# ASU CR Cards Round 1 USC

## 1NC

### 1

#### Our interpretation is that the affirmative should have to advocate a restriction on the president’s war powers authority in one or more of the following areas: indefinite detention, targeted killing, offensive cyber operations or the introduction of armed forces into hostilities.

#### B. Violation – the aff doesn’t advocate a restriction of the president’s war powers authority.

#### Reasons to prefer -

#### 1. Subverting the topic destroys debate as a point of contestation – it’s now impossible to have a meaningful dialogue over the aff.

Steinberg & Freeley 8 \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### Decisionmaking is the most portable skill—key to all facets of life and advocacy

Steinberg 8, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, ‘8

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 9-10)

After several days of intense debate, first the United States House of Representatives and then the U.S. Senate voted to authorize President George W. Bush to attack Iraq if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. Debate about a possible military\* action against Iraq continued in various governmental bodies and in the public for six months, until President Bush ordered an attack on Baghdad, beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition. Meanwhile, and perhaps equally difficult for the parties involved, a young couple deliberated over whether they should purchase a large home to accommodate their growing family or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job. Each of these\* situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions. Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making homes from committees to juries to the U.S. Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations. We all make many decisions even- day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate CO vote for. paper or plastic, all present lis with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration? Is the defendant guilty as accused? Tlie Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, TIMI: magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople. academics, and publishers. We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs? The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates. Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized. Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others. Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate.

#### 2. Effective deliberation is crucial to the activation of personal agency and is only possible in a switch-side debate format where debaters divorce themselves from ideology to engage in political contestation

Patricia Roberts-Miller 3 is Associate Professor of Rhetoric at the University of Texas "Fighting Without Hatred:Hannah Ar endt ' s Agonistic Rhetoric" JAC 22.2 2003

Totalitarianism and the Competitive Space of Agonism Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism andEichmann in Jerusa¬lem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that the common world of deliberate and joint action is fragmented into solipsistic and unreflective behavior. In an especially lovely passage, she says that in mass society people are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular if the same experience is multiplied innumerable times. The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective. (Human 58) What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because obsession with one's own self and the particularities of one's life prevents one from engaging in conscious, deliberate, collective action. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. Self-obsession, even (especially?) when coupled with isolation from one' s community is far from apolitical; it has political consequences. Perhaps a better way to put it is that it is political precisely because it aspires to be apolitical. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social." Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, butnot act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibil¬ity for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody. It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitar¬ian systems, Arendt's solution is the playful and competitive space of agonism; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a competitive space in which one competes for recognition, precedence, and acclaim" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives. Furthermore, the competition is not ruthless; it does not imply a willingness to triumph at all costs. Instead, it involves something like having such a passion for ideas and politics that one is willing to take risks. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. This is a risk in that one might lose; advancing an argument means that one must be open to the criticisms others will make of it. The situation is agonistic not because the participants manufacture or seek conflict, but because conflict is a necessary consequence of difference. This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does not propose a public realm of neutral, rational beings who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity. Continued… Eichmann perfectly exemplified what Arendt famously called the "banal¬ity of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems (Pitkin 87). Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes, Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87) Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social. Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorb¬ing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4). Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slo¬gans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies. Arendt grants that there are people who willed the Holocaust, but she insists that totalitarian systems result not so much from the Hitlers or Stalins as from the bureaucrats who may or may not agree with the established ideology but who enforce the rules for no stronger motive than a desire to avoid trouble with their superiors (see Eichmann and Life). They do not think about what they do. One might prevent such occurrences—or, at least, resist the modern tendency toward totalitarian¬ism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38). By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that Heidegger represented just such a professional thinker for Arendt, and his embrace of Nazism epitomized the genuine dangers such "thinking" can pose (see Arendt's "Heidegger"). "Thinking" is not typified by the isolated con¬templation of philosophers; it requires the arguments of others and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others: Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people's standpoints I have present in my mind while I am ponder¬ing a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for represen¬tative thinking and the more valid my final conclusions, my opinion. ("Truth" 241) There are two points to emphasize in this wonderful passage. First, one does not get these standpoints in one's mind through imagining them, but through listening to them; thus, good thinking requires that one hear the arguments of other people. Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, this view presumes that speech matters. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed.Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists tha^ the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defe ated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259). Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the j unctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. InEichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how truth functions does not fall anywhere in the three-part expeditio so prevalent in bothrhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts: "Freedom of opinion is a farce unless factual information is guaranteed" (238). The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking. Arendt's Polemical Agonism As I said, agonism does have its advocates within rhetoric—Burke, Ong, Sloane, Gage, and Jarratt, for instance—but while each of these theorists proposes a form of conflictual argument, not one of these is as adversarial as Arendt's. Agonism can emphasize persuasion, as does John Gage's textbook The Shape of Reason or William Brandt et al.'s The Craft of Writing. That is, the goal of the argument is to identify the disagreement and then construct a text that gains the assent of the audience. This is not the same as what Gage (citing Thomas Conley) calls "asymmetrical theories of rhetoric": theories that "presuppose an active speaker and a passive audience, a speaker whose rhetorical task is therefore to do something to that audience" ("Reasoned" 6). Asymmetric rhetoric is not and cannot be agonistic. Persuasive agonism still values conflict, disagreement, and equality among interlocutors, but it has the goal of reaching agreement, as when Gage says that the process of argument should enable one's reasons to be "understood and believed" by others (Shape 5; emphasis added). Arendt's version is what one might call polemical agonism: it puts less emphasis on gaining assent, and it is exemplified both in Arendt's own writing and in Donald Lazere's "Ground Rules for Polemicists" and "Teaching the Political Conflicts." Both forms of agonism (persuasive and polemical) require substantive debate at two points in a long and recursive process. First, one engages in debate in order to invent one's argument; even silent thinking is a "dialogue of myself with myself (Lectures 40). The difference between the two approaches to agonism is clearest when one presents an argument to an audience assumed to be an opposition. In persuasive agonism, one plays down conflict and moves through reasons to try to persuade one's audience. In polemical agonism, however, one's intention is not necessarily to prove one's case, but to make public one' s thought in order to test it. In this way, communicability serves the same function in philosophy that replicability serves in the sciences; it is how one tests the validity of one's thought. In persuasive agonism, success is achieved through persuasion; in polemical agonism, success may be marked through the quality of subsequent controversy. Arendt quotes from a letter Kant wrote on this point: You know that I do not approach reasonable objections with the intention merely of refuting them, but that in thinking them over I always weave them into my judgments, and afford them the opportunity of overturning all my most cherished beliefs. I entertain the hope that by thus viewing my judgments impartially from the standpoint of others some third view that will improve upon my previous insight may be obtainable. {Lectures 42) Kant's use of "impartial" here is interesting: he is not describing a stance that is free of all perspective; it is impartial only in the sense that it is not his own view. This is the same way that Arendt uses the term; she does not advocate any kind of positivistic rationality, but instead a "universal interdependence" ("Truth" 242). She does not place the origin of the "disinterested pursuit of truth" in science, but at "the moment when Homer chose to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector, the foe and the defeated man, no less than the glory of Achilles, the hero of his kinfolk" ("Truth" 262¬63). It is useful to note that Arendt tends not to use the term "universal," opting more often for "common," by which she means both what is shared and what is ordinary, a usage that evades many of the problems associated with universalism while preserving its virtues (for a brief butprovocative application of Arendt's notion of common, see Hauser 100-03). In polemical agonism, there is a sense in which one' s main goal is not to persuade one's readers; persuading one's readers, if this means that they fail to see errors and flaws in one' s argument, might actually be a sort of failure. It means that one wishes to put forward an argument that makes clear what one's stance is and why one holds it, but with the intention of provoking critique and counterargument. Arendt describes Kant's "hope" for his writings not that the number of people who agree with him would increase but "that the circle of his examiners would gradually be en¬larged" {Lectures 39); he wanted interlocutors, not acolytes. This is not consensus-based argument, nor is it what is sometimes called "consociational argument," nor is this argument as mediation or conflict resolution. Arendt (and her commentators) use the term "fight," and they mean it. When Arendt describes the values that are necessary in our world, she says, "They are a sense of honor, desire for fame and glory, the spirit of fighting without hatred and 'without the spirit of revenge,' and indifference to material advantages" {Crises 167). Pitkin summarizes Arendt's argument: "Free citizenship presupposes the ability to fight— openly, seriously, with commitment, and about things that really mat¬ter—without fanaticism, without seeking to exterminate one's oppo¬nents" (266). My point here is two-fold: first, there is not a simple binary opposition between persuasive discourse and eristic discourse, the conflictual versus the collaborative, or argument as opposed to debate. Second, while polemical agonismrequires diversity among interlocutors, and thus seems an extraordinarily appropriate notion, and while it may be a useful corrective to too much emphasis on persuasion, it seems to me that polemical agonism could easily slide into the kind of wrangling that is simply frustrating. Arendt does not describe just how one is to keep the conflict useful. Although she rejects the notion that politics is "no more than a battlefield of partial, conflicting interests, where nothing countfs] but pleasure and profit, partisanship, and the lust for dominion," she does not say exactly how we are to know when we are engaging in the existential leap of argument versus when we are lusting for dominion ("Truth" 263). Like other proponents of agonism, Arendt argues that rhetoric does not lead individuals or communities to ultimate Truth; it leads to decisions that will necessarily have to be reconsidered. Even Arendt, who tends to express a greater faith than many agonists (such as Burke, Sloane, or Kastely) in the ability of individuals to perceive truth, insists that self-deception is always a danger, so public discourse is necessary as a form of testing (see especially Lectures and "Truth"). She remarks that it is difficult to think beyond one's self-interest and that "nothing, indeed, is more common, even among highly sophisticated people, than the blind obstinacy that becomes manifest in lack of imagination and failure to judge" ("Truth" 242). Agonism demands that one simultaneously trust and doubt one' s own perceptions, rely on one's own judgment and consider the judgments of others, think for oneself and imagine how others think. The question remains whether this is a kind of thought in which everyone can engage. Is the agonistic public sphere (whether political, academic, or scientific) only available to the few? Benhabib puts this criticism in the form of a question: "That is, is the 'recovery of the public space' under conditions of modernity necessarily an elitist and antidemocratic project that can hardly be reconciled with the demand for universal political emancipa¬tion and the universal extension of citizenship rights that have accompa¬nied modernity since the American and French Revolutions?" (75). This is an especially troubling question not only because Arendt's examples of agonistic rhetoric are from elitist cultures, but also because of com¬ments she makes, such as this one from The Human Condition: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time" {Human 324). Yet, there are important positive political consequences of agonism. Arendt' s own promotion of the agonistic sphere helps to explain how the system could be actively moral. It is not an overstatement to say that a central theme in Arendt's work is the evil of conformity—the fact that the modern bureaucratic state makes possible extraordinary evil carried out by people who do not even have any ill will toward their victims. It does so by "imposing innumerable and various rules, all of which tend to 'normalize' its members, to make them behave, to exclude spontaneous action or outstanding achievement" (Human 40). It keeps people from thinking, and it keeps them behaving. The agonistic model's celebration of achievement and verbal skill undermines the political force of conformity, so it is a force against the bureaucratizing of evil. If people think for themselves, they will resist dogma; if people think of themselves as one of many, they will empathize; if people can do both, they will resist totalitarianism. And if they talk about what they see, tell their stories, argue about their perceptions, and listen to one another—that is, engage in rhetoric—then they are engaging in antitotalitarian action. In post-Ramistic rhetoric, it is a convention to have a thesis, and one might well wonder just what mine is—whether I am arguing for or against Arendt's agonism. Arendt does not lay out a pedagogy for us to follow (although one might argue that, if she had, it would lookmuch like the one Lazere describes in "Teaching"), so I am not claiming that greater attention to Arendt would untangle various pedagogical problems that teachers of writing face. Nor am I claiming that applying Arendt's views will resolve theoretical arguments that occupy scholarly journals. I am saying, on the one hand, that Arendt's connection of argument and thinking, as well as her perception that both serve to thwart totalitarian¬ism, suggest that agonal rhetoric (despite the current preference for collaborative rhetoric) is the best discourse for a diverse and inclusive public sphere. On the other hand, Arendt's advocacy of agonal rhetoric is troubling (and, given her own admiration for Kant, this may be intentional), especially in regard to its potential elitism, masculinism, failure to describe just how to keep argument from collapsing into wrangling, and apparently cheerful acceptance of hierarchy. Even with these flaws, Arendt describes something we would do well to consider thoughtfully: a fact-based but not positivist, communally grounded but not relativist, adversarial but not violent, independent but not expressivist rhetoric.

#### 3. Attempting to “tear down the system” and build something completely new is little more than abstract and apolitical moralism and idealism. The best way to solve for the modernity/coloniality project is via transformation of exiting democratic institutions.

Dussel, Argentine-Mexican writer and post-occidental/Decoloniality philosopher, 2008 (Enrique, Twenty Theses on Politics)

The question of whether or not it is possible to “change the world¶ without taking power” has from the outset been posed incorrectly. Power is not “taken'' as though it were a thing, an object at hand, or a well-bound package.¶ Power is a faculty belonging to the political community (» 2 ], to the people¶ [» 12]. The power that appears to be “taken" is merely the mediations or institutions of the delegated exercise (» 3] of this fundamental power. If the¶ delegated exercise of power takes the form of obedience [» 4 ], this power qua¶ service is just, adequate, and necessary. If one were to “take" control of already¶ corrupted institutions, or structures of fetishized power [ » 5], this exercise¶ would not operate to the benefit of the community, the people. As a result, one¶ cannot “change the world" through such a corrupted exercise, as should be¶ obvious by now. The subject, then, has been posed in a confusing manner. To¶ simplify, we could say that it is the position of Bakunin, of anarchism, that all¶ institutions are repressive [ » 7].¶ [20•1. 2 ] When an honest representative of the political community, the¶ people, is delegated for the exercise of institutional power, they must in the first¶ place not merely fulfill the already institutionally defined and structured func-¶ tions of power (potestas) [» 3]. It remains always necessary to consider whether¶ or not these given institutions truly serve to satisfy the demands of the community, the people, and social movements. If they do not serve these demands, they¶ need to be transformed. Chavez changed the Constitution at the outset of his¶ delegated exercise of power, as did Evo Morales. That is, the package of State¶ institutions (potestas) needs to be untied and changed as a whole by conserving¶ what is sustainable and eliminating what is unjust-thereby creating the new.¶ Power ( as potestas ) is not "taken" en bloc · It is reconstituted and exercised¶ critically in view of the material satisfaction of needs, in fulfillment of the¶ normative demands of democratic legitimacy, and within empirical political¶ possibility. But, to be clear, without the obediential exercise of delegated institutional power the world cannot feasibly be changed. To attempt to do so is little more¶ than abstract and apolitical 'moralism and idealism, which clearly results from¶ practical and theoretical confusions. However, these quasi-anarchists do in-¶ deed remind us that institutions become fetishized and always need to be¶ transformed, as Marx points out.¶ [20.1.3] On the level of strategic feasibility, in order to change the world one¶ needs to rely on an extraordinarily healthy political postulate: that of the¶ 'dissolution of the State." This postulate can be put approximately as follows:¶ We must operate in such a way as to tend toward the (empirically impossible)¶ identity of representation with the represented, in such a way that State¶ institutions become always increasingly transparent, effective, simplified, etc.¶ Such a condition would not, however, be a "minimal State"-in either the¶ Right-wing version of Nozick or the left-wing version of Bakunin-but rather a¶ "subjectified State," in which the institutions become diminished due to the¶ increasingly shared responsibility by all citizens ("We are all the State!").132 This¶ would need to proceed alongside the application of the electronic revolution in¶ order to reduce almost to zero the time and space required for citizen par,¶ ticipation, 133 in terms of collecting the opinion of the citizenry to constitute a¶ consensus or carry out bureaucratic procedures. This would be a virtual State¶ with decentralized offices, managed by Web sites, and the State of the future¶ would be so different from that of the present that many of its most bureau,¶ cratic, opaque, and bloated institutions would have disappeared . . . It would¶ appear that the State no longer exists, but it will be more present than ever as¶ the normative responsibility of each citizen toward the others. This is the¶ criterion of orientation that follows from the postulate of the 'dissolution of¶ the State."¶

### 2

#### 1. Embracing “experience” as the basis for epistemology ignores the mediated nature of experience. Experience is just another site for articulating the dominant ideology because it ignores the historical continuity of class domination in favor of a “local” understanding of oppression.

Young 6 (Robert, Red Critique, Winter/Spring, “Putting Materialism back into Race Theory”, <http://www.redcritique.org/WinterSpring2006/puttingmaterialismbackintoracetheory.htm>)

Bourgeois philosophical assumptions haunt the Afrocentric project and, in the domain of black feminist theory, Patricia Hill Collins provides an instructive example of this intersection. In Black Feminist Thought, Collins posits the "special angle of vision" that black women bring to knowledge production process (21), and this "unique angle" (22) provides the "standpoint" for Afrocentric feminism, a feminism that she equates with humanism (37). Similar to the experiential metaphysics of Black women's standpoint theory, Collins also situates Afrocentric feminist epistemology "in the everyday experiences of African-American women" (207). Consequently, Collins suggests that "concrete experience" constitutes a criterion of meaning (208). However, the experiential, the "real", does not adequate the "truth", as Collins implies. Collins rejects the "Eurocentric Masculinist Knowlege Validation Process" for its positivism but, in turn, she offers empiricism as the grounds for validating experience. Hence, the validity of experiential claims is adjudicated by reference to the experience. Not only is her argument circular, but it also undermines one of her key claims. If race, class, gender, and the accompanying ideological apparatuses are interlocking systems of oppression, as Collins suggest, then the experiential is not the site for the "true" but rather the site for the articulation of dominant ideology. On what basis then, could the experiential provide grounds for an historical understanding of the structures that make experience itself possible as experience? Asante and Collins assume that experience is self-intelligible and in their discourse it functions as the limit text of the real. However, I believe experience is a highly mediated frame of understanding. Though it is true that a person of color experiences oppression, this experience is not self-explanatory and, therefore, it needs to be situated in relation to other social practices. Experience seems local but it is, like all cultural and political practices, interrelated to other practices and experiences. Thus its explanation come from its "outside". Theory, specifically Marxist theory, provides an explanation of this outside by reading the meaning of all experiences as determined by the economic realities of class. While Asante's and Collins' humanism reads the experience of race as a site of "self-presence", the history of race in the United States—from slavery to Jim Crow to Katrina—is written in the fundamental difference of class. In other words, experience does not speak the real, but rather it is the site of contradictions and, hence, in need of conceptual elaboration to break from cultural common sense, a conduit for dominant ideology. It is this outside that has come under attack by black (humanist) scholars through the invocation of the black (transcendental) subject.

#### 2. The logic of capitalism results in extinction through the creation of ecological catastrophe and violent imperialist wars that will turn nuclear

Foster 5 [John Bellamy, Monthly Review, September, Vol. 57, Issue 4, “Naked Imperialism”, <http://www.monthlyreview.org/0905jbf.htm>]

From the longer view offered by a historical-materialist critique of capitalism, the direction that would be taken by U.S. imperialism following the fall of the Soviet Union was never in doubt. Capitalism by its very logic is a globally expansive system. The contradiction between its transnational economic aspirations and the fact that politically it remains rooted in particular nation states is insurmountable for the system. Yet, ill-fated attempts by individual states to overcome this contradiction are just as much a part of its fundamental logic. In present world circumstances, when one capitalist state has a virtual monopoly of the means of destruction, the temptation for that state to attempt to seize full-spectrum dominance and to transform itself into the de facto global state governing the world economy is irresistible. As the noted Marxian philosopher István Mészáros observed in Socialism or Barbarism? (2001)—written, significantly, before George W. Bush became president: “[W]hat is at stake today is not the control of a particular part of the planet—no matter how large—putting at a disadvantage but still tolerating the independent actions of some rivals, but the control of its totality by one hegemonic economic and military superpower, with all means—even the most extreme authoritarian and, if needed, violent military ones—at its disposal.” The unprecedented dangers of this new global disorder are revealed in the twin cataclysms to which the world is heading at present: nuclear proliferation and hence increased chances of the outbreak of nuclear war, and planetary ecological destruction. These are symbolized by the Bush administration’s refusal to sign the Comprehensive Test Ban Treaty to limit nuclear weapons development and by its failure to sign the Kyoto Protocol as a first step in controlling global warming. As former U.S. Secretary of Defense (in the Kennedy and Johnson administrations) Robert McNamara stated in an article entitled “Apocalypse Soon” in the May–June 2005 issue of Foreign Policy: “The United States has never endorsed the policy of ‘no first use,’ not during my seven years as secretary or since. We have been and remain prepared to initiate the use of nuclear weapons—by the decision of one person, the president—against either a nuclear or nonnuclear enemy whenever we believe it is in our interest to do so.” The nation with the greatest conventional military force and the willingness to use it unilaterally to enlarge its global power is also the nation with the greatest nuclear force and the readiness to use it whenever it sees fit—setting the whole world on edge. The nation that contributes more to carbon dioxide emissions leading to global warming than any other (representing approximately a quarter of the world’s total) has become the greatest obstacle to addressing global warming and the world’s growing environmental problems—raising the possibility of the collapse of civilization itself if present trends continue. The United States is seeking to exercise sovereign authority over the planet during a time of widening global crisis: economic stagnation, increasing polarization between the global rich and the global poor, weakening U.S. economic hegemony, growing nuclear threats, and deepening ecological decline. The result is a heightening of international instability. Other potential forces are emerging in the world, such as the European Community and China,that could eventually challenge U.S. power, regionally and even globally. Third world revolutions, far from ceasing, are beginning to gain momentum again, symbolized by Venezuela’s Bolivarian Revolution under Hugo Chávez. U.S. attempts to tighten its imperial grip on the Middle East and its oil have had to cope with a fierce, seemingly unstoppable, Iraqi resistance, generating conditions of imperial overstretch. With the United States brandishing its nuclear arsenal and refusing to support international agreements on the control of such weapons, nuclear proliferation is continuing. New nations, such as North Korea, are entering or can be expected soon to enter the “nuclear club.” Terrorist blowback from imperialist wars in the third world is now a well-recognized reality, generating rising fear of further terrorist attacks in New York, London, and elsewhere. Such vast and overlapping historical contradictions, rooted in the combined and uneven development of the global capitalist economy along with the U.S. drive for planetary domination, foreshadow what is potentially the most dangerous period in the history of imperialism. The course on which U.S and world capitalism is now headed points to global barbarism—or worse. Yet it is important to remember that nothing in the development of human history is inevitable. There still remains an alternative path—the global struggle for a humane, egalitarian, democratic, and sustainable society. The classic name for such a society is “socialism.” Such a renewed struggle for a world of substantive human equality must begin by addressing the system’s weakest link and at the same time the world’s most pressing needs—by organizing a global resistance movement against the new naked imperialism.

#### 3. Vote negative to adopt the historical material criticism of the 1NC - historical analysis of the material conditions of capital is the only way to break free from is contradictions and social inequalities it causes

Tumino 1 (Steven, teaches at the City University of New York, Spring, What is Orthodox Marxism and Why it Matters Now More Than Ever Before)

Any effective political theory will have to do at least two things: it will have to offer an integrated understanding of social practices and, based on such an interrelated knowledge, offer a guideline for praxis. My main argument here is that among all contesting social theories now, only Orthodox Marxism has been able to produce an integrated knowledge of the existing social totality and provide lines of praxis that will lead to building a society free from necessity. But first I must clarify what I mean by Orthodox Marxism. Like all other modes and forms of political theory, the very theoretical identity of Orthodox Marxism is itself contested—not just from non-and anti-Marxists who question the very "real" (by which they mean the "practical" as under free-market criteria) existence of any kind of Marxism now but, perhaps more tellingly, from within the Marxist tradition itself. I will, therefore, first say what I regard to be the distinguishing marks of Orthodox Marxism and then outline a short polemical map of contestation over Orthodox Marxism within the Marxist theories now. I will end by arguing for its effectivity in bringing about a new society based not on human rights but on freedom from necessity. I will argue that to know contemporary society—and to be able to act on such knowledge—one has to first of all know what makes the existing social totality. I will argue that the dominant social totality is based on inequality—not just inequality of power but inequality of economic access (which then determines access to health care, education, housing, diet, transportation, . . . ). This systematic inequality cannot be explained by gender, race, sexuality, disability, ethnicity, or nationality. These are all secondary contradictions and are all determined by the fundamental contradiction of capitalism which is inscribed in the relation of capital and labor. All modes of Marxism now explain social inequalities primarily on the basis of these secondary contradictions and in doing so—and this is my main argument—legitimate capitalism. Why? Because such arguments authorize capitalism without gender, race, discrimination and thus accept economic inequality as an integral part of human societies. They accept a sunny capitalism—a capitalism beyond capitalism. Such a society, based on cultural equality but economic inequality, has always been the not-so-hidden agenda of the bourgeois left—whether it has been called "new left," "postmarxism," or "radical democracy." This is, by the way, the main reason for its popularity in the culture industry—from the academy (Jameson, Harvey, Haraway, Butler,. . . ) to daily politics (Michael Harrington, Ralph Nader, Jesse Jackson,. . . ) to. . . . For all, capitalism is here to stay and the best that can be done is to make its cruelties more tolerable, more humane. This humanization (not eradication) of capitalism is the sole goal of ALL contemporary lefts (marxism, feminism, anti-racism, queeries, . . . ). Such an understanding of social inequality is based on the fundamental understanding that the source of wealth is human knowledge and not human labor. That is, wealth is produced by the human mind and is thus free from the actual objective conditions that shape the historical relations of labor and capital. Only Orthodox Marxism recognizes the historicity of labor and its primacy as the source of all human wealth. In this paper I argue that any emancipatory theory has to be founded on recognition of the priority of Marx's labor theory of value and not repeat the technological determinism of corporate theory ("knowledge work") that masquerades as social theory.

#### 4. Class divisions are the root of all other oppressions

Kovel 2 (Alger Hiss Professor of Social Studies at Bard College, awarded Fellowship at the John Guggenheim Foundation, Joel, The Enemy of Nature, pages 123-124)

If, however, we ask the question of efficacy, that is, which split sets the others into motion, then priority would have to be given to class, for the plain reason that class relations entail the state as an instrument of enforce­ment and control, and it is the state that shapes and organizes the splits that appear in human ecosystems. Thus class is both logically and historically distinct from other forms of exclusion (hence we should not talk of 'classism' to go along with 'sexism' and 'racism,' and `species-ism'). This is, first of all, because class is an essentially man-made category, without root in even a mystified biology. We cannot imagine a human world without gender dis­tinctions – although we can imagine a world without domination by gender. But a world without class is eminently imaginable – indeed, such was the human world for the great majority of our species' time on earth, during all of which considerable fuss was made over gender. Historically, the difference arises because 'class' signifies one side of a larger figure that includes a state apparatus whose conquests and regulations create races and shape gender relations. Thus there will be no true resolution of racism so long as class society stands, inasmuch as a racially oppressed society implies the activities of a class-defending state.'° Nor can gender inequality be enacted away so long as class society, with its state, demands the super-exploitation of woman's labour. Class society continually generates gender, racial, ethnic oppressions and the like, which take on a life of their own, as well as profoundly affecting the concrete relations of class itself. It follows that class politics must be fought out in terms of all the active forms of social splitting. It is the management of these divisions that keeps state society functional. Thus though each person in a class society is reduced from what s/he can become, the varied reductions can be combined into the great stratified regimes of history — this one becoming a fierce warrior, that one a routine-loving clerk, another a submissive seamstress, and so on, until we reach today's personi­fications of capital and captains of industry. Yet no matter how functional a class society, the profundity of its ecological violence ensures a basic antagonism which drives history onward. History is the history of class society — because no matter how modified, so powerful a schism is bound to work itself through to the surface, provoke resistance (`class struggle'), and lead to the succession of powers. The relation of class can be mystified without end — only consider the extent to which religion exists for just this purpose, or watch a show glorifying the police on television — yet so long as we have any respect for human nature, we must recognize that so funda­mental an antagonism as would steal the vital force of one person for the enrichment of another cannot be conjured away.

#### 5. Historical materialism must come first - it predetermines consciousness and the very possibilities of reflective thinking

**Marx 1859** (Karl, a pretty important dude. “A Contribution to the Critique of Political Economy: Preface” http://www.marxists.org/archive/marx/works/1859/critique-pol-economy/preface.htm) JM

>edited for gendered language<

In the social production of their existence, [people] inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in the development of their material forces of production. The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness. The mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of [people] that determines their existence, but their social existence that determines their consciousness. At a certain stage of development, the material productive forces of society come into conflict with the existing relations of production or – this merely expresses the same thing in legal terms – with the property relations within the framework of which they have operated hitherto. From forms of development of the productive forces these relations turn into their fetters. Then begins an era of social revolution. The changes in the economic foundation lead sooner or later to the transformation of the whole immense superstructure. In studying such transformations it is always necessary to distinguish between the material transformation of the economic conditions of production, which can be determined with the precision of natural science, and the legal, political, religious, artistic or philosophic – in short, ideological forms in which [people] become conscious of this conflict and fight it out. Just as one does not judge an individual by what he thinks about himself, so one cannot judge such a period of transformation by its consciousness, but, on the contrary, this consciousness must be explained from the contradictions of material life, from the conflict existing between the social forces of production and the relations of production. No social order is ever destroyed before all the productive forces for which it is sufficient have been developed, and new superior relations of production never replace older ones before the material conditions for their existence have matured within the framework of the old society.

### Case

#### The aff’s politics of personal identity forecloses any possibility real social change. If you are concerned with real bodies in pain and suffering, effective advocacy demands that you move beyond yourself to understand the structures in society that make these impacts inevitable. Vote negative to reject this myopic brand of politics.

Minow 97[Martha, Not Only For Myself: Identity, Politics, and the Law, Professor of Law @ Harvard, p. 56-57]

Identity politics tends to locate the problem in the identity group rather than the social relations that produce identity groupings.235 **Personal testimony about oppression risks replacing analysis of social structures that produce and maintain it**.236 **Personal testimony is crucial to articulating and maintaining memories, but incapable of providing either analysis of the past or constructive programs for the future. Cornel West observes: "we confine discussions about race in America to the 'problems' black people pose for whites rather than consider what this way of viewing black people reveals about us as a nation."**237 **Serious discussion of race in America, he argues, "must begin not with the problems of black people but with the flaws in American society—flaws rooted in historic inequalities and longstanding cultural stereotypes."**238 Identity politics is likely to reinforce white people's conception of blacks as "them" rather than bringing home people's mutual dependence and relationships. Identity politics tends to produce not only defensiveness among white men, but also makes it easier for white men to abandon and even blame people of color and women of all sorts for their circumstances. More basically, identity politics seems to breed more identity politics. Judith **Butler put the limitations of identity politics bluntly: "You can articulate your identity all you want; you need the damn resources in order to respond to the concrete problems of bodies in pain."**241 **To get the resources, you need to work with others; to care about other bodies in pain, you need to move beyond your own circumstances.** Racial patterns of inequality persist and expand.242 Yet, there remain twice as many whites as blacks below the poverty line.243 **Something more than identity politics is needed to get a grip on these developments and to engage in resistance to them.**244 A politics not of identities but of envisioned alternatives could bridge identity cleavages without demanding that people dissolve their differences in a pot of assimilation that does not absorb all. I do not want to understate the positive aspects of identity politics: valuable conceptions and occasions for being for oneself and forging solidarity with others based on a perception of a shared trait; important challenges to exclusionary practices; and effective questions about exclusionary practices that claim to be inclusive, such as colorblind policies that nonetheless produce virtually all-white beneficiaries. Identity politics also disturbs the repression of historic and continuing group-based injuries. Yet, ironically, **identity politics responds to group-based exclusions by reiterating the very same group boundaries. The problem is not only that responses to oppression reiterate the oppressive strategy of treating identity as fixed. The potentially multiple, fluid qualities of any person's identity seem to evaporate in the assertion of a single trait. Considerable power must be marshalled to accomplish this disappearing act, given the complexity of anyone's identity. And this magical result does not, at the same time, produce purposes or causes that effectively mobilize people against oppression.**

**The affirmative’s focus on personal narratives and experiences creates a therapeutic model of debate that merely counsels the individual victims of oppression. This locates the cause of problems and solutions within the self, which invites political inaction and leaves structural causes of oppression untouched as long as we have adopted their method** [found survival strategies for blackness, opened debate up for inclusion of alternative perspectives, etc.]. **This effectively absolves intellectuals of responsibility for racism while allowing it to thrive.**

**Tonn 5 – assoc. prof of comm. @ u of Maryland**

(Mari, “Taking Conversation, Dialogue, and Therapy Public ,” Rhetoric & Public Affairs 8.3 (2005) 405-430)

**Approaching public controversies through a conversational model informed by therapy** also **enables political inaction** in two respects. First, **an open-ended process lacking mechanisms for closure thwarts progress toward resolution.** As Freeman writes of consciousness raising, **an unstructured, informal discussion** [End Page 418] **"leaves people with no place to go and** the lack of structure leaves them with **no way of getting there."**70 Second, **the** therapeutic **impulse to emphasize the self as both problem and solution ignores structural impediments constraining individual agency.** "**Therapy**," Cloud argues, "**offers consolation rather than compensation, individual adaptation rather than social change, and an experience of politics that is impoverished in its isolation from structural critique and collective action.**" Public **discourse emphasizing healing and coping**, she claims, "**locates** blame and **responsibility for solutions in the private sphere.**"71¶ **Clinton's Conversation on Race** not only **exemplified the** frequent **wedding of public dialogue and therapeutic themes but also illustrated the failure of a conversation-as-counseling model to achieve meaningful social reform.** In his speech inaugurating the initiative, Clinton said, "Basing our self-esteem on the ability to look down on others is not the American way . . . Honest dialogue will not be easy at first . . . Emotions may be rubbed raw, but we must begin." Tempering his stated goal of "concrete solutions" was the caveat that "power cannot compel" racial "community," which "can come only from the human spirit."72¶ **Following the president's cue to self-disclose emotions, citizens** chiefly **aired personal experiences and perspectives during** the **various community dialogues.** In keeping with their talk-show formats, **the forums showcased** what Orlando Patterson described as **"performative 'race' talk,"** "public speech acts" of denial, proclamation, defense, exhortation, and even apology, in short, **performances of "self" that left little room for productive public argument.**73 **Such personal evidence overshadowed the "facts" and "realities"** Clinton also had promised to explore, **including, for example, statistics on discrimination patterns in employment, lending, and criminal justice or expert testimony on cycles of dependency, poverty, illegitimacy, and violence.**¶ **Whereas Clinton had encouraged "honest dialogue"** in the name of "responsibility" and "community," **Burke argues that "The Cathartic Principle" often produces the reverse. "[C]onfessional,"** he writes, **"contains in itself a kind of 'personal irresponsibility,' as we may even relieve ourselves of private burdens by befouling the public medium."** More to the point, "**a thoroughly 'confessional' art may enact a kind of 'individual salvation at the expense of the group,'" performing a "sinister function, from the standpoint of overall-social necessities."**74 **Frustrated observers of the racial dialogue—many of them African Americans—echoed Burke's concerns.** Patterson, for example, noted, "when a young Euro-American woman spent nearly five minutes of our 'conversation' in Martha's Vineyard . . . publicly confessing her racial insensitivities, she was directly unburdening herself of all sorts of racial guilt feeling. **There was nothing to argue about.**"75 Boston Globe columnist Derrick Z. **Jackson invoked** the game metaphor communication theorists often link to [End Page 419] skills in conversation,76 voicing **suspicion of a talking cure for racial ailments that included neither** exhaustive **racial data nor concrete goals.** **"The game,"** wrote Jackson, **"is to get 'rid' of responsibility for racism while doing nothing to solve it."**77

**This means the affirmative actively provides fuel to the fire of hegemonic debate practices. As long as the community provides an avenue for self-expression, the issue is resolved. This actively discourages structural solutions to problems of inequality because it makes narrative as a sufficient remedy.**

**Tonn 5 – assoc. prof of comm. @ u of Maryland**

(Mari, “Taking Conversation, Dialogue, and Therapy Public ,” Rhetoric & Public Affairs 8.3 (2005) 405-430)

Fourth, **a communicative model that views public issues through a** relational, **personal, or therapeutic lens nourishes hegemony by inviting political inaction.** **Whereas the objective of conventional public argument is** achieving **an instrumental goal such as a verdict or legislation, the aim of social conversation generally stops with self-expression.** As Schudson puts it, **"Conversation has no end outside itself."**39 Similarly, modeling therapeutic **paradigms that trumpet "talking cures" can discourage a search for political solutions** to public problems **by casting cathartic talk as sufficient remedy.** As Campbell's analysis of consciousness-raising groups in the women's liberation movement points out, **"[S]olutions must be structural, not merely personal**, and **analysis must move beyond personal experience and feeling** . . . **Unless such transcendence occurs, there is no persuasive campaign** . . . **[but] only the very limited realm of** therapeutic, **small group interaction.**"40¶ Finally, and related, **a therapeutic framing of social problems threatens to locate the source and solution to such ills solely within the individual**, the **"self-help"** on which much therapy rests. A postmodern therapeutic **framing** of conflicts as relational misunderstandings occasioned by a lack of dialogue not only assumes that familiarity inevitably breeds caring (rather than, say, irritation or contempt) but, more importantly, **provides cover for ignoring the structural dimensions of social problems** such as disproportionate black [End Page 412] poverty. If objective reality is unavoidably a fiction, as Sheila McNamee claims, **all suffering can be dismissed as psychological rather than based in real, material circumstance, enabling** defenders of **the status quo** to admonish citizens to "heal" themselves.

**Their politics of resistance are politically amorphous. They refuse to be tied down to particular strategies and are more concerned with what they stand against than what they stand for. This is a focus on personal empowerment rather than wider social change, which builds up the legitimacy of liberalism by providing venues for the subject to assert him or herself. The affirmative ensures that everyone feels empowered, but nobody actually is.**

**Brown 95—**prof at UC Berkeley

(Wendy, States of Injury, 21-3)

**For some**, fueled by opprobrium toward regulatory norms or other modalities of domination, **the language of "resistance" has taken up** the **ground** vacated by a more expansive practice of freedom. **For others, it is the discourse of “empowerment”** that carries the ghost of freedom's valence ¶ 22¶. **Yet** as many have noted, insofar as **resistance** is an effect of the regime it **opposes** on the one hand, **and** insofar as **its practitioners often seek to void it of normativity** to differentiate it from the (regulatory) nature **of what it opposes on the other, it is** at best politically rebellious; at worst, **politically amorphous. Resistance stands against, not for; it is re-action to domination**, rarely willing to admit to a desire for it, **and it is neutral with regard to possible political direction. Resistance is in no way** constrained to **a radical or emancipatory aim.** a fact that emerges clearly as soon as one analogizes Foucault's notion of resistance to its companion terms in Freud or Nietzsche. Yet in some ways this point is less a critique of Foucault, who especially in his later years made clear that his political commitments were not identical with his theoretical ones (and un- apologetically revised the latter), than a sign of his misappropriation. For Foucault, resistance marks the presence of power and expands our under- standing of its mechanics, but it is in this regard an analytical strategy rather than an expressly political one. "Where there is power, there is resistance, and yet. or rather consequently, this **resistance is never in a position of exteriority to power**. . . . (T]he strictly relational character of power relationships . . . depends upon a multiplicity of points of resistance: these play the role of adversary, target, support, or handle in power relations.\*39 **This appreciation of the extent to which resistance is by no means inherently subversive** of power also **reminds us that it is only by recourse to a very non-Foucaultian moral evaluation of power as bad** or that which is to be overcome that **it is possible to equate resistance with that which is good, progressive, or seeking an end to domination.** ¶ If **popular and academic notions of resistance attach**, however **weakly** at times, **to a tradition of protest, the** other contemporary substitute for a **discourse of** freedom—**“empowerment”**—would seem to correspond more closely to a tradition of idealist reconciliation. **The language of resistance implicitly acknowledges** the extent to which **protest always transpires inside the regime**; **“empowerment,”** in contrast, **registers the possibility of generating one’s capacities, one’s “self-esteem,” one’s life** course, **without capitulating to** constraints by **particular regimes of power. But in so doing, contemporary discourses of empowerment** too often **signal an oddly adaptive and harmonious relationship with domination insofar as they locate an individual’s sense of worth and capacity in the register of individual feelings, a register** implicitly **located on** some- thing of **an other worldly plane vis-a-vis social and political power.** In this regard, **despite its apparent locution of resistance** to subjection, **contemporary discourses of empowerment partake strongly of liberal solipsism—the radical decontextualization of the subject** characteristic of¶ 23¶ liberal discourse **that is key to the fictional sovereign individualism of liberalism.** Moreover, **in its almost exclusive focus on subjects’ emotional bearing and self-regard, empowerment** is a formulation that **converges with a regime’s own legitimacy needs in masking the power of the regime.** This is not to suggest that talk of empowerment is always only illusion or delusion. It is to argue, rather, that while **the notion of empowerment** articulates that feature of freedom concerned with action, with being more than the consumer subject figured in discourses of rights and economic democracy, contemporary deployments of that notion also **draw so heavily on** an undeconstructed **subjectivity that they risk establishing a wide chasm between the (experience of) empowerment and an actual capacity to shape the terms of political, social, or economic life.** Indeed, **the possibility that one can “feel empowered” without being so forms an important element of legitimacy for** the antidemocratic dimensions of **liberalism.**

## 2NC

### Framework

#### The impact outweighs—deliberative debate models impart skills vital to respond to existential threats

Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p. 311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them, to sort through and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly information-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediated information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology for enhancing democratic deliberative capacities. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life.

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class, gender, and racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; and increasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

#### Resolutionally grounded deliberation is an essential precondition to deliberation---their arguments, while valuable, justify advocacy for a different topic not for abdicating topical discussion---forfeiting the res destroys the communicative value of debate and means that individual activities could achieve the same purpose

Waldron 12—Professor of Law, Jurisprudence and Social Policy Program, School of Law (Boalt Hall), and Professor of Philosophy, University of California at Berkeley (Jeremy, The Dignity of Legislation, digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2949&context=mlr&sei-redir=1&referer=http%3A%2F%2Fscholar.google.com%2Fscholar%3Fhl%3Den%26q%3Dthe%2Bdignity%2Bof%2Blegislation%26btnG%3D%26as\_sdt%3D1%252C14%26as\_sdtp%3D#search=%22dignity%20legislation%22)

No doubt, in the course of discussion, someone may feel that it would be wiser for the assembly to discuss a somewhat different proposition than the one specified, perhaps worded in a subtly or substantially different way. But if they want to press the point, the parliamentary rule is that they must move an amendment, changing the wording of the motion under discussion, once again in a specifically formulated way. Proceedings are then devoted to a discussion of the virtues of the amendment, qua amendment, and a vote is taken on that, before the substantive discussion is resumed. And again, we see the virtue of this way of doing things in a diverse assembly. In conversation among friends, the topic may shift in an open-ended way, and people familiar with one another have both the willingness and the ability to keep track. But in an assembly consisting of people who are largely strangers to one another, deliberation would be hopeless if there was a sense that the topic might or might not have shifted slightly after every contribution. So, although amendment processes exist, their formulaic character and the rules governing their proposal and adoption provide a way of keeping track of where the discussion is, a way of keeping track which does not depend upon implicit understandings that some of the members may not share.¶ When discussion is exhausted, a vote may be called for, and-if my experience of law faculty meetings is any indication-someone will immediately leap to their feet and say: "I'm confused. What exactly are we voting on?" In a well-run assembly, the clerk or secretary will be in a position at that stage to read out the proposition (as amended) which now is the focus of the final vote. Once again, the determinacy of that proposition, as formulated and as amended, is important to establish a sense that we are all orienting our actions in voting to the same object. It is important for me to know, for example, that what I take myself to be voting against is exactly what my opponent takes himself to be voting in favor of. Otherwise, the idea that our votes, on a given occasion, are to be aggregated and weighed against one another becomes a nonsense.¶ What I have just described is rudimentary by comparison with the processes employed in actual legislative assemblies such as the Congress of the United States. Bills are longer and more complex than the sort of motions one hears at faculty meetings. They have usually been drafted-more or less competently-in advance, and there are many stages of deliberation (including committee stages, whose proceedings may be much less formal) that bills must go through before they are adopted. And, this is to say nothing of the vicissitudes of bicamerality, conference committees, and the rest.¶ For the most part, however, these complications enhance the need for a determinate text to focus and coordinate the various stages of the legislative process. Without a text to consider, to mark up, to amend, to confer about, and to vote upon, the process of law-making in a large and unwieldy assembly would have even a greater air of babel-like futility than that which is currently associated with Congress.¶ Thus, whether we are talking about a small-scale meeting or a large-scale legislative process, the positing of a formulated text as the resolution under discussion provides a focus for the ordering of deliberation at every stage. The existence of a verbalized bill, motion, or resolution is key to norms of relevance, and key to the sense, which procedural rules are supposed to provide, that participants' contributions are relevant to one another and that they are not talking at cross purposes. Maybe, a one-person deliberative body can do without this-though even there, many of us are familiar with the mnemonic virtues of a formulated proposition in our own solitary decision-making. And maybe, decision-making in a small group of oligarchs or in a junta of familiars can do without this as well, if they can move toward consensus on the basis of conversational informality. But the sense of a determinate focus for discussion-something whose existence is distinct from the will or tacit understandings of particular members'- seems absolutely indispensable for a large and diverse assembly of people whose knowledge and trust of one another is limited.¶ VIII If there is anything to this hypothesis, then we might want to start thinking about the textual canonicity of legislation in a slightly different way. I said in Part I that one of the values most commonly associated in the modern world with legislation is democratic legitimacy: We should defer to statutes because they have been enacted by a democratically elected entity. Just as the idea of democracy is insufficient to explain why we prefer a large elected legislature to a single elected legislator, so the democratic principle is insufficient to explain the particular way in which authority is accorded to legislation in the mod- ern world, viz., by taking seriously the exact words that were used in the formulations that emerged from the legislative chamber. If I am right, we now have an explanation for the importance of the ipsissima verba which is oriented primarily to the legislators' dealings among themselves, rather than directly to the issue of their collective authority vis-a-vis the people.¶ The final step, then, in pursuit of this hypothesis would be to show how this account of the importance of a text to the legislators is connected with the authority of the text for its intended audience. Here there are a couple of lines to pursue. First, as we have seen, the existence of orderly discussion is necessary to secure whatever Aristotelian advantages accrue from deliberation in a large and diverse group. Unless the diverse experiences and knowledge of the various legislators can connect and be synthesized, it is unlikely that their interaction will produce standards that are superior to those that any individual citizen could work out for herself. The conditions for orderly discussion, then, are indirectly conditions for the legislature's authority, in the Razian sense.8 9 In other words, authority requires superior expertise; superior expertise comes from deliberation among those who are different from one another; deliberation among those who are different from one another is possible only on the basis of formal rules of order; and crucial to rules of order is the postulation of an agreed text as the focus of discussion.¶ Second, respect for statute law is partly a matter of respect for the legislature as a forum whose representativeness is an aspect of the fairness 90 of the way a community makes its decisions. To the extent that representativeness requires diversity in the assembly, respect for that fairness is a matter of respecting the conditions under which diverse representatives can deliberate coherently. Thus, fairness-based respect for the legislature as a body may require not only that we respect the standards which it posits, but also that we respect these more formal aspects of the way in which its posited standards are arrived at- and thus that we respect the standards in question under the auspices of text-based formality.9 '

#### Decision making is an essential framework for including others into your decision calculus---it’s an ethical process that we can learn in debate to SUPPLEMENT ethical theories we come up with outside of the game

Hooker 8—Tepper School of Business, Carnegie Mellon University (John, Ethics as Rational Choice, http://web.tepper.cmu.edu/ethics/rationalchoice.pdf)

Ethics can be viewed as rational choice. A decision must have a consistent rationale behind it, or else it is not an ethical decision. Rationality may not be a sufficient criterion for ethical choice, but it is necessary. It is useful as well. It can provide an objective guide for decision making in business situations and everyday life. Although rational choice is popularly identified with rational self-interest, the ethical literature has developed a broader point of view. Neglecting the interests of others is irrational—not because it may eventually damage your own interests—but because it is logically inconsistent. ¶ This essay presents three specific conditions that a decision must satisfy in order to be logically consistent. They might be viewed as three Laws of Ethics, analogous to Newton’s Laws in physics. They help explain our intuitions as to what is right and wrong. More importantly, they are useful for resolving cases in which our intuitions are unclear. ¶ There are several advantages to viewing ethics as rational choice in this broader sense. It provides a conceptual framework that allows you to analyze complex business decisions that involve multiple stakeholders (as nearly all do). It offers a style of argument that can appeal to all parties, since rational choice, by definition, considers all points of view. It provides a vocabulary with which you can articulate an ethical position and defend yourself from pressure to compromise. ¶ Learning to Make Rational Choices ¶ Making rational choices is a skill, and like any skill, it requires practice. Reading this essay is only the beginning. You should work through “Ethical Analysis of Mini-cases” and make sure you follow the arguments. It is impossible to understand the ideas discussed here until you apply them to real ethical dilemmas. Additional exercises will be provided in class and as homework. ¶ Finally, you should practice analyzing cases in other courses, as well as decisions on the job, from an ethical point of view. Psychological research shows that the key to developing expertise in any endeavor is prolonged, continuous, intelligent practice. 1 This goes for ethical decision making in particular. ¶ Even with practice, intellectual analysis alone won’t make your decisions for you. You can’t just turn a crank and get the right answer. As in any field, judgment and experience are indispensable, and good decisions come from the heart as well as the mind. Yet wisdom must be built on a foundation of rigorous analysis and clear thinking.

**Our method solves – Even if the resolution is wrong, having a devil’s advocate in deliberation is vitally important to critical thinking skills and avoiding groupthink**

**Hugo Mercier and Hélène Landemore- 2011**

(Philosophy, Politics and Economics prof @ U of Penn, Poli Sci prof @ Yale), Reasoning is for arguing: Understanding the successes and failures of deliberation, Political Psychology, http://sites.google.com/site/hugomercier/publications

Reasoning can function outside of its normal conditions when it is used purely internally. But it is not enough for reasoning to be done in public to achieve good results. And indeed the problems of individual reasoning highlighted above, such **as polarization and overconfidence, can** also **be found in group reasoning** (Janis, 1982; Stasser & Titus, 1985; Sunstein, 2002). Polarization and overconfidence happen **because not all group discussion is deliberative.** According to some definitions of deliberation, including the one used in this paper, **reasoning has to be applied to the same thread of argument *from different opinions* for deliberation to occur.** As a consequence, “**If the participants are mostly like-minded or hold the same views before they enter into the discussion, they are not situated in the circumstances of deliberation.”** (Thompson, 2008: 502). We will presently review evidence showing that the absence or the silencing of dissent is a quasi-necessary condition for polarization or overconfidence to occur in groups. Group polarization has received substantial empirical support. 11 So much support in fact that Sunstein has granted group polarization the status of law (Sunstein, 2002). There is however an important caveat: group polarization will mostly happen when people share an opinion to begin with. In defense of his claim, Sunstein reviews an impressive number of empirical studies showing that many groups tend to form more extreme opinions following discussion. The examples he uses, however, offer as convincing an illustration of group polarization than of the necessity of having group members that share similar beliefs at the outset for polarization to happen (e.g. Sunstein, 2002: 178). Likewise, in his review of the group polarization literature, Baron notes that “The crucial antecedent condition for group polarization to occur is the presence of a likeminded group; i.e. individuals who share a preference for one side of the issue.” (Baron, 2005). Accordingly, when groups do not share an opinion, they tend to depolarize. This has been shown in several experiments in the laboratory (e.g. Kogan & Wallach, 1966; Vinokur & Burnstein, 1978). Likewise, studies of deliberation about political or legal issues report that many groups do not polarize (Kaplan & Miller, 1987; Luskin, Fishkin, & Hahn, 2007; Luskin et al., 2002; Luskin, Iyengar, & Fishkin, 2004; Mendelberg & Karpowitz, 2000). On the contrary, some groups show a homogenization of their attitude (they depolarize) (Luskin et al., 2007; Luskin et al., 2002). The contrasting effect of discussions with a supportive versus dissenting audience is transparent in the results reported by Hansen ( 2003 reported by Fishkin & Luskin, 2005). Participants had been exposed to new information about a political issue. When they discussed it with their family and friends, they learned more facts supporting their initial position. On the other hand, during the deliberative weekend—and the exposition to other opinions that took place—they learned more of the facts supporting the view they disagreed with. The present theory, far from being contradicted by the observation that groups of likeminded people reasoning together tend to polarize, can in fact account straightforwardly for this observation. **When people are engaged in a genuine deliberation, the confirmation bias present in each individual’s reasoning is checked, compensated by the confirmation bias of individuals who defend another opinion. When no other opinion is present (or expressed, or listened to), people will be disinclined to use reasoning to critically examine the arguments put forward by other discussants**, since they share their opinion. **Instead, they will use reasoning to strengthen these arguments or find other arguments supporting the same opinion.** In most cases the reasons each individual has for holding the same opinion will be partially non-overlapping. Each participant will then be exposed to new reasons supporting the common opinion, reasons that she is unlikely to criticize. It is then only to be expected that group members should strengthen their support for the common opinion in light of these new arguments. In fact, **groups of like-minded people should have little endogenous motivation to start reasoning together: what is the point of arguing with people we agree with? In most cases, such groups are lead to argue because of some external constraint**. These constraints can be more or less artificial—a psychologist telling participants to deliberate or a judge asking a jury for a well supported verdict—but they have to be factored in the explanation of the phenomenon. 4. Conclusion: a situational approach to improving reasoning We have argued that reasoning should not be evaluated primarily, if at all, as a device that helps us generate knowledge and make better decisions through private reflection. Reasoning, in fact, does not do those things very well. Instead, we rely on the hypothesis that the function of reasoning is to find and evaluate arguments in deliberative contexts. This evolutionary hypothesis explains why, when reasoning is used in its normal conditions—in a deliberation—it can be expected to lead to better outcomes, consistently allowing deliberating groups to reach epistemically superior outcomes and improve their epistemic status. Moreover, seeing reasoning as an argumentative device also provides a straightforward account of the otherwise puzzling confirmation bias—the tendency to search for arguments that favor our opinion. The confirmation bias, in turn, generates most of the problems people face when they reason in abnormal conditions— when they are not deliberating. This will happen to people who reason alone while failing to entertain other opinions in a private deliberation and to groups in which one opinion is so dominant as to make all others opinions—if they are even present—unable to voice arguments. In both cases, the confirmation bias will go unchecked and create polarization and overconfidence. We believe that the argumentative theory offers a good explanation of the most salient facts about private and public reasoning. This explanation is meant to supplement, rather than replace, existing psychological theories by providing both an answer to the why-questions and a coherent integrative framework for many previously disparate findings. The present article was mostly aimed at comparing deliberative vs. non-deliberative situations, but the theory could also be used to make finer grained predictions within deliberative situations. It is important to stress that the theory used as the backbone for the article is a theory of reasoning. The theory can only make predictions about reasoning, and not about the various other psychological mechanisms that impact the outcome of group discussion. We did not aim at providing a general theory of group processes that could account for all the results in this domain. But it is our contention that the best way to reach this end is by investigating the relevant psychological mechanisms and their interaction. For these reasons, the present article should only be considered a first step towards more fined grained predictions of when and why deliberation is efficient. Turning now to the consequences of the present theory, we can note first that our emphasis on the efficiency of diverse groups sits well with another recent a priori account of group competence. According to Hong and Page’s Diversity Trumps Ability Theorem for example, under certain plausible conditions, a diverse sample of moderately competent individuals will outperform a group of the most competent individuals (Hong & Page, 2004). Specifically, what explains the superiority of some groups of average people over smaller groups of experts is the fact that cognitive diversity (roughly, the ability to interpret the world differently) can be more crucial to group competence than individual ability (Page, 2007). That argument has been carried over from groups of problem-solvers in business and practical matters to democratically deliberating groups in politics (e.g., Anderson, 2006; Author, 2007, In press). At the practical level, the present theory potentially has important implications. Given that individual reasoning works best when confronted to different opinions, the present theory supports the improvement of the presence or expression of dissenting opinions in deliberative settings. Evidently, many people, in the field of deliberative democracy or elsewhere, are also advocating such changes. While these common sense suggestions have been made in the past (e.g., Bohman,

 2007; Sunstein, 2003, 2006), the present theory provides additional arguments for them. It also explains why approaches focusing on individual rather than collective reasoning are not likely to be successful. Specifically tailored practical suggestions can also be made by using departures from the normal conditions of reasoning as diagnostic tools. Thus, different departures will entail different solutions. Accountability—having to defends one’s opinion in front of an audience—can be used to bring individual reasoners closer to a situation of private deliberation. The use of different aggregation mechanisms could help identify the risk of deliberation among like-minded people. For example, before a group launches a discussion, a preliminary vote or poll could establish the extent to which different opinions are represented. If this procedure shows that people agree on the issue at hand, then skipping the discussion may save the group some efforts and reduce the risk of polarization. Alternatively, a **devil’s advocate** could be introduced in the group to defend an alternative opinion (e.g. Schweiger, Sandberg, & Ragan, 1986).

## 1NR

### Framework

#### Our demand turns the tables on the biopolitical apparatus. We utilize the tension between freedom and control to articulate a series of demands which are a strategic reversement of power relations

**Campbell 98** (Professor of IR @ Univ of Newcastle, 98 (David, Writing Security: United States Foreign Policy and the Politics of Identity)

Recognizing the possibility of rearticulating danger leads us to a final question: what modes of being and forms of life could we or should we adopt? To be sure, a comprehensive attempt to answer such a question is beyond the ambit of this book. But it is important to note that asking the question in this way mistakenly implies that such possibilities exist only in the future. Indeed, the extensive and inten­sive nature of the relations of power associated with the society of security means that there has been and remains a not inconsiderable freedom to explore alternative possibilities. While traditional analy­ses of power are often economistic and negative, **Foucault’s under­standing of power emphasizes its productive and enabling nature**. Even more important, **his understanding of power emphasizes the ontology of freedom presupposed by the existence of disciplinary and normalizing practices**. Put simply, **there cannot be relations of power unless subjects are in the first instance free: the need to institute negative and constraining power practices comes about only because without them freedom would abound**. **Were there no possibility of freedom, subjects would not act in ways that required containment so as to effect order**.37 **Freedom, though, is not the absence of power.** On the contrary, **because it is only through power that subjects exercise their agency, freedom and power cannot be separated**. As Foucualt maintains: **At the very heart of the power relationship**, and constantly provok­ing it, **are the recalcitrance of the will and the intransigence of free­dom**. Rather than speaking of an essential freedom, it would be better to speak of an “agonism” — of a relationship which is at the same time reciprocal incitation and struggle; less of a face-to-face confronta­tion which paralyzes both sides than a permanent provocation.38 **The political possibilities enabled by this permanent provocation of power and freedom can be specified in more detail by thinking in terms of the predominance of the “bio-power**” discussed above. In this sense, **because the governmental practices of biopolitics in Western nations have been increasingly directed towards modes of being and forms of life**—such that sexual conduct has become an object of concern, individual health has been figured as a domain of discipline, and the family has been transformed into an instrument of government—**the ongoing agonism between those pratices and the freedom they seek to contain means that individuals have articulataed a series of counterdemands drawn from those new fields of concern.**  For example, as the state continues to prosecute people according to sexual orientation, human rights activists have proclaimed the right of gays to enter into formal marriages, adopt children, and receive the same health and insurance benefits granted to their straight coun­terparts**. These claims are a consequence of the permanent provoca­tion of power and freedom in biopolitics, and stand as testament to the “strategic reversibility” of power relations: if the terms of governmental practices can be made into focal points for resistances, then the “history of government as the ‘conduct of conduct’ is interwoven with the history of dissenting ‘counterconducts,’”** Indeed, **the emergence of the state as the major articulation of “the political” has involved an unceasing agonism between those in office and those they rule.** **State intervention in everyday life has long incited popular collective action, the result of which has been both resistance to the state and new claims upon the state**. In particular, “the core of what we now call ‘citizenship’ . . .consists of multiple bargains hammered out by rulers and ruled in the course of their struggles over the means of state action, especially the making of war.” In more recent times, constituencies associated with women’s, youth, ecological, and peace movements (among others) have also issued claims on society.

#### The proper response to recurrent state/legal racism is protective measures – only legal reform can embed bulwarks against historical injustice

Delgado 98

(Richard, Jean N. Lindsley Professor of Law at the University of Colorado Law School, “Is American Law Inherently Racist”, Debate w/ Prof. Farber, Berkeley Law Scholarship Repository, http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1211&context=facpubs)

AUDIENCE: If we accept the premise that American law is inherently racist, what can be done about it? Where do we start? And related to that, how can an inherently racist law be made unracist, or are we just doomed to a perpetual battle to decrease the level of racism in our laws? PROFESSOR DELGADO: No. I don't think that it is a dispiriting or an overly pessimistic view, if one accepts the position-as I do, that American law is recurrently, inherently racist any more than, it is enervating to accept the proposition that the human body, let's say, is inherently frail. From which it follows then that one ought to take reasonable measures. One ought to wear safety belts, one ought to vaccinate children, and one does not simply give up from the recognition that something is inherently a difficulty or a problem. Vigilance is what is called for, not giving up. So no, I do not take the position that the inherent racism that seems to inflict our society requires any sort of surrender. Quite the contrary, it requires all of our efforts if we are to be the society that we can be and that we are in other respects. I will address this point later in my talk.

#### The American legal system and state are not inherently racist – their overly fatalistic narrative ignores massive progress and incorrectly assumes that the US uniquely represents a site of anti-blackness

Farber 98

(Daniel, Prof. of the Minnesota School of Law, “Is American Law Inherently Racist”, w/ Prof. Delgado, Berkeley Law Scholarship Repository, http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1211&context=facpubs)

Let me begin with the vision of the American legal system that Professor Delgado presented in his first twenty minutes. I do not intend to deny the reality of the dark side of American law in American legal history, and that dark side has indeed been very bad at times. Nevertheless, I think one might equally point to some more positive aspects of American legal society, and that we get only a skewed and incomplete picture if we focus only on one side of the picture: if we ignore the Thirteenth, 5 Fourteenth, 6 and Fifteenth 7 Amendments; if we ignore Brown v. Board of Education8" and the work of the Warren Court; if we ignore the Civil Rights Acts of 1964,' 9 1965,20 and 1990;2" and if we ignore or minimize the commitment to affirmative action that many American institutions, especially educational institutions, have had for the past two decades. I do not think you have to be a triumphalist to think that these are important developments-you only have to be a realist. Similarly, as serious as the problem of racial inequality remains in our society, it is also unrealistic to ignore the considerable amount of progress that has been made. Consider the emergence of the black middle class in the last generation or generation and a half, and the integration of important American institutions such as big-city police forces, which are important in the day-to-day lives of many minority people. The military has sometimes been described as the most successfully integrated institution in American society. We all know, as well, that the number of minority lawyers has risen substantially. In state and federal legislatures, there was no such thing as a black caucus in Congress thirty or forty years ago, because there would not have been enough black people present to call a caucus. And do not forget the considerable evidence of sharp changes in white attitudes over that period in a more favorable and tolerant direction. It is true that there is much in our history that we can only look back on with a feeling of shame, but there is also much to be proud of that we should not forget. I also think that the accusation that the American legal system is inherently racist lacks perspective in the sense that it seems to imply that there is something specifically American about this problem. If you look around the world, societies virtually everywhere are struggling with the problems of ethnic and cultural pluralism, and are trying to find ways to incorporate diverse groups into their governing structures. I think if you look around the world, including even countries like France which Professor Delgado referred to, it is far from clear that we are doing worse than the others. In some ways, I think we are doing considerably better than most.

### Case

#### Identity arguments are only ever implicit explanations of the constitutive effects of the social order, never a manifestation of some metaphysical status. Experience does not create us; we constitute experience and identity in concert with others. Knowledge of experience is therefore not the province of the individual; instead, we can only know identity through the shared practices that make communities the locus of knowledge production

Bhambra 10—U Warwick—AND—Victoria Margree—School of Humanities, U Brighton (Identity Politics and the Need for a ‘Tomorrow’, http://www.academia.edu/471824/Identity\_Politics\_and\_the\_Need\_for\_a\_Tomorrow\_)

We suggest that alternative models of identity and community are required from those put forward by essentialist theories, and that these are offered by the work of two theorists, Satya Mohanty and Lynn Hankinson Nelson. Mohanty’s ([1993] 2000) post-positivist, realist theorisation of identity suggests a way through the impasses of essentialism, while avoiding the excesses of the postmodernism that Bramen, among others, derides as a proposed alternative to identity politics. For Mohanty ([1993] 2000), identities must be understood as theoretical that enable subjects to read the world in particular ways; as such, substantial claims about identity are, in fact, implicit explanations of the social world and its constitutive relations of power. Experience – that from which identity is usually thought to derive– is not something that simply occurs, or announces its meaning and signiﬁcance in a self-evident fashion: rather, experience is always a work of interpretation that is collectively produced (Scott 1991). Mohanty’s work resonates with that of Nelson (1993), who similarly insists upon the communal nature of meaning of knowledge-making. Rejecting both foundationalist views of knowledge and the postmodern alternative which announces the “death of the subject” and the impossibility of epistemology, Nelson argues instead that, it is not individuals who are the agents of epistemology, but communities. Since it is not possible for an individual to know something that another individual could not also (possibly) know, it must be that the ability to make sense of the world proceeds from shared conceptual frameworks and practices. Thus, it is the community that is the generator and repository of knowledge. Bringing Mohanty’s work on identity as theoretical construction together with Nelson’s work on epistemological communities therefore suggests that, “identity” is one of the knowledges that is produced and enabled for and by individuals in the context of the communities within which they exist. The post-positivist reformulation of “experience” is necessary here as it privileges understandings that emerge through the processing of experience in the context of negotiated premises about the world, over experience itself producing self-evident knowledge (self-evident, however, only to the one who has “had” the experience). This distinction is crucial for, if it is not the experience of, for example, sexual discrimination that “makes” one a feminist, but rather, the paradigm through which one attempts to understand acts of sexual discrimination, then it is not necessary to have actually had the experience oneself in order to make the identiﬁcation “feminist”. If being a “feminist” is not a given fact of a particular social (and/or biological) location – that is, being designated “female” – but is, in Mohanty’s terms, an “achievement” – that is, something worked towards through a process of analysis and interpretation – then two implications follow. First, that not all women are feminists. Second, that feminism is something that is “achievable” by men. 3 While it is accepted that experiences are not merely theoretical or conceptual constructs which can be transferred from one person to another with transparency, we think that there is something politically self-defeating about insisting that one can only understand an experience (or then comment upon it) if one has actually had the experience oneself. As Rege (1998) argues, to privilege knowledge claims on the basis of direct experience, or then on claims of authenticity, can lead to a narrow identity politics that limits the emancipatory potential of the movements or organisations making such claims. Further, if it is not possible to understand an experience one has not had, then what point is there in listening to each other? Following Said, such a view seems to authorise privileged groups to ignore the discourses of disadvantaged ones, or, we would add, to place exclusive responsibility for addressing injustice with the oppressed themselves. Indeed, as Rege suggests, reluctance to speak about the experience of others has led to an assumption on the part of some white feminists that “confronting racism is the sole responsibility of black feminists”, just as today “issues of caste become the sole responsibility of the dalit women’s organisations” (Rege 1998). Her argument for a dalit feminist standpoint, then, is not made in terms solely of the experiences of dalit women, but rather a call for others to “educate themselves about the histories, the preferred social relations and utopias and the struggles of the marginalised” (Rege 1998). This, she argues, allows “their cause” to become “our cause”, not as a form of appropriation of “their” struggle, but through the transformation of subjectivities that enables a recognition that “their” struggle is also “our” struggle. Following Rege, we suggest that social processes can facilitate the understanding of experiences, thus making those experiences the possible object of analysis and action for all, while recognising that they are not equally available or powerful for all subjects. 4 Understandings of identity as given and essential, then, we suggest, need to give way to understandings which accept them as socially constructed and contingent on the work of particular, overlapping, epistemological communities that agree that this or that is a viable and recognised identity. Such an understanding avoids what Bramen identiﬁes as the postmodern excesses of “post-racial” theory, where in this “world without borders (“racism is real, but race is not”) one can be anything one wants to be: a black kid in Harlem can be Croatian-American, if that is what he chooses, and a white kid from Iowa can be Korean-American”(2002: 6). Unconstrained choice is not possible to the extent that, as Nelson (1993) argues, the concept of the epistemological community requires any individual knowledge claim to sustain itself in relation to standards of evaluation that already exist and that are social. Any claim to identity, then, would have to be recognised by particular communities as valid in order to be successful. This further shifts the discussion beyond the limitations of essentialist accounts of identity by recognising that the communities that confer identity are constituted through their shared epistemological frameworks and not necessarily by shared characteristics of their members conceived of as irreducible. 5 Hence, the epistemological community that enables us to identify our-selves as feminists is one that is built up out of a broadly agreed upon paradigm for interpreting the world and the relations between the sexes: it is not one that is premised upon possessing the physical attribute of being a woman or upon sharing the same experiences. Since at least the 1970s, a key aspect of black and/or postcolonial feminism has been to identify the problems associated with such assumptions (see, for discussion, Rege 1998, 2000). We believe that it is the identiﬁcation of injustice which calls forth action and thus allows for the construction of healthy solidarities. 6 While it is accepted that there may be important differences between those who recognise the injustice of disadvantage while being, in some respects, its beneﬁciary (for example, men, white people, brahmins), and those who recognise the injustice from the position of being at its effect (women, ethnic minorities, dalits), we would privilege the importance of a shared political commitment to equality as the basis for negotiating such differences. Our argument here is that thinking through identity claims from the basis of understanding them as epistemological communities militates against exclusionary politics (and its associated problems) since the emphasis comes to be on participation in a shared epistemological and political project as opposed to notions of ﬁxed characteristics – the focus is on the activities individuals participate in rather than the characteristics they are deemed to possess. Identity is thus deﬁned further as a function of activity located in particular social locations (understood as the complex of objective forces that inﬂuence the conditions in which one lives) rather than of nature or origin (Mohanty 1995:109-10). As such, the communities that enable identity should not be conceived of as “imagined” since they are produced by very real actions, practices and projects.