

Guidelines for Direct Action During the Twenty-First Century Years of Plague

Guías para la acción directa durante los años de la peste del siglo veintiuno

Oscar Guardiola-Rivera

Co-director de Birkbeck, University of London
Londres, Reino Unido

Abstract: This essay is an invitation to consider the question of direct action in the acts of protest that have dominated the public scene during the twenty-first century years of plague. It explores the role of aesthetic ideas that can guide realization-comparisons and the performance of acts in real-time. As such, it works from within an undercurrent of political philosophy originating between Europe, Africa and the Americas. Namely, utopianism, from Thomas More's *Utopia* to Julio Cortázar *Una utopía realizable*. From Marx's new struggle in the press to the combative acts of enslaved Africans in the Americas. From the ideals of the imagination to the prefigurative politics of Tricontinentalism and the New Left that is being reinvented nowadays by art practices intersecting ethical and legal discourses as gallery space spills over into street space and now-time explodes the not-yet in real-time social struggle. This essay is structured into six sections containing six simple guidelines for direct action during the twenty-first century years of plague.

Keywords: Utopianism, aesthetic ideas, framing, prefigurative/figurative politics, track & trace.

Resumen: Este ensayo es una invitación a considerar la difícil cuestión de los límites de la acción directa en los actos de protesta que han dominado la escena pública durante los años de la peste del siglo veintiuno. Explora el papel de las ideas estéticas que han de guiar la realización-comparación y el desempeño de los actos en tiempo real. Como tal, funciona desde dentro de un trasfondo de filosofía política que se origina entre Europa, África y las Américas. Es decir, el utopismo, desde la *Utopía* de Tomás More hasta el comic/novela de Julio Cortázar *Una utopía realizable*. Desde la nueva lucha de Marx en los medios de prensa hasta los actos combativos de africanos esclavizados en las Américas. Desde los ideales de la imaginación hasta la política prefigurativa del tricontinentalismo y la nueva izquierda que se está reinventando hoy en día por prácticas artísticas que cruzan discursos éticos y legales a medida que el espacio de la galería se derrama en el espacio de la calle y ahora explota la lucha social que aún no está en tiempo real. Este ensayo se estructura en seis secciones que contienen seis directrices simples para la acción directa durante los años xxi de la peste.

Palabras clave: Utopianismo, ideas estéticas, encuadre, política prefigurativa / figurativa, track & trace.

1. Never Wait.

Consider the thorny question of direct action in the acts of protest or struggle that have dominated, together with the trajectory of the current pandemic, the news stories of the twenty-first century years of plague.

The current conventions materialised in the common sense of our current societies and institutions, legal and aesthetic, often frame this question in terms of a negative prohibition of liminality, meaning you must be either for or against violence. If you're for it then you must be evil, a 'terrorist' or 'backwards'. If so, you must confess the error of your ways, hope to be reintegrated in the community and move on since. Otherwise, you belong to the dustbin of history. It will judge you, or to be precise, the courts of the state and the tribunals of public opinion will judge you in the name of history.

This framing leaves little or no room for reasonable discussions about the limits of direct action in acts of protest or struggle in oppressive situations. For, as many activists would testify to, one limitation of protest and action is that those against whom such acts are addressed can always say they would negotiate only if you stop your protest or direct action, even if it is non-violent. They're always telling us we're too impatient and must wait. This way, they gain time and can continue to accrue their gains. And even if a negotiation takes place after you stop acting, and the only significant result is an absolute ban on any means of current or future direct action that threaten the stability, integrity or monopoly of violence in the hands of the state (either violent or non-violent, since the latter can always be declared violent or repressed as such by the putative monopoliser of violence) then, again, they tell us we desire too much, we're too impatient and must wait. This way, they gain time, keep the benefits made on the basis of historically oppressive relations or non-relations, and can continue to accrue their gains.

In cases such as this, the violence/non-violence distinction, elevated to the status of a transcendental institutional injunction -as when 'law' is represented as the absolute opposite of 'violence', as 'pure' dialogue or purer means to achieve purer ends, for instance- seem to hinder rather than advancing the discussion or helping the realization of justice as a result of hard work and negotiations. This is why many of the activists and artists active in the social and protest movements of recent years, whose practice takes place in the intersection between art and ethical/legal discourses, prefer to say: 'I was not thinking of means and ends. I am thinking of the Zapatistas, how [as] we're moving, walking, we ask questions. Questions relating to violence are [questions] of strategy and

tactic. Prefigurative. The world we want to see now. Not later ... And [they're, just as we're] reorienting to each other. The means and ends [framework] is totalizing'.¹

The use of the term 'prefigurative' in the quote above is illuminating. This term has an illustrious trajectory emerging from the activist movements of the 60s and 70s - feminism in Britain and the Americas, the US New Left, SDS, the community land trust, and the recuperation of factories by workers in Chile and Argentina- all the way up to Zapatismo, Occupy Wall Street and the 2019-20 worldwide protests. Rather than a set of demands, it entails the desire to embody "within the ongoing political practice of a movement [...] those forms of social relations, decision-making [add legal] processes, culture, and human experience that are the ultimate goal" (Boggs, 1977:100, cfr. Rowbotham, 1979 and Breines, 1980: 419-429).

Writing in the context of the 1999 Seattle WTO Protest, ethnographer David Graeber described the prefigurative politics of those taking part with these words: "In the best tradition of direct action, they not only confronted a certain form of power, exposing its mechanisms and attempting literally to stop it in its tracks. They did it in a way which demonstrated why the kinds of social relations on which it is based were unnecessary (...) The diversity was a function of the decentralized form of organization, and this organization *was* the movement's ideology" (Graeber, 2004: 84).

The point made by 'Hakim' during our recent exchange confirms what David Graeber says. That prefigurative (or 'utopian', visionary) politics is grounded on a use of reason that not only seeks to gain insight into the causes of oppression but also judges that nothing else is as effective to the mind and the body than what leads to such insight. 'Effective' means here intensifying the possibilities inherent to the interrupted projects of futures past and of the value of all existents that have produced such projects. Also, activating in theoretical practice as well as in praxis. This entails that insight is not just some escapism into hopeful visions of the future, but rather the journey back into the here and now in which the very practice and institutional orientation of the movement enacts such visions. This practice and orientation can be best summed up in the formula 'participatory democracy'. It is central to prefigurative law & politics. It may be recognised "in counter-institutions, demonstrations and the attempt to embody personal and anti-hierarchical values ... The crux of prefigurative politics imposes substantial tasks, the

¹ I am thankful to Hakim (not his real name) the member of an art collective active in some of the most significant protests in the last years for his careful and most illuminating answer to my question. This exchange took place in the context of a webinar workshop on art and activism celebrated 13 March 2021.

central one being to create and sustain within the live practice of the movement, relationships and political forms [including legal ones] that ‘prefigured’ and embodied the desired society” (Breis, 1989:6-7).

Which relations and forms exactly? Egalitarian relations really opposed to exploitative ones and non-relations, counter-institutional and legal forms really opposed to legal and institutional forms that divide and fragment us as groups and individuals as well as our interests. This idea of prefiguration in practice does justice to what Drucilla Cornell means when she speaks of aesthetic ideas or justice-as-negotiations in general and her ‘imaginary domain’ as well as of taking positions, in particular. It means that when we critically evaluate or judge (in the Kantian sense) some object or other as beautiful and sublime, worthy of respect and intensity-in-value, we include the ‘should be’ of the universal which is inseparable of both the idea of a more integral humanity and takes the non-human perspective that abandons the anthropocentrism of natural or familiar consciousness which is ignorant of real causes, of the mutual immanence of causes and effects.

2. Negate Negative Prohibitions.

Crucial in this exercise of reason and critical evaluation is the experimental creation and enactment of institutions as well as (liminal) positions and legal forms aiming to treat, cleanse and cure or let go of the negative prohibitions of liminality that ground current institutions and given normative orders as well as political-economic hierarchies.

Chief among these ‘negative prohibitions’, current legal forms and given political-economic institutional hierarchies are those which promote the fragmentation of desires and interests (into preferences) and individuals (into ‘dividuals’ or data) in the worlds of trade, property and economics. And then make us wait. These institutional forms of fragmentation and disarming dis-acceleration have been made possible by the legal and political mechanisms introduced into our societies in the wake of the 1833 Slavery Abolition (& Compensation) Act, the 1837 Charles River Bridge case, the 1862 Mirroll Act and the long-wait of the period between the Emancipation Proclamation or the 14th Amendment and the 1962 ‘Second Emancipation’ Proclamation in the context of Civil Rights and Tricontinental struggles, in Britain and the United States as well as the latter’s foreign policy in the Americas and elsewhere.

Nowadays, these institutions of social, environmental and global control have merged into a development-finance-security nexus that affirms itself as in possession of the 'expertise' and the means with which to contain or manage global disasters such as war, economic crises or pandemics. That is, it is refashioning itself into a transcendent subject supposed to know, able to appear anywhere on the planet and productive of quiet and catharsis. A subject in possession of a disarming monopoly of violence that not only bans everything it sees threatening to itself as 'violent', but also, crucially, declares such bans and absolute damnations in the space of spectacle and spectacular media, the post-classical public spheres of law courts and the tribunals of history and public opinion, which is fast replacing the classical public spheres of moderate liberal political philosophy and practice.

In the latter, the self-affirmed moderate public spheres of liberal philosophy and practice, the tendency has always been to warn the movements they're too impatient and they desire too much. Dialogue and legal interlocution are presented therein as the purer or absolute other of violence. The movements are told to wait. To wait for the law to ameliorate the worst effects of given unequal property relations and relations of recognition. To wait for redistribution and recognition. But 'wait' almost always means 'never'.

This is what Marx saw already in the real-time period between the 1830s and the onset of the U.S. Civil War after the assassination of John Brown. He saw that Abraham Lincoln was reluctant to act against slavocracy and that the moderate press in Britain and elsewhere, including liberal public intellectuals and philosophers like John Stuart Mill, tended to side with the interests of the property-holders, including slaveholders and other beneficiaries of the slave economy in the 'national' interest. The movements back then were told to wait. Wait at the gates before the law. He saw these things in real-time comparison guided by aesthetic ideas and the prophetic vision of prefigurative politics. To make kin with unfamiliar others and stay with the problem. When the time came, he was alone in the press urging for public opinion and the institutions of the law to realize that the only way to defeat slavocracy was to let go of the 'constitutional' fight (that is, secession) and embrace 'revolutionary' struggle (that is, arming the slaves themselves).

This is what Martin Luther King saw already in the real-time period between the 1950s and the 1960s, at the onset of Civil and People's Rights movements after the lynchings and the institutionalisation of the Jim Crow regime in the U.S. and elsewhere. He saw that John F. Kennedy was reluctant to act against the Governor of Alabama and

elsewhere in the American South, also in South Vietnam and South America. And that the moderate press there and elsewhere, included liberal public intellectuals and moderate opinion-makers, would tend to side with the interests of property holders in the name of law and order and the national interest. The movements back then were told to wait. Wait at the gates before the law. He saw these things in real-time comparison guided by aesthetic ideas and the prophetic vision of prefigurative politics. To make kin with unfamiliar others and stay with the problem. When the time came, he was alone and in prison. While in prison he wrote the famous 1963 Letter from Birmingham City Jail urging for public opinion and the institutions of the law to realize that the only way to defeat Jim Crow was to let go of the constitutional arguments concerning state rights and legal subjectivity (granted to corporations in case after case), which bound the 14th Amendment to the interests of big property, and to embrace social struggle in the US and elsewhere against empire and white supremacy. For “injustice anywhere is a threat to justice everywhere” (King Jr., 2015: 127-146).²

This is what Nelson Mandela saw. This is what Alicia Garza saw. This is what Marielle Franco saw. This is what the Chilean women of Las Tesis saw.

They saw that the vision of times ‘when X was great’ refers not to the past or does so only appearance. In fact, it performs in the current ‘classical’ and postclassical public spheres, in real-time, the productive act of telling the movements to be patient and wait. Which makes us all sad, even if the sadistic few enjoy our sadness. It is a performance act of deferral. That is, the real opposite of the act and direct actions of the movement producing an interval in real timespace between what is lacking here and now and fullness to come. Such vision, prophetic, prefigurative does not configure a place in the imagination to escape into, a safer place, a purer place protected from virus and contaminants. Instead, it guides us and orient us into revolution and resistance, non-violent and otherwise. Here and now. For the knee is on neck, the virus in our lungs. And we can’t wait.

Indeed, it is the sad but passionate memory of ‘when X was great’, meaning the times before emancipation which were also the times of adventurous colonialist capitalism heralded or retroactively legalised by the legal acts of the 1830s, the US 1862 Morrill Act, and the Jim Crow regime, the times of empire and white supremacy, what grounds current

² Martin Luther King Jr. also pointed out in the letter, provocatively, that the moderate liberals were worse than the Klu Klux Klan people, since the former will always tell you to be patient and wait before the law. Franz Kafka’s short story ‘Before the Law’ articulates better than any analytical examination would why this is a much worst fate than confronting the fascists and their post-fascist simulators.

claim to 'Make X Great Again'. But this is not the real past. In the real past there were always Flora Tristan, Karl Marx, Martin Luther King Jr., Marielle Franco and Nelson Mandela.

Indeed, for such a sad passion and memory to re-emerge and thrive it must, perforce, firstly, reassert in some fantasy past the forms of sadist joy or 'pleasantness' that may increase some satisfaction in the short term, the instantaneous present of selfie-time and image-consumption time, but decreases our ability to act it in the long term. Secondly, it must increase our perceptions based on inadequate ideas so that we focus on the suffering of others and our mere survival, on our immediate preferences and more or less simulated traumas, and put in the place of real causes ourselves, the fictions of natural consciousness or public opinion, and effects that pretend to have unknowable transcendent causes. The real causes would remain unknown to us for as long as we continue to wait and avoid the hard work of experimentation in the imagination and in action, from the virus to the real causes of permanent economic crises.

Put simply, for sad passions and the pessimistic look of sad memory to dominate in the present, our immediate past must be made illegible. Specifically, the interrupted projects of futures past, the radical mass utopias of the East and the West in the last century or two. This is why we lack the tools with which to make better sense of the present, let alone imagine a different future or another beginning. Especially since the late 1970s or 80s there have been explicit attempts to revise the history of, to bury and destroy notions of radical change, positions, and prefigurative politics. And to replace them in legal/political practices of demonstration and negotiation with simulated notions of relief, trauma, resilience and preferences. And much more recently by a broader notion of humanitarian intervention and global catastrophe management.

The more and less recent cases of Colombia (during and after Plan Colombia and the Peace Agreement), Brazil, Bolivia or Venezuela, or Libya and Syria, in which efforts to supposedly reduce the suffering of others through humanitarian relief measures in situations of civil war were made in parallel with other forms of intervention to influence and change internal dynamics, are prominent cases in point. As these cases demonstrate, damnation declarations in the form of 'wars against nouns' (drugs, terror, poverty, the virus and so on) and lawfare (invoking transcendent human rights or 'our values' as justifications) both play to the gallery and appeal to our passions all the while hiding the

real causes and telling us to wait and easing our conscience in quiet and cathartic pacification.

For example, a far-right Conservative government may appear moderate and even liberal when accusing in national or international tribunals the wife of some evil villain abroa, say, in Syria, for terrorism, all the while seeking to dilute at home the Human Rights Act. Or it can condemn the Venezuelan government for violating the human rights of its citizens and support more or less legal (often illegal) economic sanctions (that would cause further harm on the Venezuelan population) all the while bombarding its own children forcibly recruited by dissident groups and then pretend these children among its own citizens were 'war machines'.

This is not merely paradoxical or inconsistent. As said before, the name of ideology today is simulation, but one that appears in the eyes of the public as real as 'inverted time' or time on its feet. That is, the time for confession, regret, trauma, cleansing catharsis and self-help. The time to turn things back on their feet, so that the head rules again, and to turn the page and move on. Now we can say that ideology today is, more precisely, a simulated drama performed before the cameras in accordance with the dialectic poetics of tragedy and the coercive rules of the institutions of the tragic: fate, turn and inversion or release.

Put otherwise, the most crucial phenomenon allowing current natural consciousness to bridge itself with the sad passionate memory of 'when X was great' so as to posit itself in the authoritative place of the one who would 'make X great again' is this: the transposition of the universalist and utopian principles of political prefigurative projects for grander justice from the register of political mobilization and activating passions to that of the mass media, the popular culture of bi-dimensional image consumption and disarming passion for betting and risk securitization.

Let's speak in this sense of the emergence of a global development-finance-security nexus sucking the life out of the face of humanity. Such is the real sickness. The virus.

It has aimed to replace the kinds of prefigurative politics and counter-institutional legal and economic practices that struggled, and in many ways dominated the international level and national landscapes at least until the mid 1970s or early 80s with a kind of figurative politics understood in the sense of simulated politics, pre-emptive police reaction and spectacle (cfr. Cortázar, 2014 and Duffield, 2018, 2014).

3. Refuse Figurative Art & Politics.

Under the cover of planetary pandemics and economic as well as climate of history crises, this nexus is now in the process of replacing or reassembling itself with a new dialectics of place and race. That is, a figurative politics/policy of combined interventions, in which development assistance and humanitarianism go hand in hand with other actions -including military intervention, economic or lawfare sanctions, and post-humanitarian governance through metrics and AI- in the name of some faceless other.

As a result of this re-assemblage institutional attitudes, normative orders and forms of governmentality turn more and more towards a new digital version of the older dream of harmony through numbers. And, thus, the very idea of substantive values, aesthetic ideas and moral images of freedom (such as “Humanitarianism”) are in flux.

In simpler terms, those acting on the basis of conventional perspectival and normative means-end frameworks to protect civilians, sympathize, empathize and do the morally right thing may no longer share a common ground, if any, but pretend to do so.

Why?

On the one side, a new logic of interventionism has gained currency. It mixes up responses to so-called ‘natural’ disasters (from an avian flu-derived pandemic to climate change) with responses to political conflicts, thereby combining military initiatives with other forms of more or less legal intervention (or ‘lawfare’) both as humanitarian emergency relief measures and as forms of development & security, anti-corruption or public health assistance. Furthermore, this logic is being applied not only in the national and international levels, as we have seen in Colombia, Brazil or the United States, but also in the inter-temporal level. Not only to disarm us here and now but to cancel the future.

On the other side, do recall Drucilla Cornell’s lesson that we’re never called to act by some faceless other or in the name of a faceless future. We are called to act in this situation. We are called back from the imagination into the common here and now. Further, we act not because there’re absolute grounds for freedom, or to believe in God and immortality. Not even those who pretend they still believe in God or immortality. For nowadays we all know there’re no such ultimate grounds.

However, some of us act or suggest to others we should act as if we knew and still believed in such stone-like pillars and grounds. We put up not a face, but something like a visage or a mask. To do so, to act as if we knew, to pretend we know or simulate and wear

the mask of the transcendent unknowable, itself incarnate, is to act in bad faith. Or to be more precise and clearer, this kind of re-enchantment, this reaction to reason and post-secular uncertainty, does not mean we have fallen victim to a madness which is irreversible. Rather, it means we identify with and subject ourselves to a spell of voluntary servitude out of fear for survival and into what Frantz Fanon called ‘pathologies of freedom’ (after Gunther Anders). It is because of such pathologies of freedom, neither ignorance nor madness, that we throw ourselves, hearts and minds, into the hands of wannabe magicians, simulated kings, reality TV stars and masters of the universe.

Of course, we need new ceremonials to cleanse and cure ourselves as well as our institutions of these pathologies of freedom. And such ceremonials must be accompanied by a magic of their own. But this would be a different kind of magic. One in which the call of the face (not the visage) of the other grounds other alliances, makes us kin with unfamiliar others, and to stay with the problem in a practice rooted in prefigurative politics here and now.

These would be ceremonials that send us into action, even if the visionary prophets with whom we visualise the situation aren’t in possession of some such pre-emptive knowledge or the truth of the situation. This also means that we need a different kind of magician: neither wannabe kings nor reality TV stars or the self-proclaimed masters of the universe. But tricksters, wordsmiths, *palabrerros*, activists and art practitioners, all of them humble producers.

Thus, we need not ceremonials for the wearing of masks or simulations of the ‘Indian’ or ‘Black’, fit for TV cameras and the newsreels of our societies of spectacles and to identify with such maskings and simulations. Instead, we need ceremonials for de-identification. For making kin with strangers. Ceremonials for new choreographies and experiments of the imagination spilling from gallery space into street space and ballot box space and institutional space. Experiments to re-invent institutions without any guarantees or ‘hedged’ securities that we shall arrive at supposedly manifest destinations or in due order.

In this respect, our best guide is the aesthetics and politics of Tricontinentalism in the recent past. This interrupted project, briefly revived this century by the BRICS alliance, revolved around a ‘metonymics of color’. It countered the global figurative politics of the color line with an imagining of the position of African Americans in the U. S. as a political not cultural position, and a wider mentality: all those acting against empire and white

supremacy anywhere in the world. This was also the sense of Martin Luther King's radical conception of justice: injustice anywhere undoes justice everywhere. Conversely, doing justice everywhere is to produce images in direct action.

It means global analysis and local effective practice. It means political identity and de-identification rather than identity politics and identity-thinking. It means working hard for a more integral humanity (Marx's species-being) instead of retreating into communitarian identities. It means no destiny or destination (especially no 'genetics is destiny') but environmental 'nonhuman' and anti-naturalist consciousness. It means institutional invention and producing activities (international and national, inter-generational and inter-temporal) without reservation, even without guarantees of correctness or success, rather than withdrawal from institutions or purer 'ironic' distance, no matter how productive the latter may be in the short term. And, most of all, without the whole paradigm of disillusion proclaimed by the Vargas Llosas of our time from their literary pulpits.

And with our eyes and ears wide open to see the slow and painful decay of Rust Belt towns and 'glocal' capitalism, rather than the simulations of Afropessimism or U/Accelarationism. To learn to listen to the music of the untimely times when humanity has sought to create attainable utopias worth living in, and speculative fiction had higher aspirations than showing the ugliest, most hopeless white mask of man.

Of course, the aesthetics and politics of Tricontinentalism hark back to other instances in timespace such as article 9 of the Japanese Constitution or the articles of the 1801 Haitian Constitution. But also, forwards to King's argument in 'Beyond Vietnam: A Time to Break Silence', the 1970s Chilean Revolution (including the cybernetics of Project Cybersyn) 1990s Zapatismo, and the Pink Tide of the Americas in the 2000s.

The relevant distinction here is between *producing* activities and *productive* activities. More often than not we're called to act before we know the truth about the situation. We act knowing there's no guarantee that our actions will reach the 'correct' destination. This is interesting in itself: it means that contrary to appearances (the negationism of Trump, Bolsonaro and the others) there's widespread acceptance of the fact that, confronted by the Anthropocene and the Capitalocene, we can no longer distinguish so sharply between human history or agency and natural agency (cfr. Fanon, 1957: 176 and Anders, 1936: 2-54).

This is crucial: what we call ‘nature’ is transforming and evolving and therefore change isn’t only a matter of human agency or intervention. We agree that nature, or the cosmos, is itself transforming and evolving and it should be understood as an organized system analogous to the long duration rhythmic cycles of ancient Mexica timekeepers or natural selection, and, further, that time is a physical reality.

But those who implicitly (and at times explicitly) accept this realization almost immediately move to disavow it (*negarla o desautorizarla*, in Spanish). This means what our mentors, friends and colleagues Drucilla Cornell, Ernesto Laclau and Slavoj Žižek taught us. That the form of ideology today, after the supposed end of ideology is not merely being in and staying with error.

Rather, ideology today means knowing, and in spite of knowing, acting or performing as if we did not know or did not want to know and would not stay with the problem. Ideology today is the injunction to find measurable ‘solutions’ to fix problems. So, for instance, we know we no longer believe in metaphysical evil, for we know there’re no grounds for belief in evil. We’re all critical Kantians in that respect. And yet, we find ourselves unable to give up acting as if we believe in it. And we set ourselves the measurable goal of cancelling Dictator X or removing regime Y.

In other words, the name of ideology today is simulation. This term, simulation, provides the link between the disarming goal of figurative politics (in a phrase, not just to privatize but to cancel hope) and the means and media of visage and spectacle. On the one side we know the evil villain of Dickensian novels and James Bond-like movies is no more. On the other side, we continue to read literary fiction or novels and journalistic chronicles and despise everything else as ‘genre’ literature thereby clinging on to the belief-system, demands and coercive structure of tragic melodrama. We invest on the linear perspective, manifest manners, law and “linear tongue of dominance”, as observed by Anishinaabe poet and constitution-drafter Gerald Vizenor (2008: 1 ff.)

Specifically, the good/evil binary, which keeps returning not only in capitalist entertainment and the popular culture of mass image consumption, but also in ‘highbrow’ literary culture or journalism, almost as much as in the pathological compulsions of right- and left-wing purists as well as liberals who frame their actions, anti-institutional attitudes and wholesale centrism or horizontalism within an ostensibly ‘call-out’ or cancel and lawfare culture.

Further, those who denounce call-out and cancel or lawfare cultures tend to be the same ones waging so-called ‘culture wars’ and ‘wars on noun’ from pretend centrist or transcendent institutional viewpoints, in the name of the centre that must hold or the purity of the rule of law and human rights, or ‘our shared values’ against pretend enemies. Ditto, the name of ideology today is simulation. And in the figurative politics of simulation that frame governance responses, from war to economics to pandemics, this culture “urges to blame systemic tendencies such as racism and patriarchy on the proclivities of an ever-shifting, constantly renewing cast of individuals” (Fisher, 2015: 47).

But it is because we’re called to act in the concrete situation before knowing its truth or being able to guarantee its ‘correct’ destination beforehand, that negotiation demands we develop techniques of liberation. A different prefigurative politics, based on the lessons of the immediate past that the current of opinion, call-out and lawfare culture seek to cancel. A prefigurative politics that invents and puts into practice aesthetic ideas and symbolic forms able to intensify possibilities in real-time and guide realization-focused visions and constructions of justice.

I shall speak, in this sense, and inspired by both the past critical theory of Karl Marx and the future critical theory of Drucilla Cornell, of a new and different ‘struggle in the press’, and of ‘dual power’ in negotiations. The sense of this struggle and increased power is that of the renewal of the aesthetic imagination in the acts and direct action of today’s art practitioners and protest movements. Movements like Occupy, BLM, Paro 21 N, and Decolonise This Place or Las Tesis as well as counter-institutions such as Colombia’s Special Peace Jurisdiction (JEP) active in the streets, the law, and the ballot box. Concretely speaking, the sense of this struggle aims to extract ever larger premiums from financier global classes ever more afraid of the ever-increasing risks posed by the combined forces of human/nonhuman insight and agency.

So, to repeat the often-repeated question: Where are we? What can we do in the current situation? What is to be done? Where are we in relation to law and the new struggle in the press under the exceptional or ‘abnormal’ circumstances of plague and the plague of violence in more and less recent times? Notice the urgency of these questions and their temporality. We cannot wait. The knee is on the neck, the virus in our lungs and we can’t breathe. Therefore, our intensifications of futures past through aesthetic ideas are not for later. We shall not wait. We shall no longer be put down.

4. The Time Is Now.

The questions posited above can be summed up and re-phrased into one question: how soon is now? If we wish to answer these questions in order to make better sense of the present and imagine a different future in order to guide our realizations-comparisons now, we must do so with the help of four coordinates of political action and legality in real-time. Here, our key words for attempting to make possible an answer so as to make compossible our intensifications of the time that's now. Four key words: reaction, transition, negotiations & action.

To begin, reaction. What we see around us in the current situation is that there's reaction. The brilliant historian Arno Meyer used to say that the left consistently underestimates the reactionary capacities of the right. That's what happened to the so-called Pink Tide governments of the first decade and a half of the twenty-first century in the Americas, and to analysts and opinion-makers of a moderate persuasion in the U.S. and elsewhere.

Then, there's transition. We live in viral times, times of transition in which the old is dying out but refuses to let go. So, it keeps coming back zombie-like. In other words, the new wants to be born, but not yet. Let's unpack this: why does the left tend to underestimate the reactionary potential of the right, especially in the current situation? This question requires further estimation and, surely, a longer answer. But the short version is this: in times of transition various rebellious reasonings and practices tend to miss each other and fall into pessimistic despair.

At this point it is necessary for the author to appeal to the reader's patience and indulgence in preparation for a longer answer. My only justification is hope. Hope that the readers will forgive us for taking the opportunity they so kindly gifted us with in order to attempt to provide such an answer. It might take some space, but it'll be worth their while.

I believe this whole thing has to do with a more generic 'failure of the imagination'. Of course, I'm not the first to observe this. It is known that we have seen a marked diminution in the production of new utopias in literary fiction and popular culture since the 1960s or 70s, in contrast with the marked increase of dystopias. This is especially the case in cinema and literature, fiction and non-fiction, including philosophy. I myself recently published a 'dub poem', dystopian only in disguise, together with an independent press called The 87 Press, led by some young and very enthusiastic brothers and sisters of South-

Asian and British provenance. It is titled *Night of the World* after a fragment by Hegel that I keep coming back again and again. It also pays homage to the Black Arts movement of poets and visual artists in the Americas whose work resonates so well with the current protests and the antagonisms fueling them.

The not-so-subtle point of *Night of the World* is to explore this phenomenon of failing imagination vis-à-vis the connection between modern utopian thinking and the meditation on power and communication that lies at its very heart.

In the 1960s and 70s, the utopian project was a matter of describing and speaking for so-called ‘societies against the state’ or before power. Now, and there’s a fundamental transformation at play here, it is a matter of peoples speaking for and by themselves rather than speaking for others. I owe this distinction between ‘speaking for others’ and ‘by ourselves’ to three people I keep learning from the more I listen to them. Linda Martín-Alcoff, Drucilla Cornell, and Gayatri C. Spivak, whom I’m sure you know well. They have taught us not only about this crucial distinction. Also, that it is a matter of (un)learning to read and learning to sing, to dance, to listen, to creolise and make music. Music is of the utmost importance in all of this, perhaps more so than text. Sound & image, seeing/hearing and sense-thinking (*senti-pensar*) as Orlando Fals-Borda, Arturo Escobar and Lewis Gordon would have put it.

And music is, precisely, what seems to have escaped the description of societies ‘before power’. Here, *the locus classicus* has been the kind research spearheaded by Pierre Clastres, Claude Lévi-Strauss, Gerardo Reichel-Dolmatoff and Marshall Sahlins, among others. It was too often framed as a strange encounter between supposedly peripheral or pre-capitalist ‘traditional’ societies, or the very far away, and the very near, or the new represented by the languages of cybernetics, structural linguistics, avant-garde literature and the visual arts. Strange because, for all its avant-garde credentials, these languages and imagery remained strictly linear. The question was: How does power emerge in “traditional” societies? And given linear time, irreversible and so on, how can non-traditional or capitalist societies expect to rid themselves from these automatic, robot-like, Hobbesian apparatuses of accumulation and coercion once they emerge? You can already see how this way of posing the question might lead to not only to an institutional transcendentalism masked as anti-institutional attitude, a sort of exaggerated horizontalism. But also, how it will end up being disavowed and subsumed by the eternal look *ad pessimum* of today’s paradigms of disillusion and dystopia.

This is all too serious. All work, no play, as they say. And you know what happens to Jack when all's work and no play. At least you would if you had seen Stanley Kubrick's *The Shining*. Put in less terrifying terms, the problem here is: No dance. Hence, no revolution.

Don't get me wrong. The locus classicus of the description of societies before power was hugely important. I still declare myself in humble admiration of these masters. We are all trying to learn to move and to act in their collective shadow. But we need other, alternative choreographies. Different ceremonials, as our sister Drucilla would say.

The next key word is, therefore, action. But in the sense of choreographies. Which are always a matter of both acts and negotiations. They imply military-like discipline, but also the freedom related to non-coded dancing, or side-to-side and side-by-side movements and improvisation. As in blues and rock 'n roll. Or the poetry of Larry Neal, singing 'Wall Street is going to burn'. Well, it is burning, right? To snap out of the current generic pessimism does not mean falling into stupid giddy optimism. It means relating power to stupidity, misdirection and disorientation, rather than correlating power to knowledge à la Foucault.

What is giddy-making is the jump from experience to knowledge of openness and illuminating groundlessness. 'Surrounded by the spell it is the essentially modern (Baudelaire, Poe), but also Cortázar after the II Russell Tribunal, or '*le goût du néant ... Fabric, not a train of thought*'. Indeed, not a train of thought but something like the traces of dance moves. 'The vertigo brought about by the thought that fails to reconstruct', or incompleteness. The sense that details (things, peoples, actions) no longer fall into their proper place; all that is vertiginous, disorienting. But the vertigo that this induces is indicative of the truth, an *index veri* (Adorno, 2008: 147 and Cortázar, 2018).

Philosophers have traced the sources of our dystopian pessimism back to the legacy of Schopenhauer. More generally, to the role of negation, silence, and suffering in the Hegelian tragic novel of history and his narrative of Spirit. Also, to Goethe's color theory insofar as they were received and/or betrayed, most seriously, most stately, by the likes of Thomas Carlyle in Britain and Ludwig Klages or Ernst Jünger in continental Europe. In the backdrop, obscured, denigrated, the colonies used to vanish out of view as if this were a bourgeois family portrait painted in the Dutch manner of the Old Masters.

In these exercises of tracking and tracing, references are made to the (irrationalist) bio-centrism of such thinkers, their logocentrism, and their emphatic interest in the iconology of war. Especially the Graeco-Roman figure of the warrior-king and his tragic tales. His immortality in memory and his unique agency of visuality vis-à-vis history. His viewpoint was located out of the *mise-en-scène* and within the *camera obscura* of tradition or pictured as the inner one-eyed spectator and seer (magic was at work here, all work and no play) placed at a safe distance from the unfolding catastrophes of history. He would be uniquely placed to see time as a whole, and to come up with a visualization of past and future. In the image and likeness of the tragic hero and the victors of war. As a narrative drama or a plot. Tragic realism. History repeating.

But this is his-story, and we haven't heard her story yet. Other stories.

This figure of heroic visuality is, of course, a precursor to Heidegger's declaration of our time as the 'age of the world-picture'. Nowadays, the 'age of the extreme image of the self'. It is represented in stark contrast with the spectral reality of everyday common people, in general, and in particular those peoples who have dared imagining that emancipation was possible (the enslaved, women, aborigines, the youth, etc.). The heroic king aims at the perpetuation of mastership against their giddy-making desire for emancipation, which requires permanence and stability rather than change. Thus, the Scottish thinker and historian Thomas Carlyle would declare in the wake of the 1823 Demerara Rebellion in South America that "except by Mastership and Servantship, there is no conceivable deliverance from Tyranny and Slavery. Cosmos is not Chaos, simply by this one quality. That it is governed" (Carlyle, 1869: 26).

The heroic, kingly spectator, or his envoy the Indiana Jones-like historian/anthropologist, exceptionally incarnating divine power and the purity of white linen among the negroes, was, inevitably enough, gendered as vigorously masculine. Holding at bay the threats of cultural effeminacy, queerness and other giddy-making liminal subjectivities. Armed to the teeth and ready to contain any and all psychedelic and viral potential sources contamination, in keeping with colonial views that can be traced as far back as the first letters and chronicles of European expansionism in the Americas (see 'Sermon of the Holy Spirit' by Antônio Vieira (quoted by Viveiros de Castro, 2002: 183-266; cfr, Dussel, 2017: 268n22 and Castro-Gomez, 2010).

This problem of the emergence of kings, the state, the source of obligations, the fountain of justice and the eye of the law, or the political and economic point of

accumulation quickly forgot its links to the perhaps longer history of the standardization and regulation of ceremonial choreography, performance and the spectator. That other story is indicative of and humorously ironic towards forms of power dependent on the abstraction and formalization of song and dance and motion-vision. However, crucially, it slowly but surely it lost its sense of humour. Then, it began to overlap with and got submerged under the all too serious sense of disorientation that followed the failure of the May and October '68 ceremonials, the disillusionment with Third Worldist Tricontinentalism, and the kind of armed struggle that was central to the wars of national liberation from Vietnam to Bangladesh and Algeria, Cuba and Colombia.

The Bangladeshi filmmaker Naeem Mohaiemed has many and much more interesting things to show us about this period of our immediate past, somehow erased from our biographies. For starters, this erasure has rendered us all ill-equipped to read the traces of futures immediately past. And, thus, we find ourselves unable to make the present legible, let alone imagining a different future. At some point this dis- and re-orienting reflection on the origins of power seems to have acquired its ideological foundations in the work of Michel Foucault on the art of governing and the origins of liberalism, reinforced by 'revelations' concerning human rights violations in the USSR or Cuba, and their supposed equivalence with those taking place in post-1973 Chile or Brazil.

This resulted in the 'paradigm of disillusion'. I speak thus of that dystopian obsession, which isn't a madness but a pathology of freedom, according to which the construction of any form of 'popular' political or social organization aiming, speculatively or imaginatively, to build social alterities or futures radically different from this one inevitably ends in disaster. Alas, a disaster that needs to be managed. Here, the liberal art of governance and the illusion of linearity (calculus in space and time, from developmentalism to today's post-humanitarian global crisis management nexus) intersect the need and fantasy of ultimate security.

That is, we witness the renewal of the old dream of a Golden Age or a future paradise, the older dream of harmony through calculus and numbers, now featuring digital masks or disguised as the proverbial ghost in the algorithmic machine, comfortably wearing the black & white robes of the judge and the chemist ready to sell concoctions that promise to stabilize your fluidified identities, describing the end of primitive innocence or the bliss of the hereafter "as a heaven where women will no longer be exchanged, i. e. removing to

an equally unattainable past or future the joys, eternally denied to social man, of a world in which one might keep to oneself [vivre entre soi]" (Lévi-Strauss, 1969: 496-7).

Can we call this Foucault's boomerang? Yes, we may be witnessing the end of the development-security nexus and the rise of global disaster management, for 'we no longer have anything to hold on to' as professional doomsayers and the experts of behavioural economics are fond of saying. But we should not forget that they would like to seize hold of some new ultimate ground. They need and would like us to need something to hold on to, or turn the 'nothing to hold on to' into yet another ultimate point of reference after the end of all points of reference. Postmodern groundlessness has returned home. And it left stately academics and consultancy experts running for cover, trying to regain control over the field of vision and a frame of reference.

They want us to want another frame of reference. For in accordance with the conventions of linear perspective, everything is captured, contained, arranged into patterns expressed numerically and, thereafter, thought to be part of temporal sets and regular patterns if placed inside the proper context and frame of reference. Within the frame everything can be managed. Such is the meaning of the importance that the concept of immanence has acquired in philosophy and 'horizontalist' politics these days -the politics of the purity and plurality of movements or 'identity politics'.

5. Let Go of Immanence and Pure Horizontalism.

The current elevation of immanence to the status of an ultimate reference and category is paradoxical. It forgets that the question of immanence in Spinozist practical philosophy and metaphysics actually pertains to the mutual immanence of causes and effects, which places the emphasis on producing activities and the producers effecting the things that have value, not in the productive activities of the stately academics, the consultancy experts, managers and the investors. It also forgets that, as both T. W. Adorno and Julio Cortázar intimated, behind the question of how to seize hold of a philosophy or a ground (to make X great again, to issue yet another verdict, to catch the next villain, to absolutely outlaw violence and pacify the crowd) lies aggression, the desire to seize hold of it.

Put in simpler terms and in the context of our question concerning the limits of direct action, violence, liminality and transitions during and after the Pink Tide and viral times in the Americas and elsewhere, these developments in the level of speculative

thinking and imagination as well as practical politics have gone hand in hand with the rise of ‘the paradigm of disillusionment’. This paradigm is represented in the following comment made by the Argentinean critic Beatriz Sarlo in a major newspaper only a few years ago apropos of the utopian impulse driving armed struggle in her country. She said: ‘Muchos sabemos por experiencia que se necesitaron años para romper con estas convicciones. No solamente para dejarlas atrás porque fueron derrotadas, sino porque significaron una equivocación/Many of us know from experience that it took years to break with these beliefs [in armed struggle and the *utopicum*]. Not simply to leave them behind or because they were defeated, but because they were wrong’ (Sarlo, 2006 quoted in Beverley, 2011: 96).

Sarlo was speaking in the context of her opposition to the Kirchner government in Argentina, which she and others saw as a form of demagogic ‘populism’. Similarly, Venezuelan writer Elisabeth Burgos, Regis Debray’s wife during the period of his collaboration with Che Guevara and thereafter with Rigoberta Menchú in the writing of a testimonial which was quite significant in relation to the periodization hereby established, marking the origins of the idea of a call-out ‘culture’ of human rights) has recently combined a posture of disillusion vis-à-vis armed struggle with a re-active role in the opposition to Chavismo in Venezuela.

This posture of disillusionment and conversion is the common thread uniting the otherwise diverse experiences of Sarlo and Burgos with those of former icons of the Latin American left such as Mario Vargas Llosa (now in possession of a Nobel Prize for literature, Spanish citizenship, a nobiliary title and a claim to celebrity life in the pages of *Hola!*) or Teodoro Petkoff and many others, including former members of the Modernity/Coloniality project responsible for launching the ‘decolonial turn’ out of a collaboration between Durham and Bogotá in the early-to-mid nineties.

Is this a new normal? Is this the new normal in the twenty-first century years of plague? The fire this time in the Americas? Art & Fire? We, in the Americas, are in the grip of what literary critic John Beverley calls a paradigm of disillusion. He uses this term in order to refer not only to the loss of hope in but also the attempt to cancel the mass utopias of the East and the West, the North and the South, which oriented a great deal of political action and legal reform in the past century and the first decade of this one in the Americas and elsewhere. Specifically, to disillusionment in the representation of armed struggle and the utopian drive.

I would only like add two ingredients here, which may be crucial to our analysis of the current situation. First, the fact that we can generalize the scope of this paradigm not only geographically but also temporally: Once upon a time, the left had a political program. It was called revolution. No one seems to believe in it any longer, in part because the agent supposed to know how to bring it about would have disappeared in theory and practice.

It is precisely in this context that the famous phrase attributed to Fredric Jameson is so often quoted: “It is easier, someone once said, to imagine the end of the world than the end of capitalism”. To be fair, Jameson does point out that the left has had another strategy. The strategy that settled opinion tends to associate more closely with the governments of the Pink Tide of the last decade in the Americas. Namely, reformism. Sometimes, this strategy is referred to “in contradistinction to revolutionary communism, [what is often] called ‘socialism.’ But I’m afraid no one believes in that any longer either” Jameson says. In other words, even ‘reformism’ has now become utopian and dismissed as such. As either unrealistic or inevitably violent. In short, once more we’re being told not to be too impatient, not to desire too much, to keep the critters and virus at bay, to moderate our imaginings and wait. Once more, we know that ‘wait’ almost always means ‘never’ (Jameson, 2016: 3).

Here comes the second ingredient. Jameson notices that “there exists a third kind of transition out of capitalism which is often less acknowledged, let alone discussed’. That is what was historically called dual power”. I will argue, in closing, that dual power not only describes much better the political program and practice of the immediate past period of the Pink Tide governments in the Americas and elsewhere. But also, or rather, that it stands in the place of an aesthetic idea of the imagination guiding our realization-comparisons here and now, the protest and performative speech ‘acts’ (à la Carlos Motta) and the revolutionary processes that produced and continue to produce such other legal institutions and governments. Crucially, this is the utopian impulse or drive that is likely to emerge stronger from the tensions, errors and/or disgraceful misfires of these governments past and present. Not only in terms of survival but also, moreover, for survivance.

6. Conclusion: Set Track & Trace Research and Experiments.

As it is known the phrase ‘dual power’ is often associated with V. I. Lenin’s description of the coexistence of the provisional government and the network of ‘soviets’ or workers, peasant & soldiers councils in 1917.

However, my working hypothesis for a research project on the present and near-future eutopian dynamics of the open situation in the Americas and elsewhere (New normal? Old normal?) is different: the idea of dual power can be rack & traced further. That is:

(1) Trace backwards, to Karl Marx’s analyses and decisive changes of position in relation to the onset of the First Civil War in America after the death of John Brown in 1860 and in the wake of the Emancipation Proclamation in January 1863. And in this respect, his crucial distinctions between ‘absolute democracy’ and ‘defiled republic’, on the one hand, and on the other ‘constitutional’ and ‘revolutionary’ war in his practice with Engels and others around the year 1862.

This is what they called the ‘new struggle in the press’, in reference to a form of address and communication aiming not only to persuade and inform but also to shift from opinion to principle and aid in this manner the construction of ‘a people’. ‘A people’ meant here not simply a horizontal mass but also, or rather, an alliance between strangers in staunch vertical opposition to the almost unanimous pro-Confederacy propaganda directed at the workers by the British bourgeois press along with many trade-union papers.

The building of this staunch (*firme*, in Spanish) and courageous attitude has more to do with sound and sound-ness (*firmeza del ritmo, robustez* in Spanish) than it has with image or text (which are the remit of the mainstream press). That is important to my argument here, although I cannot dwell on it right now. It would suffice to cite Marx himself on this point: “simple justice requires to pay a tribute to the sound attitude of the British working classes, the more so when contrasted with the hypocritical, bullying, cowardly, and stupid conduct of the official and well-to-do (*rico, solvente, con liquidez* in Spanish) John Bull” (Marx to Engels, 1960, quoted in Nimitz Jr., 2003: 121).

For his mainly German audience of *Die Presse*, Marx wrote: “This is a new, brilliant proof of the staunchness of the English popular masses, of that staunchness which is the secret of England’s greatness” (ibid.). This paragraph will have resonated, a year later, with Lincoln’s reply to the workers of Manchester,

although the latter confuses sublime courage and militancy with ‘Christian heroism’. Crucially, for our purposes, recall that the anti-interventionist position of Britain’s working-class movement not only returned Marx to action (after he himself, like Engels, and many others in industry and proletariat, were badly affected in their self-interest by the Civil War in America) but also helped bring into existence the International Working Men’s Association (IWMA). The General Rules of the First International, which he himself drafted, may be taken as an example of the kind of law-like practice enacted in the very practice of the movement that envision the desired society. Such rules stipulated not only how its members should relate to each other but contained the formula ‘all men, without regard to colour, creed, or nationality’. By the way, one of Marx’s first assignments was to compose a letter to Lincoln on behalf of the Association after his re-election.

(2) Track forwards, to René Zavaleta, Álvaro García Linera and Silvia Rivera Cusicanqui’s different but related analyses of the missed encounter between Marxist and Indigenous revolutionary reasonings in the urbandean/Amazonian regions of the Americas. These are of particular interest to the cases of Bolivia, Ecuador and Colombia as well as native democratic constitutionalism elsewhere in the Americas. But also, more generally, in relation to the question of how to form ‘chains of equivalence’ among the various moments of the horizontal protest movements on the ground, thereby producing a ‘vertical flight’. This is the question of how to build the people, missed in the debates between Ernesto Laclau and Slavoj Žižek.

In this respect, let’s also take stock of George Ciccariello-Maher’s masterful historical analysis of the ‘production of Chávez and Chavismo’ by the movements of the Bolivarian revolution from below. Add to this the (to my mind more sterile) debates between decolonial voices in the wake of the coup in Bolivia or before the 2021 elections in Ecuador, and (to my mind the more fruitful) debates on the question of so-called ‘archaic’ or ‘historical formations’, social evolution, or historical ‘transition’ present in Marx & Engels after their engagement with the work of Lewis Morgan and Kovalevsky (in drafts which are part of the *Grundrisse*) featuring historians like Eric Hobsbawm, sociologists like Orlando Fals-Borda and philosophers like Enrique Dussel or Franz Hinkelamert.

Crucially, this engagement with Lewis’s work immediately preceded Marx’s taking position vis-à-vis the Civil War and Reconstruction in America, raising the

stakes of the issue of theoretical and political practice -the production of aesthetic images and ideas- in relation to questions of interventionism and anti-interventionism, the national and the international, to the level of the world-image of 'defiled republic' versus 'absolute democracy' guiding realization-comparisons in real-time.

This image may be seen as the seed out of which later notions of 'dual power' would grow in theory and practice. These approaches underpin the contemporary practice of historical and philosophical analysis under the sign of 'history from below' and real-time comparison, which may represent a crucial point of contact between the concrete analysis of the current situation and the emphasis on political practice and imagination one may surmise from the letter Marx actually wrote to Abraham Lincoln.

Consider, in this respect, the recent work of Marcus Rediker on the whole cycle of revolution in the Greater Caribbean in *The Many-Headed Hydra* (together with Peter Linebaugh), Susan Buck-Mors's brilliant *Hegel, Haiti and Universal History* and Silvia Rivera's *Sociologia de la imagen*. Concepts and percepts such as *abigarramiento* (creolizing, visualising, multitudinous), *qhipnayra* (move or dance from futures past to the present and the to come, from what just is to justice, or forwards-looking-backwards, in Aymara language), negotiated dual power, and the decolonized, creolized or *senti-pensante* dialectical image matter most here. As tools for different action and orientation.

Let me add with the paragraph from Marx's letter that I believe is most apposite to our purposes here. I believe it is pregnant with possibilities, and, thus, worthy of being quoted in full:

While the working men, the true political power of the North, allowed slavery to defile their own republic; while before the Negro, mastered and sold without his concurrence, they boasted it the highest prerogative of the white-skinned labourer to sell himself and choose his own master; they were unable to attain their true freedom of labour or to support their European brethren in their struggle for emancipation, but this barrier to progress has been swept off by the red sea of civil war (Marx, on behalf of the IWMA, 1976: 134-5).

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