# 1NC

## Framework

#### A) “Resolved” implies a policy or legislative decision – means they must be resolved about a future federal government policy

Parcher 1

Jeff Parcher, former debate coach at Georgetown, Feb 2001 http://www.ndtceda.com/archives/200102/0790.html

Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconceivable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution.

#### B) USFG is the national government in DC

Encarta Online Encyclopedia, 2k

(http://encarta.msn.com)

“The federal government **of the U**nited **S**tates **is centered in** Washington **DC”**

#### C) Should means there is a practical reason for action

WordNet in ‘97

Princeton University, 1.6

**Should** v 1 : be expected to: “Parties should be fun” 2 : **expresses an** emotional**, practical,** or other **reason for doing something:** “You had better put on warm clothes”; “You should call your mother-in-law”; *“The State ought to repair bridges*”[syn**:** had better, ought]

#### A) Decisionmaking - a limited topic of discussion that provides for equitable ground is key to decision-making and advocacy skills

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.

#### Decision-making outweighs – it’s the most portable skill - key to social improvements in every and all facets of life

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 pp9-10

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.

## Debate Accessibility K

#### The affirmatives primacy on the systematic operations of the debate event overshadow the potentialities of its practice – this creates a vacuum of content that makes the activity itself weak, and fails to sustain a community of scholars strong enough to ward off a future generation of higher education technocrats and rape apologists

Standish 2002(Paul Standish, Institute for Education and Lifelong Learning, University of Dundee, *Disciplining the Profession: subjects subject to procedure. Educational Philosophy and Theory, Vol. 34, No. 1, 2002)*

Unfortunately, the rhetoric of access and lifelong learning, admirable though the underlying aims are in many respects, exacerbates the situation here. For with the shift of focus from institutions to customers, advocated by the Fryer Report (1997) for example, the spotlight on systems puts further in shadow the importance of what is actually learned. And it is not as though the customers are likely to object. After all do we not live in a world in which the stance of neutrality has an unusual prominence‑where the maximal availability of consumer goods and life choices is a good that cannot be questioned, and thus where the flexibility of an efficient system seems only enabling while commitment to a particular content seems unduly burdensome? The point here is not the usual one more and more people have access to less and less. It is rather that with this growing vacuum of content we have a situation where fewer people will experience what the study of a subject at a higher level‑that is, the discipline of this‑amounts to.' And soon we may have a generation of higher education managers who are themselves none the wiser.

In resistance to the kind of weakening of institutions that is advocated by Fryer, it was emphasized above that academic standards depend on the sustaining of communities of scholars. In such communities students are the novices. A crucial factor in their learning will most probably be the kind of example that their teacher sets. For all the value of the kinds of skills that the ILTHE seeks to promote, it may be that what is most important is that the teacher be enthralled by her subject‑con­sumed with enthusiasm and gripped by its problems‑and this may be manifest in multiple ways. Such commitment is not well understood in terms of expertise in its methodologies or even comprehensive knowledge; it involves primarily a particular kind of fascination with the content of what is studied, even a kind of reverence for this. And such a teacher cannot be isolated. The kind of community to which she belongs ilay be one physically present in the common room or the canteen, but it will surely extend beyond this‑through conferences and e‑mail probably but more importantly through the journals and publications that connect with others in the field, writing now and in the past. Even the most solitary research involves a partnership between the living, the dead, and the as yet unborn. This is, in Michael Oakeshott's phrase, the conversation of mankind.

#### This results in the most banal form of nihilism securing our ultimate faith in those technological procedures of efficiency and the very tenets of educational normalization that the affirmative seeks to stray. It is only by making the conduct of agonistic intellectual warfare possible via exclusion of the affirmative that we can ever challenge those frames of debate criticized in the 1AC, and maintain both the greatness and value of debate itself

Standish 2002(Paul Standish, Institute for Education and Lifelong Learning, University of Dundee, *Disciplining the Profession: subjects subject to procedure. Educational Philosophy and Theory, Vol. 34, No. 1, 2002)*

Normalisation‑connecting as it does with faith in procedures and the stance of neutrality‑goes hand in hand with a kind of nihilism. Alasdair Maclntyre's account of the development of Enlightenment values into the epistemology of encyclo­paedism of the liberal university lays bare the limitations of neutrality and of a disinterested rationality where this is not grounded in the moral framework of a particular tradition. The legacy of this is the kind of moral vacuum that universities have found themselves in at the turn of the century, at a time when established notions of the institution, no less than the foundationalist thinking that once underpinned its epistemology, have been irrevocably undermined. It is into this vacuum that the language of efficiency and effectiveness has come, with the fatuous mission statements that it so readily inflates. Regretting the stuttering ineptitude with which the academy has tended to respond to the questioning of its purpose fromoutside, MacIntyre writes:

The beginning of any worthwhile answers to such questions, posed by some external critic, as 'What are universities for?' or 'What peculiar goods do universities serve?' should be, 'They are, when they are true to their own vocation, institutions within which the form "What are x's for?" and "What peculiar goods do y's serve?" are formulated and answered in the best rationally defensible way.' That is to say, when it is demanded of a university community that it justify itself by specifying what its peculiar or essential function is, that function which, were it not to exist, no other institution could discharge, the response of the community ought to be that universities are places where conceptions of and standards of rational justification are elaborated, put to work in the detailed practices of enquiry, and themselves rationally evaluated, so that only from the university can the wider society learn how to conduct its own debates, practical or theoretical, in a rationally defensible way. (Maclntyre, 1990, p. 222)

Such an endeavour, Maclntyre argues, is only possible where the university makes possible the conduct of intellectual and moral warfare between rival and antagonistic views. Of course there is debate within particular frameworks for thought and this is the stuff of everyday academic activity but it is the larger dialectic between frameworks of thinking that, in Maclntyre's view, is lacking:

It is precisely because universities have not been such places and have in fact organized enquiry through institutions and genres well designed to prevent them and to protect them from being such places that the official responses of both the appointed leaders and the working members of university communities to their recent external critics have been so lamen­table. (Maclntyre, 1990, p. 222)

In the pre‑liberal university, according to Maclntyre, there was a homogeneity of fundamental belief which supported and determined what was to count as standards of rational justification. Standards were maintained and strengthened through the process of enquiry itself, through the exclusion from the university of certain groups, subjects and practices, and through the promotion of those staff who most clearly maintained those standards. While this measure of orthodoxy was enabling, it also was the cause of considerable injustice (in some of its exclusions); ultimately also its conservative tendencies had within them the seeds of a gradual debilitation. The liberal university was alert to the injustices of its predecessor but made the false assumption that practices that sought to ensure the sustaining of common funda­mental beliefs amongst its members could be abandoned in favour of a reliance on the standards of rationality‑its procedures‑unconstrained by any religious or moral beliefs that its members held in common. Yet the outstanding rise of science in the liberal university has not been achieved without its own largely unnoticed exclusions. Agreement on technique has often substituted for agreement on matters of substance. Technical approaches have proliferated across the humanities and social sciences, often being adopted in areas to which they are not suited, the alternative to this being imagined to be limitless absence of agreement because of absence of procedure. The apparent tolerance of such a liberal institution reduces to something more like indifference which paradoxically must then reject and mar­ginalise those intolerant positions of constrained religious and moral belief that characterised the pre‑liberal or non‑secular university. The assumption that resol­ution of these disagreements is required in order that rational enquiry can proceed means that those propounding irreconcilable points of view must be marginalised or otherwise excluded.

We should, of course, be reminded here of institutions such as Wheaton College, and of what may be the refreshing challenge that they can pose to a secular liberal orthodoxy. But we should also be prompted to think of the kind of community of *dissensus* that is desirable for the health of academic disciplines. This is not then, it should be clear, a nostalgia for more comfortable times.

## PIC

#### We endorse the affirmative, but we will PIC out of their role of the ballot.

#### By framing their argument in terms of debate and democracy, the affirmative's intervention ensures that democracy and debate itself, holds the only possibility for its self-same utopian escape. This internalized form disinterested inquiry coopts their advocacy by instrumentalizing the other and disengaging from the current socio-political occasion

Dean 2009 (JODI DEAN, Professor of Political Science at Hobart and William Smith Colleges and Erasmus Professor of the Humanities in the Faculty of Philosophy at Erasmus University. DEMOCRACY AND OTHER NEOLIBERAL FANTASIES: Communicative Capitalism & Left Politics. DUKE UNIVERSITY PRESS : DURHAM & LONDON, 2009. Pages p 78-80)

Theories of deliberative democracy tend to focus on the justification of democratic principles and practices. More than building models of democratic governance, they provide grounds that support claims for the superiority of democracy over other political arrangements. These grounds, moreover, have an interesting status. They are raised both in academic and popular debate, or, more precisely, as both academic and popular debate. Theories of deliberative democracy prioritize not simply claims regarding deliberation but actual practices of deliberation. For democratic theorists, then, there is a necessary link between theories and practices, a necessary connection to real life. Practices are legitimately democratic not when their outcomes can be imagined as the result of deliberation but when the practices are actually deliberative. Legitimacy follows from realization, from deliberative practice.And for democratic theorists the opposite holds as well of deliberative and democratic are the standards themselves determining legitimacy. As it occupies this in-between space, this space between facticity and validity, democratic theory presents ideals and aspirations as always already present possibilities. In so doing, it brings utopia inside, eliminating it as an external space of hope**.** Yet by internalizing the hope that things might be otherwise, democratic theory destroys that hope of potential problems are solved in advance, through democratic channels. We already know how to get there**.** We already have the procedures. Anything else is mere tweaking. Despite all our problems with democracy, democracy is the solution to all our problems.' The idea that democracy marks an empty place where things can be otherwise, that democratic procedures incorporate already the keys to revising and reforming the practice of democracy, becomes the conviction that there is nothing but, no alternative to, democracy. To this extent, democratic theory presents democracy as realized, as adequate to its notion. If this is the case, the problem is in the notion. Contintued… In the third discourse, the discourse of the university;. Knowledge occupies the position of speaking agent. Consequently, Zizek reads the political bond established by this discourse as the rule of experts.11 Finally, he argues that the political bond proper to the discourse of the analyst is "radical-revolutionary politics:' Here, the excluded, symptomal point of the situation is the speaking position. The risks of such a political formation appear in the fact that this formula is also that of the perverse discourse. In the perverse discourse, the object that speaks positions itself as an instrument in behalf of the other, an instrument grounded in knowledge of what is best for the subject or other. The theory of deliberative democracy follows the model of the discourse of the university wherein knowledge ostensibly speaks for itself even as the deliberations or interventions of those actually participating in contemporary democratic politics conform to the discourse of the hysteric and the pervert. Political antagonists may speak the same language, but they speak it in different ways, from differing positions of enunciation, to differing symbolic and imaginary others, and within differing discursive formations. Insofar as democratic theory ignores these differences and conforms to the discourse of the university, it fails to confront the current political impasse, disavowing its own underlying suppositions of power and authority and, as detailed in chapter 6, the changed conditions of credibility wherein such authority has already collapsed.

#### Positioning the role of the critic as gatekeeper comodifes educational subjects, threating a vacuum of content liable to extinguish the potentiality of debate itself

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Unfortunately, the rhetoric of access and lifelong learning, admirable though the underlying aims are in many respects, exacerbates the situation here. For with the shift of focus from institutions to customers, advocated by the Fryer Report (1997) for example, the spotlight on systems puts further in shadow the importance of what is actually learned. And it is not as though the customers are likely to object. After all do we not live in a world in which the stance of neutrality has an unusual prominence where the maximal availability of consumer goods and life choices is a good that cannot be questioned, and thus where the flexibility of an efficient system seems only enabling while commitment to a particular content seems unduly burdensome? The point here is not the usual one more and more people have access to less and less. It is rather that with this growing vacuum of content we have a situation where fewer people will experience what the study of a subject at a higher level that is, the discipline of this amounts to.' And soon we may have a generation of higher education managers who are themselves none the wiser.

#### This allows for neoliberal expansion on all fronts.

Dean 2009 (JODI DEAN, Professor of Political Science at Hobart and William Smith Colleges and Erasmus Professor of the Humanities in the Faculty of Philosophy at Erasmus University. DEMOCRACY AND OTHER NEOLIBERAL FANTASIES: Communicative Capitalism & Left Politics. DUKE UNIVERSITY PRESS : DURHAM & LONDON, 2009. Pages 123-124)

As conservatives have resolved to fight any and all opponents .l"1..to the death and neoliberals have been ever more emboldened in their grotesque grabs for greater and greater shares of the world's wealth, many on the academic and typing left have urged peace, love, and understanding. These influential voices advocate a turn to ethics, a generosity to difference and awareness of mutual vulnerability. They respond to the religious, nationalist, and market fundamentalisms dominating contemporary social and political life by rejecting dogmatism and conviction, advocating instead micropolitical and ethical practices that work on the self in its immediate reactions and relations. They are likely right that engaging others with affirmation and generosity is a nice thing to do. But it's politically suicidal the more the left refrains from divisive political engagement, the more the right advances. Some on the left share my concern about the futility of a politics based on making sure that nobody is offended. An editorial in The Nation on June 26, 2006, for example, urged progressives in the United States to recognize that now is the time for conviction, not caution. This editorial might be thought of as a direct counter to Judith Butler, who argues against conviction and for responsiveness in Giving an Account of Oneself (2005). There she portrays conviction in terms of an ethics that "takes the self to be the ground and measure of moral judgment"' Butler admits that there might be times for condemnation and denunciation. But she warns against these modes of judgment insofar as they carry with them a certainty and opacity that disallow connections to others. Left politics, Butler suggests, is ultimately incompatible with conviction, condemnation, and denunciation. Butler's recent work is emblematic of the ethical turn in left political theory, one that seems to embrace ethics out of a kind of political despair. For her, ostensible barriers to justice can become opportunities for responsibility, recognition, and resignification.' Opacity, vulnerability, exposure, and grief provide potential openings to others and to ourselves, resources that might enable us to understand how our human being is necessarily and unavoidably a being together. The cost of this ethical sensitivity, however; is politics. Butler presents ethical resources as available only under conditions of the denial of politics. Should we make political choices or act politically we will cut ourselves off from the insights and capacities arising out of vulnerability and grief. Thus, Butler offers a set of responses to contemporary fundamentalisms that eschew condemnation and conviction and present openness and critique not ooly as ethically preferable to decisions for or against but as necessarily incompatible with the division necessary for politics. To be sure, Butler's ethical tum need not displace politics. Rather, as this chapter explains, such displacement results from her constrained conception of sovereignty, wherein sovereignty functions less as a political arrangement than as a kind of master capable not only of holding together diffuse meanings and effects by the force of its word, a word with power to initiate and end, but also of fully determining the words that it utters and the effects of these words. I show how Butler's critique of sovereignty misfires as it shoots at fantastic returns. of a master rather than attending to the more complex reformatting of sovereignty in globalized communicative capitalism. Because she aims at the wrong target, left political conviction ends up a casualty of friendly fire, a result that contributes to neoliberalism's advance.

#### Within this space of debate we must remain particularly skeptical of the affirmatives spatial positioning and co-constitutive advocacy from a center elsewhere, that which enables them see themselves through the eyes of the oppressed is what simultaneously obscures the other from their sight – reproducing fiction as humanity vanquished.

Spanos 2011

WVS: The reason I asked you that question is because I've always thought that the debate system is a rigged process, by which I mean, in your terms, it's framed to exclude anything that the frame can't contain and domesticate. To frame also means to "prearrange" so that a particular outcome is assured," which also means the what's outside of the frame doesn't stand a chance: it is "framed" from the beginning. It was, above all, the great neo-Marxist Louis Althusser's analysis of the "problematic" - the perspective or frame of reference fundamental to knowledge production in democratic-capitalist societies -- that enabled me to see what the so called distinterestness of empirical inquiry is blind to or, more accurately willfully represses in its Panglossian pursuit of the truth. Althusser's analysis of the "problematic" is too complicated to be explained in a few words. (Anyone interested will find his extended explanation in his introduction --"From Capital\* to Marx's Philosophy" -- to his and Etienne Balibar's book \*Reading Capital\*. It will suffice here to say that we in the modern West have been \*inscribed\* by our culture --"ideological state apparatuses (educational institutions, media, and so on)-- by a system of knowledge production that goes by the name of "disinterested inquiry," but in reality the "truth" at which it arrives is a construct, a fiction, and thus ideological. And this is precisely because, in distancing itself from earthly being --the transience of time --this system of knowledge production privileges the panoptic eye in the pursuit of knowledge. This is what Althusser means by the "problematic": a frame that allows the perceiver to see only what it wants to see. Everything that is outside the frame doesn't exist to the perceiver. He /she is blind to it. It's nothing or, at the site of humanity, it's nobody. Put alternatively, the problematic -- this frame, as the very word itself suggests, \*spatializes\* or \*reifies\* time -- reduces what is a living, problematic force and not a thing into a picture or thing so that it can be comprehended (taken hold of, managed), appropriated, administered, and exploited by the disinterested inquirer. All that I've just said should suggest what I meant when, long ago, in response to someone in the debate world who seemed puzzled by the strong reservations I expressed on being informed that the debate community in the U.S. was appropriating my work on Heidegger, higher education, and American imperialism. I said then -- and I repeat here to you -- that the traditional form of the debate, that is, the hegemonic frame that rigidly determines its protocols-- is unworldly in an ideological way. It willfully separates the debaters from the world as it actually is-- by which I mean as it has been produced by the dominant democratic I capitalist culture --and it displaces them to a free-floating zone, a no place, as it were, where all things, nor matter how different the authority they command in the real world, are equal. But in \*this\* real world produced by the combination of Protestant Christianity and democratic capitalism things -- and therefore their value --are never equal. They are framed into a system of binaries-Identity/ difference, Civilization/barbarism I Men/woman, Whites/blacks, Sedentary/ nomadic, Occidental/ oriental, Chosen I preterit (passed over), Self-reliance I dependent (communal), Democracy I communism, Protestant Christian I Muslim, and so on -- in which the first term is not only privileged over the second term, but, in thus being privileged, is also empowered to demonize the second. Insofar as the debate world frames argument as if every position has equal authority (the debater can take either side) it obscures and eventually effaces awareness of the degrading imbalance of power in the real world and the terrible injustices it perpetrates. Thus framed, debate gives the false impression that it is a truly democratic institution, whereas in reality it is complicitous with the dehumanized and dehumanizing system of power that produced it. It is no accident, in my mind, that this fraudulent form of debate goes back to the founding of the U.S. as a capitalist republic and that it has produced what I call the "political class" to indicate not only the basic sameness between the Democratic and Republican parties but also its fundamental indifference to the plight of those who don't count in a system where what counts is determined by those who are the heirs of this quantitative system of binaries. CS: I would love to hear more about what you mean by the word interested. According to earlier work you had mentioned that it came from the Greek term for "in-the-midst." The relay between this "point of view" and your account of the bombing of Dresden in your memoir In The Neighborhood of Zero seems remarkable. What lessons might we take from this? WVS: Following up on what I've just said, inquiry, whether it takes the form of knowledge production or debate, cannot be disinterested. "Disinterested" inquiry is an orientation towards the truth that has been exposed as a myth by the poststructuralist revolution from Martin Heidegger through Michel Foucault to Giorgio Agamben, Alain Badiou, and Judith Bulter. Inquiry is necessarily interested precisely in the sense that it takes place in the world. The word "interest" come from the Latin (not Greek) inter esse, which means that we, as human beings, are "beings in-the-midst" (as opposed to beings, such as angels, who look down from a distance on or "observe" phenomena from above). As Heidegger said, following Kierkegaard, we, as human beings, have been "thrown into the world" and thus exist \*inter esse\*, "in-the-midst-of- being." We are, therefore, interested, that is, we relate to or engage phenomena with care precisely because everything we encounter \*inter esse\* is transient, uncertain, problematic, a matter of questioning, To understand human being as inter esse is thus to acknowledge that we are radically free. This is not as easy as the word "freedom" implies under the aegis of American democracy. The freedom that comes with being-in-the-midst is a difficult, even agonizing freedom. We can't rely on some higher cause, whether God or a framed system (such as democratic capitalism), to choose for us. We must choose for ourselves, Being in the midst, being interested, means, as Sartre put it long ago, being "condemned to be free." But that is the price one has to pay to become free from the degradation of servitude and for the exquisite joy of being fully human. Dis-interested inquiry separates or, better, alienates the inquirer form this inter esse. As I said earlier, it reduces the mysterious force of being-in-the-midst to an absolutely knowable (quantifiable) thing. Put alternatively, in privileging the observing or panoptic or spatialzing eye-- the eye that, seeing everything in time an space at once, reduces being's dynamics" in a "world picture" -- it privileges the answer over the question. To be interested then means to beware of those who demand answers --or finality -and victory. They invariably turn out to be murderous brutes.

## Case

#### Trading autobiographical narrative for the ballot commodifies one’s identity and has limited impact on the culture that one attempt’s to reform – when autobiographical narrative “wins,” it subverts its own most radical intentions by becoming an exemplar of the very culture under indictment

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

Although Williams is quick to detect insensitivity and bigotry in remarks made by strangers, colleagues, and friends, her taste for irony fails her when it comes to reflection on her relationship with her readers and the material benefits that her autobiographical performances have earned for her. n196 Perhaps Williams should be more inclined to thank, rather than reprimand, her editors for behaving as readers of autobiography invariably do. When we examine this literary faux pas - the incongruity between Williams's condemnation of her editors and the professional benefits their publication secured her - we detect yet another contradiction between the outsiders' use of autobiography and their desire to transform culture radically. Lejeune's characterization of autobiography as a "contract" reminds us that autobiography is a lucrative commodity. In our culture, members of the reading public avidly consume personal stories, n197 which surely explains why first-rate law journals and academic presses have been eager to market outsider narratives. No matter how unruly the self that it records, an autobiographical performance transforms that self into a form of "property in a moneyed economy" n198 and into a valuable intellectual [\*1283] asset in an academy that requires its members to publish. n199 Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor. n200 Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown. n201 As one critic of autobiography puts it, "failures do not get published." n202 While writing a successful autobiography may be momentous for the individual author, this success has a limited impact on culture. Indeed, the transformation of outsider authors into "success stories" subverts outsiders' radical intentions by constituting them as exemplary participants within contemporary culture, willing to market even themselves to literary and academic consumers. n203 What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors? n204 Although they style themselves cultural critics, the [\*1284] storytellers generally do not reflect on the meaning of their own commercial success, nor ponder its entanglement with the cultural values they claim to resist. Rather, for the most part, they seem content simply to take advantage of the peculiarly American license, identified by Professor Sacvan Bercovitch, "to have your dissent and make it too."

#### Performance is not a mode of resistance - it gives too much power to the audience because the performer is structurally blocked from controlling the (re)presentation of their representations. Appealing to the ballot is a way of turning over one’s identity to the same reproductive economy that underwrites liberalism

Phelan 96—chair of New York University's Department of Performance Studies (Peggy, Unmarked: the politics of performance, ed published in the Taylor & Francis e-Library, 2005, 146

Performance’s only life is in the present. Performance cannot be saved, recorded, documented, or otherwise participate in the circulation of representations of representations: once it does so, it becomes something other than performance. To the degree that performance attempts to enter the economy of reproduction it betrays and lessens the promise of its own ontology. Performance’s being, like the ontology of subjectivity proposed here, becomes itself through disappearance. The pressures brought to bear on performance to succumb to the laws of the reproductive economy are enormous. For only rarely in this culture is the “now” to which performance addresses its deepest questions valued. (This is why the now is supplemented and buttressed by the documenting camera, the video archive.) Performance occurs over a time which will not be repeated. It can be performed again, but this repetition itself marks it as “different.” The document of a performance then is only a spur to memory, an encouragement of memory to become present.

#### The very act of articulating why performance ought be attached to the ballot casts performance within the terms of liberalism’s discursive economy – this reduces their performance to a form of aesthetic formalism, this subordinates the political potential of performance to the narrow disciplinary concerns of academic knowledge production

Phelan ‘96—chair of New York University's Department of Performance Studies (Peggy, Unmarked: the politics of performance, ed published in the Taylor & Francis e-Library, 2005,

In his 1981 article Representation and the Limits of Interpretation, Eric E. Peterson delves into the problems of wedding post-structuralism and interpretation in terms of the limits of representation. He concedes that for oral interpretation “representation is a powerful force in the theoretical understanding of our practice. Not only does it allow us to distinguish oral interpretation from similar literary, theatrical, and speech arts; but it also provides a theoretical justification for the existence of oral interpretation as a discipline distinct from other disciplines” (24). Peterson formulated these arguments even before oral interpretation shifted to the broader term performance studies, but his predictions were insightful. Peterson maps out potential disciplinary costs of thinking representation in a certain way. He continues, saying that the cost of “securing this place for oral interpretation is the increasing objectification of our practice and subjectification of our practitioners. By objectifying our practice, we mean that the conceptualization of art as representation precludes the examination of the very activity of representing” (24). This causes the field to continually wrap itself up in disciplinary techniques for the “accumulation of knowledge and the exercise of power” (24) through interpretation, instead of focusing on the eroticization of performance practice itself. Peterson argues for reinvestigating the process of performance as art, not subject-object relations.

#### Even if their best intention is to resist the liberal subject, autobiography is understood by its consuming audience as the assertion of the classic autonomous subject – this subverts the political potential of performance by rendering one’s experience legible to the terms of liberalism .

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

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The Autobiographical Self The outsider narratives do not reflect on another feature of autobiographical discourse that is perhaps the most significant obstacle to their goal to bring to law an understanding of the human self that will supersede the liberal individual. Contrary to the outsiders' claim that their personalized discourse infuses law with their distinctive experiences and political perspectives, numerous historians and critics of autobiography have insisted that those who participate in autobiographical discourse speak not in a different voice, but in a common voice that reflects their membership in a culture devoted to liberal values. n206 As Sacvan Bercovitch puts it, American cultural ideals, including specifically the mythic connection between the "heroic individual ... [and] the values of free enterprise," are "epitomized in autobiography." n207 In his seminal essay on the subject, Professor Georges Gusdorf makes an observation that seems like a prescient warning to outsiders who would appropriate autobiography as their voice. He remarks that the practice of writing about one's own self reflects a belief in the autonomous individual, which is "peculiar to Western man, a concern that has been of good use in his systematic conquest of the [\*1285] universe and that he has communicated to men of other cultures; but those men will thereby have been annexed by a sort of intellectual colonizing to a mentality that was not their own." n208 Similarly, Albert Stone, a critic of American autobiography, argues that autobiographical performances celebrate the Western ideal of individualism, "which places the self at the center of its world." n209 Stone begins to elucidate the prescriptive character of autobiographical discourse as he notes with wonder "the tenacious social ideal whose persistence is all the more significant when found repeated in personal histories of Afro-Americans, immigrants, penitentiary prisoners, and others whose claims to full individuality have often been denied by our society." n210 Precisely because it appeals to readers' fascination with the self-sufficiency, resiliency and uniqueness of the totemic individual privileged by liberal political theory, there is a risk that autobiographical discourse is a fallible, even co-opted, instrument for the social reforms envisioned by the outsiders. By affirming the myths of individual success in our culture, autobiography reproduces the [\*1286] political, economic, social and psychological structures that attend such success. n211 In this light, the outsider autobiographies unwittingly deflect attention from collective social responsibility and thwart the development of collective solutions for the eradication of racist and sexist harms. Although we may suspect in some cases that the author's own sense of self was shaped by a community whose values oppose those of liberal individualism, her decision to register her experience in autobiographical discourse will have a significant effect on the self she reproduces. n212 Her story will solicit the public's attention to the life of one individual, and it will privilege her individual desires and rights above the needs and obligations of a collectivity. Moreover, literary theorists have remarked the tendency of autobiographical discourse to override radical authorial intention. Even where the autobiographer self-consciously determines to resist liberal ideology and represents her life story as the occasion to announce an alternative political theory, "the relentless individualism of the genre subordinates" her political critique. n213 Inevitably, at least within American culture, the personal narrative engrosses the readers' imagination. Fascinated by the travails and triumphs of the developing autobiographical self, readers tend to construe the text's political and social observations only as another aspect of the author's personality. Paradoxically, although autobiography is the product of a culture that cultivates human individuality, the genre seems to make available only a limited number of autobiographical protagonists. n214 Many theorists have noticed that when an author assumes the task of defining her own, unique subjectivity, she invariably reproduces herself as a character with whom culture already is well-acquainted. n215 While a variety of forces coerce the autobiographer [\*1287] to conform to culturally sanctioned human models, n216 the pressures exerted by the literary market surely play a significant role. The autobiographer who desires a material benefit from her performance must adopt a persona that is intelligible, if not enticing, to her audience. n217 As I will illustrate in the sections that follow, the outsider narratives capitalize on, rather than subvert, autobiographical protagonists that serve the values of liberalism.

#### Resistance/empowerment via the ballot can only instill an adaptive politics of being and effaces the institutional constraints that reproduce structural violence

Brown 95—prof at UC Berkely (Wendy, States of Injury, 21-3)

For some, fueled by opprobrium toward regulatory norms or other mo- dalities 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 resis- tance: 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 otherworldly plane vis-a-vis social and political power. In this regard, despite its apparent locution of resistance to subjection, contem- porary 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’ emotionalbearing 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 eco- nomic 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.

# 1NR

## Framework

#### 2) Makes the debate into an echo-chamber – destroys fairness, education, and turns the aff

Talisse 5

Professor of Philosophy @Vandy¶ Robert, Philosophy & Social Criticism, Deliberativist responses to activist challenges, 31(4) p. 429-431

The argument thus far might appear to turn exclusively upon different conceptions of what reasonableness entails. **The deliberativist view** I have sketched hold that reasonableness **involved some degree of** what we may call **epistemic modesty. On this** view, **the reasonable citizen seeks to have her beliefs reflect the best available reasons,** and so she enters into public discourse **as a way of testing her views against the objections** and questions of those who disagree; hence she implicitly hold that **her present view is open to reasonable critique** and that others who hold opposing views may be able to offer justifications for their views that are at least as strong as her reasons for her own. Thus any mode of **politics that presumes that discourse is extraneous to questions of justice and justification is unreasonable**. The activist sees no reason to accept this. Reasonableness **for the activist** consists in the ability to act on reasons that upon due reflection seem adequate to underwrite action; **discussion with those who disagree need not be involved**. **According to the activist,** there are certain cases in which he does in fact know the truth about what justice requires and in which **there is no room for reasoned objection.** Under such conditions, **the deliberativist’s demand for discussion can only obstruct justice; it is therefore irrational**. It may seem that we have reached an impasse. However, there is a further line of criticism that the activist must face. To the activist’s view that at least in certain situations he may reasonably decline to engage with persons he disagrees with (107), the deliberative democrat can raise the phenomenon that Cass Sunstein has called ‘group polarization’ (Sunstein, 2003; 2001A; ch. 3; 2001b: ch. 1). To explain: consider that political **activists cannot eschew deliberation altogether; they often engage in rallies,** demonstrations, teach-ins, workshops, and other activities in which they are called to make public the case for their views. Activists also must engage in deliberation among themselves when deciding strategy. Political movement must be organized, hence those involved must decide upon targets, methods, and tact’s; they must also decide upon the content of their pamphlets and the precise messages they most wish to convey to the press. **Often the audience in both of these deliberative contexts will be a self-selected and sympathetic group of like-minded activists**. **Group polarization** is a well-documented phenomenon that **has ‘been found all over the world** and is many diverse tasks’; it means that ‘members of a deliberating group predictably move towards a more extreme point in the direction indicated by’ predeliberation tendencies’ (Sunstein, 2003: 81-2). Importantly, **in group that ‘engage in repeated discussions’** over time, **the polarization is even more pronounced** (2003: 86). Hence discussion in a small but devoted activist enclave that meets regularly to strategize and protest ‘should produce a situation in which individuals hold positions more extreme than those of an individual member before the series of deliberations began’ (ibid.).17 The fact of group polarization is relevant to our discussion because the activist has proposed that **he may reasonably decline to engage in discussion with those with whom he disagrees** in cases in which the requirement of justice are so clear that he can be confidents that has the truth .Group polarization suggest that even deliberatively confronting those with whom we disagree is essential even we have the truth. **For even if we have the truth, if we do not engage opposing views,** but instead deliberate only with those with whom we agree, our view will shift progressively to a more extreme point, and thus we lose the truth ,In order to avoid polarization, deliberation must take place within heterogeneous ‘argument pools’ (Sunstein, 2003: 93). This of course does not mean that there should be no groups devoted to the achievement of some common political goal; it rather suggest that a engagement with those with whom one disagrees is essential to the proper pursuitof justice. Insofar as the activist denies this, he is unreasonable.

#### Framework isn’t itself forceful oppression---it’s simply an advocacy on behalf of certain decision making practices---it’s no different than any other argument in debate

Anderson 6

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

Lets first examine the claim that my book is "unwittingly" inviting a resurrection of the "Enlightenment-equals-totalitarianism position." How, one wonders, could a book promoting argument and debate, and promoting reason-giving practices as a kind of common ground that should prevail over assertions of cultural authenticity, somehow come to be seen as a dangerous resurgence of bad Enlightenment? Robbins tells us why: I want "argument on my own terms"-that is, I want to impose reason on people, which is a form of power and oppression. But what can this possibly mean? Arguments stand or fall based on whether they are successful and persuasive, even an argument in favor of argument. It simply is not the case that an argument in favor of the importance of reasoned debate to liberal democracy is tantamount to oppressive power. To assume so is to assume, in the manner of Theodor Adorno and Max Horkheimer, that reason is itself violent, inherently, and that it will always mask power and enforce exclusions. But to assume this is to assume the very view of Enlightenment reason that Robbins claims we are "thankfully" well rid of. (I leave to the side the idea that any individual can proclaim that a debate is over, thankfully or not.) But perhaps Robbins will say, "I am not imagining that your argument is directly oppressive, but that what you argue for would be, if it were enforced." Yet my book doesn't imagine or suggest it is enforceable; I simply argue in favor of, I promote, an ethos of argument within a liberal democratic and proceduralist framework. As much as Robbins would like to think so, neither I nor the books I write can be cast as an arm of the police. ¶ Robbins wants to imagine a far more direct line of influence from criticism to political reality, however, and this is why it can be such a bad thing to suggest norms of argument. Watch as the gloves come off: ¶ Faced with the prospect of submitting to her version of argument roughly, Habermass version-and of being thus authorized to disagree only about other, smaller things, some may feel that there will have been an end to argument, or an end to the arguments they find most interesting. With current events in mind, I would be surprised if there were no recourse to the metaphor of a regular army facing a guerilla insurrection, hinting that Anderson wants to force her opponents to dress in uniform, reside in well-demarcated camps and capitals that can be bombed, fight by the rules of states (whether the states themselves abide by these rules or not), and so on-in short, that she wants to get the battle onto a terrain where her side will be assured of having the upper hand.¶ Lets leave to the side the fact that this is a disowned hypothetical criticism. (As in, "Well, okay, yes, those are my gloves, but those are somebody elses hands they will have come off of.") Because far more interesting, actually, is the sudden elevation of stakes. It is a symptom of the sorry state of affairs in our profession that it plays out repeatedly this tragicomic tendency to give a grandiose political meaning to every object it analyzes or confronts. We have evidence of how desperate the situation is when we see it in a critic as thoughtful as Bruce Robbins, where it emerges as the need to allegorize a point about an argument in such a way that it gets cast as the equivalent of war atrocities. It is especially ironic in light of the fact that to the extent that I do give examples of the importance of liberal democratic proceduralism, I invoke the disregard of the protocols of international adjudication in the days leading up to the invasion of Iraq; I also speak about concerns with voting transparency. It is hard for me to see how my argument about proceduralism can be associated with the policies of the Bush administration when that administration has exhibited a flagrant disregard of democratic procedure and the rule of law. I happen to think that a renewed focus on proceduralism is a timely venture, which is why I spend so much time discussing it in my final chapter. But I hasten to add that I am not interested in imagining that proceduralism is the sole political response to the needs of cultural criticism in our time: my goal in the book is to argue for a liberal democratic culture of argument, and to suggest ways in which argument is not served by trumping appeals to identity and charismatic authority. I fully admit that my examples are less political events than academic debates; for those uninterested in the shape of intellectual arguments, and eager for more direct and sustained discussion of contemporary politics, the approach will disappoint. Moreover, there will always be a tendency for a proceduralist to under-specify substance, and that is partly a principled decision, since the point is that agreements, compromises, and policies get worked out through the communicative and political process. My book is mainly concentrated on evaluating forms of arguments and appeals to ethos, both those that count as a form of trump card or distortion, and those that flesh out an understanding of argument as a universalist practice. There is an intermittent appeal to larger concerns in the political democratic culture, and that is because I see connections between the ideal of argument and the ideal of deliberative democracy. But there is clearly, and indeed necessarily, significant room for further elaboration here.

#### the research divide Debate is self-reflexive and self-correcting --- it allows the very terms and shortfalls of debate itself to be scrutinized --- your debate bad arguments prove why debate is good

Stannard 6

STANNARD, PF COMMUNICATION AND JOURNALISM, 6¶ [MATT, “DELIBERATION, DEMOCRACY AND DEBATE”, legalcommunication.blogspot.com/2006/08/deliberation-debate-and-democracy-in.html

Sometimes this means conducting deliberative polls or favoring the referendum process. Other times it means making the political process more transparent, such as favoring open-door meetings and the like. Now, many people make pretty good arguments as to the imperfections of these policies. The referendum process can be co-opted, bought out; sometimes even openness is antithetical to transparency, since cynical politicians can take advantage of openness for their own publicity, and sometimes people need to deliberate in private.¶ But **the great thing about deliberation as a commitment is that these criticisms can become part of the overall process of deliberative democracy. In a world where interested parties have the opportunity to** speak and **debate in good faith, we can criticize the** referendum **process,** or explain why we can’t always have open meetings. **We can debate the rules themselves, in other words, debate the process itself.** ¶ **All of this suggests that**, if deliberative ethics are an antidote to both authoritarianism and self-centeredness, **we need more:** More debate teams**,** more public discussion, more patient deliberation, more argument, more discourse, and more nurturing and promotion of the material entities that sustain them.¶ **Some of the most articulate criticisms of competitive, switch-side academic debate come from the debate community itself. These criticisms have lately centered on things like the specialized and esoteric practices** **of debate**, the **under-representation of minorities** in the activity, **and the way** in which **debate practices feed,** rather than fight, **structures of domination. In other words, internal criticism of academic debate is very much like internal criticisms of the Academy in general:** We’re too specialized, we’re too white, and we’re exploited by hegemonic institutions. **All of these criticisms are true, and yet, paradoxically, it is our experience in debate,** along with our experience in the critical thinking of university education, **that** teaches us how to articulate these arguments**. The deliberative process is** self-reflective **and at least has the** potential to be self-correcting**.**

#### Our framework can access the methods of exclusion they discuss - Discussing the state is distinct from the roleplaying they criticize – we don’t require an acceptance of an oppressive institution

Harris 13

(“Scott Harris NDT Final Round Ballot” April 5, 2013 <http://www.cedadebate.org/forum/index.php?topic=4762.msg10255#msg10255>, KB)

While this ballot has meandered off on a tangent I’ll take this opportunity to comment on an unrelated argument in the debate. Emporia argued that oppressed people should not be forced to role play being the oppressor. This idea that debate is about role playing being a part of the government puzzles me greatly. While I have been in debate for 40 years now never once have I role played being part of the government. When I debated and when I have judged debates I have never pretended to be anyone but Scott Harris. Pretending to be Scott Harris is burden enough for me. Scott Harris has formed many opinions about what the government and other institutions should or should not do without ever role playing being part of those institutions. I would form opinions about things the government does if I had never debated. I cannot imagine a world in which people don’t form opinions about the things their government does. I don’t know where this vision of debate comes from. I have no idea at all why it would be oppressive for someone to form an opinion about whether or not they think the government should or should not do something. I do not role play being the owner of the Chiefs when I argue with my friends about who they should take with the first pick in this year’s NFL draft. I do not role play coaching the basketball team or being a player if I argue with friends about coaching decisions or player decisions made during the NCAA tournament. If I argue with someone about whether or not the government should use torture or drone strikes I can do that and form opinions without ever role playing that I am part of the government. Sometimes the things that debaters argue is happening in debates puzzle me because they seem to be based on a vision of debate that is foreign to what I think happens in a debate round.

#### The state can be redeemed!

Brubaker 4

Rogers Brubaker, Department of Sociology, UCLA, 2004, In the Name of the Nation: Reflectionson Nationalism and Patriotism, Citizenship Studies, Vol. 8, No. 2, [www.sailorstraining.eu/admin/download/b28.pdf](http://www.sailorstraining.eu/admin/download/b28.pdf)

This, then, is the basic work done by the category ‘nation’ in the context of nationalist movements—movements to create a polity for a putative nation. In other contexts, the category ‘nation’ is used in a very different way. It is used not to challenge the existing territorial and political order, but to create a sense of national unity for a given polity. This is the sort of work that is often called nation-building, of which we have heard much of late. It is this sort of work that was evoked by the Italian statesman Massimo D’Azeglio, when he famously said, ‘we have made Italy, now we have to make Italians’. It is this sort of work that was (and still is) undertaken—with varying but on the whole not particularly impressive degrees of success—by leaders of post-colonial states, who had won independence, but whose populations were and remain deeply divided along regional, ethnic, linguistic, and religious lines. It is this sort of work that the category ‘nation’ could, in principle, be mobilized to do in contemporary Iraq—to cultivate solidarity and appeal to loyalty in a way that cuts across divisions between Shi’ites and Sunnis, Kurds and Arabs, North and South.2¶ In contexts like this, the category ‘nation’ can also be used in another way, not to appeal to a ‘national’ identity transcending ethnolinguistic, ethnoreligious, or ethnoregional distinctions, but rather to assert ‘ownership’ of the polity on behalf of a ‘core’ ethnocultural ‘nation’ distinct from the citizenry of the state as a whole, and thereby to define or redefine the state as the state of and for that core ‘nation’ (Brubaker, 1996, p. 83ff). This is the way ‘nation’ is used, for example, by Hindu nationalists in India, who seek to redefine India as a state founded on Hindutva or Hinduness, a state of and for the Hindu ethnoreligious ‘nation’ (Van der Veer, 1994). Needless to say, this use of ‘nation’ excludes Muslims from membership of the nation, just as similar claims to ‘ownership’ of the state in the name of an ethnocultural core nation exclude other ethnoreligious, ethnolinguistic, or ethnoracial groups in other settings.¶ In the United States and other relatively settled, longstanding nation-states, ‘nation’ can work in this exclusionary way, as in nativist movements in America or in the rhetoric of the contemporary European far right (‘la France oux Franc¸ais’, ‘Deutschland den Deutshchen’). **Yet it can also work in a very different and fundamentally inclusive way**.3 It can work to mobilize mutual solidarity among members of ‘the nation’, inclusively defined to include all citizens—and perhaps all long-term residents—of the state. To invoke nationhood, in this sense, is to attempt to transcend or at least relativize internal differences and distinctions. It is an attempt to get people to think of themselves— to formulate their identities and their interests—as members of that nation, rather than as members of some other collectivity. To appeal to the nation can be a powerful rhetorical resource, though it is not automatically so. Academics in the social sciences and humanities in the United States are generally skeptical of or even hostile to such invocations of nationhood. They are often seen as de´passe´, parochial, naive, regressive, or even dangerous. For many scholars in the social sciences and humanities, ‘nation’ is a suspect category.¶ Few American scholars wave flags, and many of us are suspicious of those who do. And often with good reason, since flag-waving has been associated with intolerance, xenophobia, and militarism, with exaggerated national pride and aggressive foreign policy. **Unspeakable horrors**—and a wide range of lesser evils—**have been perpetrated in the name of the nation**, and not just in the name of ‘ethnic’ nations, but in the name of putatively ‘civic’ nations as well (Mann, 2004). But this is not sufficient to account for the prevailingly negative stance towards the nation. Unspeakable horrors, and an equally wide range of lesser evils, have been committed in the name of many other sorts of imagined communities as well—in the name of the state, the race, the ethnic group, the class, the party, the faith.¶ In addition to the sense that nationalism is dangerous, and closely connected to some of the great evils of our time—the sense that, as John Dunn (1979, p. 55) put it, nationalism is ‘the starkest political shame of the 20th-century’— there is a much broader suspicion of invocations of nationhood. This derives from the widespread diagnosis that we live in a post-national age. It comes from the sense that, however well fitted the category ‘nation’ was to economic, political, and cultural realities in the nineteenth century, it is increasingly ill-fitted to those realities today. On this account, nation is fundamentally an anachronistic category, and invocations of nationhood, even if not dangerous, are out of sync with the basic principles that structure social life today.4¶ The post-nationalist stance combines an empirical claim, a methodological critique, and a normative argument. I will say a few words about each in turn. The empirical claim asserts the declining capacity and diminishing relevance of the nation-state. Buffeted by the unprecedented circulation of people, goods, messages, images, ideas, and cultural products, the nation-state is said to have progressively lost its ability to ‘cage’ (Mann, 1993, p. 61), frame, and govern social, economic, cultural, and political life. It is said to have lost its ability to control its borders, regulate its economy, shape its culture, address a variety of border-spanning problems, and engage the hearts and minds of its citizens. I believe this thesis is greatly overstated, and not just because the September 11 attacks have prompted an aggressively resurgent statism.5 Even the European Union, central to a good deal of writing on post-nationalism, does not represent a linear or unambiguous move ‘beyond the nation-state’. As Milward (1992) has argued, the initially limited moves toward supranational authority in Europe worked—and were intended—to restore and strengthen the authority of the nation-state. And the massive reconfiguration of political space along national lines in Central and Eastern Europe at the end of the Cold War suggests that far from moving beyond the nation-state, large parts of Europe were moving back to the nation-state.6 The ‘short twentieth century’ concluded much as it had begun, with Central and Eastern Europe entering not a post-national but a post-multinational era through the large-scale nationalization of previously multinational political space. Certainly nationhood remains the universal formula for legitimating statehood. ¶ Can one speak of an ‘unprecedented porosity’ of borders, as one recent book has put it (Sheffer, 2003, p. 22)? In some respects, perhaps; but in other respects—especially with regard to the movement of people—social technologies of border control have continued to develop. One cannot speak of a generalized loss of control by states over their borders; in fact, during the last century, the opposite trend has prevailed, as states have deployed increasingly sophisticated technologies of identification, surveillance, and control, from passports and visas through integrated databases and biometric devices. The world’s poor who seek to better their estate through international migration face a tighter mesh of state regulation than they did a century ago (Hirst and Thompson, 1999, pp. 30–1, 267). Is migration today unprecedented in volume and velocity, as is often asserted? Actually, it is not: on a per capita basis, the overseas flows of a century ago to the United States were considerably larger than those of recent decades, while global migration flows are today ‘on balance slightly less intensive’ than those of the later nineteenth and early twentieth century (Held et al., 1999, p. 326). Do migrants today sustain ties with their countries of origin? Of course they do; but they managed to do so without e-mail and inexpensive telephone connections a century ago, and it is not clear—contrary to what theorists of post-nationalism suggest—that the manner in which they do so today represents a basic transcendence of the nation-state.7 Has a globalizing capitalism reduced the capacity of the state to regulate the economy? Undoubtedly. Yet in other domains—such as the regulation of what had previously been considered private behavior—the regulatory grip of the state has become tighter rather than looser (Mann, 1997, pp. 491–2).¶ The methodological critique is that the social sciences have long suffered from ‘methodological nationalism’ (Centre for the Study of Global Governance, 2002; Wimmer and Glick-Schiller, 2002)—the tendency to take the ‘nation-state’ as equivalent to ‘society’, and to focus on internal structures and processes at the expense of global or otherwise border-transcending processes and structures. There is obviously a good deal of truth in this critique, even if it tends to be overstated, and neglects the work that some historians and social scientists have long been doing on border-spanning flows and networks.¶ But what follows from this critique? If it serves to encourage the study of social processes organized on multiple levels in addition to the level of the nation-state, so much the better. But if the methodological critique is coupled— as it often is—with the empirical claim about the diminishing relevance of the nation-state, and if it serves therefore to channel attention away from state-level processes and structures, there is a risk that academic fashion will lead us to neglect what remains, for better or worse, a fundamental level of organization and fundamental locus of power.¶ The normative critique of the nation-state comes from two directions. From above, the cosmopolitan argument is that humanity as a whole, not the nation- state, should define the primary horizon of our moral imagination and political engagement (Nussbaum, 1996). From below, muticulturalism and identity politics celebrate group identities and privilege them over wider, more encompassing affiliations.¶ One can distinguish stronger and weaker versions of the cosmopolitan argument. The strong cosmopolitan argument is that there is no good reason to privilege the nation-state as a focus of solidarity, a domain of mutual responsibility, and a locus of citizenship.8 The nation-state is a morally arbitrary community, since membership in it is determined, for the most part, by the lottery of birth, by morally arbitrary facts of birthplace or parentage. The weaker version of the cosmopolitan argument is that the boundaries of the nation-state should not set limits to our moral responsibility and political commitments. It is hard to disagree with this point. No matter how open and ‘joinable’ a nation is—a point to which I will return below—it is always imagined, as Benedict Anderson (1991) observed, as a limited community. It is intrinsically parochial and irredeemably particular. Even the most adamant critics of universalism will surely agree that those beyond the boundaries of the nation-state have some claim, as fellow human beings, on our moral imagination, our political energy, even perhaps our economic resources.9¶ The second strand of the normative critique of the nation-state—the multiculturalist critique—itself takes various forms. Some criticize the nation-state for a homogenizing logic that inexorably suppresses cultural differences. Others claim that most putative nation-states (including the United States) are not in fact nation-states at all, but multinational states whose citizens may share a common loyalty to the state, but not a common national identity (Kymlicka, 1995, p. 11). But the main challenge to the nation-state from multiculturalism and identity politics comes less from specific arguments than from a general disposition to cultivate and celebrate group identities and loyalties at the expense of state-wide identities and loyalties.¶ In the face of this twofold cosmopolitan and multiculturalist critique, I would like to sketch a qualified defense of nationalism and patriotism in the contemporary American context.10 Observers have long noted the Janus-faced character of nationalism and patriotism, and I am well aware of their dark side. As someone who has studied nationalism in Eastern Europe, I am perhaps especially aware of that dark side, and I am aware that nationalism and patriotism have a dark side not only there but here. Yet the prevailing anti-national, post-national, and trans-national stances in the social sciences and humanities risk obscuring the good reasons—at least in the American context—for cultivating solidarity, mutual responsibility, and citizenship at the level of the nation-state. Some of those who defend patriotism do so by distinguishing it from nationalism.11 I do not want to take this tack, for I think that attempts to distinguish good patriotism from bad nationalism neglect the intrinsic ambivalence and polymorphism of both. Patriotism and nationalism are not things with fixed natures; **they are highly flexible political languages, ways of framing political arguments** by appealing to the patria, the fatherland, the country, the nation. These terms have somewhat different connotations and resonances, and the political languages of patriotism and nationalism are therefore not fully overlapping. But they do overlap a great deal, and an enormous variety of work can be done with both languages. I therefore want to consider them together here.¶ I want to suggest that patriotism and nationalism can be valuable in four respects. They can help develop more robust forms of citizenship, provide support for redistributive social policies, foster the integration of immigrants, and even serve as a check on the development of an aggressively unilateralist foreign policy.¶ First, nationalism and patriotism can motivate and sustain civic engagement. It is sometimes argued that liberal democratic states need committed and active citizens, and therefore need patriotism to generate and motivate such citizens. This argument shares the general weakness of functionalist arguments about what states or societies allegedly ‘need’; in fact, liberal democratic states seem to be able to muddle through with largely passive and uncommitted citizenries. But the argument need not be cast in functionalist form. A committed and engaged citizenry may not be necessary, but that does not make it any less desirable. And patriotism can help nourish civic engagement. It can help generate feelings of solidarity and mutual responsibility across the boundaries of identity groups. As Benedict Anderson (1991, p. 7) put it, the nation is conceived as a ‘deep horizontal comradeship’. Identification with fellow members of this imagined community can nourish the sense that their problems are on some level my problems, for which I have a special responsibility.12¶ Patriotic identification with one’s country—the feeling that this is my country, and my government—can help ground a sense of responsibility for, rather than disengagement from, actions taken by the national government. A feeling of responsibility for such actions does not, of course, imply agreement with them; **it may** even **generate powerful emotions such as shame, outrage, and anger that underlie and motivate opposition to government policies**. Patriotic **commitments** are likely to **intensify** rather than attenuate **such emotions**. As Richard Rorty (1994) observed, ‘you can feel shame over your country’s behavior only to the extent to which you feel it is your country’.13 Patriotic commitments can furnish the energies and passions that **motivate and sustain civic engagement**.

#### The premise of their response to framework is that issues of identity/race/culture should be protected from exposure to reason-giving debate---this impedes the culture of democratic debate that’s key to effective decisionmaking in a pluralistic society---it’s also simply wrong to claim that framework oppresses identity or alternate styles---our argument is style-neutral---it simply asks that narrative/experience/etc be used to support a policy conclusion which solves their offense as well as ours

Anderson 6

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

MY RECENT BOOK, The Way We Argue Now, has in a sense two theses. In the first place, the book makes the case for the importance of debate and argument to any vital democratic or pluralistic intellectual culture. This is in many ways an unexceptional position, but the premise of the book is that the claims of reasoned argument are often trumped, within the current intellectual terrain, by appeals to cultural identity and what I gather more broadly under the rubric of ethos, which includes cultural identity but also forms of ethical piety and charismatic authority. In promoting argument as a universal practice keyed to a human capacity for communicative reason, my book is a critique of relativism and identity politics, or the notion that forms of cultural authenticity or group identity have a certain unquestioned legitimacy, one that cannot or should not be subjected to the challenges of reason or principle, precisely because reason and what is often called "false universalism" are, according to this pattern of thinking, always involved in forms of exclusion, power, or domination. My book insists, by contrast, that argument is a form of respect, that the ideals of democracy, whether conceived from a nationalist or an internationalist perspective, rely fundamentally upon procedures of argumentation and debate in order to legitimate themselves and to keep their central institutions vital. And the idea that one should be protected from debate, that argument is somehow injurious to persons if it does not honor their desire to have their basic beliefs and claims and solidarities accepted without challenge, is strenuously opposed. As is the notion that any attempt to ask people to agree upon processes of reason-giving argument is somehow necessarily to impose a coercive norm, one that will disable the free expression and performance of identities, feelings, or solidarities. Disagreement is, by the terms of my book, a form of respect, not a form of disrespect. And by disagreement, I don't mean simply to say that we should expect disagreement rather than agreement, which is a frequently voiced-if misconceived-criticism of Habermas. Of course we should expect disagreement. My point is that we should focus on the moment of dissatisfaction in the face of disagreement-the internal dynamic in argument that imagines argument might be the beginning of a process of persuasion and exchange that could end in agreement (or partial agreement). For those who advocate reconciling ourselves to disagreements rather than arguing them out, by contrast, there is a complacent-and in some versions, even celebratory-attitude toward fixed disagreement. Refusing these options, I make the case for dissatisfied disagreement in the final chapter of the book and argue that people should be willing to justify their positions in dialogue with one another, especially if they hope to live together in a post-traditional pluralist society. One example of the trumping of argument by ethos is the form that was taken by the late stage of the Foucault/Habermas debate, where an appeal to ethos-specifically, an appeal to Foucault's style of ironic or negative critique, often seen as most in evidence in the interviews, where he would playfully refuse labels or evade direct answers-was used to exemplify an alternative to the forms of argument employed by Habermas and like-minded critics. (I should pause to say that I provide this example, and the framing summary of the book that surrounds it, not to take up airtime through expansive self-reference, but because neither of my respondents provided any contextualizing summary of the book's central arguments, though one certainly gets an incremental sense of the book's claims from Bruce Robbins. Because I don't assume that readers of this forum have necessarily read the book, and because I believe that it is the obligation of forum participants to provide sufficient context for their remarks, I will perform this task as economically as I can, with the recognition that it might have carried more weight if provided by a respondent rather than the author.) ¶ The Foucauldian counter-critique importantly emphasizes a relation between style and position, but it obscures (1) the importance or value of the Habermasian critique and (2) the possibility that the other side of the debate might have its own ethos to advocate, one that has precisely to do with an ethos of argument, an ideal of reciprocal debate that involves taking distance on one's pre-given forms of identity or the norms of one's community, both so as to talk across differences and to articulate one's claims in relation to shared and even universal ideals. And this leads to the second thesis of the book, the insistence that an emphasis on ethos and character is interestingly present if not widely recognized in contemporary theory, and one of the ways its vitality and existential pertinence makes itself felt (even despite the occurrence of the kinds of unfair trumping moves I have mentioned). We often fail to notice this, because identity has so uniformly come to mean sociological, ascribed, or group identity-race, gender, class, nationality, ethnicity, sexuality, and so forth. Instances of the move toward character and ethos include the later Foucault (for whom ethos is a central concept), cosmopolitanism (whose aspiration it is to turn universalism into an ethos), and, more controversially, proceduralist ethics and politics (with its emphasis on sincerity and civility). Another version of this attentiveness to ethos and character appears in contemporary pragmatism, with its insistence on casualness of attitude, or insouciance in the face of contingency-recommendations that get elevated into full-fledged exemplary personae in Richard Rorty's notion of the "ironist" or Barbara Herrnstein Smiths portrait of the "postmodern skeptic." These examples-and the larger claim they support-are meant to defend theory as still living, despite the many reports of its demise, and in fact still interestingly and incessantly re-elaborating its relation to practice. This second aspect of the project is at once descriptive, motivated by the notion that characterology within theory is intrinsically interesting, and critical, in its attempt to identify how characterology can itself be used to cover or evade the claims of rational argument, as in appeals to charismatic authority or in what I identify as narrow personifications of theory (pragmatism, in its insistence on insouciance in the face of contingency, is a prime example of this second form). And as a complement to the critical agenda, there is a reconstructive agenda as well, an attempt to recuperate liberalism and proceduralism, in part by advocating the possibility, as I have suggested, of an ethos of argument. ¶ Robbins, in his extraordinarily rich and challenging response, zeroes in immediately on a crucial issue: who is to say exactly when argument is occurring or not, and what do we do when there is disagreement over the fundamentals (the primary one being over what counts as proper reasoning)? Interestingly, Robbins approaches this issue after first observing a certain tension in the book: on the one hand, The Way We Argue Now calls for dialogue, debate, argument; on the other, its project is "potentially something a bit stricter, or pushier: getting us all to agree on what should and should not count as true argument." What this point of entry into the larger issue reveals is a kind of blur that the book, I am now aware, invites. On the one hand, the book anatomizes academic debates, and in doing so is quite "debaterly" This can give the impression that what I mean by argument is a very specific form unique to disciplinary methodologies in higher education. But the book is not generally advocating a narrow practice of formal and philosophical argumentation in the culture at large, however much its author may relish adherence to the principle of non-contradiction in scholarly argument. I take pains to elaborate an ethos of argument that is linked to democratic debate and the forms of dissent that constitutional patriotism allows and even promotes. In this sense, while argument here is necessarily contextualized sociohistorically, the concept is not merely academic. It is a practice seen as integral to specific political forms and institutions in modern democracies, and to the more general activity of critique within modern societies-to the tradition of the public sphere, to speak in broad terms. Additionally, insofar as argument impels one to take distance on embedded customs, norms, and senses of given identity, it is a practice that at once acknowledges identity, the need to understand the perspectives of others, and the shared commitment to commonality and generality, to finding a way to live together under conditions of difference.¶ More than this: the book also discusses at great length and from several different angles the issue that Robbins inexplicably claims I entirely ignore: the question of disagreement about what counts as argument. In the opening essay, "Debatable Performances," I fault the proponents of communicative ethics for not having a broader understanding of public expression, one that would include the disruptions of spectacle and performance. I return to and underscore this point in my final chapter, where I espouse a democratic politics that can embrace and accommodate a wide variety of expressions and modes. This is certainly a discussion of what counts as dialogue and hence argument in the broad sense in which I mean it, and in fact I fully acknowledge that taking distance from cultural norms and given identities can be advanced not only through critical reflection, but through ironic critique and defamiliarizing performance as well. But I do insist-and this is where I take a position on the fundamental disagreements that have arisen with respect to communicative ethics-that when they have an effect, these other dimensions of experience do not remain unreflective, and insofar as they do become reflective, they are contributing to the very form of reasoned analysis that their champions sometimes imagine they must refuse in order to liberate other modes of being (the affective, the narrative, the performative, the nonrational). If a narrative of human rights violation is persuasive in court, or in the broader cultural public sphere, it is because it draws attention to a violation of humanity that is condemned on principle; if a performance jolts people out of their normative understandings of sexuality and gender, it prompts forms of understanding that can be affirmed and communicated and also can be used to justify political positions and legislative agendas.

#### This debate doesn’t change anything about the practices they kritik --- skill development through debate is a prerequisite to transformative politics

Anderson 6

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In some ways, this is understandable as utopian writing, with recognizable antecedents throughout the history of leftist thought. But what is distinctive in Butler’s writing is the way temporal rhetoric emerges precisely at the site of uneasy normative commitment. In the case of performative subversion, a futural rhetoric displaces the problems surrounding agency, symbolic constraint, and poststructuralist ethics. Since symbolic constraint is constitutive of who we can become and what we can enact,¶ 34¶ there is clearly no way to truly envision a reworked symbolic. And since embracing an alternative symbolic would necessarily involve the imposition of newly exclusionary and normalizing norms, to do more than gesture would mean lapsing into the very practices that need to be superseded. Indeed, despite Butler’s insistence in Feminist Contentions that we must always risk new foundations, she evinces a fastidious reluctance to do so herself.¶ The forward-looking articulation of performative politics increasingly gives way, in Bodies That Matter, to a more reflective, and now strangely belated, antiexclusionary politics. Less sanguine about the efficacy of outright subversion, Butler more soberly attends to ways we might respond to the politically and ontologically necessary error of identity categories. We cannot choose not to put such categories into play, but once they are in play, we can begin to interrogate them for the exclusions they harbor and generate. Butler here is closely following Gayatri Chakravorty Spivak’s position on essentialism, a position Butler earlier sought to sublate through the more exclusive emphasis on the unremitting subversion of identity.18 If performative subversion aimed to denaturalize identity and thus derail its pernicious effects, here, by contrast, one realizes the processes of identity formation will perforce proceed, and one simply attempts to register and redress those processes in a necessarily incomplete way. The production of exclusion, or a constitutive outside, is “the necessary and founding violence of any truth-regime,” but we should not simply accept that fact passively:¶ The task is to refigure this necessary “outside” as a future horizon, one in which the violence of exclusion is perpetually in the process of being overcome. But of equal importance is the preservation of the outside, the site where discourse meets its limits, where the opacity of what is not included in a given regime of truth acts as a disruptive site of linguistic impropriety and unrepresentability, illuminating the violent and contingent boundaries of that normative regime precisely through the inability of that regime to represent that which might pose a fundamental threat to its continuity. . . . If there is a violence necessary to the language of politics, then the risk of that violation might well be followed by another in which we begin, without ending, without mastering, to own—and yet never fully to own—the exclusions by which we proceed. (BTM, 53)¶ Because the exclusionary process is productive of who and what we are, even in our oppositional politics, our attempts to acknowledge and redress it are always post hoc. Here the future horizon is ever-receding¶ 35¶ precisely because our own belated making of amends will never, and should never, tame the contingency that also begets violence. But the question arises: does Butler ever propose that we might use the evaluative criteria governing that belated critical recognition to guard against such processes of exclusion in the first place? Well, in rare moments she does project the possibility of cultivating practices that would actually disarm exclusion (and I will be discussing one such moment presently). But she invariably returns to the bleak insistence on the impossibility of ever achieving this. This retreat is necessitated, fundamentally, by Butler’s failure to distinguish evaluative criteria from the power-laden mechanisms of normalization. Yet the distinction does reappear, unacknowledged, in the rhetoric of belatedness, which, like performative thresholdism, serves to underwrite her political purism. As belated, the incomplete acts of “owning” one’s exclusions are more seemingly reactive and can appear not to be themselves normatively implicated.¶ We can see a similar maneuver in Butler’s discussion of universalist traditions in Feminist Contentions. Here she insists that Benhabib’s universalism is perniciously grounded in a transcendental account of language (communicative reason), and is hence not able to examine its own exclusionary effects or situated quality (FC, 128–32). This is, to begin with, a mischaracterization. Benhabib’s account of communicative reason is historically situated (if somewhat loosely within the horizon of modernity) and aims to justify an ongoing and self-critical process of interactive universalism—not merely through the philosophical project of articulating a theory of universal pragmatics but more significantly through the identification and cultivation of practices that enable democratic will formation.19 Butler then introduces, in contrast to Benhabib, an exemplary practice of what she calls “misappropriating” universals (Paul Gilroy’s The Black Atlantic is cited here). Now, it is hard not to see this as a species of dogmatism. Bad people reinscribe or reinforce universals, good people “misappropriate” them. Benhabib calls for the reconstruction of Enlightenment universals, but presumably even reconstruction is tainted. The key point, however, is that misappropriation is a specifically protected derivative process, one whose own belatedness and honorific disobedience are guaranteed to displace the violence of its predecessor discourse.¶ Let me pursue here for a moment why I find this approach unsatisfactory. Simply because the activity of acknowledging exclusion or misappropriating universals is belated or derivative does not mean that such¶ 36¶ an activity is not itself as powerfully normative as the “normative political philosophy” to which Butler refers with such disdain. There is a sleight of hand occurring here: Butler attempts to imply that because such activities exist at a temporal and critical remove from “founding regimes of truth,” they more successfully avoid the insidious ruse of critical theory. But who’s rusing who here? Because Butler finds it impossible to conceive of normativity outside of normalization, she evades the challenging task of directly confronting her own normative assumptions. Yet Butler in fact advocates ethical practices that are animated by the same evaluative principles as communicative ethics: the rigorous scrutiny of all oppositional discourse for its own newly generated exclusions, and the reconfiguration of debilitating identity terms such as “women” as sites “of permanent openness and resignifiability” (FC, 50). Both these central practices rely fundamentally on democratic principles of inclusion and open contestation. Communicative ethics does no more than to clarify where among our primary social practices we might locate the preconditions for such activities of critique and transformation. By justifying its own evaluative assumptions and resources it aims not to posit a realm free of power but rather to clarify our own ongoing critiques of power. This does not mean that such critiques will not themselves require rigorous scrutiny for harboring blindnesses and further exclusions, but neither does it mean that such critiques will necessarily be driven by exclusionary logic. And communicative ethics is by no means a “merely theoretical” or “philosophical” project inasmuch as it can identify particular social and institutional practices that foster democratic ends. By casting all attempts to characterize such practices as pernicious normalizing, Butler effectively disables her own project and leaves herself no recourse but to issue dogmatic condemnations and approvals.

#### Fairness is key to effective dialogue---monopolizing strategy makes discussion one-sided and subverts inclusion of the neg--- turns their inclusion arguments

Galloway 7

Samford Comm prof (Ryan, Contemporary Argumentation and Debate, Vol. 28, 2007)

**Debate as a dialogue** sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. **The affirmative side is set by the topic and fairness requirements**. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure.¶ **Setting the affirmative reciprocally sets the negative**. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table.¶ **When** one side takes more than its share, **competitive equity suffers**. **However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it** fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). **A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a** fundamental condition of a dialoguethat takes the form of a demand for equality of voice. **Far from** being **a banal request for links to a disadvantage, fairness** is a demand for respect**, a demand to be heard, a demand that a voice backed by literally months upon months of preparation, research, and critical thinking** not be silenced.¶ **Affirmative cases that suspend basic fairness norms operate to exclude particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue.** **They are unable to “understand what ‘went on…’” and are left to the whims of time and power** (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning:¶ **Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions**. Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate decisions of any kind, because **it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions** (Duncan, 1993, p. 196-197).¶ **Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation** (Farrell, 1985, p. 114).¶ For example, **a**n affirmative **case** on the 2007-2008 college topic **might defend neither state nor** international **action** in the Middle East, andyet claim to be germane to the topic **in some way. The case essentially denies the arguments that state action is oppressive or that actions** in the international arena **are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative** subverts any meaningful role to the negative team**, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. Germaneness and other substitutes for topical action do not accrue the dialogical benefits of topical advocacy**.

#### Limits o/w Independent of governmental politics, the aff’s view of debate destroys limits which spills over into all facets of life which means framework outweighs and turns the aff

Harris 13

(“Scott Harris NDT Final Round Ballot” April 5, 2013 <http://www.cedadebate.org/forum/index.php?topic=4762.msg10255#msg10255>, KB)

I understand that there has been some criticism of Northwestern’s strategy in this debate round. This criticism is premised on the idea that they ran framework instead of engaging Emporia’s argument about home and the Wiz. I think this criticism is unfair. Northwestern’s framework argument did engage Emporia’s argument. Emporia said that you should vote for the team that performatively and methodologically made debate a home. Northwestern’s argument directly clashed with that contention. My problem in this debate was with aspects of the execution of the argument rather than with the strategy itself. It has always made me angry in debates when people have treated topicality as if it were a less important argument than other arguments in debate. Topicality is a real argument. It is a researched strategy. It is an argument that challenges many affirmatives. The fact that other arguments could be run in a debate or are run in a debate does not make topicality somehow a less important argument. In reality, for many of you that go on to law school you will spend much of your life running topicality arguments because you will find that words in the law matter. The rest of us will experience the ways that word choices matter in contracts, in leases, in writing laws and in many aspects of our lives. Kansas ran an affirmative a few years ago about how the location of a comma in a law led a couple of districts to misinterpret the law into allowing individuals to be incarcerated in jail for two days without having any formal charges filed against them. For those individuals the location of the comma in the law had major consequences. Debates about words are not insignificant. Debates about what kinds of arguments we should or should not be making in debates are not insignificant either. The limits debate is an argument that has real pragmatic consequences. I found myself earlier this year judging Harvard’s eco-pedagogy aff and thought to myself—I could stay up tonight and put a strategy together on eco-pedagogy, but then I thought to myself—why should I have to? Yes, I could put together a strategy against any random argument somebody makes employing an energy metaphor but the reality is there are only so many nights to stay up all night researching. I would like to actually spend time playing catch with my children occasionally or maybe even read a book or go to a movie or spend some time with my wife. A world where there are an infinite number of affirmatives is a world where the demand to have a specific strategy and not run framework is a world that says this community doesn’t care whether its participants have a life or do well in school or spend time with their families. I know there is a new call abounding for interpreting this NDT as a mandate for broader more diverse topics. The reality is that will create more work to prepare for the teams that choose to debate the topic but will have little to no effect on the teams that refuse to debate the topic. Broader topics that do not require positive government action or are bidirectional will not make teams that won’t debate the topic choose to debate the topic. I think that is a con job. I am not opposed to broader topics necessarily. I tend to like the way high school topics are written more than the way college topics are written. I just think people who take the meaning of the outcome of this NDT as proof that we need to make it so people get to talk about anything they want to talk about without having to debate against topicality or framework arguments are interested in constructing a world that might make debate an unending nightmare and not a very good home in which to live. Limits, to me, are a real impact because I feel their impact in my everyday existence.

#### Democratic agonism can only successfully operate in a limited forum - this kind of energetic contest is crucial to politics

Glover 10

(Robert W., Prof of Poli Sci @ UConn "Games without Frontiers?: Democratic Engagement, Agonistic Pluralism, and the Question of Exclusion" Philosophy and Social Criticism Vol. 36)

Recent democratic theory has devoted significant attention to the question of how to revitalize citizen engagement and reshape citizen involvement within the process of collective political decision-making and self-government. Yet these theorists do so with the sober recognition that more robust democratic engagement may provide new means for domination, exploitation- intensification of disagreement, or even the introduction of fanaticism into our public debates.1 Thus, numerous proposals have attempted to define the acceptable boundaries of our day-to-day democratic discourse and establish regulative ideals whereby we restrict the types of justifications that can be employed in democratic argumentation. This subtle form of exclusion delineates which forms of democratic discourse are deemed to be legitimate—worthy of consideration in the larger democratic community, and morally justifiable as a basis for policy. As an outgrowth of these concerns, this newfound emphasis on political legitimacy has provoked a flurry of scholarly analysis and debate." Different theorists promote divergent conceptions of what ought to count as acceptable and legitimate forms of democratic engagement, and promote more or less stringent normative conceptions of the grounds for exclusion and de-legitimization. One of the most novel approaches to this question is offered by agonistic pluralism, a strain of democratic theory advanced by political theorists such as William Connolly, Bonnie Honig, Ernesto Laclau, Chantal Mouffe, and James Tully. Agonistic pluralism, or simply agonism, is a theory of democracy rooted in the ancient Greek notion of the agon, a public struggle or contest between adversaries. While recognizing the necessity of placing restrictions upon democratic discourse, agonistic pluralists also call upon us to guard against the naturalization of such exclusion and the coercive act of power which it implies. Rather, we must treat these actions as contingent, subject to further scrutiny, critique, and re-articulation in contentious and widely inclusive democratic spaces. In so doing, agonistic pluralism offers us a novel means of approaching democratic discourse, receptive to the claims of new actors and identities while also recognizing that there must be some, albeit minimal, restrictions placed on the form that such democratic engagement takes. In short, the goal of agonists is not to 'eradicate the use of power in social relations but to acknowledge its ineradicable nature and attempt to modify power in ways that are compatible with democratic values'.5 This is democracy absent the 'final guarantee\* or the 'definitive legitimation.'4 As one recent commentator succinctly put it, agonistic pluralism forces democratic actors to '...relinquish all claims to finality, to happy endings../.5 Yet while agonistic pluralism offers valuable insights regarding how we might reshape and revitalize the character of our democratic communities, it is a much more diverse intellectual project than is commonly acknowledged. There are no doubt continuities among these thinkers, yet those engaged in agonistic pluralism ultimately operate with divergent fundamental assumptions, see different processes at work in contemporary democratic politics, and aspire towards unique political end-goals. To the extent that we do not recognize these different variants, we risk failing to adequately consider proposals which could positively alter the character of our democratic engagement, enabling us to reframe contemporary pluralism as a positive avenue for social change and inclusion rather than a crisis to be contained. This piece begins by outlining agonistic pluralism's place within the larger theoretical project of revitalizing democratic practice, centered on the theme of what constitutes 'legitimate" democratic discourse. Specifically, I focus on agonism's place in relation to 'participatory' and 'deliberative' strains of democratic theory. I then highlight the under-examined diversity of those theorists commonly captured under the heading of agonistic pluralism, drawing upon Chantal Mouffe\*s recent distinction between 'dissociative' and 'associative' agonism. However, I depart from her assertion that 'associative agonists' such as Bonnie Honig and William Connolly offer us no means by which to engage in the 'negative determination of frontiers\* of our political spaces. Contra Mouffe, I defend these theorists as offering the most valuable formulation of agonism, due to their articulation of the civic virtues and democratic (re)education needed to foster greater inclusivity and openness, while retaining the recognition that democratic discourse must operate with limits and frontiers.