# The Impossible Bomb 1AC

## 1AC

### Track 1 is the Library

#### In 1845, the Father of Gynaecology – Dr. J Marion Sims – used seven female slaves as “experimental animals for his unproved theories” for over four years – they did not give consent. 2

#### In 1932, the infamous Tuskegee Syphilis study started and disregarded the autonomy of its 400+ Black subjects. 3

#### In 1945, an unaware Black American, Ebb Cade of North Carolina, was “injected with 4.7 micrograms of plutonium – forty-one times the normal lifetime exposure.” 4

1 Kenny ’15 – Lecturer in 19th and 20th-century North American History @ University of Liverpool [Stephen Kenny, 11 June 2015, *How black slaves were routinely sold as ‘specimens’ to ambitious white doctors*, accessed from: https://theconversation.com/how-black-slaves-were-routinely-sold-as-specimens-to-ambitious-white-doctors-43074/] | saurish

2 Ojanuga ’93 – School of Social Work @ University of Alabama [Durrenda Ojanuga, March 1993, *The medical ethics of the 'father of gynaecology', Dr J Marion Sims*, accessed from: <https://jme.bmj.com/content/medethics/19/1/28.full.pdf>, pages: 29-30] | saurish

3 Hornblum ’99 – author, journalist and a former criminal justice official and political organizer [Allen Hornblum, 12 April 1999, *Acres of Skin: Human Experiments at Holmesburg Prison*, pages: 37] | saurish

4 Reverby ’13 – Marion Butler McLean Professor Emerita in the History of Ideas; Professor Emerita of Women’s and Gender Studies @ Wellesley College [Susan Mokotoff Reverby, August 2013, *Examining Tuskegee: The Infamous Syphilis Study and Its Legacy*] | saurish

5 Washington ’08 – research fellow in Medical Ethics @ Harvard Medical School, visiting Fellow @ Harvard TH Chan School of Public Health, visiting scholar @ DePaul University College of Law, American writer [Harriet A. Washington, 8 January 2008, *Medical Apartheid: The Dark History of Medical Experimentation on Black Americans from Colonial Times to the Present*, pages: 226-227] | saurish

6 Bakare-Yusuf ’99 – PhD in Women and Gender Studies @ University of Warwick, Desmond Tutu Fellow and a Frankfurt Book Fair Fellow, Co-Founder and Publishing Director of Cassava Republic Press [Bibi Bakare-Yusuf, 26 July 1999, THE ECONOMY OF VIOLENCE: BLACK BODIES AND THE UNSPEAKABLE TERROR in *Feminist Theory and the Body: A Reader* (Routledge), pages: 311-317] | saurish

7 Jackson ’19 – associate Vice President for Entreprenurship & Innovation @ Clemson University, award-winning lawyer, entrepreneur and academic who blooms at the intersection of business, law and culture [Shontavia Jackson Johnson, March 2019, *The Colorblind Patent System and Black Inventors*, accessed from: https://www.americanbar.org/groups/intellectual\_property\_law/publications/landslide/2018-19/march-april/colorblind-patent-system-black-inventors/] | saurish

#### This racialized history of Black medical experimentation and exploitation elucidates the inability of Black people to “own” their bodies, their work, or property.6 Civil society operates by positing the Black as the Other, which enables fabrications of Intellectual Property [IP] to arise – only through anti-Blackness and the rise of white supremacy is this IP regime instantiated into political order.

de jesus ’14 – digital projects librarian @ York University [nina de jesus, 24 September 2014, *LOCATING THE LIBRARY IN INSTITUTIONAL OPPRESSION*, accessed from: http://www.inthelibrarywiththeleadpipe.org/2014/locating-the-library-in-institutional-oppression/] | saurish

In locating the library in institutional oppression I’ll be focusing on only one line of criticism — white supremacy and decolonization — because of how focused my earlier sections are on the role that public libraries play (or ought to play) in maintaining a democratic (settler) state. I’m also largely depending on Andrea Smith’s understanding of how white supremacy is constituted: We may wish to rearticulate our understanding of white supremacy by not assuming that it is enacted in a single fashion; rather, white supremacy is constituted by separate and distinct, but still interrelated, logics. I would argue that the three primary logics of white supremacy in the US context include: **(1) slaveability/anti-black racism, which anchors capitalism**; (2) **genocide, which anchors colonialism**; and (3) **orientalism, which anchors war**.22 Her analytic **framework provides a three lens way to view how the library, as institution, embodies and enforces one type of oppression, white supremacy.** Namely, that libraries, being liberal institutions, are not ‘neutral’ in the ways that many of the sources cited in this paper either want them to be or believe they are. Rather, the explicit and expressed function of libraries, from their inception in the US and Canadian political structures to their existence today, is to create an informed citizenry for the sake of democracy. This allows us to finally locate the library in institutional oppression. 3.1 The Logic of Slavery Andrea Smith writes: **One pillar of white supremacy is the logic of slavery.** This logic **renders black people as inherently enslaveable—as nothing more than property**…This logic is **the anchor of capitalism**. That is, the capitalist system ultimately commodifies all workers: one’s own person becomes a commodity that one must sell in the labour market while the profits of one’s work are taken by somebody else. To keep this capitalist system in place—which ultimately commodifies most people—the logic of slavery applies a racial hierarchy to this system.23 Note one of the key claims in Smith’s discussion of the logic of slavery, that it ‘anchors capitalism’. Another way of understanding this is that **the enslavability of Black people is a necessary and foundational part of capitalism, such that slavery is not the result of capitalism, but rather that capitalism itself is structured around this logic**: [**T]he market did more than surround and detain black bodies — it also possessed them with logics of fungibility and accumulation.** Under the logic of the Atlantic slave trade, the market’s arithmetic of accumulation was sutured to the flesh, inhabiting the bodies and lives it stripped down to the sum of their biological parts for sale within the freedom of the market. For the slave, economic rationality possessed every moment of life’s terror and death’s release. Liberal distinctions between the public and private, and the economic, political, and social were fabrications for the slave, **illusions that depended on their erasure from the realm of the human.** This erasure made possible the alchemy of the market so that with its social, economic, and discursive racial mechanisms, the market could transform a human being into an object and test the limits of that object’s biological life. The fungibility of blackness meant that slaves were money, were animals, were gold, were cotton, were rum, and on and on.24 This fungibility of Blackness also, for Black people, **makes notions of intellectual property a fabrication when it comes to Black creative and intellectual work.** A reality evidenced by the history of modern/contemporary music whereby every major movement in music over the past 100+ years has happened via a process of the exploitation of Black creative labour with little benefit to their creators.25 However, because the logic of slavery structures the process of commodification within capitalism we also see that “the overall trend in intellectual property protection is broadly correlated with the rise of capitalism. In fact, some institutional features associated with capitalism had to exist prior to the full development of intellectual property rights.”26 While it is possible for intellectual property rights to exist outside of a capitalist framework, the system we currently have exists within this framework. This means that **our system of intellectual property, having arisen (at least in part) from capitalism, is necessarily structured by the logic of slavery.** All of this creates a framework through which we can begin to understand how libraries institutionalize white supremacy. Principle IV in the ALA’s Code of Ethics states “we respect intellectual property rights.”27 Of course, many people would counter this claim by saying that the manner by which libraries operate fundamentally contradicts this capitalist impulse by making ‘intellectual property’ freely accessible to the public. Except this isn’t entirely true or, rather, it doesn’t represent the entire picture. When we look at the work of libraries, we begin to see that they actually **play a significant role in not just ‘respecting intellectual property’ but in ensuring the stability of intellectual property itself.** One mechanism through which libraries do this is through the creation of ‘authority records’: “An authority record is a tool used by librarians to establish forms of names (for persons, places, meetings, and organizations), titles, and subjects used on bibliographic records.”28 While the Library of Congress (LOC) makes it clear that authority records are created with the intent to improve accessibility, the mechanism they use for this ensures that every creative work necessarily has an identifiable owner. This is necessary in a system of capital wherein everything and everyone can (and likely will be) reduced to a commodity. This is only one way that libraries come to be implicated via active participation in the logic of slavery, of capitalism, and of white supremacy. We can also see that **libraries, regardless of their making ‘knowledge’ or ‘information’ accessible for free, do not actually challenge or resist this logic.** Rather, **libraries are another institution necessary for maintaining a system of intellectual property within a larger context of white supremacy that depends on the inherent enslaveability of Black people.**

#### The example of the HeLa Bomb demonstrates the implicit structures of anti-Blackness that formulate possession over Black bodies – only a pessimistic analysis that begins and ends at the black positionality has the revolutionary potential to unravel the political and social dimensions that create flaws within medicine.

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The first “HeLa Bomb” and its fallout The story of Henrietta Lacks and the HeLa cell line is not a new one. In 1951, George Gey, the director of tissue culture research at Johns Hopkins University, discovered the sample of cancerous cells he had received from Lacks’s cervical biopsy divided continuously within the correct conditions, something no other cells were known to do at the time. The discovery opened the possibilities for in vitro studies exponentially. Narratives of the cell line and the identity of the woman from whom the cells were taken emerged fairly soon after and quite strategically. In fact, one of the earliest narratives of the HeLa cell line and the identity of Henrietta Lacks was publicized to garner support and funding for the Foundation for Infantile Paralysis and its efforts to find a poliovirus vaccine; the discovery of the HeLa cell line and the lab technology developed to keep the cells dividing were the greatest contributions to the effort’s success. The foundation’s director Roland Berg convinced Gey, who was uncomfortable with publicizing Lacks’s name, that the story of the HeLa cells must also include a story of the cell “donor.” How else could the foundation garner interest? The cell line discovery story needed to also be a personal story. In a letter to Gartler, Berg explained that it was “axiomatic in presenting this type of material to the public that to inform them you must also interest them. As one who has been writing for the public for the past fifteen years in this field, I have learned that you do not engage the attention of the reader unless your story has basic human-interest elements. And the story of the HeLa cells, from what little I know of it now, has all those elements” (Berg, 1953). Thus, since the cells’ “discovery,” foundations, science journalists, science studies and cultural studies scholars, and even (or especially) the scientists who have used her cells to further their own research have told and retold stories of Henrietta Lacks and her cells. During this early period, however, race was not central to the HeLa narratives (Landecker, 2007). In fact, the identity of the woman from whom the cells originated was unclear and often misstated. **Some authors referred to her as Henrietta Lakes or Helen Lane; others named her Helen L.** Even as Roland Berg attempted to convince Gey to reveal the woman’s background publically, he referred to her as “Mrs. Lakes” (Berg, 1953). Further, because Lacks was not explicitly described as black, she was assumed by most to be a white woman, as the Foundation for Infantile Paralysis no doubt tacitly implied—the “unsung heroine of medicine” (Landecker, 2007, p. 164). Indeed, Berg wrote, “Here is a situation where cancer cells—potential destroyers of human life—have been channeled by medical science to a new, beneficent course, that of aiding the fight against another disease” (Berg, 1953). In science literature, **“HeLa” began to refer not to the specific cancerous cells of a black woman’s cervix, but to the universal, “generalized human or cellular subject”** (Landecker, 2007, p. 165). Even Gey’s attempt to keep Lacks’s name and information private contributed to the fabrication of this symbolic woman. He assured Berg, “an interesting story could still be built around a fictitious name” (Gey, 1953). In this period, HeLa’s was a story of how any individual— presumably, of course, a white individual—could contribute to scientific advancement and, thus, the progress of the nation. This raises the question of how the HeLa cell line became racially fixed as black. Rebecca Skloot’s now widely read and critiqued book, The Immortal Life of Henrietta Lacks (2011), had a chapter on this particular moment— the 1966 Second Decennial Review Conference on Cell Tissue and Organ Culture—yet she did not elaborate on its cultural and political significance. She, however, recognized that it was an important event in the scientific community and thus named the five-page chapter she dedicated to it, “The HeLa Bomb,” appropriating the term scientists used informally to refer to the scandal of HeLa contamination. Race, specifically blackness, was at the center of Gartler’s presentation. In his research, he had compared both phenotypes and genotypes of twenty sample cell lines and found them to be sharing the same phenotype variations. More specifically, of the two principal variants, the samples had a type that appeared most frequently in the “American Negro male population” (Gartler, 1968, p. 750). In March 1966, Gartler wrote to Gey to confirm the race of the woman from whom the HeLa cells were taken and concluded, “I have not ascertained the racial origin of all the lines examined; it is known, however, that at least some were thought to have been derived from Caucasians (KB, WISH, Prostate, CMP) and at least one (HeLa) from a Negro” (Gartler, 1968, p. 750).7 Through the framework of racial biostatistics, Gartler concluded that the sample cell lines had been taken over by HeLa cells and marked by a phenotype most commonly held by black men. He made no comment about any sex discrepancy. Instead, the narrative told by cell culture scientists and popular science journalists was one of white cells vulnerable to contamination and disappearance by aggressive, duplicitous black cells.8 Prudent scientists should be vigilant of the cell lines and tissue cultures in their own laboratory, the narrative warned. Gartler argued that much of the work using cell lines that assumed a particular origin was “open to serious question…[and] would be best discarded” (p. 175). **Upon HeLa’s unveiling, many researchers and funders were concerned about the validity of their work.** Popular science journalist Michael Rogers reported, “Careers had been built on the basis of human tissue culture research, papers written and published, grants and fellowships received—and now, abruptly arose the possibility that the fundamental unit of study might not have been even vaguely what it was supposed to be” (1976, p. 50). However, scientists’ reactions to HeLa cells passing were also affected by socio-cultural imaginaries. The fallout from Gartler’s accusation blurred the lines between the professional, the personal, and the ideals and practices of disinterested scientific inquiry for the cell tissue community and the biotechnology industrial complex more broadly. For example, during the conference, one of the affected cell lines that Gartler identified was fellow scientist Leonard Hayflick’s WISH line, which was derived from tissue originally in the amniotic sac of Hayflick’s infant daughter. Upon hearing Gartler’s presentation, Hayflick’s concern for his cell line turned to racial paranoia. Worried about the possibility of in vivo rather than in vitro contamination, he called his wife during the conference break to ask whether he was, in fact, his daughter’s biological father. As he retold the anecdote during his own presentation, “She assured me that my worst fears were unfounded” (Skloot, 2011, p. 156). The room, reportedly, “erupted in laughter, and no one said anything else publicly about Gartler’s findings” (Skloot, 2011, p. 156). **Racial and sexual anxiety turned to comedy as the threat of miscegenation was temporarily covered over.** It was not just that HeLa appeared to the scientific community as a passing actant, but that it had the capacity to make passing subjects out of others—for example, Hayflick’s daughter. The link between HeLa contamination and the destruction of professional careers and scientific progress emerged through **the racialization, gendering, and hypersexualization** of both the cells and their human source. Suturing the cells to the subject, this anthropomorphism drew from tropes of black female hypersexuality and labor. The narratives were rampant in popular science journalism, but also existed in the traffic between scientists, science journalism, and cultural studies. One journalist wrote that for a cell culture lab to receive a letter from Walter Nelson-Rees, a cell culturist who dedicated his work to the detection of HeLa contamination, was like receiving “a note from the school nurse informing the parents that little Darlene had VD” (Michael Gold, quoted in Landecker, 2007, p. 172). In an essay for the London Review of Books, novelist Anne Enright recounted a series of websites that explained how to detect the papillomavirus DNA in HeLa cells. She reflected, “I think this means that Henrietta Lacks had genital warts. I think this means that she slept around” (Enright, 2000, p. 9, emphasis in original). Additionally, in an article for the feminist philosophy journal Hypatia, cellular biologist Lisa Weasel described HeLa cells as “a laboratory workhorse” that, although unreliable, performed the role of control group (Weasel, 2004, p. 185). **HeLa and Henrietta Lacks were contagious and were so together because of the discursive slippage between the narratives of the cellular material and the woman as subject.** As Michael Rogers’s particularly sensationalist journalistic account of HeLa contamination argued, “In life, the HeLa source had been black and female. Even as a single layer of cells in a tissue culture laboratory, she remains so” (1976, p. 50). These tropes animated scientific discourse as well. For example, in an interview with Michael Rogers, Nelson-Rees underscored just how toilsome the task had become, acknowledging, “I hoped I’d never have to look another HeLa in the face” (Rogers, 1976, p. 51). If the cells had at one time signified the universal human cellular subject, the unveiling of their passing resulted in a confrontation between scientists and the particularities of their object of study. Racial phobia and its concomitant desires manifested in a black woman’s face returning the gaze. The uncanny moment of the passing object violently and obscenely ruptures any assumptions of science’s inherent goodness. In returning to the question of how the uncovering of this cell line came into discourse through a bomb metaphor, one must ask after the biopolitical work that this metaphor enacts. To take the bellicose reference literally is to assume the HeLa passing as a warlike moment in the midst of the compiling of biomaterials for medical research. As the basis for his argument about biopolitics, Michel Foucault insisted that medicine itself is “a political intervention-technique with specific powereffects” (2003, p. 252). The underlying biopolitics of defending society is a matter of “destroying that [sort] of biological threat that those people over there represent to our race” (Foucault, 2003, p. 257). Thus, to think of the HeLa passing as a bomb within the historical context of the time—1966— is to think the passing threat together with other bomb threats and detonations of the time: the Cuban Missile Crisis in 1962, the escalation of the Vietnam War between 1963 and 1969, and the bomb that ripped through Birmingham’s 16th St. Church in 1963. During the Cold War and black uprisings against Jim Crow, the threat of a nuclear bomb encouraged duck and cover practices and hypervigilance against the communist that might be lurking in our own backyard—“Red Under the Bed.” The metaphor projects the threat of a black woman and worker, who passes undetected in the sample of cervical cells. Within the passing narrative, HeLa threatens the sort of categorization necessary for biopolitics of the sovereign state and for the integrity and coherency of the individual, knowing subject. Within the context of war, the threat of HeLa passing constituted the possibility of not knowing who the other was, not knowing how to identify and target the other or, even worse, to discover that one was the other.9 With this frame of reference, **surveillance and regulation become critical techniques that bind medicine and science to a larger national and geopolitical project**—one that biologists see themselves as taking on. For example, in an article in Science, journalist Rhitu Chatterjee refered to Roland Nardone, a cell biologist at the Catholic University of America in Washington, DC as “the Paul Revere of cell contamination” (Chatterjee, 2007, p. 929). To this day, so critical is the threat of contamination that Nardone authored and widely disseminated a white paper titled, “Eradication of Cross-Contaminated Cell Lines: A Call for Action” in which he characterized the 1970s as a decade full of “revelations” of cell contamination and “concealment of knowledge [of wide spread contamination] and manipulation [of results] through editing” (Nardone, 2007, p. 2). Washington reporter David Dickson wrote that the reluctance to authenticate cell samples resulted in “corruption of scientific literature…forgery…falsifying data…fraud against the federal government…[and] a criminal offense” (Dickson, cited in Nardone, 2007, p. 2). Nardone recommended that government, private funding institutions, scientific journals, professional societies, laboratory directors, and academic department heads contribute to the surveillance and authentication of cell samples (Nardone, 2007, p. 4). In these ways, scientific practice and the practices and ideologies of nationalism and accumulation are mutually informed phenomena. What is more, this form of knowledge production must be understood as a moral task that enables the proliferation of the human over the unpredictability of nature and is objects. The epigraph to Michael Gold’s book, A Conspiracy of Cells, cites Francis Bacon on this ethics of knowing: “If a man will begin with certainties, he shall end in doubts; But if he will be content to begin with doubts, he shall end in certainties” (Gold, 1986). The quotation is placed opposite a full-length image of Henrietta Lacks in a suit with her hands on her hips. The promise of modern scientific research invokes a moral disposition towards knowing; it asserts that one be humble, that one make no assumptions. This particular ethics of knowing begins with a presumption of humility and gives rise to a deserving subject capable of knowing the truth about the world itself as object.10 However, Gold’s use of Bacon’s quotation to offer a solution to HeLa contamination disavows the ethic’s epistemological investment in mastery. I am reminded of another Francis Bacon quotation that feminist scholar Anne McClintock underscores: “My only earthly wish…is to stretch the deplorably narrow limits of man’s dominion over the universe to their promised bounds…leading to you Nature with all her children to bind her to your service and make her your slave” (McClintock, 1995, p. 23). **Bacon’s remark reveals modern science’s colonial underpinnings by positing a female and othered Nature to be discovered by and contained under the dominion of Europe’s man.** Bacon’s sentiment is rooted in what McClintock calls “porno-tropics,” a structure of colonial epistemology that allows the knowing subject to project his fantasies, desires, taboos, and phobias onto the colonial space ripe for discovery and mastery (1995, p. 23). To have dominion over and make visible its veiled, feminized interior is to “know” or be certain about the occulted other. As such, Nature and women occupy a similar position in colonial and scientific discourse—each existing for the sole purpose of being known and thus possessed, contained, and enjoyed. This process of knowledge accumulation is not a disinterested practice of empiricism but a psycho-political-economic acting out of the phantasy of mastery. The biopolitics that shape scientists’ search for HeLa contamination and journalists’ actions in retelling the story of Henrietta Lacks and the HeLa cells must also be read alongside patterns of black surveillance in the US. The term “passing” emerges in antebellum runaway slave narratives about the “tendency” of black slaves to pass themselves off as free to escape bondage.11 Some did so by literally forging paper passes, while others tried hiding their blackness from public perception by passing for white, for native, or for immigrant. The passing slave was a fugitive slave. Thus, **the passing accusation is one form of unveiling, which assumes that the most important properties of a black subject/object are fugitivity and fraud**. In the more contemporary case of Henrietta Lacks, both scientists and science journalists used her blackness and her sexuality to describe the cells’ tendency to be out-of-control and deceptive. Nonetheless, in their practice of detecting HeLa, scientists and journalists cannot rely on the visual to confirm the cells’ racial “truth.” Cellular biologists track this interiority through the material “data” of Lacks’s cells. The centrality of visual evidence in scientific progress maintains that the regulatory technique of unveiling has become more precise in identifying, grasping the truth of the subject or matter, and tracing its every move. The western gaze is taken up in DNA fingerprinting, a practice science journalist Rithu Chatterjee argued “has become the standard tool for authenticating cell lines” as well as identifying criminal and foreign bodies (2007, p. 929). **The “digital epidermalization” of biometric surveillance renders bodies as racialized, “digitized code,” demanding that they respond to the questions, “Who are you?” and “Are you who you say you are?”** (Brown, 2015, p. 109). While the HeLa passing emerges as a crisis of security and instability, the passing narrative works to contain and regulate the incalculability and unwieldiness of blackness, gender, and sexuality. The accusation of passing reasserts the human’s ability, even its moral imperative, to trace and manage nature’s order of things so that they might not ever unexpectedly “stare you in the face.” Thus, Gartler’s revelation of HeLa contamination was, paradoxically, a story of the stability and predictability of other noncancerous human cells. The 1966 presentation concluded with just this argument. He reasserted that his findings demonstrated “the remarkable stability of normal human cultures, that is, the virtual absence of spontaneous cellular transformation among them” (Gartler, 1968, p. 175). Gartler suggested that “the incorporation of stable genetic markers in material to be cultured is the best guarantee against contamination” (Gartler, 1968, p. 175, my emphasis). What scientists needed to do was identify and categorize the stable cell characteristics that would also allow them to grasp the truth of the cell (and limit black female sexuality). Once this was accomplished, there would be no cases of “mistaken identity” or “identity theft,” as Chatterjee would later describe the HeLa phenomenon (Chatterjee, 2007).

### Track 2 is the Metaphor of Impossibility

This is Wilderson’10 (Frank B. Wilderson, Professor of African American Studies @ UC Irvine, 2010, “Red, White, and Black: Cinema and the Structure of U.S. Antagonisms” pg. 1-5)NJW

WHEN I WAS a young student at Columbia University in New York there was a Black woman who used to stand outside the gate and yell at Whites, Latinos, and East and South Asian students, staff, and faculty as they entered the university. She accused them of having stolen her sofa and of selling her into slavery. She always winked at the Blacks, though we didn't wink back. Some of us thought her outbursts bigoted and out of step with the burgeoning ethos of multicultural-ism and "rainbow coalitions." But others did not wink back because we were too fearful of the possibility that her isolation would become our isolation, and we had come to Columbia for the precise, though largely assumed and unspoken, purpose of foreclosing on that peril. Besides, people said she was crazy. Later, when I attended the University of California at Berkeley, I saw a Native American man sitting on the sidewalk of Telegraph Avenue. On the ground in front of him was an upside-down hat and a sign informing pedestrians that here they could settle the "Land Lease Accounts" that they had neglected to settle all of their lives. He, too, was "crazy." Leaving aside for the moment their state of mind, it would seem that the structure, that is to say the rebar, or better still the grammar of their demands—and, by extension, the grammar of their suffering—was indeed an ethical grammar. Perhaps their grammars are the only ethical grammars available to modern politics and modernity writ large, for they draw our attention not to the way in which space and time are used and abused by enfranchised and violently powerful interests, but to the violence that underwrites the modern world’s capacity to think, act, and exist spatially and temporally. The violence that robbed her of her body and him of his land provided the stage upon which other violent and consensual dramas could be enacted. Thus, they would have to be crazy, crazy enough to call not merely the actions of the world but the world itself to account, and to account for them no less! The woman at Columbia was not demanding to be a participant in an unethical network of distribution: she was not demanding a place within capital, a piece of the pie (the demand for her sofa notwithstanding). Rather, she was articulating a triangulation between two things. On the one hand was the loss of her body, the very dereliction of her corporeal integrity, what Hortense Spillers charts as the transition from being a being to becoming a "being for the captor,"1 the drama of value (the stage on which surplus value is extracted from labor power through commodity production and sale). On the other was the corporeal integrity that, once ripped from her body, fortified and extended the corporeal integrity of everyone else on the street. She gave birth to the commodity and to the Human, yet she had neither subjectivity nor a sofa to show for it. In her eyes, the world—not its myriad discriminatory practices, but the world itself—was unethical. And yet, the world passes by her without the slightest inclination to stop and disabuse her of her claim. Instead, it calls her "crazy." And to what does the world attribute the Native American mans insanity? "He's crazy if he thinks he's getting any money out of us"? Surely, that doesn't make him crazy. Rather it is simply an indication that he does not have a big enough gun. What are we to make of a world that responds to the most lucid enunciation of ethics with violence? What are the foundational questions of the ethico-political? Why are these questions so scandalous that they are rarely posed politically, intellectually, and cinematically—unless they are posed obliquely and unconsciously, as if by accident? Give Turtle Island back to the "Savage." Give life itself back to the Slave. Two simple sen-tences, fourteen simple words, and the structure of U.S. (and perhaps global) antagonisms would be dismantled. An "ethical modernity" would no longer sound like an oxymoron. From there we could busy ourselves with important conflicts that have been promoted to the level of antagonisms, such as class struggle, gender conflict, and immigrants' rights. One cannot but wonder why questions that go to the heart of the ethico-political, questions of political ontology, are so unspeakable in intellectual meditations, political broadsides, and even socially and politically engaged feature films. Clearly they can be spoken, even a child could speak those lines, so they would pose no problem for a scholar, an activist, or a filmmaker. And yet, what is also clear—if the filmogra-phies of socially and politically engaged directors, the archive of progressive scholars, and the plethora of left-wing broadsides are anything to go by—is that what can so easily be spoken is now (500 years and 250 million Settlers/Masters on) so ubiquitously unspoken that these two simple sentences, these fourteen words not only render their speaker "crazy" but become themselves impossible to imagine.

#### Thus, like the lady in front of Columbia demanding her couch, the aff places the impossible demand that the member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

Wilderson ’10 (Frank B. Wilderson, Professor of African American Studies @ UC Irvine, 2010, “Red, White, and Black: Cinema and the Structure of U.S. Antagonisms” pg. 1-5)NJW

WHEN I WAS a young student at Columbia University in New York there was a Black woman who used to stand outside the gate and yell at Whites, Latinos, and East and South Asian students, staff, and faculty as they entered the university She accused them of having stolen her sofa and of selling her into slavery She always winked at the Blacks, though we didn't wink back. Some of us thought her outbursts bigoted and out of step with the burgeoning ethos of multicultural-ism and "rainbow coalitions." But others did not wink back because we were too fearful of the possibility that her isolation would become our isolation, and we had come to Columbia for the precise, though largely assumed and unspoken, purpose of foreclosing on that peril. Besides, people said she was crazy. Later, when I attended the University of California at Berkeley, I saw a Native American man sitting on the sidewalk of Telegraph Avenue. On the ground in front of him was an upside-down hat and a sign informing pedestrians that here they could settle the "Land Lease Accounts" that they had neglected to settle all of their lives. He, too, was "crazy." Leaving aside for the moment their state of mind, it would seem that the structure, that is to say the rebar, or better still the grammar of their demands—and, by extension, the grammar of their suffering—was indeed an ethical grammar. Perhaps their grammars are the only ethical grammars available to modern politics and modernity writ large, for they draw our attention not to the way in which space and time are used and abused by enfranchised and violently powerful interests, but to the violence that underwrites the modern world’s capacity to think, act, and exist spatially and temporally. The violence that robbed her of her body and him of his land provided the stage upon which other violent and consensual dramas could be enacted. Thus, they would have to be crazy, crazy enough to call not merely the actions of the world but the world itself to account, and to account for them no less! The woman at Columbia was not demanding to be a participant in an unethical network of distribution: she was not demanding a place within capital, a piece of the pie (the demand for her sofa notwithstanding). Rather, she was articulating a triangulation between two things. On the one hand was the loss of her body, the very dereliction of her corporeal integrity, what Hortense Spillers charts as the transition from being a being to becoming a "being for the captor,"1 the drama of value (the stage on which surplus value is extracted from labor power through commodity production and sale). On the other was the corporeal integrity that, once ripped from her body, fortified and extended the corporeal integrity of everyone else on the street. She gave birth to the commodity and to the Human, yet she had neither subjectivity nor a sofa to show for it. In her eyes, the world—not its myriad discriminatory practices, but the world itself—was unethical. And yet, the world passes by her without the slightest inclination to stop and disabuse her of her claim. Instead, it calls her "crazy." And to what does the world attribute the Native American mans insanity? "He's crazy if he thinks he's getting any money out of us"? Surely, that doesn't make him crazy. Rather it is simply an indication that he does not have a big enough gun. What are we to make of a world that responds to the most lucid enunciation of ethics with violence? What are the foundational questions of the ethico-political? Why are these questions so scandalous that they are rarely posed politically, intellectually, and cinematically—unless they are posed obliquely and unconsciously, as if by accident? Give Turtle Island back to the "Savage." Give life itself back to the Slave. Two simple sen-tences, fourteen simple words, and the structure of U.S. (and perhaps global) antagonisms would be dismantled. An "ethical modernity" would no longer sound like an oxymoron. From there we could busy ourselves with important conflicts that have been promoted to the level of antagonisms, such as class struggle, gender conflict, and immigrants' rights. One cannot but wonder why questions that go to the heart of the ethico-political, questions of political ontology, are so unspeakable in intellectual meditations, political broadsides, and even socially and politically engaged feature films. Clearly they can be spoken, even a child could speak those lines, so they would pose no problem for a scholar, an activist, or a filmmaker. And yet, what is also clear—if the filmogra-phies of socially and politically engaged directors, the archive of progressive scholars, and the plethora of left-wing broadsides are anything to go by—is that what can so easily be spoken is now (500 years and 250 million Settlers/Masters on) so ubiquitously unspoken that these two simple sentences, these fourteen words not only render their speaker "crazy" but become themselves impossible to imagine.

#### Check all T/Theory interps in CX – infinite interps exist, including bidirectional ones – means that I can never meet. This deters frivolous theory and means we can debate substance and functions as terminal defense to all theory shells.

### Track 3 is the Demand

#### IP laws are a parasitic operation that has always been and can only be anti-black. The demand to reduce intellectual property WILL GET CIRCUMVENTED but that’s precisely the point: the act of posing the demand requires us to recognize the inability for liberal inclusionism to alter the positionality of blackness within the symbolic order because the Library itself, and not the myriad of its unethical practices, is a plantation.

Newman ’13 – BA @ York University, MA @ Texas State University, PhD Candidate @ University of California, Santa Barbara in Department of History [Kurt Newman, 14 September 2013, *Whiteness as Intellectual Property: Some Notes Towards a History of Copyright Law’s Racial Unconscious*, accessed from: <https://s-usih.org/2013/09/whiteness-as-intellectual-property/>] | saurish \* bracketed for inclusion \*

Thus, if we are searching out the racial politics of American popular music and intellectual property law, we could do worse than to train our focus on the pioneering Swing Era bandleader Paul Whiteman. Whiteman—jazz’s prototypical white man–is significant for many reasons: his arrangements were important contributions to the swing language, and he famously introduced many of Gershwin’s most famous compositions to the world. Whiteman was a longstanding campaigner for intellectual property rights in musical interpretations and arrangements, and the defendant in a key copyright case, 1939’s RCA v. Whiteman. But Whiteman’s most historically important role may have been as the greatest venture capitalist in the field of “whiteness as intellectual property.” Here, we are interested in the links between Whiteman the legal crusader and Whiteman the preeminent practitioner of interracial cultural entrepreneurialism, and in the ways he leveraged his whiteness to propertize the resources of African American musical innovators. I attend primarily to Whiteman’s self-representation and his reception by African American intellectuals, rather than Whiteman’s legal campaigns, and argue that **the reach of intellectual property as an organizing paradigm extends far beyond the courtroom**—that, in fact, **“whitening” was coordinated with racialized conceptions of authorship**, the nature of the musical text, **and aesthetic value**. Progressive cultural critic Gilbert Seldes summed up Whiteman’s significance as racial mediator in a piece written for The Dial in 1923: So far in their music, the negroes have given their response to the world with an exceptional naiveté, a directness of expression which has interested our minds as well as touched our emotions; they have shown comparatively evidence of the function of their intelligence… Nowhere is the failure of the negro to exploit his gifts more obvious than in the use he has made of the jazz orchestra; for, although nearly every negro jazz band is better than nearly every white band, no negro band has yet come up to the level of the best white ones, and the leader of the best of all, by a little joke, is called Whiteman (Gilbert Seldes, “Toujours Jazz,” The Dial, August 1923). Langston Hughes saw things differently: White Man! White Man! Let Louis Armstrong play it– And you copyright it And make the money (Langston Hughes, “White Man,” The New Masses, December 15, 1936). Hughes refined this acerbic take in an essay written twenty years later, in response to rock and roll’s replay of Swing Era intellectual property politics: It is nothing new for American whites to take [Black] American Negro songs, words, and styles, and appropriate them for their own. This **began more than a hundred years ago**… Almost as fast as the Negro originates something new in the world of music, **the whites take it and go, sometimes even claiming it as their own creation**… A white band in Chicago in the early 1920s claimed to be the originators of jazz… in New York a bit later Paul Whiteman took unto himself the title of ‘The King of Jazz’… Some of the poor guys who created jazz and are still living, are on relief. (Langston Hughes, “Highway Robbery Across the Color Line in Rhythm and Blues,” The Chicago Defender, July 2, 1955, 9). Hughes was actually being rather kind. He might have called attention to Paul Whiteman’s 1930 film, The King of Jazz, featuring a cartoon segment wherein Whiteman travels to the “African jungle” and is crowned “King of Jazz” by the natives. Whiteman himself occasionally acknowledged something like **“whiteness as intellectual property.”** He famously told the African American bandleader Fletcher Henderson (who was sometimes called the “Paul Whiteman of the Race”): “if you were white, you would make a million dollars.” “A million dollars,” coincidentally, is the sum that white college students told social scientist Andrew Hacker that they would demand in compensation if they woke up one day to discover that they had accidentally been turned into African Americans. This anecdote, in turn, lies at the heart of Cheryl Harris’s groundbreaking article “Whiteness as Property” (Cheryl Harris, “Whiteness as Property,” Harvard Law Review, June 1993, 1-75). Harris makes a powerful case for “whiteness as property” in relation to property’s function as a “right to exclude,” looking at the evolution of “whiteness” as a precious, selectively distributed resource, from Plessy to Bakke. Her research, bolstered by more recent work by Ira Katznelson, George Lipsitz, and David Freund, provides a powerful ground for historical inquiries into racism’s “cash value.” But how did “whiteness as property” become “whiteness as intellectual property?” In an earlier essay here about the pragmatic innovations of Oliver Wendell Holmes, Jr. in the area of copyright jurisprudence in the early years of the twentieth century, I stressed the revolutionary character of Holmes’s insistence that the taste of every class was to be treated with respect. By 1909, the class struggle in intellectual property law had been temporarily settled, with the leveling forces of popular culture victorious over more traditional commitments to fine art. The new currents in copyright jurisprudence shifted the terrain of struggle from conflicts over “high” and “low” to battles between large and small media corporations, and between managers and cultural workers. With the consolidation of these developments, the gendered and racialized character of intellectual property assumed new political salience. Women, who were not guaranteed the right to publish books in their own names (motivating the formation of the Lucy Stone League in the 1920s under the leadership of Ruth Hale to agitate for women’s right to publish under their own names) were among the most important cultural workers of the 1910s and 1920s. Lacking many of the legal protections of literary paternity, women cultural workers were seen by Hollywood studio heads, mass-market publishers, and stage producers as uniquely good investments. As with gender politics, **the racial politics of intellectual property law largely took shape around structural advantages that allowed white male cultural entrepreneurs to claim credit for, and thus propertize and authorize, the creative work of less socially powerful others.** Whiteman was perhaps the most vigorous speculator in this area. Beginning with a chance encounter with jazz music in the Bay Area during the World War I era, Whiteman crafted a self-identity as an “interpretive musician”—a shaper and molder of raw materials (typically, **materials that were “raw” to the extent that they were African American**), the creative processing of which (or “sweetening”) added up to a Lockean mixture of labor and nature meriting authorial status. Whiteman’s famous Aeolian Hall concert of 1924 seems to have represented a turning point in the epistemological maturation of “whiteness as intellectual property.” By conscious design, Whiteman arranged the program around “smooth”/”rough” and “civilized”/”wild” distinctions that remain central to popular music’s aesthetic self-understanding. Famous for premiering Gershwin’s “Rhapsody in Blue,” **the Aeolian Hall concert was a self-conscious attempt to “whiten” African American music**, or (in language suggesting that passing from black to white is a thoroughly gendered business), **an effort to “make a lady out of jazz.”** Whiteman’s orchestra began with a performance of “Livery Stable Blues,” adapted from a 1917 recording by the Original Dixieland Jazz Band. The ODJB was a white group led by clarinetist Nick LaRocca, who later assumed the mantle of jazz’s inventor. In his 1924 memoir Jazz, Whiteman borrowed a page from LaRocca’s playbook, coming close to claiming paternity over all of jazz music. Like the ODJB, Whiteman’s Aeolian Hall performance featured a variety of raucous imitations of barnyard sounds—**playing on racist associations of “blackness” and “animality.”** Whiteman consciously chose “Livery Stable Blues” as the concert opener in order to display, over the course of the rest of the performance, the subsequent “improvements” in jazz scoring. Later, Whiteman performed the popular song, “Whispering” in two versions—“legitimate scoring vs. jazzing”—so as to display a “melodic, harmonious, modern theme jazzed into a hideous nightmare.” The evening was structured to validate white claims to having “improved” jazz, and thus like John Locke’s agrarian capitalist claiming ownership of “turf his horse had cut,” **to assert legal ownership of the music.** Beyond simple avarice, would-be musical “improvers” like Whiteman were motivated by changing historical conditions in the decades after World War I. Beginning with the nineteenth century minstrel show, and vaudeville’s array of racialized buffoonery, American entertainment culture had long been defined by a central tension between original and forgery, repetition and difference. As Cedric Robinson and Clyde Woods have argued, **at the heart of this regime of racial representation lurked a central contention: that the victim enjoys his or her victimization.** In such representations, **the African American grotesque takes pleasure in his humiliation and degradation** (as does the Irish gorilla, the Jewish shylock, and the idiot hayseed). No one enjoys racism, according to the logic of such entertainments, as much as its victims. This regime of racial representation (connected, in complex ways, with the railroad corporations, Northern banks, the Southern prison-industrial complex, and the cotton economy) required constant renewal and refreshment, as well as regular explosions of spectacular violence. **What this regime could not tolerate—what would be entirely fatal to the entire operation—was the free expression of the complex and fully human personhood of African Americans.** Thus, when musicians like Whiteman worked to maintain their monopoly on the legitimate means of translating African American music to white America, **via the mechanisms of copyright law**, they were functioning within a well-established pattern of mediating the aesthetic expression of African Americans (which often meant, in practical terms, censoring or distorting its content) **in order to preserve minstrelsy’s empire.** As the gramophone, radio, and automobile led to increased opportunities for African American cultural workers to present their own aesthetic projects across the country, without the intermediating brokerage of white “translators,” this regime of racial representation was imperiled. This created a real crisis for both aggressive defenders of popular culture’s racism and those who, like Whiteman, saw themselves as genuinely committed to aesthetic appropriation as evidence of interracial friendship (however curious such commitments were in the face of Whiteman’s tendency to feature blackface minstrelsy sequences in his concerts throughout the 1920s and 1930s). Musicians like Whiteman, then, were fighting for the preservation of “whiteness as intellectual property” on two fronts: seeking to preserve their roles as folkloric or anthropological mediators, and also to preserve their roles as commercial “co-authors.” What is perhaps most intriguing about Whiteman’s cultural prospecting is that he made no effort to obscure his promiscuous borrowing. Whiteman’s remark to Fletcher Henderson was meant as an expression of jocularity, not cruelty. Whiteman regularly went to see the Duke Ellington band play in Harlem in the 1920s and 1930s. Thomas DeLong writes that Whiteman used to urge his collaborator Ferde Grofe to “make notes of what Ellington’s outfit was playing, but Grofe had little or no success at capturing its distinctive sound and syncopation.” Whiteman and Grofe admitted that due to the timbral complexity of Ellington’s music, they couldn’t steal “even two bars of the music.” But, by implication, had they been able to capture the sounds on paper, they would have felt no compunction about taking them. In this light, it is interesting to read the Chicago Defender’s coverage of Paul Whiteman in the 1920s and 1930s. A certain internalization of Whiteman’s claim to have redeemed jazz seems to have taken hold among some of the African American intelligentsia. For example, an opinion piece by Dave Peyton from 1929 celebrates Whiteman as it launches a complaint against the segregation and ghettoization of African American music by record labels. Peyton argues that African American musicians had been forced by record companies to play “discordant noises,” as opposed to the “legitimate instrumentation” and “wholesome music” of white jazz musicians like Paul Whiteman. For Peyton, **Whiteman’s “refinements” represented not a whitewashing of jazz, but a purification of African American music traditions.** The problem was that white-owned record labels would not allow African American bands to emulate Whiteman, encouraging instead musical “bad habits.”

#### The act of making impossible demands affirms a strategy capable of reorienting society towards liberation. The decision to act, knowing that failure may ensue, is a necessary tactic for revolutionary politics.

Taryn ’14 (Jordan, "The Politics of Impossibility: CeCe McDonald and Trayvon Martin— the Bursting of Black Rage." Thesis, Georgia State University, 2014.)Wardn/NJW

The politics of impossibility is a way to name our era of neoliberal individualist, post- race and post-feminist time. In other words we live in a post – post impossible political reality; I see the possibility in impossibility as a larger political strategy that is interested in a strategic reorganization of society towards liberatory pursuits. To understand what is possible in the impossibility is to become comfortable with the possibility of failure. One must not think only of the outcome of an action instead the possibility in impossible politics is focused upon the decision to act, with the intention that action may result in something, but knowing deep inside it may result in failure or something else entirely. Hence the need for a politics of impossibility that is expansive in its interventions in our current moment; it requires a diversity of tactics for non-beings within a complex web of relationality and kinship. I find our era of impossibility, with all of its sharp edges and devastating reality, hopeful; it is not too soon... or too late to begin to think of the implications of a politics that calls into question the very foundation of the nation- state.

#### Thus, impossible demands affirming the black positionality are key to the destruction of civil society as we know it

Wilderson ‘20 –Professor of Drama and African American Studies @ UC Irvine [Frank B. Wilderson III, April 7, 2020, *Afropessimism*, pages: 222] | saurish

There’s something organic to Blackness that makes it essential to the construction of civil society. But there’s also something organic to Blackness that portends **the destruction of civil society.** There’s nothing willful or speculative in this statement, for one could just as well state the claim the other way around: there’s something organic to civil society that makes *it* essential to the destruction of the Black body. **Blackness is a positionality of “absolute dereliction,” abandonment, in the face of civil society, and therefore cannot be liberated or be made legible through counter-hegemonic interventions.** Black suffering is not a function of the performance(s) of civil society, but **of the existence of civil society.** For the Pakistani driver, the White professor, and his White wife, civil society is an ensemble of constraints and opportunities. But for the Black, civil society is a murderous projection.

#### The Role of this space is to endorse the best grammar of suffering to challenge the capitulation of anti-blackness within civil society. Prefer:

#### 1: There is no analogy for anti-blackness because the world is predicated on the devastation of black being, rendering it ahistorical and virtually blank. The grammars of exploitation and alienation ask only how we might redeem rather than dismantle this failed American experiment. As Malcolm X once said, “if you stick a knife nine inches into my back and pull it out six inches, that’s not progress.”

Wilderson 2007 [Frank B., “The Prison Slave as Hegemony’s Silent Scandal” in *Warfare in the American Homeland* ed. Joy James, p. 31-2]

Slavery is the great leveler of the black subjects positionality. The black American subject does not generate historical categories of entitlement, sover­eignty, and immigration for the record. We are "off the map" with respect to the cartography that charts civil society's semiotics; we have a past but not a heri­tage. To the data-generating demands of the Historical Axis, we present a vir­tual blank, much like that which the Khoisan presented to the Anthropological Axis. This places us in a structurally impossible position, one that is outside the articulations of hegemony. However, it also places hegemony in a structurally impossible position because—and this is key—our presence works back on the grammar of hegemony and threatens it with incoherence. If every subject— even-the most massacred among them, Indians—is required to have analogs within the nations structuring narrative, and the experience of one subject on whom the nations order of wealth was built is without analog, then that sub­jects presence destabilizes all other analogs. Fanon writes, "Decolonization, which sets out to change the order of the world, is, obviously, a program of complete disorder."12 If we take him at his word, then we must accept that no other body functions in the Imaginary, the Symbolic, or the Real so completely as a repository of complete disorder as the black body. Blackness is the site of absolute dereliction at the level of the Real, for in its magnetizing of bullets the black body functions as the map of gra­tuitous violence, through which civil society is possible— namely, those bodies for which violence is, or can be, contingent. Blackness is the site of absolute dereliction at the level of the Symbolic, for blackness in America generates no categories for the chromosome of history and no data for the categories of im­migration or sovereignty. It is an experience without analog—a past without a heritage. Blackness is the site of absolute dereliction at the level of the Imaginary, for "whoever says 'rape' says Black" (Fanon), whoever says "prison" says black (Sexton), and whoever says "aids" says black—the "Negro is a phobogenic object."13 Indeed, it means all those things: a phobogenic object, a past without a heritage, the map of gratuitous violence, and a program of complete disorder. Whereas this realization is, and should be, cause for alarm, it should not be cause for lament or, worse, disavowal—not at least, for a true revolutionary or for a truly revolutionary movement such as prison abolition. If a social move­ment is to be neither social-democratic nor Marxist in terms of structure of political desire, then it should grasp the invitation to assume the positionality of subjects of social death. If we are to be honest with ourselves, we must admit that the "Negro" has been inviting whites, as well as civil society's junior part­ners, to the dance of social death for hundreds of years, but few have wanted to learn the steps. They have been, and remain today—even in the most antiracist movements, such as the prison abolition movement—invested elsewhere. This is not to say that all oppositional political desire today is pro-white, but it is usually antiblack, meaning that it will not dance with death. Black liberation, as a prospect, makes radicalism more dangerous to the United States. This is not because it raises the specter of an alternative polity (such as socialism or community control of existing resources), but because its condition of possibility and gesture of resistance function as a negative dialec­tic

: a politics of refusal and a refusal to affirm, a "program of complete disorder." One must embrace its disorder, its incoherence, and allow oneself to be elabo­rated by it if, indeed, ones politics are to be underwritten by a desire to take down this country. If this is not the desire that underwrites ones politics, then through what strategy of legitimation is the word "prison" being linked to the word "abolition"? What are this movements lines of political accountability? There is nothing foreign, frightening, or even unpracticed about the embrace of disorder and incoherence. The desire to be embraced, and elaborated, by dis­order and incoherence is not anathema in and of itself. No one, for example, has ever been known to say, "Gee-whiz, if only my orgasms would end a little sooner, or maybe not come at all." Yet few so-called radicals desire to be em­braced, and elaborated, by the disorder and incoherence of blackness—and the state of political movements in the United States today is marked by this very Negrophobogenisis: "Gee-whiz, if only black rage could be more coherent, or maybe not come at all." Perhaps there is something more terrifying about the foy of black than there is in the joy of sex (unless one is talking sex with a Negro). Perhaps coalitions today prefer to remain in-orgasmic in the face of civil society—with hegemony as a handy prophylactic, just in case. If through this stasis or paralysis they try to do the work of prison abolition, the work will fail, for it is always work from a position of coherence (i.e., the worker) on behalf of a position of incoherence of the black subject, or prison slave. In this way, social formations on the left remain blind to the contradictions of coalitions between workers and slaves. They remain coalitions operating within the logic of civil society and function less as revolutionary promises than as crowding y out scenarios of black antagonisms, simply feeding our frustration. Whereas the positionality of the worker (whether a factory worker demand­ing a monetary wage, an immigrant, or a white woman demanding a social wage) gestures toward the reconfiguration of civil society, the positionality of the black subject (whether a prison slave or a prison slave-in-waiting) gestures toward the disconfiguration of civil society. From the coherence of civil so­ciety, the black subject beckons with the incoherence of civil war, a war that re­claims blackness not as a positive value but as a politically enabling site, to quote Fanon, of "absolute dereliction." It is a "scandal" that rends civil society asun­der. Civil war, then, becomes the unthought, but never forgotten, understudy of hegemony. It is a black specter waiting in the wings, an endless antagonism that cannot be satisfied (via reform or reparation) but that must, nonetheless, be pursued to the death.

#### 2: It’s most proximate to your ballot – voting aff or neg doesn’t implement the policies or movements we discuss; however, debate does implicate the grammars we used to describe violence which makes them a prerequisite to evaluating the ethicality of any action.

#### 3: All of ethics are rooted in anti-blackness through ontological incapacity.

Pak ‘12, Yumi Pak, PhD in literature from UC-San Diego, “Outside Relationality: Autobiographical Deformations and the Literary Lineage of Afro-pessimism in 20th and 21st Century African American Literature,” Dissertation through Proquest)NJW

Because the four authors I examine focus intensively on untangling and retangling the nexus of race, gender, and sexuality in autobiographical narratives, this project originally relied most heavily on the frameworks provided by queer theory and performance studies, as the structural organization and methodology behind both disciplines offered the characteristic of being “‘inter’ – in between... intergenric (sic), interdisciplinary, intercultural – and therefore inherently unstable” (“What is Performance Studies Anyway?” 360). My abstract ideation of the dissertation was one which conceptualized the unloosening of the authors’ respective texts from the ways in which they have been read in particular genres. Yet the investigative progression of my research redirected me to question the despondency I found within Toomer, Himes, Baldwin and Jones’ novels, a despondency and sorrow that seemed to reach beyond the individual and collective purportedly represented in these works. What does it mean, they seem to speculate, to suffer beyond the individual, beyond the collective, and into the far reaches of paradigmatic structure? What does it mean to exist beyond “social oppression” and veer instead into what Frank B. Wilderson, III calls “structural suffering” (Red, White & Black 36)? Briefly, Wilderson utilizes what he calls Frantz Fanon’s splitting of “the hair(s) between social oppression and structural suffering”; in other words, Wilderson refutes the possibility of analogizing blackness with any other positionality in the world. Others may be oppressed, indeed, may suffer experientially, but only the black, the paradigmatic slave, suffers structurally. Afro-pessimism, the theoretical means by which I attempt to answer this query, provides the integral term and parameters with which I bind together queer theory, performance studies, and autobiography studies in order to propose a re-examination of these authors and their texts. The structural suffering of blackness seeps into all elements of American history, culture, and life, and thus I begin my discussion with an analysis of Hortense Spillers’ concept of an American grammar in “Mama’s Baby, Papa’s Maybe: An American Grammar Book.” To theorize blackness is to begin with the slave ship, in a space that is in actuality no place.7 In discussing the transportation of human cargo across the Middle Passage, Spillers writes that this physical theft of bodies was “a willful and violent (and unimaginable from this distance) severing of the captive body from its motive will, its active desire” (Spillers 67). She contends here that in this mass gathering and transportation, what becomes illuminated is not only the complete and total deracination of native from soil, but rather the evisceration of subjectivity from blackness, the evacuation of will and desire from the body;

in other words, we see that even before the black body there is flesh, “that zero degree of social conceptualization that does not escape concealment under the brush of discourse, or the reflexes of iconography” (67). Black flesh, which arrives in the United States to be manipulated and utilized as slave bodies, is “a primary narrative” with its “seared, divided, ripped-apartness, riveted to the ship’s hole, fallen, or ‘escaped’ overboard” (67). These markings – “lacerations, woundings, fissures, tears, scars, openings, ruptures, lesions, rendings, punctures of the flesh” – are indicative of the sheer scale of the structural violence amassed against blackness, and from this beginning Spillers culls an “American grammar” that grounds itself in the “rupture and a radically different kind of cultural continuation,” a grammar that is the fabric of blackness in the United States (67, 68). **riveted to the ship’s hole, fallen,** **or ‘escaped’ overboard” (67). These markings – “lacerations, woundings, fissures, tears, scars, openings, ruptures, lesions, rendings, punctures of the flesh” – are indicative of the sheer scale of the structural violence amassed against blackness, and from this beginning Spillers culls an “American grammar” that grounds itself in the “rupture and a radically different kind of cultural continuation,” a grammar that is the fabric of blackness in the United States (67, 68). As Wilderson observes,** “Africans went into the ships and came out as Blacks” **(Red, White & Black 38). In other words,** in the **same** moment they are (re)born as blacks, they are doomed to death as slaves**. This rupture, I argue, is evident in the definitions of slavery set forth by Orlando Patterson in his seminal volume, Slavery and Social Death: natal alienation, general dishonor and openness to gratuitous violence. The captive body, which is constructed with torn flesh, is laid bare to any and all, and it is critical to note here that Patterson, in line with Afro-pessimists, does not align slavery with labor. The slave can – and did – work, but** what defines **him/her as such** is **that as a dishonored and violated object,** the master’s whims **for him/her to work, or not work,** can be carried out without ramifications**. Rather, the slave’s powerlessness is heightened to the greatest possible capacity, wherein s/he is marked by social death and the “permanent, violent domination” of their selves (Patterson 13). Spillers’ “radically different kind of cultural continuation” finds an articulation of the object status of blackness in the United States, one which impugns the separation of “slave” and “black.” As Jared Sexton and Huey Copeland inquire, “[h]ow might it feel to be… a scandal to ontology, an outrage to every marker of the human? What, in the final analysis, does it mean to suffer?” (Sexton and Copeland 53). Blackness functions as a scandal to ontology because, as Wilderson states,** black suffering forms the **ethical** backbone of civil society**. He writes, [c]**hattelslavery **did not simply reterritorialize the ontology of the African. It also** created the Human out of cultural **disparate** identities **from Europe to the East… Put another way, through chattel slavery the world gave birth and coherence to both its joys of domesticity and to its struggles of political discontent, and with these joys and struggles,** the Human was born, but not before it murdered the Black, forging a symbiosis between the **political** ontology of Humanity and the social death of Blacks. **(Red, White & Black 20 – 21) Again,** the African is made black, and in this murder both ontological and physical, humanity gains its coherence**. It is not my intention (nor of other Afro-pessimists) to argue that violence has only ever been committed against black individuals and communities in the United States, or in the world, but rather that the** structural suffering that defines blackness, the violence enacted against blackness to maintain its positioning outside of civil society, that demarcates the black as slave, has no horizontal equivalent and, **indeed,** provides the **logical** ethos of existence for all othered subjectivities**; by this I mean that all** other subjects **(and I use this word quite intentionally)** retain a body and not the zero degree of flesh. **As Sexton writes, “we might say of the colonized: you may lose your motherland, but you will not ‘lose your mother’ (Hartman 2007)” (“The Curtain of the Sky” 14). This is precisely why Sexton offers the succinct definition of** Afro**-**pessimism **as “**a political ontology dividing the Slave from the world of the Human in a constitutive way**” (“The Social Life of Social Death” 23). Furthermore, Afro-pessimists contest the idea that the modern world is one wherein the price of labor determines the price of being equally for all people. In this capitalistic reading of the world, we summon blacks back into civil society by utilizing Marxism to assume “a subaltern structured by capital, not by white supremacy” (“Gramsci’s Black Marx” 1). While it is undeniable, of course, that black bodies and labor were used to aid in the economic growth of the United States, we return again to the point that** what defines enslavement is accumulation and fungibility, alongside natal alienation, general dishonor, and openness to gratuitous violence; the slave**, then,** is not constituted as part of **the** class struggle**. 8 While it is true “that labor power is exploited and that the worker is alienated in it,” it is also true** that “workers labor on the commodity, they are not the commodity itself, their labor power is” **(Red, White & Black 50). The slave is, then, invisible within this matrix, and, to a more detrimental effect, invisible within the ontology of lived subjects entirely. The slave cannot be defined as loss – as can the postcolonial subject, the woman, or the immigrant – but can only be configured as lack, as there is no potential for synthesis within a rubric of antagonism. Wilderson sets up the phrase “rubric of antagonism” in opposition to “rubric of conflict” to clarify the positionality of blacks outside relationality. The former is “an irreconcilable struggle between entities, or positions, the resolution of which is not dialectical but entails the obliteration of one of the positions,” whereas the latter is “a rubric of problems that can be posed and conceptually solved” (Red, White & Black 5). He continues, “[i]f** a Black is the **very** antithesis of a Human subject**… then his or her paradigmatic exile is not simply a function of repressive practices on the part of institutions” (9). Integrating Hegel and Marx, and returning to Spillers, Wilderson argues that within this grammar of suffering, the slave is not a laborer but what he calls “antiHuman, against which Humanity establishes, maintains, and renews its coherence, its corporeal integrity” (11).** In contrast to imagining the black other in opposition to whiteness**, Wilderson and other Afro-pessimists theorize** blackness as **being absent in the dialectic, as “**anti-Human.”