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# **A DEFENCE OF ARMED ART/STRUGGLE**

**ÓSCAR GUARDIOLA-RIVERA**



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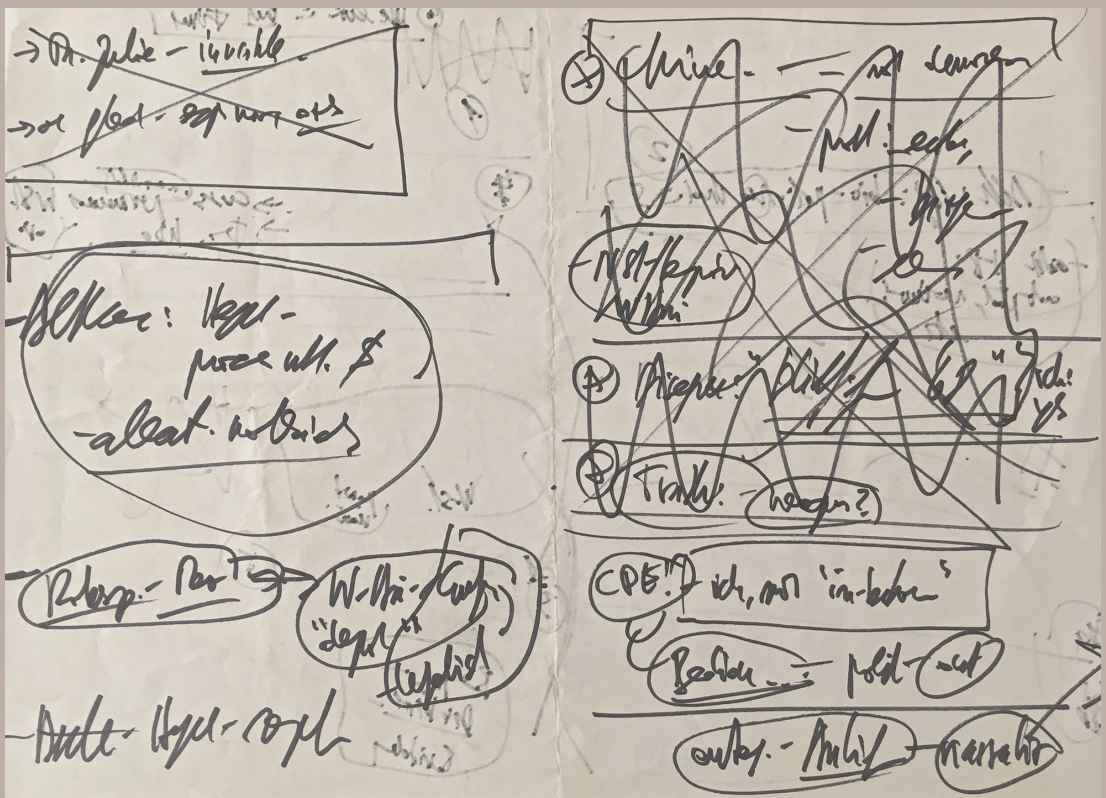
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Manuscript by Slavoj Žižek.

# **A Brief Clarification About Populism**



**By Slavoj Žižek<sup>1</sup>**

A recent interview of mine, first published in Mexico and then reprinted in some other Latino-American countries and in *El País*, may have given a thoroughly wrong idea of where I stand towards the recent populist trend of radical politics.

Although the Bolivarian revolution in Venezuela deserves a lot of criticism, we should nonetheless always bear in mind that it is also the victim of a well-orchestrated counter-revolution, especially of a long economic warfare. There is nothing new in such a procedure. Back in the early 1970s, in a note to CIA advising them how to undermine the democratically elected Chilean government of Salvador Allende, Henry Kissinger wrote succinctly: “Make the economy scream.”<sup>2</sup> High

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- 1 Slavoj Žižek is the International Director of the Birkbeck Institute for the Humanities. I asked Slavoj to write this text in order to clarify his position on the subject, after Spanish and Latin American media misrepresented his declarations as a withdrawal of support for left-populist politics in the region in the specific context of intervention in Venezuela and elsewhere in the Americas. Originally published in various Latin American outlets, I’ve decided to include it here instead of the normal exchange of niceties in a formulaic foreword because of its current relevance, with added references to parts of my work that illuminated our conversations on these topics throughout the years. I’m grateful to Slavoj for his generosity [O. G. R.]
  - 2 See on this, O. Guardiola-Rivera (2013) 152-177 at 164 and 176. More accurately, on 15 September 1970 Kissinger, CIA Director Richard Helms and Attorney General John Mitchell met with Richard Nixon at the White House. President Nixon made it clear he wanted Allende out by any and all means necessary. The quote comes from Helms’s notes taken during the meeting. [O. G. R.]



US representatives are openly admitting that today the same strategy is applied in Venezuela; a couple of years ago, former US Secretary of State Lawrence Eagleburger said on Fox News that Chavez's appeal to the Venezuelan people "only works so long as the population of Venezuela sees some ability for a better standard of living. If at some point the economy really gets bad, Chavez's popularity within the country will certainly decrease and it's the one weapon we have against him to begin with and which we should be using, namely the economic tools of trying to make the economy even worse so that his appeal in the country and the region goes down. /.../ Anything we can do to make their economy more difficult for them at this moment is a good thing, but let's do it in ways that do not get us into direct conflict with Venezuela if we can get away with it."<sup>3</sup>

The least one can say is that such statements give credibility to the surmise that the economic difficulties faced by the Chavista government are not only the result of the ineptness of its own economic politics. Here we come to the key political point, difficult to swallow for some liberals: we are clearly not dealing here with blind market processes and reactions (say, shop owners trying to make more profit by way of keeping off the shelves some products), but with an elaborated and fully planned strategy – and is in such conditions a kind of terror (police raids on secret warehouses, detention of speculators and the coordinators of the shortages, etc.) as a defensive counter-measure not fully justified? When, on March 9 2015, President Obama issued an executive order declaring Venezuela a "national security threat," did he not thereby give a green light to a *coup d'état*? At a more "civilized" level, the same is happening with Greece.

We are today under a tremendous pressure of what we should unashamedly call enemy propaganda – let me quote Alain Badiou: «The goal of all enemy propaganda is not to annihilate an existing force (this function is generally left to police forces), but rather to annihilate an *unnoticed possibility of the situation*.» In other words, they are trying to *kill hope*: the message of this propaganda is a resigned

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3 For contrast, see O. Guardiola-Rivera, "What has happened in Venezuela is a coup. Trump's denial is dangerous", in *The Guardian*, 20 January 2019, "The fire this time in the Americas", in *Novara Media*, 21 February 2019 and "Coup-by-media shows Guaidó's revolution to be little more than a PR campaign" in *The Independent*, 1 May 2019. [O. G. R.]

conviction that the world we live in, even if not the best of all possible worlds, is the least bad one, so that any radical change can only make it worse. This is why all forms of resistance, from Syriza in Greece and Podemos in Spain to Latino American « populisms,» should be fully supported. Yes, we should submit them to a severe critique where needed, but it should be strictly an internal critique, a critique of our allies. As Mao ze Dong would have put it, these tensions are «contradictions within the people,» not contradictions between the people and its enemies.<sup>4</sup>

An ideal is gradually emerging from the European establishment's reaction to the Syriza victory in Greece, the ideal best rendered by the title of Gideon Rachman's comment in *Financial Times* back in December 2014: "Eurozone's weakest link is the voters." So, in an ideal world, Europe gets rid of this "weakest link" and experts gain the power to directly impose necessary economic measures – if elections take place at all, their function is just to confirm the consensus of experts. The prospect of the "wrong" electoral result throws the establishment into panic: they paint the image of social chaos, poverty and violence... As is usual in such cases, ideological prosopopoeia has its heyday: markets started to talk as living persons, expressing their "worry" at what will happen if the elections will fail to produce a government with a mandate to continue with the program of fiscal austerity and structural reform.

German media recently characterized the Greek finance minister Yanis Varoufakis as a psychotic who lives in his own universe different from ours – but is he really so radical? What is so enervating about Varoufakis is not his radicality but his rational pragmatic modesty – no wonder that many radical members of Syriza are already accusing him of capitulating to EU. If one looks closely at the proposals offered by Varoufakis, one cannot help noticing that they consist of measures which, 40 years ago, were part of the standard moderate Social-Democratic agenda (in Sweden of the 1960s, the program of the government was much more radical). It is a sad sign of our times that today you have to belong to a radical Left

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4 See O. Guardiola-Rivera (2009) on Latin America's "Pink Tide". Also, "Utopia's end? The persistence of politics in the Americas, 1970-2019", "Utopia interrupted: popular activism and aesthetic justice" and "A defence of armed art/struggle", all included in this volume. [O. G. R.]

to advocate these same measures – a sign of dark times but also a chance for the Left to occupy the space which, decades ago, was that of moderate Left Centre.

So, what will happen if the Syriza government will fail? The consequences will be catastrophic not only for Greece but for Europe itself: the eventual defeat of Syriza will add a new weight to the pessimist insight that the patient work of reforms is doomed to fail, that reformism, not a radical revolution, is the greatest utopia today (as Alberto Toscano put it). In short, it will confirm that we are approaching an era of much more radical violent struggle.<sup>5</sup>

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5 At the moment of going over Slavoj's line for this book, a snap election has been called in Greece. Many expect Syriza to be defeated [O. G. R.]

## Una aclaración con respecto al populismo

### Por Slavoj Zizek<sup>6</sup>

Una entrevista que concedí hace poco, publicada primero en México y luego otra vez en la prensa latinoamericana y española, habría dado lugar a una idea por completo equivocada acerca de mi posición con respecto a la reciente tendencia populista de la política radical de izquierdas.

Si bien es cierto que la revolución Bolivariana en Venezuela puede ser objeto de muchas críticas, algunas de ellas merecidas, no deberíamos olvidar que también ha sido víctima de una campaña contrarrevolucionaria muy bien orquestada; en especial de una larga guerra económica.

No se trata de una táctica novedosa. Unos años atrás, durante los tempranos setenta, el entonces asesor de seguridad estadounidense Henry Kissinger aconsejó a la CIA sobre la mejor manera de desestabilizar el gobierno democrático del presidente Salvador Allende en Chile. Tras una reunión con Kissinger y el presidente Nixon el 15 de septiembre de 1970, el entonces director de la CIA Richard Helms escribió en sus notas la instrucción sucinta recibida de éstos: “¡Hagan que la economía chilena grite de dolor!”.<sup>7</sup> Altos representantes del gobierno estadounidense han reconocido que el mismo procedimiento está siendo aplicado en Venezuela.

Hace apenas un par de años, el antiguo Secretario de Estado de los Estados Unidos, Lawrence Eagleburger, declaró ante el canal de noticias Fox que la relación

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6 Este texto tuvo su origen en una petición de mi parte a Slavoj para que aclarase su posición sobre el tema luego de que la prensa latinoamericana corriente malinterpretase unas declaraciones suyas como un retiro de apoyo a las políticas populistas de izquierda esta y otras regiones. He decidido incluirla aquí en vez del intercambio usual de frases amables que se espera de un prólogo corriente por su relevancia a los debates actuales en nuestro medio, en especial en el contexto de intervención en Venezuela y el resto de las Américas, con referencias adicionales a trabajos míos que han iluminado nuestras conversaciones en estos años. Mi gratitud a Slavoj por su generosidad [O. G. R.].

7 En (2013) 164, hago esta cita documental y aclaro que se trata de las notas tomadas durante una reunión con Kissinger, el Presidente Nixon, y John Mitchell, por el entonces director de la CIA Richard Helms. [O. G. R.]

entre el presidente Hugo Chávez y el pueblo venezolano “funcionará solamente si la población de Venezuela continúa percibiendo en su gobierno alguna capacidad para mejorar sus estándares de vida. Si en algún momento la economía comienza a ir mal, la popularidad de Chávez comenzaría a decrecer. Estas son las armas que tenemos contra él, y que deberíamos estar usando. Es decir, las herramientas económicas para hacer que la economía venezolana empeore, de manera que la influencia del chavismo en el país y la región se vaya a pique ... Todo lo que podamos hacer para que la economía venezolana se encuentre en una situación difícil está bien hecho; pero hay que hacerlo de manera tal que no entremos en una confrontación directa contra Venezuela, si podemos evitarlo”.<sup>8</sup>

Lo menos que se podría decir acerca de afirmaciones como esta es que dan credibilidad al argumento según el cual las dificultades económicas que enfrenta el gobierno bolivariano no son simplemente el resultado de su ineptitud en materia de política económica.

Este es el punto clave, políticamente hablando, que los liberales no pueden digerir: con toda claridad, no estamos tratando aquí con fuerzas de mercado ciegas o con reacciones naturales. Digamos, por ejemplo, con los dueños de las tiendas y supermercados intentando obtener ganancias mayores mediante el acaparamiento, u ofreciendo sus productos en mercados más favorables. Antes bien, se trata de estrategias bien planificadas y muy sofisticadas. Si ello es así, ¿no se justifica entonces que el gobierno use la fuerza legítima –una suerte de terror, diríase– como medida defensiva? Por ejemplo, que la policía haga redadas en bodegas secretas, o detenga a los acaparadores y coordinadores de la guerra económica que causa escasez. Y cuando el 9 de marzo de este año el presidente Obama expidió una orden ejecutiva declarando a Venezuela una “amenaza contra la seguridad nacional” de los Estados Unidos, ¿no dio luz verde a quienes buscan “abreviar” el período del presidente Maduro, o llevar a cabo un golpe de estado? En un tono algo más moderado, más “civilizado”, es lo mismo que está ocurriendo con Grecia.

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8 Para contrastar, véanse O. Guardiola-Rivera, “What has happened in Venezuela is a coup. Trump’s denial is dangerous”, en *The Guardian*, 20-01-2019, “The fire this time in the Americas”, en *Novara Media*, 21-02-2019 y “Coup-by-media shows Guaidó’s revolution to be little more than a PR campaign” en *The Independent*, 1-05-2019. [O. G. R.]

Nos enfrentamos hoy a la enorme presión de lo que deberíamos llamar sin vergüenza alguna “propaganda enemiga”. Según Alain Badiou, “el objetivo de la propaganda enemiga no es aniquilar a la fuerza adversaria existente (función que de manera usual le compete a la policía) sino antes bien, aniquilar una posibilidad aún no realizada, ni siquiera percibida, en la situación actual”. Dicho de otra manera, están intentando asesinar la esperanza. El mensaje que este tipo de propaganda intenta propagar es la convicción resignada de acuerdo con la cual si éste no es el mejor de los mundos posibles por lo menos es el menos malo, así que cualquier intento de cambio radical tan sólo haría que las cosas fuesen mucho peores.

Es por ello que todas las formas de resistencia, desde Syriza en Grecia a Podemos en España, pasando por los “populismos” latinoamericanos, deben contar con nuestro más firme apoyo. Ello no quiere decir abstenernos de la más férrea crítica interna cuando ello sea del caso, pero debe tratarse estrictamente de una crítica interna, una crítica entre aliados. Como diría Mao Tse Tung, este tipo de crítica es propia de las “contradicciones al interior del pueblo” y no contradicciones entre el pueblo y sus enemigos.<sup>9</sup>

La reacción del establecimiento europeo a la victoria de Syriza en Grecia está dando lugar, de manera gradual, a un ideal muy bien resumido en el título de una columna escrita por Gideon Rachman en el *Financial Times* en diciembre del 2014: “el eslabón más débil de Europa son los votantes”. Así que en un mundo ideal, Europa debería deshacerse de su “eslabón más débil” y dejar que los expertos asuman el poder para imponer de manera directa la política económica. Si acaso deban persistir las elecciones, su función sería tan sólo la de confirmar el consenso de los expertos.

La perspectiva de un resultado electoral “equivocado” provoca el pánico entre los miembros del establecimiento: tan pronto como esa posibilidad se asoma en el horizonte, nos pintan una imagen apocalíptica de caos social, pobreza y violencia. Y como resulta usual en tales casos, la prosopopeya ideológica hace su

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9 Véanse al respecto, O. Guardiola-Rivera (2009) y también “Utopia’s end? The persistence of politics in the Americas, 1970-2019”, “Utopia interrupted: popular activism and aesthetic justice” y “A defence of armed art/struggle”, esta últimas incluidas en el presente volumen. [O. G. R.]

agosto: los mercados comienzan a hablar como si fuesen personas, expresando su “preocupación” acerca de lo que podría suceder si las elecciones no tienen como resultado un gobierno con mandato suficiente para continuar con los programas de austeridad fiscal y reforma estructural.

Recientemente, los medios alemanes caracterizaron al ministro de finanzas griego Yanis Varoufakis como un sicótico que vive en un mundo diferente al resto de nosotros. ¿Pero es él en verdad tan radical? Lo que les produce pánico no es tanto el radicalismo de Varoufakis sino su modestia pragmática y razonable. Por ello no es sorpresa que algunos sectores radicales de Syriza ya lo estén acusando de haber capitulado ante la Unión Europea. Pero si se observan con cuidado las propuestas de Varoufakis, resulta imposible pasar por alto que se trata de medidas que cuarenta años atrás habrían hecho parte de cualquier agenda social-demócrata. De hecho, el programa del gobierno sueco o el chileno en los sesentas y setentas era mucho más radical. Es un signo de la pobreza de nuestro tiempo el que hoy en día haya que pertenecer a la izquierda radical para abogar por medidas similares. Es un síntoma de la época oscurantista en que vivimos, pero también una oportunidad para que la izquierda pueda ocupar el lugar que en décadas anteriores ha venido ocupando la izquierda pacata y timorata de centro.

¿Qué sucedería si un gobierno como el de Syriza o la inspiración de Podemos fracasan? En ese caso sí sería cierto afirmar que las consecuencias serán catastróficas no solo para Grecia o España, sino para toda Europa: pues esa eventual derrota daría aún más peso a la opinión pesimista según la cual el trabajo paciente de las reformas está condenado a fracasar, y que el reformismo, antes que la revolución, constituye hoy la más inalcanzable de todas las utopías. En últimas, ello confirmaría que nos aproximamos a una era de lucha mucho más radical y violenta.<sup>10</sup>

**Traducido por Óscar Guardiola-Rivera**

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10 Reviso este texto de Slavoj al momento de confirmar un llamado a elecciones anticipadas en Grecia, que se espera perderá Syriza. [O. G. R.]







Image from Tricontinental magazine, issue 10. Image by Alfredo Rostgaard.

I

**Utopia's End? the  
Persistence of Politics in The  
Americas, 1970-2019**



## 1. Reconnecting Politics, Law and Ethics and Literature

“My standpoint is that politics and ethics are inseparable”, replied the Argentinean writer Julio Cortázar to the question posited by journalist Jorge Raventos. The question concerned the political and normative function of activism in general, and rights-based writers’ activism in particular, in the face of oppression and violence. Cortázar’s position stands as an example of the kind of radical investment in political technologies of liberation characteristic not only of Latin American philosophical, socio-historical, theological and literary cultural circles in the 1970s but also of a longer and much wider tradition that connects the global spirit of the 1927 Brussels World Anti-colonial Congress and the 1929 Buenos Aires Conference with 1955 Bandung, the Afrocriollo movement, the Harlem Renaissance and the aesthetic politics of Tricontinentalism. As Anne Garland-Mahler has recently argued, the legacy of the creolised tradition incarnated in Tricontinentalism informs many of the contemporary theories and practices of Global South political resistance.<sup>1</sup>

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1 J. Cortázar & J. Raventos, “Entrevista a Julio Cortázar”, *Revista Redacción*, June 1974. See, Anne Garland-Mahler (2018) 42-67. Also, Drucilla Cornell (Spring 2017) 195-215.

Such investment was radical, critical and creative. It was also institutional, in the sense that it directed its affect and analytical power not merely to dismantle but also to invent institutions. Building upon the example of an immediately previous generation that between the 1920s and 1940s had led the struggle against fascism, the criticism exemplified by Cortázar's concise yet substantive answer to Raventos's questioning was directed against what can be called one-dimensional law and morality in a sense that resonates with the Marcusean notion of one-dimensional man and challenges today's "ethical" and "neoconservative" turn in literary and cultural criticism in the Americas, mirrored by a supposedly non-ideological and apolitical conception of human rights and multiculturalism.<sup>2</sup>

The specific target of such criticism was this: a sense of morality or law and order characteristic of a constitutive yet contemporary paradoxical contradiction of formerly or actually colonised and capitalist societies, as a formation that "on the one hand, develops sublime sentiments and on the other, represses and irritates them, thus preparing a psychological misery as intense as the misery of desire", linked to but different from economic misery.<sup>3</sup>

This kind of criticism was voiced in parallel but related ways by Cortázar, Juan Breá, the Nardal sisters, Zora Neale Hurston, Richard Wright, Aimé and Suzanne Césaire, C. L. R. and Selma James, Frantz Fanon and Assia Djebar, Alejo Carpentier, Sun Ra and Gabriel García Márquez, himself a former law student who, unlike other writers of his generation, never fell for the kind of deadly pessimism that John Beverley calls "the paradigm of disillusion".<sup>4</sup>

Although such criticism was contextual, the creative radicalism of these critics did brake with the given context and is more relevant now than it may have been

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2 J. Beverley (2011) 72-109.

3 P. Yoyotte, "Antifascist Significance of Surrealism", in Franklin Rosemont and Robin D. G. Kelley (2009) 42. It is telling that the work of this generation, many of whom were female and/or hailed from the Latin American Caribbean, which would include the *Légitime Défense* group, International Surrealists and Letterists, *Négritude*, *New Negro*, and dissenting cannibals, among others, remains submerged and half-forgotten.

4 J. Beverley (2011) especially 95-109. Also, G. García Márquez, "Gabriel García Márquez habla sobre Allende y Chile", video, available at <http://www.lanacion.cl/noticias/cultura-y-entretencion/cultura/en-video-gabriel-garcia-marquez-habla-sobre-chile-y-allende/2014-04-17/173413.html>

back in the 1960s and 70s. To recover such criticism and elaborate upon it is the main aim of this chapter. This is so, among other reasons, because as I put it to *New Yorker* journalist Jon Lee Anderson during a conversation at a recent version of the Hay Literary Festival in Cartagena de Indias, the 1970s did not really end.

This provocation is meant to shift our gaze and imagination, on the one hand, towards the possibilities inherent to the events and interrupted projects of our immediate past, so as to make legible and make better sense of the present. Also, to dramatically intensify the affects attached to such events that are not exhausted but remain in a state of latency and, therefore, can be enacted once more as principles of future orientation and forward-looking action. In this respect, let's appeal to what some classicists and anthropologists have recently termed the retro-futuristic force of the performative in a sense that goes well beyond the Searle/Derrida (non)conversation on the linguistic performative.<sup>5</sup>

On the other hand, this provocation is also meant for us to take up the question of the construction of the people and the nation against empire, fascism and neo-fascism. Only that this time we must firmly locate that question in the context of late capitalism, populism and derivative finance. In other words, let's speak of the persistence not only of the nation but also and in spite of the most violent onslaughts of what I would like to call "archaic formations" in a sense that strongly resonates with the late Eric Hobsbawm's critical reading of Marx's lifelong admiration of the "primitive" commune or "type". I argue that this orientation is crucial to any genealogical investigation into our societies of standards, derivatives, and "types".

Put otherwise, we're done neither with the national question nor with the question of what happens when anti-systemic movements emerging outside of the state lend themselves to a process of hegemonic articulation that engages the state, as the recent debates on populism, the nation-state or nationalism and republicanism still ongoing in the Americas, Africa as well as Europe amply demonstrate.<sup>6</sup>

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5 A. Appadurai (2016) 71-100 on "retro-performativity". Also, Alicia Garza, (2018) ix-xvi.

6 J. Beverley (2011) 26-42 and 110-126. Also, Eric Hobsbawm (1965) 9-66 at 51 on "archaic

## 2. Revolutions, Tribunals and a Latin American-Inspired Proposal

The kind of criticism exemplified by Cortázar and others was contextual insofar as it coincided with attempts to build in practice independent state and legal institutions in the climate of the 1960s and 70s, to liberate or decolonise such institutions and make them work in a non-stately mode, or to create a state of the people and a state that isn't a state. Historically speaking, by far the most influential of these experiments was the transformative use of legal and state institutions that took place after the election of socialist Salvador Allende and the Popular Union (*Unión Popular*, *UP*) to the government of Chile in 1971, known since then as the Chilean Revolution.

However, such criticisms gained intensity and became much more significant when these radical attempts to transform state institutions were violently interrupted after the coup d'état of 11 September 1973. In the wake of the coup, Julio Cortázar, Gabriel García Márquez, Juan Bosch and others joined the Second Russell Tribunal (Russell II, hereafter). Russell II was a successor to the one set up between 1966-67 by British philosopher and Nobel Prize winner Bertrand Russell together with French writer and philosopher Jean-Paul Sartre as well as others, including Cortázar, to investigate U. S. foreign policy and military intervention in Vietnam. It was a citizen's tribunal, tasked not only with finding out the "true criminals" behind it and to enquire about workable ways to remedy their injustices, but also and no less importantly, to create new ways of communicating them to "all sectors of the continent" so as to decisively change public opinion in an ethical and politically decisive manner.<sup>7</sup>

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formation", and Oscar Guardiola-Rivera (2013) 330-402. See also, for a panorama of these debates in at least three continents: Santiago Castro-Gómez and Oscar Guardiola-Rivera (1999) 9-20 and (2002) 237-250, Gloria Elgueta & Claudia Marchant (2014), Carlo Formenti (2016), Marcelo Braz (2017), Valeria Coronel, Luciana Cadahia & Franklin R. Gallegos (2018), Valeria Coronel & Luciana Cadahia (Jan/Feb 2018), Samir Amin (June 2018), Paget Henry (2018), and Santiago Castro-Gómez (2019).

7 J Cortázar (2009) 463-465.

Almost forgotten for more than three decades, the example and ultimate fate of Allende's UP coalition, as well as that of Russell II, have returned to the public imagination in the wake of the electoral triumph and ulterior fate of Syriza in Greece, the possibilities of Spain's Podemos Party in the wake of its irruption in 2015, their "Latin American inspiration" and the critical challenges currently facing progressive or radical movements in Venezuela, Brazil and elsewhere in the Americas.<sup>8</sup>

In March 2015 during a "first report" on the fate of Greece's radical government at Birkbeck College, London, reporter Paul Mason, cultural critic and Hegelian thinker Slavoj Žižek, and legal philosopher Costas Douzinas warned against the likelihood of a "very European coup" against Syriza and other similar movements emerging in Europe and elsewhere, which could be carried out in the style of the Chilean coup forty years ago, or variations thereof. Mason went as far as to speak of Greece's leader, Alexis Tsipras, as a "postmodern Allende". As we now know, their fears turned out to be well founded.

On that occasion, Douzinas presented a proposal for a moral-legal "guerrilla tactic" to counter the likelihood or effects of such a coup. Chief among them, influencing public opinion in Europe to turn Greece's very real humanitarian crisis into a moral indictment against austerity measures in a way that could also touch upon issues of legal liability.

Douzinas's proposal raises at least two questions: the first one, more philosophical perhaps, concerns the proper relationship between the ethical and the variety of political-normative orders currently available. This question is similar to the one raised by Cortázar in his 1974 answer and commentary. The second one was more strictly legal or jurisprudential and action-oriented. It concerns the kind of legal order that would respond best to the political aims of Greece's Syriza or Spain's Podemos and other like-minded parties and movements in Europe, the Americas and elsewhere: not only to contain the coup, but to remedy the injustices committed in the global south.

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8 For "Latin American inspiration" O. Guardiola-Rivera (2010) and (2013) for the Chilean Revolution.



In a nutshell, I believe that the best strategy is not the one that insists upon legal liability (personal harm or loss-based compensation) suggested by Douzinas, but one that views the injustices committed against peoples in the Global South as historical and as such (as transactions unjustly forced upon generations, whether legally or not) a suitable object for property-creating remedies. Successors in interest could lay claims to such rights *in rem*, even more so in the event of dramatic changes making the political landscape more volatile or in which the rate of heightened inequality would increase risks exponentially. The latter is, precisely, the situation in which southern European peoples, but also peoples in the UK and the US as well as in the rest of the Americas and elsewhere, are at present and the situation in which successive generations will be.

Which is why the right time to lay such claims is now. It is also the reason why the right people to make those claims and seek to stop that situation becoming permanent in the future are those who bear witness to the situation of humanitarian crisis taking place nowadays in southern Europe, which extends to the Mediterranean and Africa. Raising their collective voice to denounce that situation they get ready to struggle in the streets as well as in more or less formal tribunals and other institutions created by them (popular constitutional assemblies, *comunas*, etc.) thereby becoming the political subjects of an attainable utopia: an “uncontainable multitude” radically invested in justice as a realizable option, as Cortázar put it.<sup>9</sup>

### 3. In Search for A Different Form...

My inspiration for the proposal sketched above – that southern peoples constitute themselves as “uncontainable multitudes” bearing witness and forcing a

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9 J. Cortázar (1975) 66.

restitution transaction as a property-creating remedy in a (global) tribunal or like institution, convened to that effect by their radical governments – takes stock of the application of modern finance option theory to the liquidation of historical grievances, recently developed by legal theorists like Ian Ayres and Bob Meister.<sup>10</sup>

Going into the detail of their sophisticated work would go well beyond the limits of this piece. Instead, on the one side, I shall limit myself to making use some of their insights while directing the reader to the appropriate sources. On the other, given the aims declared in the title of this chapter -to probe the relationship between rights discourses, revolutionary struggles and the persistence of the political in the Americas and elsewhere- it seems more relevant to emphasize the importance of Julio Cortázar's response to the problem that would occupy his attention in the wake of the testimonies and the findings made by Russell II in relation to the U. S. counter-revolutionary interventions in the Americas, initially posited in the "legalist" language of rights.

In short, the more legalistic form of the language of rights appeared insufficient. Another form and another approach to form were needed. Ditto, the legalistic format in which the testimonies and the findings of the tribunal concerning human rights and the rights of peoples were rendered, the verdict, seemed ill fitted to the goal of communicating the revolutionary proposal of the self-constitution of southern peoples into "uncontainable multitudes", in a way that could go beyond the limitations of rhetorical persuasion (including catharsis or pacification and psychological misery or 'interpassive relaxation') and instead provoke a shift in a much wider audience, a principled or even "prophetic" reorientation.

As I interpret Cortázar's attempt to find a different form and a different approach to form, it would entail moving beyond the commitment of legal rhetoric to seeing its publics or audiences as always-already constituted by shared meanings: "our values", morals or identifications, more often than not associated

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10 R. Meister (2011) 232-259; and "Liquidity". See also, I. Ayres (2005). For a summary of legal restitution W. Seavey & A. Scott (1937). See also B. Ackerman & A. Alscott (2001), for endowment-based remedies; J. Lear (2006), J. Ralston Saul (2014) and A. Escobar (2014), for community-based and contingency-facing conceptions of attainable justice in the face of catastrophe. For the legal-economic basics see, Armen Alchian (2006).

to geo-psychological or racial demarcations. This commitment of mainstream legal rhetoric is part and parcel of a dominant view of rhetoric that marries the idea of the public to the question of persuasion, insofar as persuasion seems to offer the rhetorician or the orator (often identified with the father-like figure of the politician) unique access to the means by which meanings come to be shared.

If so, an attempt like Cortázar's would require a thorough reworking of the relationship between persuasion and its imaginary functions, which are largely prefigured by a symbolic economy. As said before, this not only a matter of searching for an alternative aesthetic, rhetoric or literary form but also, or rather, a search for a different approach to form.

In other words, Cortázar's job was not merely to inform an already constituted public about what had happened in Russell II. For instance, to chronicle and communicate in proper journalistic form (a form that has become since then a formula) the sentimentalism of the testimonials or the crude facts concerning the many rights violations that had taken place in Brazil, Chile or Colombia, which were the object of its judgment and the application of its norms and rules.

Rather, the job was to sway his readers and viewers toward an action-oriented or utopian (I prefer uchronic) vision, the achievement of which could not be guaranteed, thereby creating a public or making present and instituting one in an interval with neither firm grounds nor guarantees of success. That is, in the absence of proper hedging of actual or potential property or in a situation that is best expressed in the Spanish term *gratuidad del riesgo* (gratuity of risk) via an economy of trope and enjoyment and, therefore, without the mediating functions of context, probability, propriety, property or judgment.

Did Cortázar achieve such an aim? Did he do his job?

#### 4 ...and a Different Approach to Form: the Utopian Novella

In true surrealist fashion, two fortuitous occurrences seemed to coalesce on a seemingly unsuitable plane, making possible an exploration of sense, conventional repetition and form at the limits of meaning, persuasion and the possible.

I am referring of course to Cortázar's modest law-and-literature experiment: his 1975 graphic novel *Fantomas Versus the Multinational Vampires. An Attainable Utopia*.

The first occurrence was Cortázar's participation from January 1975 in the Second Russell Tribunal (Russell II, hereafter) in Brussels. Outraged by the testimony he had heard and conscious of the limitations of the Tribunal's judgment or, more precisely, of its verdict form vis-à-vis its negotiating position in the larger symbolic economy, Cortázar was eager to find a different form which could not only express the true force of the tribunal's findings and testimonies but also provoke a convulsive, explosive effect. In this respect, his turn towards the explosive power of trope and image in the artwork's execution connects his graphic novella with the distinctive, pioneering mode of *métaphore filée* and data visualisation cultivated by Afro-descendent writers and thinkers in the Americas such as W. E. B. Du Bois, Étienne and Yva Léro or Aimé Césaire and Frantz Fanon between the 1900s and 1950s. Crucially, the pathbreaking work of these pioneers was from the very outset part and parcel of their political struggle against fascism, racism and global coloniality as well as "primitive" accumulation, economic poverty and the misery of desire.

The second occurrence was the publication in February 1975 of issue 201 of the Mexican comic book series *Fantomas, la amenaza elegante*. The issue's title "*La inteligencia en llamas*" (Intelligence on Fire) could be considered not only as a nod to Juan Rulfo's 1953 classic *The Burning Plain* and Ray Bradbury's *Fahrenheit 451*. But also, or rather, as a more or less direct reference to the explosive dynamics, dialectics, and struggles incarnated in and expressed by the community of ethical views which gathered the precursors named above together with the contemporary writers and artists who actually had cameo appearances in the comic, including Julio Cortázar.

The political and utopian spirit of trans-national solidarity at the heart of such a community is precisely what Cortázar expressed in his answer to José Raventos: “ethics and politics are inseparable”. Put simply, their community of ethical-political views was the opposite of a bureaucracy. In other words, an open realism and an awareness of reality which were embodied in an artwork that speaks directly to the intelligence, fires it up, and elicits enjoyment in a way that isn’t reducible to (legalistic, conventional or situational) context.

It can be argued, in this respect, that Cortázar’s *Fantomas* is a quasi-mathematical figuration of trope and enjoyment both in terms of its use of imagery (which references cybernetics and infographics) and its alternative use of the charts and photo-documented evidence that would fill the Russell tribunal’s report, underwriting the affective force of a symbolic address as if it were a *dérive* of the logic of derivation and derivatives characteristic of finance late-capitalist culture and its violence, explicitly signalled in the title of the novella (“the multinational vampires”).

*Fantomas versus the Multinational Vampires* has been called a meta-comic, an offbeat invention such that many readers assumed it must have been the result of Cortázar’s dream-work, a visual artwork made out of cut-up and recomposed found and poor images in the style of Third Cinema, *cinema imperfecto* and Santiago Álvarez’s rhythmic timing arrangement for his 1965 film *Now* as well as the visual aesthetics of Alfredo Rostgaard’s poster for the 1969 anniversary of the Havana Tricontinental Conference and the famous Black Panther Party posters created by Emory Douglas.

It has also been called “a melancholy book”. But the latter judgment not only makes the mistake of placing Cortázar in the vicinity of other writers of the Americas who would in time become disillusioned of their radical commitments, a company that the Argentinean writer would surely reject. It is one that also misses what matters most: the direct references, borrowings from and dialogue with the Afro-American voices that from *Légitime Défense* to *Tropicália* strongly set their art-as-philosophy aesthetics to the aim of making present a revolutionary public subjectivity not through the path of identification with Soviet dogma, but rather, through a different use of colour and the term “colour” (such as in “coloured

peoples”) to refer not necessarily to race or to skin colour but to one’s investment and position in alliance with Tricontinentalist anti-imperialist politics.

Moreover, in this respect, Cortázar’s *Fantomás* followed on the footsteps of the Black Surrealists’ reading of Hegel and Marx that propelled them toward an anti-dogmatic, open-ended Marxism, rather like that of the Léros, René Méné, Walter Benjamin, Pierre Klossowski, Juan Breá and Mary Low, Herbert Marcuse, Fanon or C. L. R. James.

As it happens in the game known as Exquisite Corpse, and in the wake of Tricontinental aesthetics, *Fantomás versus the Multinational Vampires* uses racially coded language and iterated images that resonate with the repeated vignettes of mostly Anglo-American looking policemen in riot gear ready to rain down their shit on African-American and Amerindian or poor *barrio* protesters. Professor Anne Garland-Mahler has correctly understood such use of colour and trope in art materials as metonymically employing the colonial and Jim Crow apparently simple binary categories to signify the expansion of such dividing lines through U. S. foreign policy and, therefore, also global imperial oppression.

It’s no coincidence that the final word in the novella belongs to “a clear Afro-Cuban voice”, which says: “The good thing about utopias...is that they’re attainable”. But to make it so “you have to be ready to fight”.<sup>11</sup>

The struggle is both vertical and horizontal. It involves a double-twist or turn.

First turn, personal self-energising. Moving forward, your intelligence elicited by the light of utopia, looking backwards, to the unfinished projects of the past. Not because there’s some probability that the projects will be completed, but on the contrary, because in their incompleteness they point to the structural failures and feigned unicity of the normative orders of the present.

Call it the work of incompletion. Of course, every profound political protest is an appeal to a justice that is absent, “and is accompanied by a hope that in the future this justice will be established”. But this hope “is not the first reason for the protest being made”, as John Berger points out. We protest, by taking up

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11 J. Cortázar ([1975] 2014) 68.