

The Con

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A con, or confidence game, formulates a future that will not come to bear. As the sociologist Erving Goffman describes in “On Cooling the Mark Out: Some Aspects of Adaptation to Failure” (1952), a con involves the triangulated interaction of several roles: the con artist or *operator*, who sets the plan in motion; the sucker or *mark*, who is the con’s victim; and, most importantly, the *cooler*, who ensures that the mark not go to the police or take other types of vengeance, and upon whom the con—the reproducibility of the act, as well as the future of the man—depends. The cooler cools by providing the mark basic “instruction in the philosophy of taking a loss.” Yet at the same time, as Goffman insists, “cooling the mark out is one theme on a very basic social story.” From the worker whose expected promotion was denied, to the lover whose marriage proposal was refused, to the patient who has been told there is no cure, to the soldier who realizes there is no return, there are endless instances in which marks must be cooled: in which people who once believed something must be adjusted to the impossibility of that belief.

It is no coincidence that Goffman—who would go on to become the first theorist of the “total institution” in his later and more influential work—would take such an interest in the dynamics of cooling, for cooling the mark out is the central feature of institutionality as such: as he points out in this early work, “an institution, after all, cannot take it on the lam; it must pacify its marks.” The institution’s systemic operations constitute both the force that cools and the new reality to which we are cooled; that is to say, it is the totality of the institution that pacifies or cools, and yet, that totality depends on a continued process of cooling. In this sense, we are reconciled to the impossibility of a future by those very structures that serve to guarantee the future: those stable enclosures upon which confidence itself is premised. Appeasing individual workers, or lovers, or patients, or soldiers allows the structure of the office, the marriage, the clinic, the nation to continue to function; and in a broader sense, capitalism, heteronormativity, and biopolitics are all strategies of appeasement, acclimating us to the impossible situations they produce, the impossible conditions we come to accept, conditions in which we nonetheless figure out how to live. It is through this process of adjustment to the impossibility of a future that such structures are able to insure their own.

Through this broader understanding of the ubiquity of cooling, we are better able to understand the capacity of the con: a capacity to act in bad faith rather than good, to formulate a plurality of possible futures when the future we are assured arrives only as an impossibility. After all, to talk about confidence—or trustworthiness or honesty in general—is to talk about an attitude toward the future, an assurance that things will be as we have said, that we are able to rightfully inhabit the language through which we make such assurances and the presumptions of subjectivity it presupposes. The confidence of the honest, trustworthy man operates with the privilege of a temporal inheritance, a heritage of futurity that presupposes a neutered, deracinated, and naturalized universal subject historically figured against a ground of marked bodies and identities: the drudges, breeders, and transients to whom that future has always been foreclosed. The con, however, operates outside the futurity of this cohesive rational actor—outside the perspicacity of one man, with his one name, his one truth, and his one vote. The con artist acts at a temporal dissonance to that good citizen, out of sync with the rhythm that reproduces such men. As both an identity and an operation, the con violates not only the dictum that things will be as we have said, but that a self will be continuous over time. As an identity that is nothing more than an operation, the con challenges the idea that everyone could ever have access to such cohesive subjecthood: a subjecthood invoked as the subject of labor and marriage contracts, sexual or social consent; a subjecthood whose very possibility was historically produced in the nonconsensual and noncontractual relations of domestic and sexual servitude, of colonial conquest, and of trans-Atlantic slavery.

For those of us who understand ourselves as reproduced not in the privilege of the subject but through the laboring materiality of bodies of historical non-subjects, we understand that good faith operates through a similar privileged relation to time: a time that is not ours, a time that allows for the smooth measure of the waged hour, of labor time, and the attendant logics of accountability that animate exchange. The good faith of exchange, the confidence of circulation, is in fact the original con of capitalism, the abjected origin to which we are all perpetually cooled. The capitalist subject is its operator, but also—insofar as that subjectivity is reproduced in the material conditions of non-subjects, a material ground upon which the capitalist is figured—nothing more than a mark. The con's local deceit emerges only in relation to the ubiquitous institutional cooling that permeates modern life; in this sense, to con is on another level to refuse to be cooled in a broader sense, to act knowing that the future will not turn out—was never going to turn out—as it was promised. To con is not to reappropriate capital's institutional mechanisms, but to dwell in the latent fecundity of their excesses. The con exploits that dark teeming crack that contours the smooth surface of production in which detritus gathers, becoming fertile. In this sense the con does not escape, rehabilitate, or dismantle the structures and systems that hold us; rather, the con connives, lives in filth, fouls the nest.

According to Goffman, the con differs from other types of financial deceit precisely in that it is committed against a private person by a criminal brotherhood. In this sense, the con is the inheritance of criminality, of an abject reproductive capacity, of a minority belonging. It is a crime of relation and multitudinousness committed against the neoliberal enclosure of the individual. To con is to recall the threat that multiplicity has always posed to singularity: the possibility that the pea might be under any shell. It is the threat of the slave uprising to the master, the colonized masses to the king, the witch's coven to the inquisitor, the devil's legions to a one true God. The con is always an improvisational relation and never a permanent solution, a queerly ephemeral intimacy forged in the perpetual motion of evasion. Kin of the convict, the con artist lives always in relation to the present threat and historical legacy of capture: to the slave ship, the torture chamber, the prison cell, the psych ward, the marital bed. To con is to persist in relation to the eventuality of capture, to the simultaneous promise and impossibility of the good life, to that trap of good-faith futurity when the future is not for you. To this end, a con man is a straw man, the besuited grifter merely a legible appliqué over that which terrorizes legibility: the dark miasmatic threat of an underworld, of wanton effeminate excess, of deviant circulation.

The con is a mechanism that operates in the asymmetries of more expansive social relations; it is a performance that channels the bestial extensities submerged in the interactions of good subjects, extensities that undergird our collective material histories. The con is what becomes possible when the assurances we make can never be true, when the structural support of sureness is not in our power and not on our side. And in a significant sense, this condition allows for our survival, for an escape that makes possible provisional forays into a subjecthood that could never hold us, a way to play with that trustworthiness that was never anything we could have access to, to that temporal enclosure of confidence as part of a lineage of historical enclosures to which we are not, and could never be, the rightful heirs. The con opens up an alternate economy of living without this inheritance, a way of speaking when we already know that everything we say can and will be used against us, when language and the truths it produces are not on our side.

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