# 1NC

## 1

#### Interpretation debaters must defend the hypothetical enactment of a policy that the member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

#### “Resolved” means to enact by law.

Words & Phrases ’64

(Words and Phrases; 1964; Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Nations are defined territories with governments

**Merriam Webster** [Merriam Webster, 8-22-2021, accessed on 9-6-2021, Merriam-webster, "Definition of NATION", <https://www.merriam-webster.com/dictionary/nation>] Adam

Definition of nation

 (Entry 1 of 2)

1a(1): [NATIONALITY sense 5a](https://www.merriam-webster.com/dictionary/nationality)three Slav peoples … forged into a Yugoslavia without really fusing into a Yugoslav nation— Hans Kohn

(2): a politically organized [nationality](https://www.merriam-webster.com/dictionary/nationality)

(3)in the Bible : a non-Jewish nationalitywhy do the nations conspire— Psalms 2:1 (Revised Standard Version)

b: a community of people composed of one or more [nationalities](https://www.merriam-webster.com/dictionary/nationalities) and possessing a more or less defined territory and government Canada is a nation with a written constitution— B. K. Sandwell

c: a territorial division containing a body of people of one or more nationalities and usually characterized by relatively large size and independent statusa nation of vast size with a small population— Mary K. Hammond

2archaic : [GROUP](https://www.merriam-webster.com/dictionary/group), [AGGREGATION](https://www.merriam-webster.com/dictionary/aggregation)

3: a tribe or federation of tribes (as of American Indians)the Seminole Nation in Oklahoma

#### Medicines refer to physical substances.

American Heritage Dictionary of Medicine 18 The American Heritage Dictionary of Medicine 2018 by Houghton Mifflin Harcourt Publishing Company <https://www.yourdictionary.com/medicine> //Elmer

"A **substance**, **especially a drug**, **used to treat** the signs and symptoms of a **disease**, condition, or injury."

#### There are 4 types of IP the aff could reduce.

**Brewer 19** [Trevor Brewer, 5-16-2019, accessed on 8-11-2021, BrewerLong, "What Are The 4 Types of Intellectual Property Rights? BrewerLong", <https://brewerlong.com/information/business-law/four-types-of-intellectual-property/>] Adam

There are four types of intellectual property rights and protections (although multiple types of intellectual property itself). Securing the correct protection for your property is important, which is why consulting with a lawyer is a must. The four categories of intellectual property protections include:

TRADE SECRETS

Trade secrets refer to specific, private information that is important to a business because it gives the business a competitive advantage in its marketplace. If a trade secret is acquired by another company, it could harm the original holder.

Examples of trade secrets include recipes for certain foods and beverages (like Mrs. Fields’ cookies or Sprite), new inventions, software, processes, and even different marketing strategies.

When a person or business holds a trade secret protection, others cannot copy or steal the idea. In order to establish information as a “trade secret,” and to incur the legal protections associated with trade secrets, businesses must actively behave in a manner that demonstrates their desire to protect the information.

[Trade secrets are protected without official registration](https://www.wipo.int/sme/en/ip_business/trade_secrets/protection.htm); however, an owner of a trade secret whose rights are breached–i.e. someone steals their trade secret–may ask a court to ask against that individual and prevent them from using the trade secret.

PATENTS

As defined by the[U.S. Patent and Trademark Office](https://www.uspto.gov/help/patent-help#patents) (USPTO), a patent is a type of limited-duration protection that can be used to protect inventions (or discoveries) that are new, non-obvious, and useful, such a new process, machine, article of manufacture, or composition of matter.

When a property owner holds a patent, others are prevented, under law, from offering for sale, making, or using the product.

COPYRIGHTS

Copyrights and patents are not the same things, although they are often confused. A copyright is a type of intellectual property protection that protects original works of authorship, which might include literary works, music, art, and more. Today, copyrights also protect computer software and architecture.

Copyright protections are automatic; once you create something, it is yours. However, if your rights under copyright protections are infringed and you wish to file a lawsuit, then registration of your copyright will be necessary.

TRADEMARKS

Finally, the fourth type of intellectual property protection is a trademark protection. Remember, patents are used to protect inventions and discoveries and copyrights are used to protect expressions of ideas and creations, like art and writing.

Trademarks, then, refer to phrases, words, or symbols that distinguish the source of a product or services of one party from another. For example, the Nike symbol–which nearly all could easily recognize and identify–is a type of trademark.

While patents and copyrights can expire, trademark rights come from the use of the trademark, and therefore can be held indefinitely. Like a copyright, registration of a trademark is not required, but registering can offer additional advantages.

#### Violation – they defend an impossible demand– they don’t fiat a world in which this happens or have member nations actually take action

#### They’re Extra-T, which is a voter for Limits since they can add any amount of infinite planks to the aff to solve for all neg arguments, or Effects-T which is worse, since any small aff can spill up to the res.

**Vote neg for predictable limits and ground---allowing the aff to pick any grounds for the debate makes negative engagement impossible**

**3 Impacts -**

**1.    Accessibility and clash– Changing the topic post facto structurally favors the aff by making neg prep, which is based on the resolution, useless—the judge can only make a meaningful decision when both sides have had an equal opportunity. Only our model ensures effective clash through rigorous testing.**

**2.    Competitive equity – debate is a competitive game which loses meaning without substantive constraints- Everybody comes to debate for different reasons, but the fact that the other team is here and has presented a 1ac means they have bought into the game, and b) concedes the authority of fairness, or the judges hack against you**

**3.    Skills – Effective deliberation over IPs is necessary to foster portable skills, and improve advocacies – otherwise we fall prey to dogma and groupthink**

#### Topical version: states ought to reduce intellectual property protections on life-saving essential medicines, including COVID-19 vaccines, increase efforts to make medicines more accessible to low-income and minority populations, and develop a global racial and health justice framework for implementation to ensure equitable distribution of medicines – solves the aff by changing structures of policy but it improves black lives

**Any solvency deficits are neg ground, and the form-content distinction encompasses your offense**

**SSD is good – it forces debaters to consider a controversial issue from multiple perspectives. Non-T affs allow individuals to establish their own metrics for what they want to debate leading to ideological dogmatism, while SSD encompasses your education more radicaly**

**At best they’re Extra-T, which is a voter for Limits, or Effects-T which is worse, since any small aff can spill up to the res.**

**Fairness first: Debate is a game: forced winner/loser, competitive norms, and the tournament invite prove. Alternative impacts like activism or education can be pursued in other forums. This makes fairness the most important impact**

#### Metaconstraint

1. Intrinsic
2. Hack against them

#### TFW has to be drop the debater – it indicts their method of engagement and proves we couldn’t engage fairly with their aff

#### Competing interps – reasonability is arbitrary, you can’t be reasonably topical, and causes a race to the bottom of questionable argumentation.

**No RVIs – they’re illogical, and encourages baiting theory which is more unfair**

**Use competing interps – reasonability leads a race to the bottom and allows judge intervention**

**Ballot Paradox: Placing the decision-making potential within the ballot is violent, since no change spill out of round and makes the judge a violent arbiter of your subjectivity**

#### No impact turns—exclusions are inevitable because we only have 45 minutes so it’s best to draw those exclusions along reciprocal lines to ensure a role for the negative

## Case

#### The CROB is to vote for the better debater – anything else is self serving, arbitrary, and begs the question of the rest of the debate.

#### Vote neg on presumption –

#### A) Nothing spills over – there’s no connection between the ballot and chancing people’s attitudes. You encourage more teams to read framework which turns your offense and prevents the alteration of mindsets.

#### B) No warrant for a ballot – the competitive nature of debate coopts any ethical value of advocating the aff – winning rounds only makes it look like they just want to win which proves framework and means advocating by losing is more effective.

#### C) Debate – none of their evidence is specific to it – sets a high threshold for solvency and ignores how communicative norms operate

#### D) Voting aff doesn’t access social change, but voting neg resolves our procedural impacts – this directly answers their 2 point under track 3

Ritter ‘13 (JD from U Texas Law (Michael J., “Overcoming The Fiction of “Social Change Through Debate”: What’s To Learn from 2pac’s Changes?,” National Journal of Speech and Debate, Vol. 2, Issue 1)

The structure of competitive interscholastic debate renders any message communicated in a debate round virtually **incapable of creating any social change**, either in the debate community or in general society. And to the extent that the fiction of social change through debate can be proven or disproven through empirical studies or surveys, academics instead have analyzed debate with **nonapplicable** rhetorical **theory** that **fails to account for the unique aspects** of competitive interscholastic debate. Rather, the current debate relating to activism and competitive interscholastic debate concerns the following: “What is the best model to promote social change?” But a more fundamental question that must be addressed first is: **“Can debate cause social change?”** Despite over two decades of opportunity to conduct and publish empirical studies or surveys, academic proponents of the fiction that debate can create social change have chosen **not to prove this fundamental assumption**, which—as this article argues—is **merely a fiction** that is **harmful in** most, if not **all, respects**. The position that competitive interscholastic debate can create social change is more properly characterized as a **fiction** than an argument. A fiction is an invented or fabricated idea purporting to be factual but is **not provable** by any human senses or rational thinking capability or is unproven by valid statistical studies. An argument, most basically, consists of a claim and some support for why the claim is true. If the support for the claim is false or its relation to the claim is illogical, then we can deduce that the particular argument does not help in ascertaining whether the claim is true. Interscholastic competitive debate is premised upon the assumption that debate is argumentation. Because fictions are necessarily not true or cannot be proven true by any means of argumentation, the competitive interscholastic debate community should be **incredibly critical** of those fictions and adopt them only if they promote the activity and its purposes.

#### E] Speaking for Others DA - the Afffirmative has commodified the voices of black activists to affirm their impossible demands that black activists have already called for. This means their advocacy sidelines black voices which is double turn and external patronization da that reasserts black bodies as lacking a voice and needing non-black subjects to speak for them.

A/2 Track 3

Antiblackness is not ontological -

#### 1] Theoretically – Heirarchies are malleable and the result of specific policy choices with material incentives

Harari 15 [Yuval Noah Harari, Israeli historian and a tenured professor in the Department of History at the Hebrew University of Jerusalem, specializing in World History, Doctorate in Philosophy from Oxford University, and an acclaimed author whose first book, Sapiens, was an international bestseller that received lavish praise by figures ranging from Barack Obama to Bill Gates, Sapiens: A Brief History of Humankind, tr. by Yuval Harari with help from John Purcell and Haim Watzman, HarperCollins: Broadway, NY, 2015, p. 133-144]

UNDERSTANDING HUMAN HISTORY IN THE millennia following the Agricultural Revolution boils down to a single question: how did humans organise themselves in mass-cooperation networks, when they lacked the biological instincts necessary to sustain such networks? The short answer is that humans created imagined orders and devised scripts. These two inventions filled the gaps left by our biological inheritance. However, the appearance of these networks was, for many, a dubious blessing. The imagined orders sustaining these networks were neither neutral nor fair. They divided people into make-believe groups, arranged in a hierarchy. The upper levels enjoyed privileges and power, while the lower ones suffered from discrimination and oppression. Hammurabi’s Code, for example, established a pecking order of superiors, commoners and slaves. Superiors got all the good things in life. Commoners got what was left. Slaves got a beating if they complained. Despite its proclamation of the equality of all men, the imagined order established by the Americans in 1776 also established a hierarchy. It created a hierarchy between men, who benefited from it, and women, whom it left disempowered. It created a hierarchy between whites, who enjoyed liberty, and blacks and American Indians, who were considered humans of a lesser type and therefore did not share in the equal rights of men. Many of those who signed the Declaration of Independence were slaveholders. They did not release their slaves upon signing the Declaration, nor did they consider themselves hypocrites. In their view, the rights of men had little to do with Negroes. The American order also consecrated the hierarchy between rich and poor. Most Americans at that time had little problem with the inequality caused by wealthy parents passing their money and businesses on to their children. In their view, equality meant simply that the same laws applied to rich and poor. It had nothing to do with unemployment benefits, integrated education or health insurance. Liberty, too, carried very different connotations than it does today. In 1776, it did not mean that the disempowered (certainly not blacks or Indians or, God forbid, women) could gain and exercise power. It meant simply that the state could not, except in unusual circumstances, confiscate a citizen’s private property or tell him what to do with it. The American order thereby upheld the hierarchy of wealth, which some thought was mandated by God and others viewed as representing the immutable laws of nature. Nature, it was claimed, rewarded merit with wealth while penalising indolence. All the above-mentioned distinctions – between free persons and slaves, between whites and blacks, between rich and poor – are rooted in fictions. (The hierarchy of men and women will be discussed later.) Yet it is an iron rule of history that every imagined hierarchy disavows its fictional origins and claims to be natural and inevitable. For instance, many people who have viewed the hierarchy of free persons and slaves as natural and correct have argued that slavery is not a human invention. Hammurabi saw it as ordained by the gods. Aristotle argued that slaves have a ‘slavish nature’ whereas free people have a ‘free nature’. Their status in society is merely a reflection of their innate nature. Ask white supremacists about the racial hierarchy, and you are in for a pseudoscientific lecture concerning the biological differences between the races. You are likely to be told that there is something in Caucasian blood or genes that makes whites naturally more intelligent, moral and hardworking. Ask a diehard capitalist about the hierarchy of wealth, and you are likely to hear that it is the inevitable outcome of objective differences in abilities. The rich have more money, in this view, because they are more capable and diligent. No one should be bothered, then, if the wealthy get better health care, better education and better nutrition. The rich richly deserve every perk they enjoy. People with lighter skin colour are typically more in danger of sunburn than people with darker skin. Yet there was no biological logic behind the division of South African beaches. Beaches reserved for people with lighter skin were not characterised by lower levels of ultraviolet radiation. Hindus who adhere to the caste system believe that cosmic forces have made one caste superior to another. According to a famous Hindu creation myth, the gods fashioned the world out of the body of a primeval being, the Purusa. The sun was created from the Purusa’s eye, the moon from the Purusa’s brain, the Brahmins (priests) from its mouth, the Kshatriyas (warriors) from its arms, the Vaishyas (peasants and merchants) from its thighs, and the Shudras (servants) from its legs. Accept this explanation and the sociopolitical differences between Brahmins and Shudras are as natural and eternal as the differences between the sun and the moon.1 The ancient Chinese believed that when the goddess Nü Wa created humans from earth, she kneaded aristocrats from fine yellow soil, whereas commoners were formed from brown mud.2 Yet, to the best of our understanding, these hierarchies are all the product of human imagination. Brahmins and Shudras were not really created by the gods from different body parts of a primeval being. Instead, the distinction between the two castes was created by laws and norms invented by humans in northern India about 3,000 years ago. Contrary to Aristotle, there is no known biological difference between slaves and free people. Human laws and norms have turned some people into slaves and others into masters. Between blacks and whites there are some objective biological differences, such as skin colour and hair type, but there is no evidence that the differences extend to intelligence or morality. Most people claim that their social hierarchy is natural and just, while those of other societies are based on false and ridiculous criteria. Modern Westerners are taught to scoff at the idea of racial hierarchy. They are shocked by laws prohibiting blacks to live in white neighbourhoods, or to study in white schools, or to be treated in white hospitals. But the hierarchy of rich and poor – which mandates that rich people live in separate and more luxurious neighbourhoods, study in separate and more prestigious schools, and receive medical treatment in separate and better-equipped facilities – seems perfectly sensible to many Americans and Europeans. Yet it’s a proven fact that most rich people are rich for the simple reason that they were born into a rich family, while most poor people will remain poor throughout their lives simply because they were born into a poor family. Unfortunately, complex human societies seem to require imagined hierarchies and unjust discrimination. Of course not all hierarchies are morally identical, and some societies suffered from more extreme types of discrimination than others, yet scholars know of no large society that has been able to dispense with discrimination altogether. Time and again people have created order in their societies by classifying the population into imagined categories, such as superiors, commoners and slaves; whites and blacks; patricians and plebeians; Brahmins and Shudras; or rich and poor. These categories have regulated relations between millions of humans by making some people legally, politically or socially superior to others. Hierarchies serve an important function. They enable complete strangers to know how to treat one another without wasting the time and energy needed to become personally acquainted. In George Bernard Shaw’s Pygmalion, Henry Higgins doesn’t need to establish an intimate acquaintance with Eliza Doolittle in order to understand how he should relate to her. Just hearing her talk tells him that she is a member of the underclass with whom he can do as he wishes – for example, using her as a pawn in his bet to pass off a jower girl as a duchess. A modern Eliza working at a jorist’s needs to know how much effort to put into selling roses and gladioli to the dozens of people who enter the shop each day. She can’t make a detailed enquiry into the tastes and wallets of each individual. Instead, she uses social cues – the way the person is dressed, his or her age, and if she’s not politically correct his skin colour. That is how she immediately distinguishes between the accounting-firm partner who’s likely to place a large order for expensive roses, and a messenger boy who can only afford a bunch of daisies. Of course, differences in natural abilities also play a role in the formation of social distinctions. But such diversities of aptitudes and character are usually mediated through imagined hierarchies. This happens in two important ways. First and foremost, most abilities have to be nurtured and developed. Even if somebody is born with a particular talent, that talent will usually remain latent if it is not fostered, honed and exercised. Not all people get the same chance to cultivate and refine their abilities. Whether or not they have such an opportunity will usually depend on their place within their society’s imagined hierarchy. Harry Potter is a good example. Removed from his distinguished wizard family and brought up by ignorant muggles, he arrives at Hogwarts without any experience in magic. It takes him seven books to gain a firm command of his powers and knowledge of his unique abilities. Second, even if people belonging to different classes develop exactly the same abilities, they are unlikely to enjoy equal success because they will have to play the game by different rules. If, in British-ruled India, an Untouchable, a Brahmin, a Catholic Irishman and a Protestant Englishman had somehow developed exactly the same business acumen, they still would not have had the same chance of becoming rich. The economic game was rigged by legal restrictions and unoɽcial glass ceilings. The Vicious Circle All societies are based on imagined hierarchies, but not necessarily on the same hierarchies. What accounts for the differences? Why did traditional Indian society classify people according to caste, Ottoman society according to religion, and American society according to race? In most cases the hierarchy originated as the result of a set of accidental historical circumstances and was then perpetuated and refined over many generations as different groups developed vested interests in it. For instance, many scholars surmise that the Hindu caste system took shape when Indo-Aryan people invaded the Indian subcontinent about 3,000 years ago, subjugating the local population. The invaders established a stratified society, in which they – of course – occupied the leading positions (priests and warriors), leaving the natives to live as servants and slaves. The invaders, who were few in number, feared losing their privileged status and unique identity. To forestall this danger, they divided the population into castes, each of which was required to pursue a specific occupation or perform a specific role in society. Each had different legal status, privileges and duties. Mixing of castes – social interaction, marriage, even the sharing of meals – was prohibited. And the distinctions were not just legal – they became an inherent part of religious mythology and practice. The rulers argued that the caste system rejected an eternal cosmic reality rather than a chance historical development. Concepts of purity and impurity were essential elements in Hindu religion, and they were harnessed to buttress the social pyramid. Pious Hindus were taught that contact with members of a different caste could pollute not only them personally, but society as a whole, and should therefore be abhorred. Such ideas are hardly unique to Hindus. Throughout history, and in almost all societies, concepts of pollution and purity have played a leading role in enforcing social and political divisions and have been exploited by numerous ruling classes to maintain their privileges. The fear of pollution is not a complete fabrication of priests and princes, however. It probably has its roots in biological survival mechanisms that make humans feel an instinctive revulsion towards potential disease carriers, such as sick persons and dead bodies. If you want to keep any human group isolated – women, Jews, Roma, gays, blacks – the best way to do it is convince everyone that these people are a source of pollution. The Hindu caste system and its attendant laws of purity became deeply embedded in Indian culture. Long after the Indo-Aryan invasion was forgotten, Indians continued to believe in the caste system and to abhor the pollution caused by caste mixing. Castes were not immune to change. In fact, as time went by, large castes were divided into sub-castes. Eventually the original four castes turned into 3,000 different groupings called jati (literally ‘birth’). But this proliferation of castes did not change the basic principle of the system, according to which every person is born into a particular rank, and any infringement of its rules pollutes the person and society as a whole. A persons jati determines her profession, the food she can eat, her place of residence and her eligible marriage partners. Usually a person can marry only within his or her caste, and the resulting children inherit that status. Whenever a new profession developed or a new group of people appeared on the scene, they had to be recognised as a caste in order to receive a legitimate place within Hindu society. Groups that failed to win recognition as a caste were, literally, outcasts – in this stratified society, they did not even occupy the lowest rung. They became known as Untouchables. They had to live apart from all other people and scrape together a living in humiliating and disgusting ways, such as sifting through garbage dumps for scrap material. Even members of the lowest caste avoided mingling with them, eating with them, touching them and certainly marrying them. In modern India, matters of marriage and work are still heavily influenced by the caste system, despite all attempts by the democratic government of India to break down such distinctions and convince Hindus that there is nothing polluting in caste mixing.3 Purity in America A similar vicious circle perpetuated the racial hierarchy in modern America. From the sixteenth to the eighteenth century, the European conquerors imported millions of African slaves to work the mines and plantations of America. They chose to import slaves from Africa rather than from Europe or East Asia due to three circumstantial factors. Firstly, Africa was closer, so it was cheaper to import slaves from Senegal than from Vietnam. Secondly, in Africa there already existed a well-developed slave trade (exporting slaves mainly to the Middle East), whereas in Europe slavery was very rare. It was obviously far easier to buy slaves in an existing market than to create a new one from scratch. Thirdly, and most importantly, American plantations in places such as Virginia, Haiti and Brazil were plagued by malaria and yellow fever, which had originated in Africa. Africans had acquired over the generations a partial genetic immunity to these diseases, whereas Europeans were totally defenceless and died in droves. It was consequently wiser for a plantation owner to invest his money in an African slave than in a European slave or indentured labourer. Paradoxically, genetic superiority (in terms of immunity) translated into social inferiority: precisely because Africans were fitter in tropical climates than Europeans, they ended up as the slaves of European masters! Due to these circumstantial factors, the burgeoning new societies of America were to be divided into a ruling caste of white Europeans and a subjugated caste of black Africans. But people don’t like to say that they keep slaves of a certain race or origin simply because it’s economically expedient. Like the Aryan conquerors of India, white Europeans in the Americas wanted to be seen not only as economically successful but also as pious, just and objective. Religious and scientific myths were pressed into service to justify this division. Theologians argued that Africans descend from Ham, son of Noah, saddled by his father with a curse that his offspring would be slaves. Biologists argued that blacks are less intelligent than whites and their moral sense less developed. Doctors alleged that blacks live in filth and spread diseases – in other words, they are a source of pollution. These myths struck a chord in American culture, and in Western culture generally. They continued to exert their influence long after the conditions that created slavery had disappeared. In the early nineteenth century imperial Britain outlawed slavery and stopped the Atlantic slave trade, and in the decades that followed slavery was gradually outlawed throughout the American continent. Notably, this was the first and only time in history that slaveholding societies voluntarily abolished slavery. But, even though the slaves were freed, the racist myths that justified slavery persisted. Separation of the races was maintained by racist legislation and social custom. The result was a self-reinforcing cycle of cause and effect, a vicious circle. Consider, for example, the southern United States immediately after the Civil War. In 1865 the Thirteenth Amendment to the US Constitution outlawed slavery and the Fourteenth Amendment mandated that citizenship and the equal protection of the law could not be denied on the basis of race. However, two centuries of slavery meant that most black families were far poorer and far less educated than most white families. A black person born in Alabama in 1865 thus had much less chance of getting a good education and a well-paid job than did his white neighbours. His children, born in the 1880S and 1890s, started life with the same disadvantage – they, too, were born to an uneducated, poor family. But economic disadvantage was not the whole story. Alabama was also home to many poor whites who lacked the opportunities available to their better-off racial brothers and sisters. In addition, the Industrial Revolution and the waves of immigration made the United States an extremely fluid society, where rags could quickly turn into riches. If money was all that mattered, the sharp divide between the races should soon have blurred, not least through intermarriage. But that did not happen. By 1865 whites, as well as many blacks, took it to be a simple matter of fact that blacks were less intelligent, more violent and sexually dissolute, lazier and less concerned about personal cleanliness than whites. They were thus the agents of violence, theft, rape and disease – in other words, pollution. If a black Alabaman in 1895 miraculously managed to get a good education and then applied for a respectable job such as a bank teller, his odds of being accepted were far worse than those of an equally qualified white candidate. The stigma that labelled blacks as, by nature, unreliable, lazy and less intelligent conspired against him. You might think that people would gradually understand that these stigmas were myth rather than fact and that blacks would be able, over time, to prove themselves just as competent, law-abiding and clean as whites. In fact, the opposite happened – these prejudices became more and more entrenched as time went by. Since all the best jobs were held by whites, it became easier to believe that blacks really are inferior. ‘Look,’ said the average white citizen, ‘blacks have been free for generations, yet there are almost no black professors, lawyers, doctors or even bank tellers. Isn’t that proof that blacks are simply less intelligent and hard-working?’ Trapped in this vicious circle, blacks were not hired for whitecollar jobs because they were deemed unintelligent, and the proof of their inferiority was the paucity of blacks in white-collar jobs. The vicious circle did not stop there. As anti-black stigmas grew stronger, they were translated into a system of ‘Jim Crow’ laws and norms that were meant to safeguard the racial order. Blacks were forbidden to vote in elections, to study in white schools, to buy in white stores, to eat in white restaurants, to sleep in white hotels. The justification for all of this was that blacks were foul, slothful and vicious, so whites had to be protected from them. Whites did not want to sleep in the same hotel as blacks or to eat in the same restaurant, for fear of diseases. They did not want their children learning in the same school as black children, for fear of brutality and bad influences. They did not want blacks voting in elections, since blacks were ignorant and immoral. These fears were substantiated by scientific studies that ‘proved’ that blacks were indeed less educated, that various diseases were more common among them, and that their crime rate was far higher (the studies ignored the fact that these ‘facts’ resulted from discrimination against blacks). By the mid-twentieth century, segregation in the former Confederate states was probably worse than in the late nineteenth century. Clennon King, a black student who applied to the University of Mississippi in 1958, was forcefully committed to a mental asylum. The presiding judge ruled that a black person must surely be insane to think that he could be admitted to the University of Mississippi. The vicious circle: a chance historical situation is translated into a rigid social system. Nothing was as revolting to American southerners (and many northerners) as sexual relations and marriage between black men and white women. Sex between the races became the greatest taboo and any violation, or suspected violation, was viewed as deserving immediate and summary punishment in the form of lynching. The Ku Klux Klan, a white supremacist secret society, perpetrated many such killings. They could have taught the Hindu Brahmins a thing or two about purity laws. With time, the racism spread to more and more cultural arenas. American aesthetic culture was built around white standards of beauty. The physical attributes of the white race – for example light skin, fair and straight hair, a small upturned nose – came to be identified as beautiful. Typical black features – dark skin, dark and bushy hair, a flattened nose – were deemed ugly. These preconceptions ingrained the imagined hierarchy at an even deeper level of human consciousness. Such vicious circles can go on for centuries and even millennia, perpetuating an imagined hierarchy that sprang from a chance historical occurrence. Unjust discrimination often gets worse, not better, with time. Money comes to money, and poverty to poverty. Education comes to education, and ignorance to ignorance. Those once victimised by history are likely to be victimised yet again. And those whom history has privileged are more likely to be privileged again. Most sociopolitical hierarchies lack a logical or biological basis – they are nothing but the perpetuation of chance events supported by myths. That is one good reason to study history. If the division into blacks and whites or Brahmins and Shudras was grounded in biological realities – that is, if Brahmins really had better brains than Shudras – biology would be sufficient for understanding human society. Since the biological distinctions between different groups of Homo sapiens are, in fact, negligible, biology can’t explain the intricacies of Indian society or American racial dynamics. We can only understand those phenomena by studying the events, circumstances, and power relations that transformed figments of imagination into cruel – and very real – social structures.

#### 2] Materially – A confluence of statistical factors prove racial progress is possible and occurring.

Hochschild 17 (Jennifer L. Hochschild , Professor of Government, African and African American Studies, and the Chair of the Department of Government (Harvard University), Chair in American Law and Governance at the Library of Congress, President of the American Political Science Association, “Left Pessimism and Political Science,” Perspectives on Politics, Volume 15, Issue 1, March 15th, p. 6-19, DOI: <https://doi.org/10.1017/S1537592716004102> \*\*modified to allow for more humanizing frames)

Is Pessimism the Only Sensible or Empirically Warranted Response in these Two Arenas? It is easy to find evidence to support pessimism about American racial dynamics or the societal deployment of genomic science. The United States is notorious for its racially- and ethnically-inflected poverty and excessive levels of incarceration; undocumented migrants live in legal limbo; new genomics techniques such as CRISPR-Cas9 tempt humankind into hubristic manipulation of nature, and scientists’ promises to cure cancer through genetics knowledge ring hollow to many. The question for this article is whether there are also strong grounds for optimism in my two illustrative realms, such that one could plausibly and persuasively choose to be “centered on advancement concerns” rather than “centered on security concerns.” The answer is yes. Again I can point only to illustrative, suggestive evidence. First, the gap between ~~blacks’~~ [black people’s] and whites’ life expectancy declined from seven years in 1990 to 3.4 years in 2014. That is an astonishing, perhaps unprecedented, rate of change given the usual slow pace of demographic transformation. It is important in itself, of course, and also as a summary statement about an array of other social phenomena in which racial disparities are declining. ~~Blacks~~ [Black people] are living longer mainly because of declining rates of homicides, HIV mortality, infant mortality, cancer and heart disease, and suicide among black men.19 A lot of things have to go right for a group’s life expectancy to rise rapidly. Second, applications for U.S. citizenship rose from the previous year in ten of the fifteen years from 2000 to 2015, while declining in four (and remaining stable in one). That is an important indicator of immigrant incorporation, and especially relevant to political scientists because “Hispanics and Asians who are naturalized citizens tend to have higher voter turnout rates than their U.S.-born counterparts.” 20 Third, non-white Americans themselves tend to feel pretty good about their lives. Gallup Poll asked in 2016, “Where do you expect your life satisfaction to be in five years?” If whites’ response is standardized at 1, then ~~blacks~~ [black people’s] are at 2.97, and Hispanics at 1.29. Only Asian Americans, at 0.97, were less optimistic than whites. Gallup also asked about one’s level of stress in the previous day. If whites are again standardized at 1, then ~~blacks~~ [black people] are at 0.48; Hispanics at 0.53; and Asian Americans at 0.75. Middle-class ~~blacks~~ [black people] were half as likely as middle class whites to report stress during the previous day.21 In the arena of genomics also, one can point to grounds for optimism rather than pessimism. The Innocence Project, “dedicated to exonerating wrongfully convicted individuals through DNA testing and reforming the criminal justice system to prevent future injustice,” has enabled about 350 people to be released from prison. (Not so parenthetically, seven out of ten are African American or Latino, mostly poor men.) More extensive DNA testing might lead to many more exonerations; one careful analysis of serious crime convictions found that “in five percent of homicide and sexual assault cases DNA testing eliminated the convicted offender as the source of incriminating physical evidence.” Previous estimates had pegged the share of wrongful convictions at no more than one to two percent.22 More generally, “DNA profiling [of convicted felons] reduces the probability of future convictions by 17% for serious violent offenders and by 6% for serious property offenders .... These are likely underestimates of the true deterrent effect of DNA profiling.” 23 Genomic scientists can point to impressive successes with regard to Mendelian (single-gene) diseases, and they focus even more on diagnoses and cures yet to come. Eric Lander, director of the Broad Institute, likens the trajectory of genomic medicine to the development of medicine based on the germ theory of disease, which “took about 75 years. With genomics, we’re maybe halfway through that cycle.” In his view, “the rate of progress is just stunning. As costs continue to come down, we are entering a period where we are going to be able to get the complete catalogue of disease genes.” Cancer is a prime target, almost in sight:“If you understand that this is a game of probability, and there is only a finite number of cancer cells and each has only a certain chance of mutating, and if we can put together two or three independent attacks on the cancer cell, we win. If we invest vigorously in this and we attract the best young people into this field, we get it done in a generation. If we don’t, it takes two generations.” Lander is “not Pollyanna .... [I]t’s not for next year. We play for the long game. I don’t want to overpromise in the short term, but it is incredibly exciting if you take the 25-year view.” 24 This is a classic statement of optimism, or being centered on advancement concerns. It begins with expertise and perspective, sees dangers and weaknesses, and nonetheless asserts empirical grounds for faith. President Obama’s insistence that “if you had to choose a moment in human history to live ... you’d choose now” has the same quality. My point is not that left pessimism is wrong—only that there are grounds, perhaps equally strong, for left optimism. One can choose either, and then find good evidence for that choice. Why Is Left Pessimism Problematic? That wily politician, Barney Frank, offers the best answer from the vantage point of the public arena: “When you tell your supporters that nothing has gotten better, and that any concessions you’ve received are mere tokenism, you take away their incentive to stay mobilized. As for those you’re negotiating with, if you denigrate anything they concede as worthless, they will soon realize they can obtain the same response by giving nothing at all.” 25 One can offer the same type of answer from the vantage point of a teacher. Many of us have had the experience of teaching a course—about civil war, inequality and politics, environmental policy, or the meaning of liberty—only to have our students politely request on the last day of class some idea or piece of information about which they can feel good or which they can use in their public engagement. We need to offer answers. Optimism may also be associated with academic success; one careful study found that although achievement in mathematics was most strongly related to prior achievement and grade level, optimism and pessimism were significant factors. In particular, students with a more generally pessimistic outlook on life had a lower level of achievement in mathematics over time.” 26A study of college students similarly found that “dispositional and academic optimism were associated with less chance of dropping out of college, as well as better motivation and adjustment. Academic optimism was also associated with higher grade point average.” 27 And for those of us of a certain age, it is heartening to discover that “after adjusting for covariates, the results suggested that greater optimism [among middle-aged, predominantly white Americans] was associated with greater high-density lipoprotein cholesterol and lower triglycerides .... In conclusion, ... optimism is associated with a healthy lipid profile; moreover, these associations can be explained, in part, by the presence of healthier behaviors and a lower body mass index.” 28

#### Anti-Blackness isn’t ontological, is an ahistorical reading of the Black Radical Tradition, and their theory actively forecloses the capacity for revolutionary change.

Brown 19 Marcus Brown 8-24-2019 <https://content.redvoice.news/bad-faith-and-afropessimism-notes-toward-a-debate/> (PhD candidate in the Department of Philosophy at Stony Brook University)//Elmer

As should by now be obvious, my intent in drafting these notes is not to call Wilderson up to the pillory. There is much to be admired in both the form and content of his books, essays, and interviews. He is a captivating narrator and prose stylist; and the thick splotches of pathos that sometimes distract from his arguments are regularly broken by ironic caesuras that prevent the reader's suffocating on Black pain. Compared with some of his colleagues and disciples, his arguments are mercifully lucid, capable of connection into something like an account of the social whole. Yet that whole turns out to be false, and not in the Adornian, but in the classical sense: Wilderson’s adopted standpoint fails to yield a coherent account of the contradictions that rend our social totality, or an actionable program for liberation from racial capitalism, because it mistakes a chimerical subject-position (the natally alienated Black subject) for the Archimedean point of a global modernity in crisis. Wilderson’s flawed standpoint has two regrettable consequences for Afropessimist thought. First, it limits Afropessimist sources of Black rebellion to our dehumanized being-for-others (the white other), rather than acknowledging positive forms of self-regard and communal recognition among Black folk that are reservoirs of resistance against white supremacy. Second, in overemphasizing the role of antiblackness in the constitution of Black and non-Black lifeworlds, Wilderson and his cohort seem deliberately to overlook the Fanonist basis for revolutionary internationalism: since the major antagonism in modern life centers on colonized versus non-colonized nations, the presence of un-reflective anti-Blackness among non-Black people of color does not prevent radical coalition with them, any more than similarly reactionary beliefs among and between Black groups cut off our shared revolutionary potential. Both positions ultimately land the Afropessimists on an error whose irony is underlined by their collective Francophilia. That error is Sartrean mauvaise-foi, or bad faith, the paradoxical human capacity to lie to ourselves about what we know to be true concerning our facticity (the inescapable accretion of our past decisions) and our freedom (to transcend what we have been toward what we are not yet). To my first criticism, I would like to invoke the modified Du Boisian concept of potentiated double-consciousness. Double consciousness, in Du Bois's classic formulation from Souls of Black Folk, is the ability of the colonized/racialized subject to see themselves not only through their own eyes, but also through the eyes of their oppressor. As Lewis Gordon and Paget Henry have argued, Du Boisian double consciousness is not just the undialectical opposition within the Black subject of our self-concept with that of the racial other—such an opposition, as even Du Bois understood, is not in itself productive of a radical politics. As their argument goes, the self-concept with which the Black subject begins must be affirmative of their humanity and value as a Black human being. If the Black subject understands that the imperatives of an antiblack world are the real source of degrading racial archetypes —and not their private inability to meet the unrealistic standards of white oppressors—then, they will not succumb to these archetypes by tragically identifying with them, or by neurotically avoiding them in slavish imitation of whites (as do the colonized petits-bourgeois of Fanon’s Black Skin, White Masks). Instead they will actively confront and resist them and the structures that produce them, as do the (Black and non-Black) makers of history in Wretched of the Earth. (Outside of Gordon’s Existentia Africana, the best brief description of potentiated double-consciousness can be found in Henry’s article “Africana Phenomenology: Its Philosophical Implications.”) This stance needs a positive self-conception of the colonized, in contrast with the Afropessimist position that defines Blackness, in Patterson’s term, strictly as ‘social death,’ i.e. as fully determined by the project of an antiblack world. Consistently with the Hegelian theory of recognition against which it nonetheless rises in critique, double consciousness implies the simultaneous acknowledgment of our human freedom to produce and sustain values as well as its limitation by social nonrecognition. This freedom is rejected in bad faith by our Afropessimist inscription outside of the human condition. In fact, it can be argued that the ideal Afropessimist consciousness is not doubled, but single, and singularly racist. The wholly negative conception of what it means to be Black is especially evident in the works of Saidiya Hartman. Already in Patterson’s account, there is a deliberate focus on the formative role of the slave for the identity of the master, and a corresponding neglect of the slave's psychic life. Hartman dutifully threshes out the Nietzschean-Foucauldian implications in her Scenes of Subjection, where to be Afro-American is simply to be a victim of existential disruption by the slave trade; and maintained in that slavery to the present, even with our dubious legal ‘progress’ from irresponsible human property to the ‘burdened individual’ personhood of liberal contractual relations (1997: 115-123). The play of continuity and rupture in this work has the predictable effect of preserving us as slaves (i.e., as antiblack society has constructed us), but denying our Africanity (i.e., how our ancestors chose to construct themselves) as positive content in our resistance to enslavement. In discussing collective memory on the plantation, Hartman rejects even the search for African cultural survivals conducted by Blassingame, Stuckey, and other scholars as a mythological-primitivist search for an unrecoverable past (ibid 72-75). For Hartman, the horizon of Blackness is traced by the pendulous swinging of a lynched slave. But more than that: the very humanist project of liberating Black folk from the literal-figurative rope and lash is but another technique in the subjection of those who are constructed as Black. Like Foucault’s imprisoned madman in Discipline and Punish, the Black subject acquires their Black identity inseparably with their powerlessness. An acquisition that, by a double move, also constitutes the liberal white spectator as conscience-stricken liberator, as the empowered possessor of a conscience. There is something to be said for Hartman’s hermeneutics of the white gaze; and no critical theorist can afford to be ignorant of the dialectic of freedom and slavery, of personal liberty and indebtedness, in modern liberal thought, least of all a Black theorist. The contradictions of white liberalism do concern us, no doubt; but where the majority of us must work, play, love, reflect, and die, they do not define us, even while they indicate the basic existential threat. ~~Mute~~, dead objects cannot revolt against the possibility of having no possibilities. Unless they actually possess the human freedom to make the world other than it is at present, they could not possibly know or fight for what they would lose in the total objectification of real death. Which brings us to the second prong of Afropessimist bad faith. According to this camp, anti-blackness supposedly pervades the entire world, so that no existing social or political tendencies within it can lead to Black emancipation. Consequently, the non-Black ‘allies’ of the Bandung World are bound to betray us once a common tactical goal has been achieved—Du Bois’s Dark Princess vision dissolves in a vat of Bollywood antiblackness. But since the social world is not a product of natural laws, but is sustained by free human activity, then it follows that voluntary human attitudes can make a difference in shaping the structures and outcomes of that world. The point here is that commitment to the project of a new world in spite of all apparent evidence of its futility has made a difference in the Black freedom struggles of the past, and can make a difference in the future, even if it’s not guaranteed to do so in our lifetime. Like Fanon, Sartre, and Gordon, this counter-argument emphasizes that the terrible weight of the past hangs on the literal nothingness that is human freedom; that to discard the choice of struggle on the heap of past failure, cannot save us from our burning consciousness of even that choice. This has implications especially for the Afropessimist position on coalition-building. Let’s concede to the Afropessimist the antiblack structuration of the entire world. To then assume that any attempt to liberate oneself through coalition with the other victims of Western modernity is bound to be betrayed by non-Blacks, is nonetheless to reify an antiblackness that originates, after all, in the mutable attitudes of human beings. It’s to assume, like De Beauvoir’s polemical targets in The Second Sex, that what has always characterized relations between two antagonistic groups, always will. It’s to flee in bad faith from the anxiety of producing new strategies for Third World liberation, into a historically-grounded (merely factical) assurance that we can't collectively win because of the pervasive antiblackness that grips even our potential allies in the world of color. And then there is the real question of where custom’s inertia ends. Why shouldn’t the obvious normative roles played by heterosexism, national chauvinism, and other reactionary attitudes among Black people throughout the diaspora, similarly compromise Black liberation, but from within? How the Afropessimist squares all of this with those passages throughout Fanon’s oeuvre that urgently call for solidarity with all Third World peoples in the project of a new humanism, even while he acknowledges antiblackness among Arabs, for example, is unclear. Maybe it’s by the same selective reading that, in their review of anticolonial freedom struggles, allows them to overlook the many instances of Black folks working successfully with non-Blacks in anti-colonial struggles (in e.g. the Working People’s Alliance of Guyana, or the various Third World coalitions in the US New Communist Movement). But what it cannot be is the product of an authentic confrontation with the subjective and objective risks incurred by joining our energies in good faith with all of decolonizing humanity.

#### Blackness isn’t historically calcified and their reading runs counter to the Black radical tradition

Kelley 17 Gary B. Nash Professor of American History at UCLA (Robin D.G., “Robin D.G. Kelley & Fred Moten In Conversation,” transcribed from https://www.youtube.com/watch?v=fP-2F9MXjRE, 1:57:36-2:02:56, dml)

KELLEY: Um, Fred—Fred will take most of these questions. So that's why I'm going to begin first because he's gonna, he's gonna—he's gonna end it because he, he, he has the answer to all these questions ‘cause I turn to him for these questions. On the specific, on the first question, I just want to make sure I understand it because I'm, you know, I don't always recognize, uh, it may be because I'm just old, but I don't always recognize, uh, that black politics, black [unclear—maybe “guys”] work politics have been structured or defined by white supremacy. I mean, white supremacy is there. And I guess maybe because I'm such a student of Cedric Robinson, you know, not everything is about, or in response to, white supremacy. And in fact, one of the critiques coming out of doing Southern history was this idea that race relations framework, that race relations defines, uh, African-American history or Black history. And it's simply not true because much of what people do in terms of, of social formation, community building, um, is, is, is what Raymond Williams might call alternative cultures. In other words, it may be structured in dominance in some ways, but not defined by it. And Cedric's Black Marxism, you know, really made this point. He talks about the ontological totality, you know, the, this sense of being and making ourselves whole, in that we come out of an experience, again, structured by white supremacy, structured by violence, structured by enslavement and dispossession, but, but one in which western hegemony didn't work, you know, that modes of thinking wasn't defined by Enlightenment modes of thinking. In other words, that, that part of the Black radical tradition is a refusal to be property, to even admit that human beings could be property. You know, so we sometimes give white supremacy way too much credit, and maybe I misunderstood the question. And so I think that there's lots of things that happen outside of joy and survival, and survival is important, but survival is not the end all, you know. So I think, and I'll give you one very, very specific example, and now I'm not gonna say anything else after this. The way we have tended to more recently treat slavery, Jim Crow and mass incarceration as a piece, as the reinstantiation of the same thing, the continuation, that denies the fact that these systems are actually distinct, that they are historically specific, and in fact they’re responses to, in many ways, to the weakness of this as a racial regime. So if you think of like the whole idea of the new Jim Crow to me is very, very problematic. Um, although that book by Michelle Alexander is very, very powerful and very useful in terms of educating people about prisons. Jim Crow was not the continuation of slavery. It was not. Jim Crow was a response to the Black Democratic, uh, upsurge after slavery. It was a revolution of Reconstruction. It was a way to try to suppress that. The fact that, that, you know, there was this incredible response. That's why there's a, there's a huge gap between 1877 at the official end of Reconstruction and the rise of Jim Crow, which is the 1890s, disfranchisement, lynching. That's because you've had 13, 14, 15, 20, 25 years of a democratic possibility and struggle. The same thing with mass incarceration—yes, we've had incarceration, but it's, but that, that, that, that upward swing has a lot to do with, again, responses to the struggles in the 1960s, the assault on the Keynesian welfare-warfare state, the fact that you know the, the war on political, the formation of political prisoners, those struggles in fact was the state's response to opposition. And so if we don't acknowledge that, then what we end up doing is thinking that somehow there's a structure of white supremacy that's unchanging, fixed, and so powerful we can't do anything about it when in fact it's the opposite. White supremacy is fragile. White supremacy is weak. Racial regimes actually are always having to shore themselves up precisely because they're unstable. We can see that. We can't see it because the whole system of hegemony is to give us the impression that it is so powerful, there's no space out. And yet it’s working overtime to, to respond to our opposition. Right. That may not answer your question, but that's sort of a way I think about it. Maybe it’s not satisfactory, but yeah.

#### Humanism that’s oriented “to praxis in this world” is good – it’s not “all lives matter” but necessary to cultivate black endurance.

Pithouse 16 Richard PITHOUSE, senior researcher, programme coordinator and supervisor at the Unit for Humanities at Rhodes University, 16 [“Frantz Fanon: Philosophy, Praxis, and the Occult Zone,” Journal of French and Francophone Philosophy, Vol. XXIV, No 1, 2016, p. 116-138, http://www.jffp.org/ojs/index.php/jffp/article/viewFile/761/723]

Racism, as ideology, is organised around the assertion that humanity is riven by an ontological split. In the consciousness of the racist, and in the general intellect of racist social formations, this ontological split is taken as part of what Immanuel Kant called the a priori, the categories through which sense is made of experience.61 This deception of reason, this “racist rationality”62 results in racist societies producing forms of knowledge that, while authorised as the most fully formed instances of reason at work, are fundamentally irrational. In The “North African Syndrome”, an essay first published in 1952, Frantz Fanon wrote that in the French medical establishment: (T)he attitude of medical personnel is very often an a priori attitude. The North African does not come with a substratum common to his race, but on a foundation built by the European. In other words, the North Africa, spontaneously, by the very fact of appearing in the scene, enters into a pre-existing framework.63 In other words medical science in colonial France allowed a priori ontological assumptions to prevent it from making rational sense of experience. In Black Skin, White Masks, published in the same year, Fanon also offers a critique of philosophy in colonial France. He insists that the lived experience of the black person is not congruent with any (philosophically orthodox) “ontological explanation” because “The black man has no ontological resistance in the eyes of the white man.”64 Fanon stresses that racism is not only unreasonable but that it structures the a priori categories through which experience is mediated in a manner that makes it impossible to recognise reason expressed from black embodiment as reason: “[W]hen I was present, it was not; when it was there, I was no longer.”65 The inability to recognise black reason as reason produces an inability to recognise black political agency – a distortion of reality all too evident in both historiography and contemporary attempts to think the political. In his discussion of the evident fact that, in the colonial imagination, the Haitian Revolution “entered history with the peculiar characteristic of being unthinkable as it happened” Michel-Rolph Trouillot writes that: the contention that enslaved Africans and their descendants could not envision freedom – let alone formulate strategies for gaining and securing such freedom – was based not so much on empirical evidence as on an ontology, an implicit organization of the world and its inhabitants.66 He goes on to show that racist ontology continued to structure the historiography of the Haitian Revolution for the next two centuries. Lewis Gordon, riffing off Fanon as well as W.E.B. du Bois, uses the idea of illicit appearance to theorise the absence “of the right of appearance” beyond the right to appear as reasonable resulting in invisibility and hypervisibility – “the effect of which is the erasure of individuating or contextualizing considerations - that is, human invisibility.”67 “When you come down to it” Fanon wrote in The North African Syndrome, “the North African is a simulator, a liar, a malingerer, a sluggard, a thief.”68 Lewis and Jane Anna Gordon, writing together, argue that across space and time elites generally assume that the system in which they have prospered is ultimately good and that the people that disrupt its smooth functioning must be problem people – even monsters. Gordon and Gordon point out that in anti-black societies, black people are rendered monstrous “when they attempt to live and participate in the wider civil society and engage in processes of governing among whites...Their presence in society generally constitutes crime.”69 Fanon begins the pivotal fifth chapter of Black Skin, White Masks with the cauterisation of an affirmation of a desire for sociality: ““I came into the world imbued with the will to find a meaning in things, my spirit filled with the desire to attain to the source of the world, and then I found that I was an object in the midst of other objects.”70 The chapter concludes with the defeat of all attempts to attain recognition in a racist world: “I wanted to rise, but the disemboweled silence fell back upon me, its wings paralyzed. Without responsibility, straddling Nothingness and Infinity, I began to weep.”71 His response to the impossibility of a dialectic of recognition72 is not to give up on the aspiration for a world of mutuality, of universal humanism (predicated on a universal ontology) – he still aspires to a world that will recognise “the open door of every consciousness”73 - but to accept that he has found himself in a world “in which I am summoned into battle”74 and to commit to action: “To educate man to be actional, preserving in all his relations his respect for the basic values that constitute a human world, is the prime task of him who, having taken thought, prepares to act.”75 In Gordon’s estimation the Fanonian position is that “Legitimacy doesn’t emerge from the proof of cultural heritage or racial authenticity, it emerges...[Fanon] argues, from active engagement in struggles for social transformation and building institutions and ideas that nourish and liberate the formerly colonized.”76 This commitment to praxis is a politics that, in Gordon’s formulation, requires a commitment to “meeting people on the terrain where they live”77 with a view to forging what, as noted above, Mbembe calls “a radical future orientated politics in this world and these times.”78 Such a politics, it is asserted here, must be grounded in what S’bu Zikode first called a ‘living politics’79 and what Lewis Gordon calls ‘living thought’ or ‘thinking as a living activity’.80 It requires a decisive break with the idea, all too frequently present in South Africa, that radical politics is fundamentally a matter of rallying ‘the masses’ to the authority of a group of people who, whether situated in a party, a proto-party or an NGO, imagine themselves to be an enlightened vanguard. This is not the apocalyptic politics that, as is sometimes the case in Aimé Césaire’s work, is more concerned with eschatology than praxis. In the Notebook of Return to my Native Land Césaire, in a manner that in some respects anticipates some currents in contemporary Afro-pessimism, affirms that the only thing work starting is “The end of the world!”81 and anticipates the one glorious moment82, the brilliant new dawn in which “the volcanoes will break out and the naked water will sweep away the ripe stains of the sun and nothing will remain but a tepid bubbling pecked at by sea birds – the beach of dreams, and demented awakening”83, a rising of a new sun that would “burst open the life of the shacks like an over-ripe pomegranate.”84 In this vision, in which the political is sublimated into the theological, the authentic radical gesture is, ultimately, to disavow the world as it is and to wait for the birth of a new world. Again unlike Césaire Fanon does not accept the ontological split introduced into the conception of humanity authorised by colonial racism. His evident commitment to the universal85, and action to affirm a universal humanism86, situates him in a line of black radical thought that runs from Toussaint Louverture87 to Biko88, Jean-Bertrand Aristide89 and, arguably for that matter, the constant insistence on the barricades on South African streets of words to the effect of ‘we are human not animal’.90 But like Césaire Fanon’s radical vision is not, at all, a commitment to what Césaire, writing in 1956, termed ‘abstract equality’. Césaire remarks that: To prevent the development of all national consciousness in the colonized, the colonizer pushes the colonized to desire an abstract equality. But equality refuses to remain abstract. And what an affair it is when the colonized takes back the word on his own account to demand that it not remain a mere word!'91 From a South African perspective this condemnation of ‘abstract equality’ sounds almost prophetic but it has always been a colonial response to black insurgency. In in 1801 Napolean wrote, from St Helena, of the French policy, with regard to Haiti, of “disarming the blacks while assuring them of their civil liberty, and restoring property to the [white] colonists.”92 For Fanon emancipation has many aspects. These include a spatial aspect,93 a material aspect,94 the attainment of equality between women and men,95 but, also, and fundamentally, the sovereignty of the human person. Liberation must, he insists, in Sekyi-Otu’s revised translation, "give back their dignity to all citizens, fill their minds and feast their eyes with human things and create a prospect that is human because conscious and sovereign persons dwell therein.”96 In contemporary South Africa this cannot take the form of the sole defence of abstract rights, a politics primarily organised around exploitation via the wage relation or the sort of nationalism that is naïve about the cleavages with the nation. It must to, to return to Mbembe, “take the form of a conscious attempt to retrieve life and ‘the human’ from a history of waste.”97