if he is carrying weapons or drugs. Indeed, the police answers: “Do you suggest we are racist?”, trying in this way to criminalise him by attempting to get him to utter the R-word.

Within public discussion about racial profiling, race is not only evaporated through formulas of racial denial but also through mechanisms of verbal omission and evasive expressions. The latter are well analysed by the research collective ‘Rassismus vor Gericht’ (Racism in Court), who monitored Wa Baile’s court proceedings. The collective focuses on the judge’s mode of communication and emphasises his verbal omissions:

‘The court avoids the theme of racism not only in the verdict and the justification of the verdict, but also in the entirety of its utterances, in its entire communicative performance. The understanding of racism that we observed in the court fails to recognise or ignores the causes and undervalues the consequences of racism. One aspect of this concealment is that the judge does not once use the terms “racist” or “racism” during the court proceedings, although Wa Baile and his lawyer use and discuss them a number of times.’³⁸

The report sheds light on further forms of evasiveness that lead to the disappearance of the question of racism from the discussion: the judge uses vague terms such as ‘prejudices’, and reduces the content of his verdict to the credibility of the accused and of the policeman, and to the justification for the identity check.³⁹

The judge has recourse to the usual formulas of verbal evaporation that characterise the regime of racelessness. However, his communicative performance also powerfully reveals the affective hierarchisation that the persistence/evaporation of race and racism requires: at the opening of this chapter I quoted his constant calls for quiet in a courtroom that was mainly occupied by persons of colour, who gave no sign whatever of disturbance. These calls can be seen as a disciplining of the bodies and emotions of the subjects affected by racism. The calls to order (when order has not been disturbed) express that the subjects overexposed to racial profiling are carriers of excessive emotions that are constantly in danger of breaking out. Such calls delegitimise the affects that are part of the resistance against racial profiling as they associate the protesters with turbulent subjects who have to be kept in check and correspondingly monitored.

Under this logic, feeling and criticising racism becomes a wrongdoing. The affective reaction of Wa Baile – looking away while being checked – becomes a legitimate reason for stopping him. Under this logic, those who break with the verbal taboo of race by explicitly referring to racism – as Wa Baile and his legal representative did in court – are seen as expressing excessive emotions and are called upon to *control themselves*: ‘Don’t laugh’, ‘Continue to do it peacefully’. Conversely the emotions of those who refuse to speak about race are considered as legitimate even when they contribute to its spectacle, as did the accused policeman in the case of Wa Baile. Affective priority is given to those who practice the language of racelessness and claim not to see race, for example by employing statements such as ‘All people are equal before the law’. All in all, the mutual reinforcement of racelessness and racial profiling is also brought about via an affective hierarchisation within the (legal, media, interpersonal) discussions of racial profiling. This mutual reinforcement (re)produces an asymmetry between the subject, marked by racial difference, supposedly unjustifiably tense and angry (as suggested by the injunction made to Wa Baile and his supporters to keep their emotions in check and retain them in their private sphere), and the subject that is legitimately irritated by this tension and anger and by the failure to respect the verbal taboos of ‘race’. In contrast to the subject marked by racial difference, the latter’s concerns are seen as legitimately translatable within public discussions and spaces (as the judge’s calls to order demonstrate).

38 ‘Rassismus vor Gericht’ research collective: Rassismusanalyse zum Prozess vom 7.11.2016, 7.

39 Ibid., 11–12.

Under a regime of racelessness, attempts to speak about the violent effects of racism amount, according to David Theo Goldberg, to naming that which should properly remain in darkness and be omitted. To speak about racism is regarded as mad:

'There is no possibility of saying the deleterious effects of racial application are even ethically wrong because there is nothing there by which to recognize the phenomena purportedly at issue. Making the charge makes you mad. The anger itself at the lack of discerning language is a sign of your madness. You are mouthing words no one else recognizes.'⁴⁰

To name racial profiling in order to combat it, as the participants in the Alliance film did and as Wa Baile and his supporters in the court case did, therefore leads to the risk of 'expressing words that nobody else recognises' and equally to the risk of witnessing one's body and language of protest being marked as a disturber of peace, thus requiring attention, discipline and control. From the point of view of those who are marked by racial difference, the interaction between the practices and events that constitute racial profiling and the hegemonic regime of racelessness is a veritable vicious circle: the more the subjects who are exposed to racial profiling attempt to speak and act against this form of racism, the more they risk being exposed to verbal calls to order and physical checks that in turn will increase their emotions of fear, tension and suffering.

Conclusion: Knowing and Recognising Racism

Racial profiling amplifies the spectacle of 'race', and racelessness benefits from such an un-speakable but very showable spectacle. Racelessness in turn facilitates the unspeakability of and relative insensitivity to racial profiling. This circular logic limits the possibilities for a truly democratic discussion of racial profiling and racism in general. It renders the speech and experiences of those who suffer from racism on a daily basis scarcely comprehensible.

How can we break with such a circular logic? To conclude, let me identify avenues for breaking with this vicious circle by drawing upon the public performance staged by Wa Baile and his supporters that took place before court proceedings.⁴¹ Expressed from the position of 'white Peter' (with his face painted white), Wa Baile's public statement breaks with the prevailing verbal taboo of racelessness. Wa Baile attacks the injustice of recurring police identity checks with terms that relate explicitly to the racialised structure of Swiss society, such as 'racist', 'white privileges', 'Black people', 'people of North African or Arab origin'. Through his vocabulary he suggests that Switzerland is a racialised space and that all persons who live or move there are inescapably identified via racialisation, even when they are white. The purpose of emphasising a 'white' position is to make visible the racial position of the subject that benefits most from the taboo of race – the subject that occupies the position of norm and normality.

What Wa Baile explicitly expresses in words is underlined by his visual strategy of representation. He approximates his own body to a 'white mask'.⁴² This procedure can be seen as a strategic intervention in the visual field of race. It is a counter-spectacle of 'race', which challenges the view and the emotions of his audience so that they recognise the existence and history of race and racism. If nobody is deceived, and everyone recognises a 'Black' behind Peter's 'white mask', that means that everyone sees and understands 'race'. Here the masking, the painted skin of Wa Baile, serves to reveal: it shows that racialisation goes beyond the colour of an individual's skin to encompass the entirety of bodily attributes, ranging from the texture of hair and the shape of the nose to stature. It shows how all bodies, non-white and white, tend to be seen and classified on the basis of a racialising grid.

Through wearing a 'false' skin colour, Wa Baile's performance aims to elicit from its audience a

41 This performance is an instantiation of multiple tactics and strategies that break with racelessness and are carried out daily by non-white persons in Switzerland in their struggle against racial profiling. This specific instantiation contains textual, visual and narrative elements that had been expressed in Wa Baile's stage play *Kein Volk von Schafen (Not a People of Sheep)*. I focus on this specific performance here because it simultaneously targets the verbal, visual and affective logics of racism and racelessness. For a further powerful intervention surrounding legal proceedings about racial profiling, cf. the statement on the press release of Wilson A. and legal representative Bruno Steiner: [humanrights.ch: Unsere Sicht der Dinge. Erläuterungen zur Pressemitteilung vom 26. April 2018 in Sachen Wilson A. gegen drei Polizeibeamte, in humanrights.ch, https://bit.ly/2s6WxEq](https://www.humanrights.ch/Unsere_Sicht_der_Dinge_Erleuterungen_zur_Pressemitteilung_vom_26_April_2018_in_Sachen_Wilson_A._gegen_drei_Polizeibeamte_in_humanrights.ch_https://bit.ly/2s6WxEq) (accessed on 5.1.2019).

42 For a psychoanalytical and philosophical treatment of the 'white mask', cf. Fanon 1952 (cf. footnote 30).

series of admissions that run counter to the rhetoric of racelessness: if you admit that you recognised the artificiality of whiteness in ‘white Peter’, you are admitting that you see race; if you know exactly which bodies are ‘really white’ and which are ‘different’, then perhaps you are also willing to admit that race has a history which continues to operate in Switzerland, which has always made non-white bodies into noticeable bodies that are outside the norm and are suspicious, and which obstructs their mobility. Then you are perhaps willing to admit that no individual or institutional ‘eye’, not even that of the police, escapes the influence of race’s history. From this series of admissions, from this re-articulation between the ability to see race and the admission to oneself that one sees it, there arises the possibility of recognising the brutal effects of racial profiling as well as the privilege of not being exposed to it.

Because racial profiling and racelessness are mutually reinforcing each other, mobilising against racial profiling also implies fighting against racelessness, i.e. against a regime that operates through the constant reproduction of a spectacle of racial otherness, and through the immediate denial of that spectacle. This chapter suggests that the struggle against racism, as the powerful performance of Wa Baile and his supporters shows, must be fought in the arena of what can be spoken about, but also of what can be shown, and felt.