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# AN ANTI- POEM

## *Plessy vs. Ferguson: Theme & variations*

**(Received some months  
before the author's death.)**

1. "We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so it is not by reason of anything found in the act but solely because the colored race chooses to put that construction upon it."

*Plessy vs. Ferguson*, 163. U.S., 537. (1896)

2. The whole issue is a question of choice. We are only giving you what you want. Why don't you make up your minds?

3. The trouble with the argument is an underlying fallacy which has the following characteristics:

- a) It underlies
- b) It consists
- c) It assumes
- d) It enforces
- e) It separates
- f) It stamps

Why won't you admit that all these things are your fault?

4. Analysis of the above. a) *Underlies*.

The fallacy underlies the plaintiff because he argues.

But the plaintiff is only half white. When a half-white plaintiff puts forward an argument he had better take a look underneath it. He will discover an underlying fallacy. This is due to the fact that his argument is neither black nor white but mixed. If he were all black the fallacy would not be "underlying" but evident on the surface.

Thus it follows that the fallacy of the plaintiff consists in his having chosen a half-white argument and stuck to it, in spite of the act which declares him equal.

5. Meanwhile, *who* is this that is found underlying the plaintiff? That is what this tribunal would now like to discover. How would you feel if it turned out to be your sister?

6. b) *Consists*.

The plaintiff is a living contradiction. The notion of consistency does not apply to his case.

7. c) *Assumes*.

To assume is the same as "to consist in the assumption." But we have seen above that consistency is ruled out of the present case. So is the assumption. How can anything "consist in an assumption" which is at the same time "an underlying fallacy"?

8. d) *Enforces*.

The court enforces the separation of the plaintiff from his own argument and thereby from the underlying fallacy. He is now liberated from all his mistakes. He does not have to go to jail. The Court however enforces the separation of the races, the separation of the acts, the separation of the stamps, the separation of the badges, and the separation of the constructions. They are all equal.

9. e) *Separates*.

Separation stamps: stamps separate. Consider yourself stamped.

10. f) *Stamps*.

Here is your badge. Get back in the other car and stay there. Only there can you be equal. Don't you want to be equal?

11. The colored race is now in a separate toilet constructing what is not found in the act. This shall be made known to all by these presents as "Plessy's fallacy" (or his "underlying assumption").

12. Why did you choose that badge in the first place? Now that you have it, *wear* it. It stamps you with a

