


9-1-2021

Hiding in plain sight: Black Panther, international law and the 'development frame'

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Citation Information

Gevers, Christopher. "Hiding in plain sight: Black Panther, international law and the 'development frame'." *Osgoode Hall Law Journal* 59.1 (2022) : <https://digitalcommons.osgoode.yorku.ca/ohlj/vol59/iss1/16>

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Abstract

This paper aims to explore the 'troubling antinomies' of the 2018 film *Black Panther*. It will begin by revealing the film's entanglements with the 'collective fantasies' of 'the West', and those of its international lawyers and 'development' technocrats in particular, through its reliance on 'lost world' genre typified by H. Ridger Haggard's *King Solomon's Mines* and John Buchan's *Prester John*. After doing so, it will then situate the film's 'troubling antinomies' within the tradition of 'Black Internationalism', and the novels of Pauline Hopkins, George S. Schuyler and Peter Abrahams as practices of 'poetic revolt'; arguing that doing so surfaces conditions of possibility of the 'development frame' and international law, their shared 'White Mythology', and their ongoing entanglements with 'history', racial capitalism and the discourse of technology.

Keywords

International Law, Development Studies, TWAIL, Postcolonial Studies, Law and Literature, Black Studies

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Cover Page Footnote

This paper was presented at the 'Looking into Law and Development: Politics and Pedagogies of the Frame' Workshop, at Osgoode Hall Law School in September 2018. I would like to thank Professor Ruth Buchanan for inviting me to participate in the Workshop, and for her generous support and encouragement since, without which this paper would not have completed. I would also like to thank Harris Khan for his research assistance.

Hiding in Plain Sight: *Black Panther*, International Law and the “Development Frame” Christopher Gevers*

Abstract

This article explores the “troubling antinomies” of the 2018 film *Black Panther* and its entanglements with the collective fantasies of the West—and those of international lawyers and development technocrats in particular—through its reliance on the “lost world” genre, as typified by H. Rider Haggard’s *King Solomon’s Mines* and John Buchan’s *Prester John*. The article then situates these troubling antinomies within the tradition of Black Internationalism and the novels of Pauline Hopkins, George S. Schuyler, and Peter Abrahams as practices of “poetic revolt.” Doing so, it is argued, reveals much about the conditions of possibility of the “development frame” and international law, their shared “White Mythology,” and their ongoing entanglements with history, racial capitalism, and the discourse of technology.

The fictional African nation of Wakanda at the centre of *Black Panther* (2018) “does not engage in international trade or accept aid,” despite “remain[ing] one of the poorest countries in the world”; or so we are told by a nonplussed British Broadcasting Corporation (BBC) News presenter in the film’s opening “Present Day” scene.¹ As viewers, we already know better, having learned Wakanda’s secret in *Black Panther*’s prologue; namely, it possesses wealth and “technology more advanced than any other nation,” thanks to its secret mineral vibranium, and *chooses* to “hide in plain sight” in order to keep “the truth of their power from the outside world.”² Wakanda does so, the prologue and later scenes suggest, by way of camouflage: employing a “cloaking technology” that mimics a dense forest covering, thereby protecting it from the outside gaze. The screen *behind* the BBC presenter tells a different story, however, streaming images—presumably of Wakanda—of desolate land, mud huts, and a woman, with a child, carrying water on her head; images which suggest that Wakanda—or at least some part of it—is both *seen* and *known* in very familiar terms by its Western audience (or those who watch the BBC).

That this second account is the correct one—that there are, in fact, *two* Wakandas: one seen by the West and one “hidden in plain sight”—is confirmed by the two tourism advertisements included as extras in the film’s release.³ One portrays “The Real Wakanda,” and its viewers are invited by its description to “[s]tep behind the camouflage that has hidden the true Wakanda...to explore its mind-blowing technological marvels,” and then by its narrator to “come and *discover* the real Wakanda” (along with “the unknown,” “the city,” “the food,” “the culture,” “the beauty,” “the technology,” “the innovation,” “the country,” “the color,” and “the history”).⁴ The other tourism advertisement, in contrast, is a grainy, low-grade production called “I Love Wakanda,”

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¹ (Marvel Studios, 2018) at 00h:07m:10s-00h:07m:20s [*Black Panther*].

² *Ibid* at 00h:01m:10s-00h:01m:35s.

³ The first tourism advertisement is labelled “Come to Wakanda – After” and is a slick, high-speed montage of various shots of Wakanda from the movie, accompanied by a techno beat. The second is labelled “Come to Wakanda – Before.” The “before” and “after” presumably refer to the revelation of Wakanda’s secret to the world, but also recall the progressive teleology of modernity and development. See “Come to Wakanda – After” in *Black Panther*, *supra* note 1 (Bonus Feature); “Come to Wakanda – Before” in *Black Panther*, *supra* note 1 (Bonus Feature).

⁴ *Ibid*.

which, according to its opening titles, was produced in 1988 by the “United Continental Nations Tourism Board.”⁵ From the advertisement’s description and its narrator we learn that *this* Wakanda is a “secluded,” “pastoral country,” “untouched by the outside world,” “bordered on all sides by lush jungles and serene mountains,” a land of “ancient tribes and sacred traditions”; and its viewers are invited to “[a]bandon the comforts of the modern world, and explore the nation’s many farmlands, visit the country’s agricultural fields, graze with the local livestock, and stop off on the native huts, purchase local handmade baskets, native textiles, and blankets.”⁶

In this second account, the source of Wakanda’s camouflage is not technological, it is *narratological*: Wakanda hides in the familiar Western narrative about Africa that underpins international law and the “development frame,” and the “Image of Africa” in the West more generally.⁷ Chinua Achebe memorably (and contemptuously) described this “Image of Africa” as “the desire—one might say the need—in Western psychology to set Africa up as a foil to Europe, as a place of negations at once remote and vaguely familiar, in comparison with which Europe’s own state of spiritual grace will be manifest.”⁸ According to Achebe, this phantasmagoric “Image of Africa” in the Western (or “white”) mind has rendered it “astonishingly blind” to the realities and achievements of its “Others,” including their technological achievements.⁹ Achebe proceeds to show this using Marco Polo’s accounts of thirteenth-century China in *Description of the World*, which “said nothing about the art of printing, unknown as yet in Europe but in full flower in China,” and, more spectacularly, made no mention of the “the Great Wall of China.”¹⁰ If, as Achebe points out, Marco Polo could not see “the only structure built by man which is visible from the moon”¹¹ (or at least did not see fit to record it in his description, written for his Western readers, of “the world”), then Wakanda can safely assume that its secrets will remain safely hidden in the “Image of Africa” in the Western imagination.

This second account of how Wakanda actually “hides in plain sight” raises a number of difficult and complex questions about the film, its imaginative limitations, and its emancipatory potentialities. These questions are similar to those raised by one of the traditions that the *Black Panther* undoubtedly invokes—Afrofuturism—whose “founder” Mark Dery noted at its outset:

The notion of Afrofuturism gives rise to a troubling antinomy: Can a community whose past has been deliberately rubbed out, and whose energies have subsequently been consumed by the search for legible traces of its history, imagine possible futures? Furthermore, isn’t the unreal estate of the future already owned by the technocrats, futurologists, streamliners, and set designers—white to a man—who have engineered our collective fantasies?¹²

Black Panther’s “troubling antinomies” do not end there. Many more arise from the identity of the “community,” imagined and otherwise, at the heart of the film. In particular, what is Wakanda’s relationship to the rest of the African continent? The continent is all but absent, save for the obligatory opening scene of the Black Panther dispatching AK-47-wielding Black militants in the “Sambisa Forest, Nigeria,” presumably Boko Haram, and inadvertently

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Chinua Achebe, “An Image of Africa: Racism in Conrad’s *Heart of Darkness*” in *Hopes and Impediments* (Doubleday, 1988) 1 at 3.

⁸ *Ibid.* at 2-3.

⁹ *Ibid.* at 16.

¹⁰ *Ibid.* at 17.

¹¹ *Ibid.*

¹² Mark Dery, “Black to the Future: Interviews with Samuel R. Delany, Greg Tate, and Tricia Rose” in Mark Dery, ed, *Flame Wars: The Discourse of Cyberculture* (Duke University Press, 1994) 179 at 180.

“#Bring[ing]BackOurGirls” in the process.¹³ Do other African states—that *can* presumably see Wakanda, and suffer under the same “Image of Africa” that Wakanda uses to hide its extraordinary wealth and technology—simply derive no benefit from it?¹⁴ Alternatively, is Wakanda a synecdoche for Africa *as a whole*, or a metaphor for the African diaspora, or both? Related to this, who is the imagined audience for the film? Is it the same “community” for which Dery hoped to conjure “possible futures”? If so, at what cost? What would an “Africanfuturist” reading of the film be?¹⁵ And finally: Was Killmonger right?

This article aims to explore some of these questions by first deepening the film’s “troubling antinomies” to show just how entangled *Black Panther* is in the “collective fantasies” of the West (and those of its international lawyers and “development” technocrats in particular) and the White Mythology that (paraphrasing Achebe) constructs “Africa” (and Black people) as a *foil* and a *negation* necessary for “Europe” (and “whiteness”) to manifest. After doing so, it will then situate the film’s “troubling antinomies” regarding race, history, and technology within another tradition that it draws on: Black Internationalism¹⁶ and the “Black Radical Tradition” more generally.¹⁷ In particular, it will argue that, when read as part of *this* tradition’s practices of “poetic revolt,”¹⁸ the film reveals much about the conditions of possibility of the “development frame,” international law, and their shared White Mythology; about their ongoing entanglements with “history,” (extractive) racial capitalism, and the discourse of technology; and about the limits that these place

¹³ *Black Panther*, *supra* note 1 at 00h:07m:34s. #BringBackOurGirls was a 2014 online campaign for the return of over three hundred Nigerian girls who had been kidnapped by Boko Haram from a school in Chibok. For a critical discussion of this campaign and the biomediation of retributive justice at the expense of structural and historical redress, see Kamari Maxine Clarke, “Biomediation and the #BringBackOurGirls Campaign: Making Suffering Visible” in *Affective Justice: The International Criminal Court and the Pan-Africanist Pushback* (Duke University Press, 2019) 116.

¹⁴ *Black Panther*, *supra* note 1 at 00h:12m:38s. In an earlier film in the Marvel Cinematic Universe series, when the Black Panther is first introduced, a Wakandan “goodwill mission” is caught up in an attack in Lagos. See *Captain America: Civil War* (Marvel Studios, 2016) at 00h:03m:07s, 00h:36m:47s. When Killmonger ascends the throne in *Black Panther*, he asks “[w]here was Wakanda” when “Black folks started revolutions” in America. See *supra* note 1 at 01h:29m:34s.

¹⁵ “Africanfuturism” is a term coined by writer Nnedi Okorafor to distinguish her work from “Afrofuturism.” According to Okorafor,

Africanfuturism is similar to “Afrofuturism” in the way that blacks on the continent and in the Black Diaspora are all connected by blood, spirit, history and future....Africanfuturism is specifically and more directly rooted in African culture, history, mythology and point-of-view as it then branches into the Black Diaspora, and it does not privilege or center the West.

“Africanfuturism Defined” (October 2019), online (blog): *Nnedi’s Wahala Zone Blog* <nnedi.blogspot.com/2019/10/africanfuturism-defined.html>.

¹⁶ As Darryl C Thomas defines it, Black Internationalism is a worldview that considers “the role of race and racism in world affairs and...the connections between racial capitalism and the color line in world affairs,” and argues that “victims of racial capitalism and imperialism—the world’s so-called darker (non-European) races—shared a common interest in overthrowing white supremacy and creating a new world order based on social justice and racial equality.” See “Cedric J. Robinson’s Meditation on Malcolm X’s Black Internationalism and the Future of the Black Radical Tradition” in Gaye Theresa Johnson & Alex Lubin, eds, *Futures of Black Radicalism* (Verso, 2017) 148 at 148. For an overview of Black Internationalism, see Michael O West & William G Martin, “Contours of the Black International: From Toussaint to Tupac” in Michael O West, William G Martin & Fanon Che Wilkins, eds, *From Toussaint to Tupac: The Black International since the Age of Revolution* (University of North Carolina Press, 2009) 1.

¹⁷ See e.g. Cedric J Robinson, *Black Marxism: The Making of the Black Radical Tradition* (Zed Books, 1983) [Robinson, *Black Marxism*]; Robin DG Kelley, *Freedom Dreams: The Black Radical Imagination* (Beacon Press, 2002).

¹⁸ See Louiza Odysseos, “Stolen Life’s Poetic Revolt” (2019) 47 *Millennium J Intl Studies* 341.

on attempts to engage and subvert them, whether it be through Black Internationalism, international law, or films like *Black Panther*.

I. White Mythologies: International Law, “Development,” and the “Gift” of Vibranium

A. *Black Panther* and the “Lost World” Genre

In its prologue, *Black Panther* recounts and subverts a (if not *the*) founding myth of both international law and the “development frame,” a myth that is at once racial, spatial, and temporal (or *historical*).¹⁹ This “White Mythology”²⁰ cuts the world in two:²¹ into a white, European, developed centre (*i.e.*, the West) and its benighted “Others,” who are variously non-white, non-European, underdeveloped, and peripheral peoples.²² The myth’s axis of emphasis shifts between its racial, spatial, and temporal elements, as does the relationship between these (*e.g.*, “race,” at various points signifies geographical, biological, and temporal difference),²³ but the myth is generally narrated through some combination of all three of these elements,²⁴ which are themselves

¹⁹ In the sense that it is not only a claim about the past (*i.e.*, history), but a claim to have a past, or to be historical subjects (*i.e.*, historicity). See Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Beacon Press, 1995) at 6-8.

²⁰ A formulation used by Jacques Derrida in reference to both how Western metaphysics “dim[med] the colors of the ancient fables” and “effaced in itself that fabulous scene which brought it into being,” and how whiteness “assembles and reflects Western culture.” See “White Mythology: Metaphor in the Text of Philosophy,” translated by FCT Moore (1974) 6 *New Literary History* 5 at 11. Here it is used as a composite phrase to triangulate the way that both international law and “development” rely on and produce, theoretically and historically, Western myths about “race,” “law,” and “the past.” For an account that focuses on “modern law” as a White Mythology, see Peter Fitzpatrick, *The Mythology of Modern Law* (Routledge, 1992) [Fitzpatrick, *Modern Law*]. For an attempt to further specify Fitzpatrick’s account in respect of modern *international* law, see Christopher Gevers, “‘Unwhitening the World’: Rethinking Race and International Law” (2021) 67 *UCLA L Rev* 1652 [Gevers, “Unwhitening the World”]. For an account that focusses on “race” (and “whiteness”) as a White Mythology, see Charles W Mills, *The Racial Contract* (Cornell University Press, 1997) (arguing, *inter alia*, that “white” people “live in an invented delusional world, a racial fantasyland, a ‘consensual hallucination’” at 18) [Mills, *Racial Contract*]. For an account of Western history as a White Mythology, see Robert JC Young, *White Mythologies: Writing History and the West*, 2nd ed (Routledge, 2004) (which aims “to develop an epistemological critique of the West’s greatest myth – History” at 2).

²¹ Frantz Fanon, *The Wretched of the Earth* (Grove Press, 2004) at 3 [Fanon, *Wretched*].

²² A good candidate for one of the principal originators of this myth in international law is Henry Sumner Maine. See Gevers, “Unwhitening the World,” *supra* note 20 at 1667-75.

²³ As Robinson puts it:

Racial regimes are...unstable truth systems...[which] may fragment, desiccated by new realities, which discard some fragments wholly while appropriating others into newer regimes...[T]he production of race is chaotic. It is an alchemy of the intentional and the unintended, of known and unimagined fractures of cultural forms, of relations of power and the power of social and cultural relations.

Racial regimes are constructed social systems in which race is proposed as the justification for relations of power. While necessarily articulated with accruals of power, the covering conceit of a racial regime is a makeshift patchwork masquerading as memory and the immutable.

Cedric J Robinson, *Forgeries of Memory and Meaning: Blacks and the Regimes of Race in American Theatre and Film before World War II* (University of North Carolina Press, 2007) at xii [Robinson, *Forgeries of Memory*]. On the metaphysics of race, see also Charles W Mills, *Blackness Visible: Essays on Philosophy and Race* (Cornell University Press, 2015) at 41-66.

²⁴ For accounts of international law that emphasize *racial* and *economic* subordination, respectively, see Siba N’Zatioula Grovogui, *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (University of Minnesota Press, 1996); Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press, 2004). See generally Mills, *Racial Contract*, *supra* note 20; JM Blaut, *The Colonizer’s Model of the World: Geographical Diffusionism and Eurocentric History* (Guilford Press, 1993); Johannes Fabian, *Time and the Other: How Anthropology Makes its Object* (Columbia University Press, 1983).

“constructed in negation” (e.g., to be “white” was to be *not* “non-white,” to be a “progressive” society or “race” is to not be a non-progressive or “stationary” one).²⁵ On its face, the nation of Wakanda—a futuristic, wealthy, technologically advanced, Black African kingdom—subverts this White Mythology on every level, but if one digs a little deeper, “troubling antinomies” (or unlikely synonymies) emerge.

The late-nineteenth-century variant of this White Mythology, along with an important mode of its production and circulation,²⁶ is captured in the imperial romance novels of the period, and in particular its “lost world” genre, of which H. Rider Haggard’s *King Solomon’s Mines*²⁷ is the “purest form.”²⁸ Haggard’s novel—published in 1885, a few months after the Berlin Conference and a few years after the discovery of diamonds and gold in Southern Africa²⁹—is, to paraphrase Edward Said, “certainly not accidentally” about a group of Europeans who “discover” a fiefdom for themselves beneath non-European soil (a prize that, it turns out, “rightfully” belongs to Europe).³⁰ In Haggard’s novel, Africans are figured as “undeveloped” in comparison to white Europeans and therefore, in any event, ignorant or unworthy of the natural resources placed geographically in their care.

According to Richard F. Patteson, novels of this genre share a number of structural features (or “plot functions”), including the “discovery” of an “advanced...civilization”; the division of “native people (or peoples)...into two political factions—one more receptive than the other to European culture”; the establishment of influence “through a technological device...or through some special scientific knowledge”; the “more civilized faction of the tribe [emerging] victorious, *but only with the aid of the Europeans*”; and “Europeans, having established order in most cases, get[ting] what they came for and depart[ing].”³¹

Many of these “plot functions” of the lost world genre are present in *Black Panther*, with the key difference being that the lost European kingdom of the past is replaced by an Afro-futurist kingdom of the future (one that resembles a hyper-capitalist metropolis). On closer examination, *Black Panther* bears uncomfortable comparison to imperial romance novels like *King Solomon’s Mines* in a number of further respects. These include its repetition of the plot functions of Africans “divided into two warring factions”—in the form of King T’Challa and Killmonger (and their respective fathers)—with “one more susceptible to westernization than the other,” and an ending

²⁵ See Fitzpatrick, *Modern Law*, *supra* note 20 at ix. They are what Edward W Said termed “contrapuntal ensembles,” identities that cannot exist by themselves but require “an array of opposites, negatives, oppositions.” Said noted, “Greeks always require barbarians, and Europeans Africans, Orientals, etc.” See *Culture and Imperialism* (Vintage Books, 1994) at 52 [Said, *Culture*]. As Trouillot puts it, “this Other was a Janus, of whom the Savage [or the primitive] was only the second face. The first face was the West itself.” See Michel-Rolph Trouillot, *Global Transformations: Anthropology and the Modern World* (Palgrave Macmillan, 2003) at 18 [citations omitted] [Trouillot, *Global Transformations*].

²⁶ On the relationship between literature and international law, see Joseph R Slaughter, *Human Rights, Inc.: The World Novel, Narrative Form, and International Law* (Fordham University Press, 2007); Christopher Gevers, “International Law, Literature and Worldmaking” in Shane Chalmers & Sundhya Pahuja, eds, *Routledge Handbook of International Law and the Humanities* (Routledge, 2021) 191 [Gevers, “International Law”].

²⁷ (Cassell, 1885).

²⁸ Richard F Patteson, “*King Solomon’s Mines*: Imperialism and Narrative Structure” (1978) 8 *J Narrative Technique* 112 at 112.

²⁹ WEB Du Bois, *The World and Africa and Color and Democracy* in Henry Louis Gates Jr, ed, *The Oxford W.E.B. Du Bois* (Oxford University Press, 2007) vol 9 at 20 [Du Bois, *World and Africa*].

³⁰ Said noted that the “[t]he prototypical modern realistic novel is *Robinson Crusoe*, and certainly not accidentally it is about a European who creates a fiefdom for himself on a distant, non-European island.” Said, *Culture*, *supra* note 25 at xii.

³¹ *Supra* note 28 at 112-14 [emphasis added].

where the “good” faction, led by King T’Challa in *Black Panther*, “wins the struggle, but only with the active intervention of the European visitors” (in this case the CIA Agent, Everett K. Ross).³²

When *Black Panther*’s plot is compared to another novel of this genre, John Buchan’s *Prester John*, the similarities are uncanny.³³ In the beginning of *Prester John*, the lead character, David Crawford, downplays the chances of widespread Black rebellion against white colonial rule because “they would never find a leader,” but adds, “[i]f there was *some exiled prince of Chaka’s blood*, who came back...to free his people, there might be danger.”³⁴ In *Black Panther*, the “exiled prince of Chaka’s blood” looking to lead the uprising against white rule is King T’Chaka’s nephew, Erik Killmonger (in *Prester John*, the role is played by John Laputa, who claims to be the descendent of the fabled Prester John). Like Killmonger, Laputa is educated in the West and returns home “to lead the African race to conquest and empire,” telling Crawford: “I have sucked civilization dry that I know the bitterness of the fruit. I want a simpler and better world, and I want that world for my own people.”³⁵ Laputa’s arrival is prefigured by Crawford’s companion, who warns of what would happen if Africans were to find a messianic leader who had imbibed the “Ethiopianism, which educated American negroes had been trying to preach in South Africa,” citing revolutions in “Hayti and some of the performances in the Southern States” as a warning.³⁶ In *Black Panther*, Killmonger—referencing Wakanda’s inaction to end slavery and support Black revolutions of the past—promises that under his rule “the world is going to start over, and this time we’re on top.”³⁷ Furthermore, in *Prester John*, Laputa enlists the help of a “mean white,” mercenary Henriques³⁸—a Portuguese grifter who is after the diamonds—and then kills him, just as, in *Black Panther*, Killmonger uses the mercenary Ulysses Klaue to steal vibranium and locate Wakanda, and then dispatches him mercilessly. Finally, Buchan’s protagonist, Crawford, is only able to thwart the uprising led by Laputa with the assistance of an “Intelligence Officer” (Captain Arcoll), just as, in *Black Panther*, King T’Challa is only able to defeat Killmonger with the assistance of the CIA’s Agent Ross.

In light of these parallels, *Black Panther* might even be reductively, but not inaccurately, described as a restaging of these colonial novels by simply replacing the white characters (*i.e.*, the heroes and kingdoms) with Black ones (*i.e.*, King T’Challa and Wakanda) but mostly leaving their underlying structure and “Image of Africa” firmly in place. This paper argues, in Part II(A), below, that this is too simplistic a characterization, as the film’s attempts to subvert the dominant Western imaginary form part of a longer tradition of Black Internationalist “poetic revolt.” Before doing so, however, Part I(B) will first deepen *Black Panther*’s troubling *synonymies* with imperial romance novels as they relate to two aspects of the myth underpinning both international law and development, namely resource extraction and the discourse of technology.

³² *Ibid* at 112.

³³ (Thomas Nelson and Sons, 1910) [Buchan, *Prester John*].

³⁴ *Ibid* at 96 [emphasis added]. Later on, Laputa himself agrees with Crawford’s assessment. Notably, a similar plot takes place in *King Solomon’s Mines*, where the rightful King, Umbopa, is restored to the throne. Like Killmonger, his father was killed by his uncle. See Haggard, *supra* note 27.

³⁵ Buchan, *Prester John*, *supra* note 33 at 134, 276.

³⁶ *Ibid* at 96-97.

³⁷ *Black Panther*, *supra* note 1 at 01h:30m:39s.

³⁸ Buchan, *Prester John*, *supra* note 33 at 278.

B. “‘Isipho’ They Call It, ‘The Gift’: Vibranium”

Wakanda...a technological marvel; all because it was built on a mound of the most valuable metal known to man. “Isipho” they call it, “the gift”: vibranium...They have a mountain full of it. They have been mining it for thousands of years, and they still haven’t scratched the surface.³⁹

If United States President Harry S. Truman’s 1949 inaugural address is a key signpost in the history of development (and international law), it is one that points both forwards and backwards.⁴⁰ By invoking the “imponderable resources in technical knowledge,” Truman’s address anticipated the new discourse of “development,” or “underdevelopment” (a central trope of *Black Panther*).⁴¹ However, Truman’s speech also pointed backwards towards the development frame’s roots in colonialism and the longer relationship of the West with the “Third World” (and Africa in particular), roots recalled in his invocation of “a constructive program for the better use of the world’s human and natural resources.”⁴² Under cover of similarly pious justifications, the West had long since been pillaging “the world’s human and natural resources” through the “constant program” of imperialism, slavery, and colonialism.⁴³

During the nineteenth century, as anthropology firmly secured this “Image of Africa” in what Michel-Rolph Trouillot calls the “geography of imagination” of the West, “modern” international law emerged to secure Africa’s place in its “geography of management.”⁴⁴ Drawing on the White Mythology’s ideas of evolutionary progress and racialized “primitive” societies,⁴⁵ a group of white men (who Koskenniemi affectionately calls the “men of 1873”) founded the *Institut de droit international* and anointed themselves the “juridical conscience...of the civilized world.”⁴⁶ These events coincided with shifts in the political economy of European empires, and the British Empire in particular, as the period of “high imperialism” saw “Britain [pursue] a distinctively and expansively imperial vision of its place in the world order, which joined together a complex formal territorial empire, with an equally complex yet ‘informal’ system of influence, interest, and interference.”⁴⁷

Critical scholars have mapped the continuities in the “individuals, institutions and ideologies” of turn-of-the-century colonial imperialism and what became “development studies”

³⁹ *Black Panther*, *supra* note 1 at 00h:56m:04s-00h:57m:12s. Ulysses Klaue speaks this quote to Agent Ross.

⁴⁰ (Delivered at the United States Capitol, 20 January 1949), published by the National Archives at the Harry S Truman Library and Museum, online: <www.trumanlibrary.gov/library/public-papers/19/inaugural-address>. See Sundhya Pahuja, *Decolonising International Law: Development, Economic Growth and the Politics of Universality* (Cambridge University Press, 2011) at 44-94.

⁴¹ Truman, *supra* note 40.

⁴² *Ibid.*

⁴³ Du Bois, *World and Africa*, *supra* note 29; Eric Williams, *Capitalism & Slavery* (University of North Carolina Press, 1944); Walter Rodney, *How Europe Underdeveloped Africa* (Howard University Press, 1974).

⁴⁴ *Global Transformations*, *supra* note 25 at 1-3. Trouillot notes:

From the beginning, the geography of imagination went hand in hand with a geography of management that made possible—and was in turn refueled by—the development of world capitalism and the growing power of North Atlantic states. Just as the West was global from the start, capitalism, as an economic system premised on continuous spatial expansion, was also global from the start (*ibid* at 2).

⁴⁵ See Gevers, “Unwhitening the World,” *supra* note 20 at 1668-69.

⁴⁶ Marti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960* (Cambridge University Press, 2009) at 80. Koskenniemi uses the “men of 1873” to refer to the group of white men who established the *Institut* and re-invented “modern international law” (*ibid* at 92). See *ibid*, ch 1.

⁴⁷ Martin Thomas & Andrew Thompson, “Empire and Globalisation: from ‘High Imperialism’ to Decolonisation” (2014) 36 *Intl History Rev* 142 at 144.

and post-colonial international law.⁴⁸ The establishment of the League of Nations plays a central role in these critical accounts.⁴⁹ Gilbert Rist, for example, argues that the Mandates system “introduced the concept of ‘stage of development’ into the literature of international organizations, thereby justifying a classification system according to which there were ‘developed’ nations at the top of the ladder.”⁵⁰ However, both the Mandates system and the discourse of “development” were prefigured in another John Buchan novel—the little-known *A Lodge in the Wilderness*.⁵¹ In this novel, Buchan fantasized about the establishment of a “New Imperialism”, where white nations (and settler states in particular) would administer “tropical dependencies” in Africa and elsewhere—territories peopled by “races for whom autonomy is unthinkable, at any rate for the next century or two”⁵²—under a special “mandate” from an international “United Empire” (led by Great Britain).⁵³ Like the League of Nations’ Mandates system, under Buchan’s 1906 scheme these so-called “mandates” would be tailored to the level of development of each “dependency” (with most of the “great undeveloped speculative dependencies” being located in Africa) and would be based on new “colonial science” (including tropical medicine, surveying, natural history, and ethnology).⁵⁴

These “individuals, institutions and ideologies”—and their associated White Mythologies and “colonial sciences”—coalesced in turn-of-the-century South Africa, where both Haggard and Buchan spent time as middlemen of the British Empire, a milieu that informed their literary works produced during this period. In his masterful, sweeping account of *The World and Africa*—which, in part, charts the rise of racial capitalism in the nineteenth and twentieth centuries—W.E.B. Du Bois describes the discovery of diamonds and gold in Southern Africa and the “devil’s dance seldom paralleled in human history” that it triggered, as follows:⁵⁵

The black Bantu had almost won the wars [against the Dutch and English] when a mulatto native discovered diamonds. Then English and Dutch laid bare that cache of gold, the largest in the world, which the ocean thrust above the dark waters of the south five million years ago. Enough; the greed of white Europe...fought with frenzied determination, world-world organization, and every trick of trade, until the blacks were either dead or reduced to the most degrading wage bondage in the modern world; and the Dutch became vassals of England, to be repaid by the land and labor of eight million blacks.⁵⁶

⁴⁸ See Uma Kothari, ed, *A Radical History of Development Studies: Individuals, Institutions and Ideologies* (Zed Books, 2005); Gilbert Rist, *The History of Development: From Western Origins to Global Faith*, translated by Patrick Camiller, 4th ed (Zed Books, 2014); Anghie, *supra* note 24; Pahuja, *supra* note 40.

⁴⁹ As Rist puts it, “If colonization threw up an array of arguments justifying intervention outside Europe to serve the national interest, the League of Nations legitimated the *internationalization* of this intervention in the name of civilization itself, considered as the common heritage of the European countries.” *Supra* note 48 at 58 [emphasis in original].

⁵⁰ *Ibid* at 61 [emphasis omitted]. Similarly, Anghie argues that “the effect of the Mandate project was...to translate the categories of civilization and non-civilization into the categories of the advanced and the backward, the developed and the developing and to develop a richly textured and detailed vocabulary by which these differences could be assessed and administered.” *Supra* note 24 at 204.

⁵¹ (William Blackwood and Sons, 1906) [Buchan, *Lodge*].

⁵² *Ibid* at 165.

⁵³ *Ibid* at 40-43.

⁵⁴ *Ibid* at 166, 170. It was necessary in this regard to distinguish between a “long-settled” and “fully developed” dependent (like India), which required only “control, amend[ment] here and there,” and “the benefit of our protection,” and “lands where the fabric of civilisation has to be built up from the beginning” (*ibid* at 167, 170).

⁵⁵ *Supra* note 29 at 20.

⁵⁶ *Ibid*.

It was in this context that Haggard and Buchan produced novels that reworked *Robinson Crusoe* for the age of white settler colonial imperialism and racial capitalism: replacing the “fiefdom” of a distant island with treasure underfoot, first unclaimed and then misused to finance a rebellion.⁵⁷ Like President Truman, these novels imagined “imponderable resources”—chiefly diamonds and gold—and worried about their “better use” or “beneficiation” for the good of humankind (by which they meant the West). That the development discourse relies on a trope so central to how both these novels and colonial imperialism (and racial capitalism) worked at the turn of the century is not surprising; more surprising, however, is its centrality to *Black Panther*’s story arc, particularly if one considers how deep these extractive parallels run.

At the turn of the century, the tales such novels told of adventure and exploration not only served to recruit European settlers⁵⁸ and rationalize their emergent capitalist desire for “treasure”—all the while constituting them as “white”⁵⁹—a central function of novels of this genre was also to (morally and legally) justify the exploitation of these natural resources by white Europeans *alone*. They did so in two ways. The first strategy was to suggest that, despite their location in Africa, these were *European* treasures to begin with (supposedly recalling when Europeans “ruled in Africa when time was young”);⁶⁰ which had the added benefit of justifying white settlers’ presence and control as well.⁶¹ The second strategy concerned the “better use” of these resources, through some combination of claims that these “gifts” of treasure: (1) were not being used; (2) were not being *properly* used; or (3) were being used *improperly*, recalling both the principles of Roman law concerning acquisition of land and property (*i.e.*, *res nullius* and *res derelictae*) and international legal justifications for colonialism.⁶²

In *King Solomon’s Mines*, for example, the European explorers conveniently find the name of King Solomon’s “long-dead overseer...perchance,...written in the characters stamped on the faded wax that yet adhered to the lids of the [treasure] chests” (*i.e.*, these were *European* treasures).⁶³ Later on, for good measure, the “witch” Gagool describes the diamonds as “pretty playthings” and “bright stones that [white men] love” (*i.e.*, they were not being used).⁶⁴

Written a few decades later, *Prester John* adopted (and adapted) the second strategy, concerning the *improper* use of the natural treasures (although the novel ended by firmly

⁵⁷ Du Bois called this the beginning of “imperial colonialism.” *Ibid* at 38.

⁵⁸ When Haggard visited South Africa in 1914 the *Natal Witness* newspaper noted:

Who shall say how many strong and sturdy pioneers have been attracted from the pleasant Homeland to help in winning the African wilds to civilization as the result of romantic interest aroused in them when as boys they read and reveled in these romances? It has been said that *Haggard did more to advertise South Africa to the world when it was less known than it is now than any man of his time.*

The Natal Witness (27 March 1914), cited in Stephen Coan, ““When I Was Concerned With Great Men and Great Events”: Sir Henry Rider Haggard in Natal” (1997) 26 *Natalia* 17 at 48 [emphasis added].

⁵⁹ See generally Bernard Makhosezwe Magubane, *The Making of a Racist State: British Imperialism and the Union of South Africa, 1875–1910* (Africa World Press, 1996); Bill Schwarz, *The White Man’s World* (Oxford University Press, 2011).

⁶⁰ Buchan, *Prester John*, *supra* note 33 at 182.

⁶¹ Later on, Haggard went even further, arguing that history vindicated not just English settlers’ presence but their entire colonial imperial enterprise. See H Rider Haggard, “Preface” in The Honourable A Wilmot, *Monomotapa (Rhodesia): Its Monuments, and its History from the Most Ancient Times to the Present Century* (T Fisher Unwin, 1896) xiii at xvii–xxiv [Haggard, “Preface”].

⁶² The other legal means of claiming ownership and colonial title was by the “consent” of present owners (*i.e.*, the “native chiefs”), a means that Haggard included, for good measure, when the new King Ignosi tells the Europeans that “ye shall have as many [diamonds] as ye can take hence.” See *supra* note 27 at 276.

⁶³ *Ibid* at 309.

⁶⁴ *Ibid* at 279, 309.

establishing that, ultimately, South Africa's resources lawfully belonged to white men and the White State).⁶⁵ In Buchan's account, the "misuse" of diamonds was twofold. First and foremost, the diamonds were being used to finance the Black rebellion against white rule, as "diamonds, which the labourers stole from the mines" were used to buy guns and ammunition.⁶⁶ Second, it was also *how* the rebellion's leaders were doing so that was improper, namely through "Illicit Diamond Broking" (or "I.D.B").⁶⁷ a transnational network of trade in diamonds, run by Laputa, with middlemen in Mozambique, Johannesburg, and London. Buchan's concern for protecting "white monopoly capitalism" from the free market—a concern that Haggard shared, albeit with less precision⁶⁸—is captured at the end of *Prester John*, when Crawford reveals that "[t]he whole of my stones I sold to De Beers, for if I had placed them on the open market *I should have upset the delicate equipoise of diamond values.*"⁶⁹ A strange detail for a novel written for young boys.⁷⁰

In *Black Panther*, these same strategies are employed in respect of the proper ownership and use of vibranium. First, this "gift" came from outer space when a meteor struck Earth "millions of years ago."⁷¹ Second, and more importantly, *Black Panther*'s narrative and its denouement is driven in many respects by the question of the proper or *better* use of vibranium—in terms of the relationship between Wakanda and the outside world as well the relationship between T'Challa and his love interest, Nakia. Like Laputa in *Prester John*, Killmonger wants to use the "gifts" of vibranium to foment rebellion against white rule, while Nakia wants to use them for humanitarian purposes. In the end, Killmonger is killed and T'Challa sides with Nakia by deciding to "open up" Wakanda to the world (*i.e.*, to use vibranium *properly*). T'Challa both goes to the United Nations (UN) to reveal Wakanda's secret and announce that "for the first time in [its] history" Wakanda "will be sharing [its] knowledge and resources with the outside world," and establishes the first "Wakandan International Outreach Center" in Oakland, with a "social outreach" project and a "science and information exchange."⁷²

C. "Not *Just* a Metal": Race, Technology, and "Magic"

Wakanda. A technological marvel, all because [of] vibranium....It's not *just* a metal. They sew it into their clothes. It powers their city, their tech, their weapons.⁷³

⁶⁵ Crawford's "discovery" of the natives' secret cave full of gold is settled "by the law" (*i.e.*, shared evenly with "the Crown"), while the diamonds in the possession of the natives are presumed to be stolen. The alternative, contemplated in the novel, was to treat the gold as "spoils of war, since, [the Attorney-General] argued, it was the war-chest of the enemy we had conquered." This path is abandoned, in part because "the [legal] claim was a bad one," but the idea of treating the armies of the Black rebellion as belligerents raises a number of interesting questions in international law. See Buchan, *Prester John*, *supra* note 33 at 368-69. Incidentally, at the time the novel was published, the person in control of both Mines and Defence was Jan Smuts.

⁶⁶ *Ibid* at 135.

⁶⁷ *Ibid* at 48. This illicit trade in diamonds by Laputa was "a pretty flourishing trade" that included sending "cases of consignments to Johannesburg houses, the contents of which did not correspond with the invoice," which the Government officials missed because "[t]hey never dreamed of danger from the natives" (*ibid* at 136).

⁶⁸ *Supra* note 27 at 354.

⁶⁹ Buchan, *Prester John*, *supra* note 33 at 369 [emphasis added].

⁷⁰ Further, see Simon Lewis, "The Expatriate Africa Novel in English" in Simon Gikandi, ed, *The Novel in Africa and the Caribbean Since 1950*, vol 11 (Oxford University Press, 2016) 87 at 89.

⁷¹ *Black Panther*, *supra* note 1 at 00h:00m:14s.

⁷² *Ibid* at 02h:01m:34s, 02h:05m:33s.

⁷³ *Ibid* at 00h:56m:20s-00h:56m:45s [emphasis added].

As noted at the outset, the West's self-image has long since rendered it "astonishingly blind" to the technological achievements of its "Others."⁷⁴ In fact, the claim by eighteenth-century "explorers" that Africans were technologically "backwards"—including the specific claim that they "had been unable to exploit the resources of the lands they occupied because *they lacked the proper machine technology*"—was central to establishing the myth of European superiority in the first place.⁷⁵ When this belief was shaken by white archeologists' "discovery of ancient stone-walled cities and gold mines in Africa...[that] were unknown in comparable European Iron Age sites," they, along with white historians, had no choice but to adduce "the theory that other, *European races* must have built them in some far distant age" (the alternative being too unbearable).⁷⁶ In fact, Haggard wrote *King Solomon's Mines* in part to assuage Western (and his own) concerns about the challenge to the White Mythology (and white supremacy) brought about by the "re-discovery" of the "Great Zimbabwe" ruins in 1871.⁷⁷ An equally alarmed Buchan (for whom the ruins were also "almost certainly Phoenician in origin")⁷⁸ made the ruin's origins the subject of debate between his main characters in *Prester John* (albeit a debate that Buchan uses to instruct his readers about underrating the "dangerousness" of "the native," and *explicitly not* about "his intelligence").⁷⁹ As Michael Adas notes, such "[a]ttempts to deny the African contribution to the technological or architectural accomplishments of ancient civilizations had been made...long before European explorers prowled the ruins of Zimbabwe in the late nineteenth century," citing earlier attempts to credit "the civilization of Meroe" as "the product of Egyptian and not 'Negro' genius" (more on this in Part II(A), below).⁸⁰

In the event that it was no longer possible for the West to simply ignore such achievements (as Marco Polo had) or pass them off as *somehow* of non-African (and preferably European) origin,⁸¹ the only alternative was to demonize them, literally, as "witchcraft." In Buchan's *Prester John*, Crawford's alarmed companion (a schoolmaster) warns him of "native telepathy" that can "send news over a thousand miles as quick as the telegraph," and other "arts that we know nothing about."⁸² However, it is in *King Solomon's Mines* that the racialized distinctions between white "science" and Black "magic" or "witchcraft" are most clearly drawn: Throughout the novel, "European technology" is used to portray and inculcate in its reader "white racial superiority and a Western knowledge base occupying a privileged space against African ignorance."⁸³ In fact, Haggard's white European explorers are only able to survive and eventually retrieve the treasure by manipulating the "ignorance" of their African captors: first, by shooting an antelope with "the

⁷⁴ Achebe, *supra* note 7 at 16.

⁷⁵ Michael Adas, *Machines as the Measure of Men: Science, Technology, and Ideologies of Western Dominance* (Cornell University Press, 2014) at 112 [emphasis added].

⁷⁶ Lindy Stiebel, "Creating a Landscape of Africa: Baines, Haggard and Great Zimbabwe" (2001) 28 *English in Africa* 123 at 128 [emphasis added].

⁷⁷ Haggard was convinced that Great Zimbabwe was "undoubtedly of Phoenician origin." See "Preface," *supra* note 42 at xv. In *King Solomon's Mines*, he reassures his readers by suggesting that the entrance to the diamond mines was perhaps "designed by some Phoenician official who managed the mines." *Supra* note 27 at 286.

⁷⁸ John Buchan, *The African Colony: Studies in the Reconstruction* (William Blackwood and Sons, 1903) at 9.

⁷⁹ Buchan, *Prester John*, *supra* note 33 at 94-95.

⁸⁰ *Supra* note 75 at 158.

⁸¹ See Du Bois, *World and Africa*, *supra* note 29 at 13.

⁸² Buchan, *Prester John*, *supra* note 33 at 96.

⁸³ Matthew Nye, "Linguistic Crossings: African Essentialism in *King Solomon's Mines*" 29 *ANQ* 98 at 98. See also Adas, *supra* note 75 at 159-64. Notably, Haggard's only praise for the "science" of the "Kukuanas" is in the Introduction by the novel's hero Allan Quatermain, which praises "their proficiency in the art of smelting and wielding metals" for the purpose of making "primitive" weapons. *Supra* note 27 at viii.

magic tube that speaks,” and then by masquerading scientific knowledge (a lunar eclipse) as “magic” (“caus[ing] the moon to be eaten up”).⁸⁴ As a result, they are then able to install the leader of their allied “native...political faction” as Chief, who repays them by allowing them to take the treasure (and even promising “rule of law” reforms).⁸⁵ Crucially, even the “magic” of the “great [African] wizards” in *King Solomon’s Mines* is said to have been “learnt...from white men [back] when ‘all the world was dark’”:⁸⁶ an important gloss by Haggard that confirmed not just the “backwardness” of the African characters but the “progressiveness” of the white race (the former being “primitive” or “stationary” versions of the latter).⁸⁷

In *Black Panther*, these same racialized technological tropes emerge, in different ways, through the powers assigned to vibranium. Being of the “Afrofuturist” genre, the film’s invocation of the discourse of technology was inevitable, but in light of its troubling affinities with these “imperial romance” novels, it is worth saying a couple of things about the particular (and particularizing) nature of *Black Panther*’s embrace of “technology.”

Before doing so, it is worth first recalling the central role of “technology and science...in shaping European perceptions of non-Western peoples” (as not only “inferior” but “primitive” Europeans) as well as shoring up the “‘irresistible certitude’ of the Europeans’ superiority.”⁸⁸ It is also worth recalling that, in the interwar period, “the scientific and technological measures of men and cultures were reworked and revived” and “found their broadest application and their most elaborate expression” in modernization theory and the discourse of “development.”⁸⁹ If, up until the twentieth century, the project of “development” could be broadly characterized as the management of the “human and natural resources” of non-European peoples by the West through imperialism, slavery, and settler colonialism, thereafter the project increasingly focused on harnessing the technological promises of “modernization”: what Truman called “a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas.”⁹⁰ It was this arrogant, delusional,⁹¹ and benign view of “Western” science that Du Bois was pushing against when he pointed to the

⁸⁴ *Ibid* at 188.

⁸⁵ One Sir Henry gets the would-be leader Umbopa to agree that, if they perform their “magic,” when he becomes the Chief, he will ensure that no man “shall...die the death without trial or judgment.” *Ibid* at 190. See also Shane Chalmers & Sundhya Pahuja, “(Economic) Development and the Rule of Law” in Jens Meierhenrich & Martin Loughlin, eds, *The Cambridge Companion to the Rule of Law* (Cambridge University Press) [forthcoming in 2021], online: <ssrn.com/abstract=3313805>.

⁸⁶ Haggard, *supra* note 27 at 18-19.

⁸⁷ See Sir Henry Maine, *Ancient Law* (JM Dent & Sons, 1917) at 13-15. As Adas notes, “For many Europeans the differences between their own highly developed, technologically and scientifically oriented societies and what they perceived to be backward and superstitious African cultures were merely manifestations of the vast gap in evolutionary development.” *Supra* note 75 at 164.

⁸⁸ Adas, *supra* note 75 at 3, 204. According to Adas:

By the mid-eighteenth century, scientific and technological gauges were playing a major and at times dominant role in European thinking about such civilizations as those of India and China...In the industrial era, scientific and technological measures of human worth and potential dominated European thinking on issues ranging from racism to colonial education. They also provided key components of the civilizing-mission ideology that both justified Europe’s global hegemony and vitally influenced the ways in which European power was exercised (*ibid* at 3-4).

⁸⁹ *Ibid* at 403.

⁹⁰ Truman, *supra* note 40.

⁹¹ As Du Bois puts it, “Without the winking of an eye, printing, gunpowder, the smelting of iron, the beginnings of social organization, not to mention political life and democracy, were attributed exclusively to the white race and to Nordic Europe.” *World and Africa*, *supra* note 29 at 14.

“superstitions and pseudo-science” on which “the modern ‘Color Line’ has been built”;⁹² and it is this view of Western science that *Black Panther* risks uncritically embracing.

The nature of *Black Panther*’s embrace of technology is distinctive in two respects. First and foremost, Wakanda’s technological superiority appears heavily, if not solely, dependent on the mystical powers of vibranium, which is not only “the strongest substance in the universe” but also “power[s]...their tech,”⁹³ and, in the form of “kimoyo beads,” acts as an advanced communication technology (like coltan) that also has medicinal applications.⁹⁴ This account of technological mastery stands in stark contrast to that of another character from the Marvel Cinematic Universe, Tony Stark (or Iron Man), the “leader” of “The Avengers,” who achieves his mastery the “old-fashioned” way: through individual genius, an Ivy League education, a little help from his father, and a lot of help from the US military-industrial complex.⁹⁵ This difference in technological “origin stories” recalls the distinction in novels like *King Solomon’s Mines* between Western (white) science and non-Western (Black) magic: with the technological achievements of Tony Stark (or the West) attributed to a combination of personal, capitalistic endeavor and public-private partnership between the State and the arms industry, and Wakanda (or Africa) being the chance beneficiary of a mystical, all-purpose, metal-organic substance that collided with the earth “millions of years ago.”⁹⁶

Second, and related to this, the unique account—or non-account—of vibranium’s technological applications means that it is eminently portable, and so its extraction and proper use are both an opportunity and a threat. As some powerful combination of both raw material (such as enriched uranium) and intellectual property (such as the Manhattan Project’s secret formula), in the “wrong hands,” vibranium is an imminent threat to global order,⁹⁷ much like diamonds sold outside of the De Beers monopoly were in *Prester John*. In fact, by fusing the material and technological properties of vibranium, *Black Panther* neatly brings together Buchan’s two strategies for justifying colonial imperialism—ensuring the “proper” trade in diamonds (*i.e.*, possession) and preventing the misuse of the proceeds from their illicit trade to destabilize white settler rule (*i.e.*, use).

Black Panther ends with a Wakandan delegation going to the UN to announce that it will henceforth “be sharing [its] *knowledge and resources* with the outside world.”⁹⁸ However, we already know that the UN has some knowledge of and interest in vibranium’s military applications, as, earlier in the film, CIA Agent Ross questions whether Wakanda’s disclosures regarding the vibranium in its possession had been—to quote the infamous Security Council Resolution 1441—

⁹² *Ibid* at 293. As Robinson notes, “A pall of sadness becomes almost a constant presence for anyone who wishes to revisit the corrupt association between American science and race in the century—the nineteenth—which ended with the appearance of moving pictures.” *Forgeries of Memory*, *supra* note 23 at 1.

⁹³ *Black Panther*, *supra* note 1 at 00h:00m:19s.

⁹⁴ Coltan is an abbreviation of columbite-tantalite, prevalent in the eastern Democratic Republic of the Congo. See Michael Nest, *Coltan* (Polity Press, 2011).

⁹⁵ See *Iron Man* (Marvel Studios, 2008).

⁹⁶ *Black Panther*, *supra* note 1 at 00h:00m:13s. Vibranium’s organic properties are revealed in the opening lines of the film, when we are told that “a meteorite made of vibranium...struck the continent of Africa, affecting the plant life around it” (*ibid*).

⁹⁷ At one point, Shuri remarks that “if [Killmonger] gets control of our technology, nowhere will be safe.” See *ibid* at 01h:39m:04s.

⁹⁸ *Ibid* at 02h:05m:15s [emphasis added].

“accurate, full, final, and complete.”⁹⁹ In light of this, King T’Challa’s stirring speech to the UN at the end of the film—which would have been preceded by a now-deleted scene of his new CIA ally warning him against revealing Wakanda’s secret¹⁰⁰—seems less like an ending and more like the beginning of a plot that we have seen before: One where a US-led coalition invades Wakanda for failing to cooperate with UN vibranium inspectors (under cover of a legal memo by an ambitious international law professor seeking a place on the International Court of Justice bench),¹⁰¹ and Agent Ross courageously writes an op-ed in the *New York Times* called “What I didn’t find in Wakanda” and is later played in a movie by Sean Penn.¹⁰² What is not clear from the *Black Panther* ending is how King T’Challa intends to make sure that Wakanda’s vibranium stockpile does not “upset the delicate equipoise”¹⁰³ of the commodities market, or those of the technology and pharmaceutical industries, when its other applications become public knowledge.

II. Troubling (the) Antinomies of Black Internationalism and International Law

A. *Black Panther* and the “Black Radical Imagination”

Having heightened the “troubling antinomies” of *Black Panther*—which reveal it to be thoroughly entangled in the White Mythologies underpinning both imperial romance novels and the development frame—this Part aims to de-trouble them, or perhaps trouble them in a different way, by situating the film within the longer tradition of Black Internationalism, and in particular the Black Radical Imagination of novels by Pauline Hopkins, George Schuyler, and Peter Abrahams.¹⁰⁴ Doing so reveals how *Black Panther* can be read as part of this tradition’s “poetic revolt” *against* the novels of Haggard, Buchan, and others; their “Image of Africa”; and the White Mythology generally. This reading, it will argue, does not only give us a richer account of *Black Panther*’s troubling antinomies; it also tells us something about the antinomies of international law and the development frame and their entanglements with “history,” (extractive) racial capitalism, and the emancipatory promise of technology.

As one of the earliest and most influential (albeit still underappreciated) novels of this tradition of Black Internationalist fiction, Pauline Hopkins’s *Of One Blood: or, The Hidden Self* both mapped the terrain on which novels (and later films) of “poetic revolt” would confront the White Mythology and racial capitalism, and also pointed towards the troubling antinomies that would arise, such as those seen in *Black Panther*.¹⁰⁵ Serialized in *The Colored American Magazine*

⁹⁹ *The situation between Iraq and Kuwait*, UNSCOR, 4644th Sess, UN Doc S/RES/1441 (2002), 1 at 1. Agent Ross asks T’Challa, “Your father told the UN that Klaue stole all the vibranium you had, but now he’s telling me you have more?” *Black Panther*, *supra* note 1 at 00h:57m:46s.

¹⁰⁰ In a deleted scene called “UN Meet and Greet,” Agent Ross—now a friend of T’Challa—warns him against revealing the secret of Wakanda’s vibranium stockpile. He says, “I really don’t think you should do this. What you guys have is going to scare a lot of people in that room. They’re going to come after you.” See *Black Panther*, *supra* note 1 (Bonus Feature) at 00h:00m:32s.

¹⁰¹ See UK, “The Legality of Using Force in Iraq,” Memorandum of Professor Christopher Greenwood, CMG, QC (24 October 2002), online: <publications.parliament.uk/pa/cm200203/cmselect/cmfaaff/196/2102406.htm>.

¹⁰² The biopic *Fair Game* (Summit Entertainment, 2010) tells the story of Valerie Plame, a CIA agent, who was outed by the Bush administration when her diplomat husband, Joseph Wilson, wrote an op-ed in the *New York Times* contesting the claim that Saddam Hussein had tried to source yellowcake uranium in Niger. The op-ed was called “What I didn’t Find in Africa.”

¹⁰³ Buchan, *Prester John*, *supra* note 33 at 369.

¹⁰⁴ See Kelley, *supra* note 17. In charting the “freedom dreams” of selected Black intellectuals, activists, and artists, Kelley shows how they “not only imagined a different future, but in many instances their emancipatory vision proved more radical and inclusive than what their compatriots proposed” (*ibid* at 6).

¹⁰⁵ Reprinted in *The Magazine Novels of Pauline Hopkins* (Oxford University Press, 1988) [Hopkins, *Of One Blood*].

in 1902 to 1903,¹⁰⁶ *Of One Blood* is a novel of the “lost world” genre that draws—literally, as discussed below—from the colonial romances of Haggard and his contemporaries. It tells the story of Reul Briggs, a “passing” Black American medical student who, after completing his studies at Harvard, is unable to secure a job due to the colour line,¹⁰⁷ and has to join a two-year expedition to Africa in search of “ancient Ethiopian cities” and hidden “treasure which the shifting sands of Sahara have buried for centuries.”¹⁰⁸ The expedition’s plan is to use an ancient map to find the ruins of Meroe—which, like the “real Wakanda,” lies hidden beneath “extensive swamps,” which form “an impassible barrier to...strangers”—and lay claim to “gems and gold from the mines of Ancient Meroe and the pyramids of Ethiopia.”¹⁰⁹ After being separated from the rest of the party, Briggs stumbles upon the thriving “hidden city of Telassar” (as opposed to the ruins of one), which is peopled by “the direct descendants of the inhabitants of Meroe,” the capital of “ancient Ethiopia.”¹¹⁰ This kingdom is “secure from the intrusions of a world that has forgotten,” and its inhabitants await “the coming of [their] king who shall restore to the Ethiopian race its ancient glory.”¹¹¹ Their king turns out to be Briggs, a composite of Buchan’s John Laputa (the descendent of Prester John),¹¹² Haggard’s Umbopa, and *Black Panther*’s Killmonger (both “exiled” princes).

The hidden city of Telassar has “a knowledge of science that all the wealth and learning of modern times could not emulate,” and its (mystical) technology enables Briggs to discover the truth about, and then avenge, the death of his wife at the hands of his rival Livingston (who turns out to be his half-sister and half-brother). At the end of the novel, Briggs (now called King Ergamenes) remains in Telessar to fulfil his destiny to ensure “the upbuilding of humanity and the restoration of the [Ethiopian] race” and prepares to defend it against the ominous “advance of mighty [white] nations penetrating the dark, mysterious forests of his native land.”

The lead character in *Of One Blood* was likely modelled on Du Bois,¹¹³ and Reul Briggs might well have inspired the lead in Du Bois’s own 1928 novel, *Dark Princess: A Romance*.¹¹⁴ Some combination of these came together in George Schuyler’s *The Black Internationale* (serialized in the *Pittsburgh Courier* in 1936–37),¹¹⁵ which tells the story of a secret global organization—headquartered in Harlem and led by a ruthless genius, Doctor Henry Belsidus—that

¹⁰⁶ See *The Colored American Magazine* 6 (November 1902).

¹⁰⁷ Briggs is unable to secure a job when his mixed-race heritage becomes known to the medical establishment, likely at the hand of his false friend Aubrey Livingston. See Hopkins, *supra* note 105.

¹⁰⁸ *Ibid* at 494.

¹⁰⁹ Briggs’ participation is orchestrated by his friend-turned-rival, Livingston, who is in love with Briggs’ wife, Dianthe. See *ibid* at 496.

¹¹⁰ *Ibid* at 546. According to Diop, “The Ethiopia of the Ancients was really the Sudanese kingdom with its two successive capitals: Napata and Meroë. Modern Ethiopia is more directly the heir to the civilization of Axum.” See Cheikh Anta Diop, *The African Origin of Civilization: Myth or Reality*, translated by Mercer Cook (Lawrence Hill Books, 1974) at 294.

¹¹¹ Hopkins, *Of One Blood*, *supra* note 105 at 547.

¹¹² Laputa gains support for his uprising by claiming that Africans “had a great empire in the past, and might have a great empire again.” Buchan, *Prester John*, *supra* note 33 at 131.

¹¹³ McDowell argues that Briggs was “clearly modeled” on Du Bois, as Hopkins was “[l]ong a champion of Du Bois.” See Deborah E McDowell, “Introduction” in Pauline Hopkins, *Of One Blood* (Simon & Schuster, 2010) (electronic version).

¹¹⁴ Mathew Townes, a Black American doctor, is prevented from pursuing his medical career due to the “color line” and flees America for Europe, where he gets caught up in—and later leads—a secretive global organization called the Great Council of the Darker Peoples, struggling against “White World” supremacy (a precursor to Killmonger’s failed global revolution). See WEB Du Bois, *Dark Princess: A Romance* (University Press of Mississippi, 1995).

¹¹⁵ Robert A Hill & R Kent Rasmussen, “Afterword” in George S Schuyler, *Black Empire*, ed by Robert A Hill & R Kent Rasmussen (Northeastern University Press, 1991) 259 at 289 [Schuyler, *Black Empire*, ed by Hill & Rasmussen].

foments an “international race war,”¹¹⁶ overthrows European colonialism and “White world supremacy,”¹¹⁷ and establishes “a great Negro nation..., all-powerful, dictating to the white world.”¹¹⁸ Dr. Belsidus, echoing Killmonger, declares that “we who have been at the bottom so long must now come to the top.”¹¹⁹

There is no hidden city or cave full of treasures, but there is a secret workshop beneath the Black Internationale headquarters in Harlem where the jewelry that was “re-appropriated” from the white residents of New York City by Dr. Belsidus’s network of “hustlers” is melted down and then used to finance the revolution.¹²⁰ (In a 1934 short-story, serialized in the *Pittsburgh Courier*, Schuyler had used gold from ancient African mines to do so.)¹²¹ Incidentally, the “re-appropriated” gold and precious stones would have come largely from South African mines, facilitated by multinational companies like De Beers.¹²² As such, *The Black Internationale* might be read as both continuing the revolution started by Laputa in *Prester John* against white colonial imperialism (and their multinational partners in the emerging extractive industry) and anticipating the “hustlers” culture that emerged in the 1960s, which Stuart Hall et al. identified as a form of political resistance and rebellion—inspired by the actual Black Panthers—by Black urban youths in the United States and Britain against “a [white] society which is systematically exploiting and excluding them.”¹²³ Dr. Belsidus himself describes this tactic that is used to “finance the revolution” as a political act by “nervy young men whom white civilization denies a chance, [taking] from wealthy men who have entirely too much.”¹²⁴

Like the Kingdom of Telassar in Hopkins’s *Of One Blood*, Schuyler’s secret organization, the Black Internationale, possesses “science of which the white man has not dreamed” (including closed circuit television, solar power, fax machines, hydroponics, and modern weaponry)¹²⁵ and employs it ruthlessly to foment conflict *within*¹²⁶ and then between white states, culminating in the

¹¹⁶ George S Schuyler, *The Black Internationale: Story of Black Genius Against the World* [Schuyler, *Black Internationale*] in Schuyler, *Black Empire*, ed by Hill & Rasmussen, *supra* note 115, 1 at 51.

¹¹⁷ Schuyler, *Black Internationale*, *supra* note 116 at 10. As I discuss in detail elsewhere, one of the remarkable features common to these novels is the absence of both international law and international institutions, despite the fact that Du Bois’s and Schuyler’s novels were written during the “Age of Internationalism.” See Gevers, “Unwhitening the World,” *supra* note 20 at 1677.

¹¹⁸ Schuyler, *Black Internationale*, *supra* note 116 at 15.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*, ch IV.

¹²¹ George S Schuyler, “Strange Valley,” *Pittsburgh Courier* (18 August–10 November 1934).

¹²² At the time that Schuyler wrote the novel, the combined effects of the Depression and looming war on the European diamond market meant that “the United States [was] the only real market for De Beers’s diamonds,” and “in 1938 three quarters of all the cartel’s diamonds were sold for engagement rings in the United States.” See Edward Jay Epstein, “Have You Ever Tried to Sell a Diamond?,” *The Atlantic* (February 1982), online: <www.theatlantic.com/magazine/archive/1982/02/have-you-ever-tried-to-sell-a-diamond/304575>.

¹²³ Stuart Hall et al, *Policing the Crisis: Mugging, the State and Law and Order*, 2nd ed (Palgrave Macmillan, 2013) at 353.

¹²⁴ Schuyler, *Black Internationale*, *supra* note 116 at 16.

¹²⁵ *Ibid* at 328.

¹²⁶ *Black Internationale* also maps in finer detail the domestic and international dimensions of global white supremacy, the relationship between them, and the transnational nature of racial whiteness. In order to prevent the United States from “intervening to save the prestige of the white race” that would necessarily suffer as a result of the end of white rule in Africa, the Black Internationale instigates internal civil unrest in America (a tactic Dr. Belsidus declares is modelled on the “British Imperialistic policy of ‘Divide and Rule’”). As a result, when a “powerful faction in America” proposes intervening to thwart the Black Internationale’s violent decolonization of Africa, the “constant instigation of civic strife” by the “White Americans” means that the United States is “unable to ‘compose’ its internal affairs, let

outbreak of the “Second World War.” While the “white world” descends into bloody conflict, the Black Internationale violently decolonizes Africa and establishes an “African Empire” (just as Killmonger had later planned to do). *Black Internationale* ends with the opening of the “Second World Conference” of the Black Internationale, which brings together delegates from “every part of Africa, Australia, India, the West Indies, South America and the United States.”¹²⁷

Peter Abrahams’s *A Wreath for Udomo* (1956) is inspired in part by an *actual* conference of Black Internationalists, which took place after the *actual* Second World War, namely the 1945 Pan-African Congress in Manchester.¹²⁸ The novel, in part a *roman à clef* written by the Secretary of the 1945 Pan-African Congress, is in fact about many of the key intellectual and political figures (including Kwame Nkrumah, Jomo Kenyatta, and George Padmore) as well as an uncompromising assessment of the challenges of “decolonization” (anticipating much of the post-colonial African literature to come, including that of Chinua Achebe, Ngugi wa Thiongo, Wole Soyinka, and others).¹²⁹ Like the 1945 Pan-African Congress, *Wreath for Udomo* marks a shift from Diasporic to African actors and reserves some of its harshest criticisms for “metropolitan,” Pan-African intellectuals like Padmore and Du Bois.

There is no lost African Kingdom in *Wreath for Udomo*, but there is a fictitious African state, “Pan-Africa”—which (like Wakanda) can be read as representing all of Africa—¹³⁰that is “rich in gold and uranium as well as other minerals.”¹³¹ However, Pan-Africa requires Western technology in order to exploit these resources, and ultimately, its leader, Michael Udomo, betrays his friend Mhendi and the wider anti-colonial cause in order to secure the “capital and skill for [his] industrialisation plans”¹³²—a tragic “decision” that costs both Mhendi and Udomo their lives.

Like *Black Panther*, the Black Internationalist fictions of Hopkins, Schuyler, and Abrahams engage, to varying degrees, with the “plot functions” of imperial romance novels to tell the story of Black rebellion against global white supremacy. For example, both Hopkins and Schuyler’s novels are romances in which a Black American—an “exiled prince” in the mold of Buchan’s Laputa or Du Bois and Marcus Garvey in the case of Schuyler—returns to Africa to lead a revolution that decolonizes the continent and “redeems” his race along the lines of the turn-of-the-century variant of Black Internationalism called “Ethiopianism,” or the first generation Pan-Africanism that “often had a biblical accent.”¹³³ Abrahams’s *Wreath for Udomo* tells a similar story but in the mode of tragedy—one that draws heavily on mid-century Pan-Africanism for inspiration—whose main characters are Africans educated in the West. Notably, none of them repeat the plot function of dividing Black characters “into two political factions—one more receptive than the other to European culture”¹³⁴ (a function central to *King Solomon’s Mines* and *Black Panther*, as well as the Federal Bureau of Investigation’s (FBI) “Counterintelligence

alone compos[e] those of Africa.” *Ibid* at 78, 138-39 [emphasis added]. See also Gevers, “Unwhitening the World,” *supra* note 20 at 1681-84.

¹²⁷ Schuyler, *Black Internationale*, *supra* note 116 at 139.

¹²⁸ See further George Padmore, ed, *History of the Pan African Congress*, 2nd ed (Hammersmith Bookshop, 1963).

¹²⁹ See e.g. Chinua Achebe, *A Man of the People* (Heinemann, 1966); Ngũgĩ wa Thiong’o, *Devil on the Cross* (Heinemann, 1980); Wole Soyinka, *Season of Anomy* (Rex Collings, 1973).

¹³⁰ See Christopher Gevers, “To Seek with Beauty to Set the World Right: Cold War International Law and the Radical ‘Imaginative Geography’ of Pan-Africanism” in Matthew Craven, Sundhya Pahuja & Gerry Simpson, eds, *International Law and the Cold War* (Cambridge University Press, 2019) 492.

¹³¹ Peter Abrahams, *A Wreath for Udomo* (Faber and Faber, 1956) at 206 [Abrahams, *Wreath for Udomo*].

¹³² *Ibid* at 254.

¹³³ West & Martin, *supra* note 16 at 5.

¹³⁴ Patteson, *supra* note 28 at 113.

Program” against the *real* Black Panther Party).¹³⁵ However, Abrahams’s novel might be read as productively reworking the plot function as a tragic internal struggle of the main character, Udomo, who suffers from the contradictions that Frantz Fanon would later identify in the “colonized intellectual.”¹³⁶

For present purposes, what these novels share is their engagement with, and subversion of, both the development frame and the trope of “technology.” In *Of One Blood*, not only does the advanced technology of the hidden city of Telassar reveal that “in many things [the] modern world is yet in its infancy”; Hopkins’s novel reverses the historical progress of knowledge of the White Mythology by claiming that “from Ethiopia came all the arts and cunning inventions that make [the West’s] modern glory.”¹³⁷ Moreover, like in *Black Panther*, it was through technology—its revelation and reclamation—that Hopkins’s Briggs would “restore the former glory of the race.”¹³⁸ Similarly, Schuyler’s secret “Black Internationale” organization embraces technology as the secret weapon that will enable the decolonization of Africa and the establishment of “a great Negro nation..., all-powerful, dictating to the white world.”¹³⁹ Not only does the Black Internationale possess superior weapons, but it promises the “modernization” of Africa through the use of advanced technology in food production, health care, literacy, and “clean” power generation. As one character puts it (echoing Schuyler’s views published elsewhere), “It is the skilled technician, the scientist, who wins modern wars, and we are mobilizing the black scientists of the world. Our professors, our orators, our politicians have failed us. Our technicians will not.”¹⁴⁰ In fact, Schuyler’s techno-utopia is eerily similar to the “great native training college” that is established at the end of Buchan’s *Prester John*, with “every kind of technical workshop, and the finest experimental farms, where the blacks are taught modern agriculture,” and “the cotton promises well; and there is talk of a new fibre which will do wonders.”¹⁴¹ At other points, *The Black Internationale* parallels (then) ongoing development projects rooted in modernization theory. The use of “motion picture projectors, films, [and] portable screens” to show Africans “special films made [by the Black Internationale] which...showed Negro progress in the United States”¹⁴² mirrored the actual Bantu Educational Kinema Experiment that was being carried out in British colonies in East and Central Africa at the time (albeit with a different message in mind).¹⁴³

These promises of “modernization” are also central to *Wreath for Udomo*, where Abrahams places Pan-Africa’s need for Western technical assistance and capital in order to “transition...into

¹³⁵ A 1968 FBI Memo outlining the five long-term goals of the “COINTELPRO” against “militant black nationalist groups” in America began by noting, “[i]n unity there is strength; a truism that is no less valid for all its triteness. An effective coalition...might be the first step toward a real ‘Mau Mau’ in America, the beginning of a true black revolution.” See Joshua Bloom & Waldo E Martin, *Black Against Empire: The History and Politics of the Black Panther Party* (University of California Press, 2012) at 202 [emphasis added]. In particular, the FBI was concerned that Dr. Martin Luther King “could be a very real contender for this position should he abandon his supposed ‘obedience’ to ‘white, liberal doctrines’ (nonviolence) and embrace black nationalism” (*ibid*).

¹³⁶ Fanon, *Wretched*, *supra* note 21 at 46.

¹³⁷ Hopkins, *Of One Blood*, *supra* note 105 at 560.

¹³⁸ Hopkins, *Of One Blood*, *supra* note 105 at 535.

¹³⁹ Schuyler, *Black Internationale*, *supra* note 116 at 15.

¹⁴⁰ *Ibid* at 46.

¹⁴¹ *Supra* note 33 at 373.

¹⁴² Schuyler, *Black Internationale*, *supra* note 116 at 39.

¹⁴³ See Luis Eslava, “The Moving Location of Empire: Indirect Rule, International Law, and the *Bantu Educational Kinema Experiment*” (2018) 31 *Leiden J Intl L* 539.

the technological present” (as he put it elsewhere)¹⁴⁴ at the center of his main character’s tragic story arc. The centrepiece of Michael Udomo’s modernization is a large hydroelectric dam to “supply power throughout the country,”¹⁴⁵ the kind of symbolic “icons of modernity” (along with large factories and highways) that the Soviet Union and the United States foisted on newly independent states as “optimum ways of propagating the virtues of the communist or capitalist model of development in the emerging nations of the postcolonial world.”¹⁴⁶ The tragedy of the novel is not in the embrace of modernization itself—as Udomo notes, even the tribal authorities have accepted that “industrialization...is the only way [Pan-Africa] can become strong in terms of world power”—but the fact that, in order to do so, Pan-Africa will have to rely on *not only* “Western technicians,” but, worse still, “the whites of Pluralia”¹⁴⁷ (the fictitious white settler state, modelled on Abrahams’s birthplace that Haggard and Buchan helped to establish as both novelists and middling colonial officials).¹⁴⁸

Notably, like Hopkins, Abrahams’s embrace of “modernization” at the time was based on the understanding that ancient Africa had contributed to “the unfolding world culture which is currently called ‘Western’” and its “great advances in science and material prosperity,” insisting that (drawing on his South African lineage) “Western culture is a world culture, not ‘reserved for Europeans only.’”¹⁴⁹ Later on, Abrahams would come to view such “advances in science” more critically, along with “Western” culture, labelling them “a new technological barbarism which threatens to engulf the whole world.”¹⁵⁰

B. Critical Re-Inscriptions and “Rediscover[ed] Constants”

Recently, as a result of advances in Optical Character Recognition technology and the mass digitization of books,¹⁵¹ it has become evident just how much Hopkins “borrowed” from Haggard and other colonial romance novels as well as contemporaneous writings about Africa more generally. To date, literary scholars have identified 143 passages in *Of One Blood* that are said to be “more or less transcribed, without attribution, from other texts,”¹⁵² including John Hartley Coombs’s *Dr. Livingstone’s 17 Years’ Explorations and Adventures in the Wilds of Africa* (1857) and Haggard’s *She: A History of Adventure* (1887).¹⁵³ While some have labelled this as simple

¹⁴⁴ Peter Abrahams, “The Conflict of Culture in Africa” (1955) 16 *Phylon* 387 at 387 [Abrahams, “Conflict of Culture”].

¹⁴⁵ Abrahams, *Wreath for Udomo*, *supra* note 131 at 206.

¹⁴⁶ Adas, *supra* note 75 at xvii.

¹⁴⁷ Abrahams, *Wreath for Udomo*, *supra* note 131 at 205-206.

¹⁴⁸ Magubane, *supra* note 59 at 123, 238-42. See Stiebel, *supra* note 76 at 125-26.

¹⁴⁹ Abrahams, “Conflict of Culture,” *supra* note 144 at 391, 393, 396. Abrahams derided “white men...[who] talked of ‘Western European civilization’ as though it were something uniquely exclusive that owed nothing to non-European peoples such as the Chinese, the Indians, and the Egyptians” (*ibid* at 389).

¹⁵⁰ Peter Abrahams, *The View from Coyaba* (Faber and Faber, 1985) at 433.

¹⁵¹ Optical Character Recognition (OCR) technology converts written passages into machine-encoded text, allowing books to be “digitized” and their contents cross-referenced (among many other applications). See Nanna Bonde Thylstrup, *The Politics of Mass Digitization* (MIT Press, 2019).

¹⁵² Geoffrey Sanborn, “The Wind of Words: Plagiarism and Intertextuality in *Of One Blood*” (2015) 3 *J Nineteenth-Century Americanists* 67 at 68 [Sanborn, “Wind of Words”]; Geoffrey Sanborn, “The Pleasure of Its Company: *Of One Blood* and the Potentials of Plagiarism” (2019) 32 *American Literary History* 1 at 6 (noting that Hopkins “plagiarized a total of 143 passages from 36 texts and that at least 10,492 of the roughly 52,730 words in the novel...were imported from other people’s publications”).

¹⁵³ John Hartley Coombs, ed, *Dr. Livingstone’s 17 Years’ Exploration and Adventures in the Wilds of Africa* (JT Lloyd, 1857); H Rider Haggard, *She: A History of Adventure* (Longman, 1887).

plagiarism, *Of One Blood* can arguably be more productively read as an act of “poetic revolt” through the “resignification” of the very racial and colonial discourses and logics that underpin not only these texts but the White Mythology more generally. Drawing on the work of Hortense J. Spillers, Saidiya Hartman, and Christina Sharpe, amongst others, Odysseos uses “poetic revolt” to describe the “ongoing efforts to destabilise the modern-colonial episteme”—and imagine and make possible “radical social transformation”—through critical practices such as “fabulation,” “world-making *otherwise*,” and “resignification.”¹⁵⁴ In particular, Hopkins’s borrowings in *Of One Blood*—and those less direct borrowings by Schuyler, Abrahams, and *Black Panther*—can be read as acts of *resignification*: a “critical and futural reimagination of life and communal fortunes through interventions into the grammar of captivity,” namely colonial discourses regarding Africa, both fictional and “non-fictional.”¹⁵⁵

As Ira Dworkin has shown, there is much to be gained from parsing the passages that Hopkins is alleged to have “more or less transcribed” from fictional and non-fictional texts that reflected the dominant colonial discourse about Africa in the West.¹⁵⁶ One particularly telling example is *Of One Blood*’s “transcription” of the following passage from Coombs’s *Dr. Livingstone*:

Contrary to all his expectations, Dr. Livingstone found that the character of the country improved as he advanced toward the interior. *This circumstance is very much at variance with the prevailing notions of Europeans respecting the central regions of Africa.* It has been believed by many that the greater part of that ground which is marked on the maps as “unexplored,” is a howling wilderness, or an arid, sterile and uninhabitable country.¹⁵⁷

Hopkins does not simply contest the *content* of these “prevailing notions of Europeans respecting central regions of Africa”—in other words, Achebe’s “Image of Africa” or the White Mythology—but reworks the text itself as follows:

The character of the country improved as they neared the interior. Reuel noticed that this was at variance with *the European idea respecting Central Africa*, which brands these regions as howling wilderness or *an uninhabitable country*.¹⁵⁸

Clearly, Hopkins did not simply “transcribe” this passage from Coombs. She critically “resignifies” it in at least two ways. First, by rendering “the prevailing notions of Europeans” as *the “European idea,”* she recasts it as a discourse (following Michel Foucault and Edward W. Said), an ideology (following Antonio Gramsci), or a “racial fantasyland” (following Charles W. Mills) rather than simply the personal impressions of individual Europeans about Africa.¹⁵⁹

¹⁵⁴ Odysseos, *supra* note 18 at 347-48 [emphasis added]. According to Odysseos, *fabulation* involves “a host of creative, imaginative, performative and speculative acts that engage in the active elaboration of sociality and community” and *worldmaking otherwise* “promote[s] an imaginative and critical posture regarding the future and future worlds, as well as serving devotional purposes” (*ibid* at 363-64). See also Hortense J Spillers, “The Idea of Black Culture” (2006) 6 *New Centennial Rev* 7; Hortense J Spillers, “Mama’s Baby, Papa’s Maybe: An American Grammar Book” (1987) 17 *Diacritics* 64; Saidiya V Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (Oxford University Press, 1997); Saidiya Hartman, *Lose Your Mother: A Journey Along the Atlantic Slave Route* (Farrar, Straus and Giroux, 2007); Christina Sharpe, *In the Wake: On Blackness and Being* (Duke University Press, 2016).

¹⁵⁵ Odysseos, *supra* note 18 at 366.

¹⁵⁶ Ira Dworkin, “Black Livingstone: Pauline Hopkins, *Of One Blood*, and the Archives of Colonialism” (2018) 30 *American Literary History* 14 at 15-16, 19.

¹⁵⁷ Coombs, *supra* note 153 at 131 [emphasis added].

¹⁵⁸ Hopkins, *Of One Blood*, *supra* note 105 at 565 [emphasis added].

¹⁵⁹ See Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (Pantheon Books, 1970); Edward W Said, *Orientalism* (Vintage Books, 1979); Quintin Hoare & Geoffrey Nowell Smith, eds, *Selections from*

Second, by capitalizing “Central Africa,” Hopkins recognizes its political subjecthood as opposed to a mere geographical “region,”¹⁶⁰ recalling the (then) ongoing efforts by Booker T. Washington, Du Bois, and many others to ensure the capitalization of “Negro”¹⁶¹ (as well as more contemporary debates regarding “Black” and “white”).¹⁶² Drawing on the work of V. Y. Mudimbe,¹⁶³ Dworkin concludes that the “lesson for readers of *Of One Blood* is to consider not only what Hopkins says about imperialism itself, which...is not always as radical as modern readers may like, *but also what Hopkins’s fiction does to imperialist discourse.*”¹⁶⁴ As such, *Of One Blood* can be read as an emblematic act of “poetic revolt” through the “destabilisation of an imperial valuing and devaluing signification” and “radical contestation of...human-negating signs in the ‘order of discourse,’ an intervention into ‘epistemic representation.’”¹⁶⁵ Similarly, by surfacing the politics of knowledge production and its relationship to systems of racial subordination, Hopkins also sought to expand the “archive” to include the emerging “countertradition” of “late nineteenth-century African American travelers to Africa” and the “unique contributions of African Americans to the production of knowledge about Africa.”¹⁶⁶

Critical international lawyers are no strangers to these practices of “resignifying” colonial and imperialist discourses and the risks and limits thereof. Sundhya Pahuja and Luis Eslava argue that Third World Approaches to International Law (TWAIL) scholarship is characterized by its “double engagement” with international law and its institutions, a strategy that involves “a systematic process of resistance to the negative aspects of international law...accompanied with continuous claims for reform.”¹⁶⁷ This “double engagement” by TWAIL scholars that seeks *both* reform and revolution—less optimistically described as a “double bind,” perhaps—might be recast as the “resignification” of international law as a colonial discourse and practice.

If these practices of critical “resignification” are an unavoidable necessity for TWAIL scholarship and (perhaps) the Black Radical Tradition’s “poetic revolt,” then so too is their insufficiency, or near-permanent incompleteness. This “systematic process of resistance to the negative aspects of international law” by TWAIL scholars¹⁶⁸ demands the constant and reiterative

the Prison Notebooks of Antonio Gramsci, translated by Quintin Hoare & Geoffrey Nowell Smith (Lawrence & Wishart, 1971); Mills, *Racial Contract*, *supra* note 20 at 18.

¹⁶⁰ As Dworkin notes, “Hopkins more precisely demarcates the geography as ‘Central Africa’ rather than its ‘central regions.’” *Supra* note 156 at 15. This is a form of “recognition” that comes at a cost, however. See interview of Tshepo Madlingozi by Léopold Lambert (29 June 2020), “There is Neither Truth nor Reconciliation in so-called ‘South Africa,’” online: *The Funambulist* <thefunambulist.net/magazine/reparations/there-is-neither-truth-nor-reconciliation-in-so-called-south-africa-a-conversation-with-tshepo-madlingozi>.

¹⁶¹ See WEB Du Bois, *The Philadelphia Negro: A Social Study* (1899) at 1. See further Donald L Grant & Mildred Bricker Grant, “Some Notes on the Capital ‘N’” (1975) 36 *Phylon* 435 at 435-43.

¹⁶² See e.g. Kwame Anthony Appiah, “The Case for Capitalizing the B in Black,” *The Atlantic* (18 June 2020), online: <www.theatlantic.com/ideas/archive/2020/06/time-to-capitalize-blackand-white/613159>.

¹⁶³ *The Idea of Africa* (Indiana University Press, 1994).

¹⁶⁴ Dworkin, *supra* note 156 at 19.

¹⁶⁵ Odysseos, *supra* note 18 at 365, citing Sylvia Wynter, “Beyond the World of Man: Glissant and the New Discourse of the Antilles” (1989) 63 *World Literature Today* 637 at 638-41; Nahum Dimitri Chandler, “The African Diaspora” (2014) 3 *Palimpsest* 1 at 2.

¹⁶⁶ Dworkin, *supra* note 156 at 18.

¹⁶⁷ “Between Resistance and Reform: TWAIL and the Universality of International Law” (2011) 3 *Trade L & Development* 103 at 116. On attempts by African international lawyers and writers to re-inscribe their respective colonial forms, see Christopher Gevers, “Literal ‘Decolonisation’: Re-reading African International Legal Scholarship through the African Novel” in Jochen von Bernstorff & Philipp Dann, eds, *The Battle for International Law* (Oxford University Press, 2019) 383.

¹⁶⁸ Eslava & Pahuja, *supra* note 167 at 122.

critical engagement with both its operation and conditions of possibility (political, disciplinary, historical, literary, imaginative). As such, reading *Black Panther* from within this Black Radical Tradition, with the practices of critical “resignification” that it shares with TWAIL in mind, is critically generative in a number of respects.

First and foremost, it reminds us, once again but in different ways, of the ongoing historical and theoretical entanglements of both international law and the “development frame” with projects of racial domination and their material and symbolic regimes.¹⁶⁹ Despite engaging and subverting the development frame at different places and times throughout the twentieth century (*i.e.*, 1902–03, 1936–37, and 1956)—and reaching “back” to the novels of Haggard and “forward” to *Black Panther*—the novels of Hopkins, Schuyler, and Abrahams all centre on the (still) ongoing struggle against global white supremacy. Moreover, in addition to rendering a longer account of these “entanglements,” these novels tell us something about the articulation (in both senses) of “racial regimes” in and through international law and the “development frame,” then and now, and reveal both continuities and discontinuities. In particular, by resituating the “development frame” in late nineteenth-century (extractive) colonial imperialism—and its racialized material, symbolic, and cultural orders—these entanglements surface (1) the role of “whiteness,” both its reproduction through, and production of, racialized “authority, expertise and knowledge” in what becomes the field of “development”¹⁷⁰ and (2) the place of *biological* racism in the particular “racial regime” present at the time.¹⁷¹ The axis of emphasis of the White Mythology that underpinned late nineteenth-century international law and “development” was not only *racial* (as opposed to spatial and temporal); it was “vulgar, primitive, oversimple racism [grounded] in biology.”¹⁷² As discussed below, in addition to “occasional relapse[s],” biological racism is able to “renew itself, to adapt itself, to change its appearance”¹⁷³ and survive, and thrive, in the evolutionary progress narrative and “racial vernaculars” of “development” (and international law).¹⁷⁴

Reading *Black Panther* alongside these earlier novels reveals how these “afterlives” of biological racism are produced, in part, through their “metaphorization” in the cultural sphere, including in novels and films.¹⁷⁵ As Toni Morrison put it:

Race has become metaphorical—a way of referring to and disguising forces, events, classes, and expressions of social decay and economic division far more threatening to the body politic than biological “race” ever was. Expensively kept, economically unsound...racism is as healthy today

¹⁶⁹ See Uma Kothari, “Critiquing ‘race’ and racism in development discourse and practice” (2006) 6 *Progress in Development Studies* 1.

¹⁷⁰ *Ibid* at 4. This “co-productive” relationship is demonstrated in the final pages of *Prester John*, when Buchan’s protagonist “discovers” the “meaning of the white man’s duty” through “the work of settlement” (of both the defeated uprising and South Africa), noting:

That is the difference between white and black, the *gift of responsibility*, the power of being in a little way a king; and so long as we know this and practise it, we will rule not in Africa alone but wherever there are dark men who live only for the day and their own bellies.

Supra note 33 at 365 [emphasis added].

¹⁷¹ As Robinson notes, while “the covering conceit of a racial regime is a makeshift patchwork masquerading as memory and the immutable...racial regimes do possess history, that is, discernible origins and mechanisms of assembly” (but remain “unrelentingly hostile to their exhibition”). See *Forgeries of Memory*, *supra* note 23 at xii.

¹⁷² Frantz Fanon, “Racism and Culture (1956)” [Fanon, “Racism and Culture”] in Fred Lee Hord (Mzee Lasana Okpara) & Jonathan Scott Lee, eds, *I Am Because We Are: Readings in Africana Philosophy* (University of Massachusetts Press, 2016) 206 at 207.

¹⁷³ *Ibid*.

¹⁷⁴ Jemima Pierre, “The Racial Vernaculars of Development: A View from West Africa” (2020) 122 *American Anthropologist* 86 at 87. See also Gevers, “Unwhitening the World,” *supra* note 20.

¹⁷⁵ See generally Robinson, *Forgeries of Memory*, *supra* note 23.

as it [ever] was...and has assumed a metaphorical life so completely embedded in daily discourse that it is perhaps more necessary and more on display than ever before....*There is still much ill-gotten gain to reap from rationalizing power grabs and clutches with inferences of inferiority and the ranking of differences.*¹⁷⁶

These ongoing entanglements of *Black Panther* with colonial romances on the one hand and the development frame on the other reveal that it is not just in the *domestic* sphere that there is yet more “ill-gotten gain to reap”; the development frame’s “Image of Africa” and “inferences of inferiority and the ranking of differences” continue to facilitate the extraction of material gain (including mineral resources) and rationalize power, authority, and expertise *globally*.

In addition to this, reading *Black Panther* alongside and against these novels allows us to, as Fanon puts it, “rediscover constants” in these racial regimes of domination despite their being “refined” post 1945.¹⁷⁷ There are three “constants” in particular. The first is the role of “history” (and historicity) in both Black Internationalism and the development frame. The White Mythology relies on a progressive, linear history that not only places “the West” at its forefront, in the present and future, but often writes Africa out of history altogether.¹⁷⁸ In doing so, drawing on Roland Barthes, it seeks to place “Nature at the bottom of History”¹⁷⁹ through a reading of Charles Darwin that plots the progressive evolution of societies (and races) from “primitive” origins to the advanced stage reached by those of (white) “Western Europe” (such that “some populations [are] living in the present and others in the past”).¹⁸⁰ Such evolutionism is endemic to development discourse, most obviously in W.W. Rostow’s foundational “stages of development”¹⁸¹ thesis that relied on “the Western myth of growth conceived according to a biological paradigm”;¹⁸² and, as Mohammed Bedjaoui pointed out, “reduced underdevelopment to a mere question of backwardness” (while “ignoring the phenomena of domination and imperialism”).¹⁸³ According to Rist, however, even the “New International Economic Order” project could not escape this “evolutionary view of history” (nor, less surprisingly, did the UN’s 1990 *Human Development Report*).¹⁸⁴

¹⁷⁶ *Playing in the Dark: Whiteness and the Literary Imagination* (Harvard University Press, 1992) at 63-64 [emphasis added].

¹⁷⁷ Fanon, “Racism and Culture,” *supra* note 172 at 207. See also Frank Füredi, *The Silent War: Imperialism and the Changing Perception of Race* (Rutgers University Press, 1998).

¹⁷⁸ As Du Bois described them: “those who would write world-history and leave out this most marvelous of continents.” WE Burghardt Du Bois, “The African Roots of War,” *The Atlantic Monthly* 115 (May 1915) 707 at 707 [Du Bois, “African Roots”].

¹⁷⁹ Roland Barthes, *Mythologies*, translated by Annette Lavers (Paladin Grafton Books, 1973) at 101.

¹⁸⁰ Lewis R Gordon, “Race” in Carol A Chapelle, ed, *The Encyclopedia of Applied Linguistics* (John Wiley & Sons, 2012) at 2. The (mis)readings of Darwin’s work were two-fold (at least), namely (1) that there was “an inherent progress to evolution” and (2) that “culture” had “an isomorphic relation to biology.” See Lewis R Gordon, “Race Theory” in Mark Bevir, ed, *Encyclopedia of Political Theory*, vol 1 (Sage, 2010) at 1137.

¹⁸¹ *The Stages of Economic Growth: A Non-Communist Manifesto*, 3rd ed (Cambridge University Press, 1991).

¹⁸² Rist, *supra* note 48 at 102. According to Rist, “*The success of Rostow’s book was thus not due to its originality but, on the contrary, to its roots in a tradition [of Western intellectual history] that assured for it a certain legitimacy*” (*ibid* at 103) [emphasis in original].

¹⁸³ Mohammed Bedjaoui, *Towards a new international economic order* (Holmes & Meier, 1979) at 67. Bedjaoui adds:

Whether or not they invoke Rostow, the authors who argue that development is a single, undifferentiated phenomenon reduce the problem of underdevelopment to backwardness *vis-à-vis* Western civilization, and the problem of development to a mere effort to become part of the ‘civilization of power’, the horsepower civilization, as Bertrand de Jouvenel has called it (*ibid*).

¹⁸⁴ See Rist, *supra* note 48 at 143-47, 208-209.

Hopkins's *Of One Blood* explicitly challenged such Western myths parading as history, in both its content and form. In its content, for example, the novel's glorification of "ancient Ethiopia" both unsettled the ancient origin story of the West (anticipating the later work of Cheikh Anta Diop and Martin Bernal)¹⁸⁵ and also gestured towards modern Ethiopia's epochal victory over Italy a few years prior.¹⁸⁶ In its form, the novel's historical narrative did not simply *reinscribe* the White Mythology by reversing its progression, and thereby fall into the "Darwinist trap" itself (as Martin Japtok suggests);¹⁸⁷ rather, its account of the fall of ancient Meroe (as a result of "arrogance and pride") was a repudiation of the linear evolutionism of Darwinian-inspired histories altogether. Similarly, *Of One Blood* (as its title suggested)¹⁸⁸ was a rejection of the idea that biology and culture were "isomorphic," and, through her central characters, Hopkins showed that "any human being could be raised in another cultural context in which he or she would acquire the language and other exemplars of the material conditions of that culture"¹⁸⁹ (anticipating later shifts to social and cultural anthropology, generally credited to Franz Boas).¹⁹⁰

The novels of Schuyler and Abrahams are, tellingly perhaps, less able to free themselves of this historical paradigm than *Of One Blood*. As noted above, at the time, Abrahams shared Hopkins's revisionist account of the history of the West, although he did not make it explicit to his readers of *Wreath for Udomo*, and his lead character's embrace of the "modernization" paradigm was more out of necessity than inevitability—and was certainly not celebratory. Schuyler is more difficult to pin down. While writing *Black Internationale*, he was undergoing something of a political conversion (not his last),¹⁹¹ and, while the novel is dismissive of romanticized accounts of African history, the novel's account of Europe's violence and self-destruction through modern weaponry critiques the darker side of Western modernity while its protagonist and narrator (Carl Slater) is apparently recruited by Dr. Belsidus because he is "race conscious and *familiar with the history of his people*."¹⁹² Moreover, in the "ideological companion piece"¹⁹³ to *Black Internationale*—an essay published in 1938—Schuyler critiques the "Aryan

¹⁸⁵ See e.g. Martin Bernal, *Black Athena: The Afroasiatic Roots of Classical Civilization* (Rutgers University Press, 1987) vol 1. In doing so, Hopkins relies on the evidence, which had so perturbed Haggard, that "Egypt drew from Ethiopia all the art, sciences and knowledge of which she was mistress," as one of her characters puts it. See *Of One Blood*, *supra* note 105 at 521. Just before she published *Of One Blood*, Hopkins set out this reversal of the White Mythology of Western history in an article, in which she "trace[d] the light of civilization"—including that of "science and beautiful mythology"—from Ethiopia, to Greece, to Rome, and thence diffusing its radiance over the entire world. See Pauline Hopkins, "Famous Women of the Negro Race. VII. Educators," *The Colored American Magazine* 5 (June 1902) 125 at 130.

¹⁸⁶ This is another event of significance to the Black world that is omitted from the archive of the international at present. See Gordon Fraser, "Transnational Healing in Pauline Hopkins's *Of One Blood*; or, *The Hidden Self*" (2013) 46 *Novel: A Forum on Fiction* 364 at 369, n 3.

¹⁸⁷ Martin Japtok, "Pauline Hopkins's *Of One Blood*, Africa, and the 'Darwinist Trap'" (2002) 36 *African American Rev* 403.

¹⁸⁸ Hopkin's title stands in stark contrast to Westlake's contemporaneous claim that "[t]he international society which develops international law...is composed of *all the states of European blood*" (made in the same year that the *Institut de Droit Internationale*, of which Westlake was President, won the Nobel Prize). See John Westlake, *International Law* (Cambridge University Press, 1904) at 40 [emphasis added].

¹⁸⁹ Gordon, *supra* note 180 at 1137.

¹⁹⁰ But see Cedric J Robinson, *On Racial Capitalism, Black Internationalism, and Cultures of Resistance*, ed by HLT Quan (Pluto Press, 2019) at 118-20.

¹⁹¹ See Hill & Rasmussen, *supra* note 115 at 261-62. Notably, shortly before writing *The Black Internationale*, on a speaking tour, Schuyler delivered a lecture on "Appreciating Africa, Its History and Civilization" (*ibid* at 277).

¹⁹² Schuyler, *Black Internationale*, *supra* note 116 at 14 [emphasis added].

¹⁹³ Hill & Rasmussen, *supra* note 115 at 279.

history” that emerged from nineteenth-century imperial colonialism. (In his next novel, Schuyler would embrace Hopkins’ revision of Western history (and Haggard) more directly.)¹⁹⁴

Black Panther’s relationship to this Western myth of history is similarly complex. On the one hand, Wakanda’s origin story rejects the overt biological racism of social Darwinism (*i.e.*, the conflation of “race” and culture); while, on the other hand, that story’s linear, progressive narrative mimics that of the “rise of the West” through resource extraction, technology, and other “killer-apps.”¹⁹⁵ Moreover, in defending Killmonger’s plan to “arm oppressed people all over the world,” start a global revolution, and establish a “Wakandan Empire,” T’Challa’s one-time best friend W’Kabi warns, “The world is changing...it is getting smaller, *the outside world is catching up* [to Wakanda].”¹⁹⁶ The near absence of the rest of Africa, from both Wakanda’s “origin story” and that of “the West” that the film seeks to subvert, only makes things worse: In the end, does it really matter whether contemporary Africa is figured as a “primitive” version of Europe’s past, or Wakanda’s? Similarly, what of Africa’s intellectual and material contributions to “the West” (how, as Fanon put it, “Europe is literally the creation of the Third World”)?¹⁹⁷ While there are allusions to slavery in the opening graphic sequence and Killmonger’s final speech, and “colonizer” is rendered an epithet by Shuri, it is surely telling that the reference to Western looting of Africa focusses on *cultural* artefacts.¹⁹⁸

Nevertheless, situating *Black Panther* within the radical tradition of Black Internationalism reveals its constant efforts to trouble and, at times, critically “re-inscribe” these conceits of history that continue to underpin both development and the broader White Mythology and the limits thereof. It also broadens our understanding of this tradition of “poetic revolt” by including within it the efforts of post-colonial African writers (pioneered by Abrahams, according to Ngugi wa Thiongo) to “write back” against those who, in Du Bois’s terms, “would write world-history and leave out this most marvelous of continents.”¹⁹⁹

The second “constant” that this reading of *Black Panther* “re-discovers” is the *material* dimensions of international law and the development frame, past and present, and, more specifically, their relationship to (extractive) racial capitalism. The role of “natural resources”—in terms of their possession, extraction, and “better use”—in the colonial romances of Haggard and Buchan, the Black Internationalist fictions of Hopkins, Schuyler, and Abrahams, and the vibranium-fueled *Black Panther*, forms a connective tissue that brings together their very different times, places, and political orders, linking them to the racial capitalist regimes of extraction that underpin the past, present, and (presumed) future.

The “devil’s dance seldom paralleled in human history” that followed the discovery of diamonds and gold in South Africa—according to Du Bois—was made possible by its “world-wide organization” and “a rate of profit” not possible in white Europe or North America and, in the end, reduced the so-called natives to “the most degrading wage bondage in the modern world.”²⁰⁰ It also produced the “Racist State” of South Africa in 1910, which would morph into

¹⁹⁴ See George S Schuyler, *Ethiopian Stories* (Northeastern University Press, 1994).

¹⁹⁵ Niall Ferguson, *Civilization: The West and the Rest* (Penguin Books, 2011).

¹⁹⁶ *Black Panther*, *supra* note 1 at 01h:30m:25s-01h:31m:10s [emphasis added].

¹⁹⁷ Fanon, *Wretched*, *supra* note 21 at 102.

¹⁹⁸ When Killmonger visits the British Museum in London, he is told by the curator that the artifacts in the West African exhibit “aren’t for sale.” He responds, “How do you think your ancestors got these? You think they paid a fair price? Or did they take it, like they took everything else?” *Black Panther*, *supra* note 1 at 00h:16m:33s.

¹⁹⁹ Du Bois, “African Roots,” *supra* note 178 at 707.

²⁰⁰ *World and Africa*, *supra* note 29 at 20, 146 (noting “[t]he only reason back of colonial imperialism is a rate of profit which the spread of democracy and trade unions has curtailed in Europe and North America” at 146 [*sic*]).

apartheid South Africa:²⁰¹ the state-based racial capitalist regime that Stuart Hall described as both the theoretical “limit case” and the political “test case” for mapping the relationship between structures of racial and economic domination.²⁰² Apartheid South Africa was also the context that forged the term “racial capitalism,” which Cedric J. Robinson (building on Du Bois and others)²⁰³ then developed to account for the historical and theoretical imbrications of race and capitalism globally²⁰⁴ (how, as Fanon succinctly put it, “you are rich because you are white, you are white because you are rich”).²⁰⁵ Little surprise, then, that South Africa features in *Black Panther* not simply as the backstory for Ulysses Klaue but *materially* as the location for landscape shots that would be digitally enhanced to become the Kingdom of Wakanda.²⁰⁶

As such, through its troubling synonymies with colonial romances, *Black Panther* invites us to—paraphrasing Fanon—“rediscover [the] constant,” yet differently articulated, relations between colonial and neocolonial resource extraction, on the one hand, and regimes of racial domination on the other. It also invites us to think more deeply about the relationship between “development” and “racial capitalism” more generally. One way of doing so, as Pierre has shown, is to consider how “resource-to-development schemes” deploy “a racial vernacular of development” that “sustain racial thought” and “index particular racial meanings”²⁰⁷ (through terms such as “artisanal,” “capacity development,” and “good governance”) in order to intervene in the “proper” use (or, in the World Bank’s terms, “prudent management”) of Africa’s mineral resources.²⁰⁸ Much like in Buchan’s *Prester John*, these schemes ensure that the resource extraction industry continues to operate in ways that “reinforce patterns of racial (dis)advantage, global inequality, and relations structured in dominance.”²⁰⁹

In fact, Pierre’s discussion of the “racial vernaculars of development” in Ghana’s extractive industry directly recalls the novels of Buchan and Abrahams: First, the term “artisanal” is deployed by development actors to render small-scale extractive mining practices by Africans “diminutive and backward” (or “primitive” in the World Bank’s terms)²¹⁰—in contrast to the “corporate, capital-intensive, foreign, and white-owned companies”²¹¹—just as how in Buchan’s *Prester John* the

²⁰¹ See Magubane, *supra* note 59.

²⁰² Stuart Hall, “Race, Articulation and Societies Structured in Dominance” in *Sociological Theories: Race and Colonialism* (UNESCO, 1980) 305 at 308-309.

²⁰³ See WEB Du Bois, “The Souls of White Folk,” *The Independent* (18 August 1910) 339; WEB Du Bois, *Black Reconstruction* (Free Press, 1998); Du Bois, *World and Africa*, *supra* note 29.

²⁰⁴ See Robinson, *Black Marxism*, *supra* note 17. As Hudson recently articulated it, racial capitalism refers to “the simultaneous historical emergence of racism and capitalism in the modern world and their mutual dependence.” See Peter James Hudson, *Bankers and Empire: How Wall Street Colonized the Caribbean* (University of Chicago Press, 2017) at 13.

²⁰⁵ Fanon, *Wretched*, *supra* note 21 at 40.

²⁰⁶ See Jay Caboz, “Turns out, Wakanda is a place near Bloemfontein. Black Panther’s South African footage was shot in the Free State” (22 February 2018), online: *Business Insider* <www.businessinsider.co.za/black-panthers-south-african-footage-was-done-by-a-drone-company-who-worked-for-two-years-to-get-the-licence-to-take-boring-shots-of-golden-gate-in-the-free-state-2018-2>.

²⁰⁷ Pierre, *supra* note 174 at 87.

²⁰⁸ *Ibid.*

²⁰⁹ *Ibid.*

²¹⁰ See Paula Butler, *Colonial Extractions: Race and Canadian Mining in Contemporary Africa* (University of Toronto Press, 2015) at 213.

²¹¹ Pierre, *supra* note 174 at 94.

mining of diamonds by “natives” is rendered illegitimate, dangerous, and ultimately unlawful.²¹² Second, as in the “Pan-Africa” of Abrahams’s *Wreath for Udomo* (inspired significantly by its predecessor, the Gold Coast), the term “capacity building” is “ubiquitous” in Ghana today (as elsewhere). It is deployed racially to problematize “African social and cultural behaviour” and to meet “[t]he perceived need for technology and skills transfer to an ignorant and less-technology-savvy local population.”²¹³ If Pierre shows how deeply embedded (or “sediment[ed]”) this “racial grammar” remains in contemporary development discourse and practice generally, and in relation to resource-extraction in particular,²¹⁴ reading *Black Panther* alongside Haggard and Buchan reveals how longstanding they are (and also how deeply sedimented this “racial grammar” is in our Western-dominated cultural imagination).

Third, this reading of *Black Panther* surfaces the longstanding role of science and technology in establishing, maintaining, and challenging this White Mythology. Technology, like expertise and knowledge, is “predetermined by the source and social context from which it emerges”²¹⁵ and, in the modern world, made by the White Mythology. The claim to possess “technology,” like the claim to possess “history,” is always already a racialized one. If the arrogation of “history” by the West (still) grounds a project to colonize the present, the arrogation of “technology” threatens to colonize the future.

As such, to paraphrase Simon Gikandi’s characterization of the novels of Achebe, those of Hopkins, Schuyler, and Abrahams sought to navigate (and activate) both the novel’s “archeological” function and its “utopian impulse” insofar as the discourse of technology is concerned: seeking to both reclaim technology’s “history” from its arrogation to the West (and the elision of non-Western science or its denigration) while simultaneously engaging its emancipatory promise.²¹⁶ As Amiri Baraka put it in a 1971 essay on “Technology and Ethos”:

Nothing *has* to look or function the way it does. The West man’s freedom, unscientifically got at the expense of the rest of the world’s people, has allowed him to xpand [*sic*] his mind -spread his sensibility wherever it *cd* go, & so *shaped* the world, & its powerful artifact-engines....Black creation -creation powered by the Black ethos brings very special results, Think of yourself, Black creator, freed of european restraint which first means the restraint of self determined mind development. Think what would be the results of the unfettered blood inventor-creator *with the resources of a nation behind him*. To imagine -to think -to construct -to energize!!!²¹⁷

²¹² *Ibid.* As Pierre notes, “while products deemed ‘artisan’ or ‘artisanal’ in Europe and the United States are celebrated..., the term does not have the same connotation in reference to Africans” (*ibid.*). Notably, in *Prester John*, Buchan describes his white “fellow-passengers” en route to colonial South Africa as including “a few emigrant artisans and farmers.” *Supra* note 33 at 33.

²¹³ Pierre, *supra* note 174 at 92-93.

²¹⁴ *Ibid* at 87. Pierre argues that:

the terminology of development thrives on the construction of a notion of fundamental African racial difference (and white Western normativity) while rendering the unequal institutional and material relations of resource extraction, among other things, through terms that sediment cultural narratives of this presumed African inferiority... [These] “racial codes are embedded and naturalized in practices ranging from contract negotiations and the management and bureaucracy of resource extractions to the power structure of the world system that places African sovereignty below Western nongovernmental organizations and corporations (*ibid.*).

²¹⁵ Uma Kothari, “An Agenda for Thinking About ‘Race’ in Development” (2006) 6 *Progress in Development Studies* 9 at 15.

²¹⁶ *Reading Chinua Achebe: Language & Ideology in Fiction* (Villiers, 1991) at 4.

²¹⁷ Imamu Amiri Baraka, “Technology & Ethos: Vol. 2 Book of Life” in *Raise, Rage, Rays, Raze: Essays since 1965* (Random House, 1971), online: <www.soulsista.com/titanic/baraka.html>[emphasis in original]. See also Reynaldo Anderson & Charles E Jones, eds, *Afrofuturism 2.0: The Rise of Astro-Blackness* (Lexington Books, 2016).

In *Black Internationale*, Dr. Belsidus declares that the Black Internationale has “intellectuals, scientists, [and] engineers...[who] are mentally the equal of the whites...[but] possess superior energy” “scattered all over the world”; “[a]ll they need is money, instruments, [and] new weapons of science.”²¹⁸ In one particularly poignant and diabolical scene, the Black Internationale avenges the crimes of Western science and the arrogance concerning non-Western “primitivism” (portrayed in *King Solomon’s Mines*) when it lures “The Master Technicians of Great Britain” to a dance recital in London by “a troupe of African dancers”—ostensibly as “a token of appreciation of the part played by science in British world supremacy”—and kills them with a chemical weapon that “surpasse[s] anything the white chemists had been able to produce for speedy asphyxiation.”²¹⁹

Reading *Black Panther* in this tradition resurfaces both of these functions in the present—rediscovering both the constant entanglement of racial and technological discourses and the constant promise of “technofutures.” In particular, it enables us to constellate the imaginary vibranium-fueled “technological marvels” of Wakanda with a number of other seemingly disconnected times and spaces, such as the eighteenth-century accounts of the slave-owning French clergyman or explorer to that effect. As West Africans “had neither the technology to extract their abundant resources effectively nor the intelligence to develop this technology, it was incumbent on the French to seize their resources and see that they were exploited.”²²⁰ Or, the panicked response to the “discovery” of the Great Zimbabwe ruins a century and a half later by a German (who, a few years earlier, had triggered the Southern African “gold rush”),²²¹ which led not only to absurd historical claims about its Phoenician origins, but to the invention of a genre of novel (and contributed to the invention of “race science” and a new biological “race”: the “Caucasoid Hamites”)²²² and the creation of a Racist State of South Africa. Or, the Cold War inflected failed dreams of modernization in Ghana upon decolonization, and the contemporary “resource-to-development schemes” off the coast of Ghana, which followed the discovery of gold (and its misuse) once more.

At the same time, *Black Panther*’s embrace of technology is a call “[t]o imagine—to think—to construct—to energize!!!”²²³ In the introduction to the recently edited collection *Captivating Technology: Race, Carceral Technoscience, and Liberatory Imagination in Everyday Life*—which “bridges science and technology studies (STS) and critical race studies”—Ruha Benjamin notes:

The task...is to challenge not only forms of discriminatory design in our inner and outer lives, but to work with others to imagine and create alternatives to the *techno quo*—business as usual when it comes to technoscience—as part of a larger struggle to materialize collective freedoms and

²¹⁸ Schuyler, *Black Internationale*, *supra* note 116 at 15.

²¹⁹ George S Schuyler, *Black Empire: An Imaginative Story of a Great New Civilization in Modern Africa* in Schuyler, *Black Empire*, ed by Hill & Rasmussen, *supra* note 115, 143 at 197-202.

²²⁰ Adas, *supra* note 75 at 113. Adas is referring to the accounts of Dominican friar Jean-Baptiste Labat, whose 1728 five-volume survey *Nouvelle relation de l’Afrique occidentale* was “[b]y far the most extensive critique of African mining” at the time. See *ibid* at 112-13.

²²¹ In December 1867, this German geologist—Karl Mauch—published a letter in *The Transvaal Argus* claiming to have discovered gold in what later became the Tati area (in modern day Botswana and Zimbabwe). This led to the first Southern African gold rush. See Timothy Alborn, “King Solomon’s Gold: Ophir in an Age of Empire” 20 *J Victorian Culture* (2015) 491 at 499; Jade Davenport, “Tati—the site of Southern Africa’s first gold rush” (19 June 2015), online: *Mining Weekly* <www.miningweekly.com/print-version/tati-the-site-of-southern-africas-first-gold-rush-2015-06-19>.

²²² See Edith R Saunders, “The Hamitic Hypothesis; Its Origin and Functions in Time Perspective” (1969) 10 *J African History* 521 at 530-31.

²²³ Baraka, *supra* note 217.

flourishing. If...the carceral imagination captures and contains, then a liberatory imagination opens up possibilities and pathways, creates new templates, and builds on a black radical tradition that has continually developed insights and strategies grounded in justice.²²⁴

Placing *Black Panther* in this tradition surfaces both how long this *techno quo*—one that constellates race, techno-science, and (in)justice—has lasted and how long Black scholars have been “work[ing] with others to *imagine* and *create* alternatives to [it].”²²⁵

In the end, *Black Panther*’s troubling antinomies tells us as much about the troubling limits of our collective “liberatory imagination” and, paraphrasing Toni Morrison, how completely embedded the White Mythology is in daily—and development—discourse.

III. Concluding Remarks: Decolonizing the Future

In racialized societies, the hopes and capacities of some are routinely discredited in popular representations of progress or completely written out of futuristic visions, a kind of temporal penitentiary that locks the oppressed in a dystopic present. But...counter-imaginaries persist and proliferate despite the odds.²²⁶

These troubling antinomies—of *Black Panther*, the development frame, and the liberatory imagination—centre on the problem of decolonizing the “unreal estate of the future,” as Dery put it.²²⁷ At one point in *Black Panther*, King T’Challa’s sister Shuri reveals that *Back to the Future*²²⁸—“the old American movie Baba used to watch”—is the inspiration for the futuristic, “fully-automated” footwear that Shuri has designed for the Black Panther.²²⁹ The future depicted in the 1980s film trilogy that their father, King T’Chaka, so revered—which is our *present*—is the epitome of “a whitewashed, colorblind utopia free of (almost all) blackness, except the token variety,”²³⁰ suggesting that even in Wakanda “the unreal estate of the future [is] already owned by the technocrats, futurologists, streamliners, and set designers—white to a man.”²³¹

As this paper has tried to show, through acts of “poetic revolt,” Black Internationalists have been trying to decolonize the future (or futurity) for some time,²³² in part through the subversion of both the development frame and the discourse of technology. Fragments of this resistance can be found in strange and uncanny places, such as Buchan’s *Prester John*, where John Laputa starts an uprising against white rule through the “re-inscription” of the legend of Prester John, “tell[ing] the story...with all kinds of embroidery of his own”²³³—an uprising inspired by the Haitian Revolution of a century before that anticipated the RhodesMustFall movement a century later. (The novel ends with the revelation that a statue of Laputa sits in front of the “native training

²²⁴ “Introduction: Discriminatory Design, Liberating Imagination” in Ruha Benjamin, ed, *Captivating Technology: Race, Carceral Technoscience, and Liberatory Imagination in Everyday Life* (Duke University Press, 2019) 1 at 12 [Benjamin, “Introduction”].

²²⁵ *Ibid.*

²²⁶ *Ibid* at 17.

²²⁷ See *supra* note 12 at 180.

²²⁸ The same film trilogy that Dery had re-signified when he coined “Afrofuturism.” See *ibid.*

²²⁹ *Black Panther*, *supra* note 1 at 00h:38m:55s. The shoes appeared in the second film in the *Back to the Future* series, released in 1989. See *Back to the Future Part II* (Universal Pictures) at 00h:08m:10s.

²³⁰ Ruha Benjamin, “But...There Are New Suns!” (2017) 6 *Palimpsest* 103 at 104. As Benjamin puts it:

Saying “Black to the Future” is to say, not only are black folks not going anywhere, but we are making ourselves at home in a future that mainstream depictions would like us all to believe is a whitewashed, colorblind utopia free of (almost all) blackness, except the token variety (*ibid* [emphasis omitted]).

²³¹ Dery, *supra* note 12 at 180.

²³² Odysseos argues that by “[p]luralising our thinking on revolution and resistance, poetic revolt...is best seen as a critical meditation on futurity.” See *supra* note 18 at 349.

²³³ See *supra* note 33 at 131.

college” that was established by a Rhodes-like patron—a college that dispenses “the kind of [technical] training which fits them to be good citizens of the state”²³⁴—prefiguring the installment of the statue of Rhodes in front of the University of Cape Town in 1934 and its removal eighty years later.)

A more reliable archive of these futures is to be found in the novels of Hopkins, Schuyler, and Abrahams (as well as those of Martin Delaney, Kojo Lang, Octavia Butler, Nnedi Okorafor, and others) and the Black Radical Imagination more generally that, as Ruha Benjamin puts it, promise “tunnels and other lines of flight to new worlds, where alternative forms of kinship have room to grow and to nourish other life forms and ways of living.”²³⁵

In the end, using *Black Panther* to critically inflect international law and the development frame serves as both a timely reminder and a warning, from the archives of the future, of the need “to imagine and craft the worlds [we] cannot live without, just as [we] dismantle the ones [we] cannot live within”²³⁶ and to make sure that—when we step through the portal to that world—we leave “the carcasses of our prejudice and hatred, our avarice, our data banks and dead ideas, our dead rivers and smoky skies behind us.”²³⁷

²³⁴ *Ibid* at 373-74.

²³⁵ “Black AfterLives Matter” (16 July 2018), online: *Boston Review* <bostonreview.net/race/ruha-benjamin-black-afterlives-matter>.

²³⁶ Benjamin, “Introduction,” *supra* note 224 at 14 [emphasis omitted].

²³⁷ Arundhati Roy, “The pandemic is a portal,” *Financial Times* (3 April 2020), online: <www.ft.com/content/10d8f5e8-74eb-11ea-95fe-fcd274e920ca>.