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#### Contention 1 is the Status Quo

#### US detention policy is an act of Islamophobia informed by a culture of collective suspicion and prejudice

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[October 04, 2012, Theresa Koenigsknecht is Public History MA Candidate at Indiana University-Purdue University at Indianapolis, “Perspectives on Post 9/11 Prejudices: Islamophobia”, http://blog.gitmomemory.org/2012/10/04/perspectives-on-post-911-prejudices-islamophobia/]

Have the September 11th terrorist attacks changed how you view or treat others? For many, unfortunately, the answer is probably “yes.” The events of 9/11, the United States government’s response to them, and an increasing public misunderstanding of Islam have created a culture of collective suspicion and prejudice towards Muslims (or those perceived to be Muslim). This “unfounded fear of and hostility towards Islam” is popularly known as “Islamophobia.” Whether this attitude occurs intentionally or subconsciously, this mindset has resulted in intensifying stereotypes, hate crimes, discrimination and often condones the violation of civil rights of Muslim-Americans. The Muslim community’s response to the 9/11 attacks, both initially and today, remains remarkably patriotic and supports cooperation with government authorities. Yet immediately following 9/11, Muslim-Americans, as well as those perceived to be Muslims, often endured increased suspicion from other Americans and even experienced physical violence, supposedly in retaliation for the attacks. Over a decade later, Muslims are still subjected to hate crimes, workplace discrimination, unreasonable arrest and detention, passenger profiling, verbal (especially through hate mail and internet outlets) and physical harassment and abuse. Although racism and anti-Semitism are considered socially unacceptable, ethnic profiling against Muslim-Americans is often encouraged and accepted by government authorities and popular media. Fortunately, some people are actively working to counter the rise of Islamophobia and many communities have come together showing solidarity and interfaith cooperation with their Muslim neighbors. Anyone can take steps to defeat Islamophobia by encouraging empathy for others and participating in activities that promote discussion between people of different faiths and ethnicities. More information on countering Islamophobia can be found on The Muslim Public Affairs Council website which provides helpful resources, links and workshops. It is efforts such as these that can help create an atmosphere of trust and dialogue, as opposed to fear and misunderstanding. So what does Islamophobia have to do with Guantánamo? Muslims constitute almost all of those detained there since 9/11. For that reason, although Guantánamo may not figure largely in the minds of some Americans, Islamophobia strongly influences Western culture and plays a large part in what Americans do understand about Guantánamo and its detainees. To many American’s the prevalent misconception that Islam is equivalent with terrorism unfortunately justifies the violation of Muslim’s civil liberties in the United States as well as violations of detainees’ human rights at Guantánamo. Yet, the American Civil Liberties Union’s “A Call to Courage” report states that, “by allowing and in some cases actively encouraging the fear of terrorism to divide Americans by religion, race, and belief, our political leaders are fracturing this nation’s greatest strength: its ability to integrate diverse strands into a unified whole on the basis of shared, pluralistic, democratic values.” Remembering each person’s right to civil liberties and advocating for greater awareness and knowledge can persuade people to reconsider how they view or treat those around them and in time provide an antidote for Islamophobia.

#### These constructions create a broader state of violence against Islamic bodies and bodies that are racially marked to look like them—this manifests itself in xenophobic profiling and immigration policies

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[Spring 2003, Adrien Katherine Wing is a Bessie Dutton Murray Distinguished Professor of Law at the University of Iowa College of Law. A.B. Princeton, 1978; M.A. UCLA, 1979; J.D. Stanford, 1982. This paper was presented at the Civil Rights symposium of the Louisiana State“Civil Rights in the Post 911 World: Critical Race Praxis, Coalition Building, and the War on Terrorism”, <http://digitalcommons.law.lsu.edu/cgi/viewcontent.cgi?article=5987&context=lalrev&sei-redir=1&referer=http%3A%2F%2Fscholar.google.com%2Fscholar%3Fq%3Dguantanamo%2B%2522critical%2Brace%2Btheory%2522%26btnG%3D%26hl%3Den%26as_sdt%3D0%252C5%26as_vis%3D1#search=%22guantanamo%20critical%20race%20theory%22>, 63 La. L. Rev. (2003)]

To illustrate how race can be socially constructed, I will use myself as an example. In the United States, I am considered African American or Black American, with the defacto second class status that designation still implies. My parents and grandparents were all considered Black, even though some of them had very light skin. The most recent white person whom we can determine is an ancestor is my great-great grandfather, Confederate General Pierre Gustave Toutant Beauregard.35 We even have members of the African American group who look white, yet are still considered part of the Black group. In South Africa, where I have taught many times, I was considered part of the historically mixed race group known as Coloured, due to my light skin, wavy hair and other characteristics. 7 During the apartheid era, this group had a buffer status between the de jure most privileged whites and the least privileged black Africans.3 " In Brazil, I learned that my same features would classify me as White, with all the defacto privileges that the designation still brings in that society.39 The pan-ethnicity term "Arab" and the religious signifier "Muslim" have been socially constructed as a synonymous "race" in the United States.4° While there are over 1.2 billion Muslims worldwide, only 15% are Arab.41 In the U.S., it is unclear, but there maybe between 4-8 million Muslims, of whom 22.4% are U.S. born and 23.8% are African American.42 There may be 3 million Arabs in the U.S., originating from 22 countries,43 and the Arab American Institute has revealed the little known fact that nearly three quarters of Arab Americans are Christians." In an important case, St. Francis College v. Al-Khazraji, the Supreme Court acknowledged that Arabs can be discriminated against on account of their race. Interestingly, those who merely look like Arabs or Muslims may be racially profiled on that basis as well. The double group can thus be considered larger than the number of actual members. According to one commentator, there may be, in this country, 7 million Arabs, 8 million Muslims, and 1.6 million South Asians, Latinos, and African Americans who could look "Arab," probably at least 10 million people,46 which I think even that is a vast underestimate of the numbers of the Blacks and Latinos in America who could pass as Arab. One African American radio personality stated that French citizen Zacharias Moussaoui, native of Morocco, who may have been the twentieth September 11 hijacker, looks like "a brother from around the way.' When my sons and I travel abroad, we are often mistaken for Arabs or Muslims. My partner James, who is a dark brown skinned Christian African American, often wears a kufi or skull cap to express his cultural affinity for Africa. He is always taken for a Muslim, although not an Arab. Sadly, I have told my NYU student son, who can phenotypically pass for Arab, that he has to be careful when flying so that he will not be mistaken for an Arab. Dressing in the popular ghetto styled baggy pants coupled with corn rowing his hair, and the use of an Ebonics dialect,48 helps ensure that he is not racially profiled as an Arab. Of course, when he lands in New York, his failure to be able to hail a cab indicates he is clearly seen as a Black - too risky to pick up.49 These two overlapping and socially constructed-as-synonymous groups, Arabs and Muslims, have come to be regarded in some of the negative ways that have historically characterized African Americans. While Arabs and Muslims are often stereotyped as dangerous, evil, sneaky, primitive, and untrustworthy, much as Blacks are, the criminality has a twist-they are considered potential or actual terrorists." They are forever "foreign, disloyal and imminently threatening,"'" whether they are citizens or not. Arabs and Muslims were racially profiled, victimized, and demonized as terrorists well before September 11 2 These activities have included: physical attacks by individuals and pro-Israel groups such as the Jewish Defense League; political attacks by pro-Israel lobby AIPAC and the Anti-Defamation League ofB'nai Birth, as well as many other Democratic and Republican Party affiliated entities; blacklisting of prominent Arab American intellectuals such as Columbia professor Edward Said and Harvard professor Walid Khalidi; as well as vicious stereotypes in films and television that would not be tolerated if used to characterize other groups.53 For example, Jack Shaheen surveyed a number of movies and found the following characterizations of Arabs and Muslims: "assholes," "bastards," "camel-dicks," "pigs," "devil-worshipers," "jackels," "rats," "rag-heads," "towel-heads," "scum-buckets," "sons-of-dogs," "buzzards of the jungle," "sons-of-whores," "sons-of-unnamed goats," and "sons-of-she-camels." 4 It is difficult to imagine the movie industry applying those sorts of labels to Blacks or Jews today. Arab American campaign contributions have been returned as if Arab citizens have no right to participate in American politics 5 3 Anti-Arab and anti-Muslim activities have intensified during periods of high tensions in the Middle East, such as the 1980 Iran Hostage situation, 1980-88 Iran-Iraq war, 1986 war against Libya, and the 1991 Gulf war.56 "The Supreme Court has upheld immigration laws discriminating against noncitizens on the basis of race, national origin and political affiliation that would patently violate the constitution if the rights of citizens were at stake."57 The cases include Harisiades v. Shaughnessy," Nguyen v. US.,59 Reno v American-Arab AntiDiscrimination Committee,6 ' Sale v. Haitian Centers Council, Incorporated,6 ' and The Chinese Exclusion cases.62 The plenary power doctrine has historically provided immunity from judicial scrutiny of immigration judgments, whether by Congress or the Executive branch. Many Americans assumed the Oklahoma City bombing of the Murrah federal building had to be done by Arabs or Muslims, rather than by white Christian militia member Timothy McVeigh.' After that incident, even though Arabs and Muslims were not involved, draconian immigration laws were passed in 1996 which singled out those groups. 65 Unfortunately, what happened to Arabs and Muslims under these 1996 laws was not unique. According to Kevin Johnson, these laws are part of a history of attempts to stiffle dissent that includes the Alien and Sedition Acts of the 1790s and the Palmer Raids after World War 1.66 In that period after the war, the U.S. imprisoned people for years for speaking out against the war effort.67 During the cold war Red Scare, many people lost jobs and were subject to investigation, or were even imprisoned, because of rumored association with the Communist party.6 According to Jerry Kang, "wartime coupled with racism and intolerance creates particular types of mistakes. Specifically we overestimate the threat posed by racial 'others,' in WWlI, Japanese Americans; today, Arab Americans, Muslims Middle Easterners, immigrants and anyone who looks like 'them . ,9, ? The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA)70 made it a crime to contribute to foreign groups deemed as terrorist, and created special deportation procedures, including the formation of special courts to evaluate secret evidence. 7 ' The Illegal Immigration and Immigrant Responsibility Act of 1996 (IIRIRA)72 supplemented AEDPA. That act prevents federal courts from reviewing a variety of immigration cases, with very limited exceptions. 3 These two laws "either explicitly-or according to INS interpretation, impliedly-authorize the use of classified evidence to exclude an 'alien terrorist' under special removal proceedings,74 to summarily remove an alien who is a 'national security' risk,7 and to deny bond to aliens in removal proceedings."76 Pursuant to these statutes, the Immigration and Naturalization Service (INS) deported or attempted to deport more than two dozen people on the basis of secret evidence-almost all were Muslim, mainly Arabs. 77 Ironically, in 2000, Republican Presidential candidate George W. Bush accused the Clinton administration of racial profiling when it used secret evidence.78 After September 11 the situation affecting Arabs and Muslims dramatically worsened,79 and there have been profound effects on their civil rights.8 " Before that fateful date, 80% of Americans considered racial profiling wrong.8 After September 11, the polls reversed and 60% said profiling was fine, especially if directed against Arabs and Muslims. 82 U.S. Congressman John Cooksey of Louisiana likely expressed the sentiments of many when he stated on the radio, "If I see someone come in and he's got a diaper on his head and a fan belt around that diaper on his head, that guy needs to be pulled over and checked." 3 A survey done soon after September 11 said that nearly half would be in favor of having Arabs, including citizens, carry a special identification card.8 There were early reports that some Blacks and Latinos welcomed the law enforcement targeting of Arabs and Muslims.85 When I heard that comment, it reminded me that I preferred that my sons not be mistaken for Arabs when flying. On the other hand, I also realized that increased racial profiling of Arabs and Muslims has not meant that the long term racial profiling of African Americans has stopped. It merely means that my sons may be doubly profiled depending on the context. At the airport, they may be regarded as Arab terrorists, while at the taxi stand or ATM machine, they may be regarded as Black criminals.8 6 After September 11, Muslims and Arabs and people who look like them have been under siege." Over 1000 incidents of hate crimes were reported by February 2002.8 Even President Bush's Arab secret service agent was removed from an American Airlines plane. 9 Of five people who were killed, including a Sikh Indian, a Pakistani Muslim, an Egyptian Coptic Christian, and an Indian Hindu,9 none of them was a Muslim Arab, but all were socially constructed as such. The U.S. Justice Department opened up more than 380 investigations into violence or threats, which have taken the form of "telephone, internet, mail and face-to-face threats; minor assaults, assaults with dangerous weapons, and assaults resulting in serious injury or death; and vandalism, shootings, and bombings directed at homes, businesses, and places of worship."9 ' About 70 state and local criminal prosecutions were instigated against 80 defendants. 92 According to Bill Hing, Arabs and Muslims, whether citizens or not, are literally and figuratively being de-Americanized, which is "a twisted brand of xenophobia that is not simply hatred of foreigners, but also hatred of those who may not be foreigners but whom the vigilantes would prefer being removed from the country anyway."93 A member of the U.S. Civil Rights Commission has even said that in the event of another terrorist attack, the American government might consider interning Arab Americans,"4 reminiscent of the treatment of 120,000 Japanese and Japanese Americans in World War II.9 ' The legal position of Arabs and Muslims has especially declined since the exceptionally speedy passage of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act),96 which subjects noncitizens to guilt by association, ideological exclusion, unilateral executive detention, and racial profiling.97 Aliens are deportable for innocent association, without any proof that they supported terrorist activity.98 Noncitizens are now subject to the resurrection of ideological exclusion, that is that they will be denied a visa on the basis of pure speech if they are seen as endorsing or espousing terroristic activity or persuading others to support activity or a group.99 Aliens can be detained without any hearing or showing that they pose a threat to national security or are a flight risk. The defendant in a normal criminal proceeding can be held without bail only if he is a danger to the community or a flight risk. " Aliens can now be held not only during the proceeding which can take years, but also afterwards, indefinitely, even if the proceeding says they should not be removed from the country!!lo Rules that effect citizens and noncitizens alike include the authorization of secret searches and wiretaps without any probable cause as would normally be required by the Fourth Amendment. 0 2 Under the USA Patriot Act, over 1000 people were held for weeks or months with no charges in mass preventive detention. 03 They did not have access to lawyers and, in many cases, their families were not told where they were."° Some people were held as material witnesses, i.e. they might have information. Even they have been treated harshly.'0 5 Some have challenged that detention in court. While federal judges have found that the use of material witness warrants to detain individuals for potential testimony before a grand jury is unlawful,'0 6 otherjudges have held the opposite. 1 7 According to Jerry Kang, [we] should not be surprised if courts determine that national security in the face of terrorism is-in the lingo of constitutional law- a 'compelling interest' and that rude forms of racial profiling, notwithstanding its over and under-inclusiveness, are 'narrowly tailored' to furthering that interest. It would be foolish to think that the courts will necessarily save us from the excesses of the more political branches, r' Little research has been done as to how all this has affected women in the Arab and Muslim communities, as many of the men detained were the sole or major breadwinners for their families as well as respected business owners, religious leaders, and community activists." These women are usually stereotyped as voiceless and passive, needing to be liberated from the all encompassing Afghanistan burqa or even the more modest varieties of head scarves many wear in the United States."' Some of them may not speak English, may not have been working, or even had a visa to work, if foreign born." In November 2001, the Bush Justice Department said it would interview some 5000 young men, solely based on age, date of arrival, and country of origin. Virtually all were Arabs or Muslims." 2 Some police departments refused to assist the federal government as they believed the policy constituted racial profiling."' They knew that law enforcement works best if it positively involves the community rather than terrorizes it."4 Needless to say, the affected groups have been outraged by the targeting."5 Some months later, the Justice Department announced it would interview 3000 additional men from countries with an Al Qaeda presence." 6 When the Justice Department announced the Absconder Apprehension Initiative in February 2002, they decided to prioritize the deportation of 6000 aliens out of the 300,000 foreigners who remained in the country after being ordered deported. Needless to say, these men were from Arab countries." 7 In April 2002, the Justice Department announced that it would put into effect a provision from IIRIRA, which gives the police the authority to enforce immigration laws."' This was controversial not only in immigrant communities, but with police concerned about racial profiling. "'We've spent decades establishing trust... with our very diverse communities,' says a San Diego spokesman. 'If there is an immigration emergency tied to criminal activity, of course we'll assist. But if it is simply an immigration violation.., we will not be involved.""" In June 2002, the Entry-Exit Registration System was established which now requires men from age 16 up, from 25 countries including nationals of Iraq, Iran, Libya, Sudan and Syria, to register and be photographed, fingerprinted, interviewed, or else be deported.2 Over 1200 men have been detained under this program.' For example, in December 2002, 400 men from Iraq, Iran, Sudan, and Syria were detained in Los Angeles under this program, and Amnesty International reported their harsh treatment included being shackled, hosed down with cold water, forced to sleep standing up, and kept from contacting family or legal counsel.'22 The Lawyers Committee for Human Rights has called for a dismantling of this registration system since it is "discriminatory in nature, ineffective and inefficient as a law enforcement strategy, and creates widespread ill-will in Arab American and Muslim communities across the country."'2 Of course, the inadequacy of all such profiling is shown by the fact that the airplane "shoe bomber" Richard Reid is a citizen of Great Britain;24 the "American Taliban" John Walker Lindh is a Muslim convert, white upper middle class native of Main County, California; ' 25 potential "dirty bomber" Jose Padilla is a Puerto Rican, former Chicago gangbanger; 12 6 and alleged twentieth hijacker Zacharias Moussaoui, who was captured before September 11, is a citizen of France.' 7 None of them would have been identified through profiling on the basis of nationality. It is interesting to look at the disparate legal treatment of these men. Lindh, captured in Afghanistan, got a public trial, whereas hundreds of foreign born Arabs and Muslims, also captured there, are being held in incommunicado detention in Guantanamo Bay, Cuba.'28 The President issued a military order that Al Qaeda members and other noncitizens could be tried in military tribunals or commissions without appeal to civilian courts, an action which has been heavily criticized by various scholars,'29 as well as our allies.130 At least two federal courts have denied habeas petitions filed by lawyers representing some of the detainees, refusing to assert jurisdiction over the cases. 13 1 There may be approximately 650 suspects from 43 countries in Cuba, and officials are preparing accommodations for up to 2000 inmates.13 1 Some scholars and government officials have suggested that detention and prosecution of captured suspects should not even be governed by international law. 1 3 Harvard law professor Alan Dershowitz and others have argued that such persons could be tortured without violating any laws binding the U.S. 34 Padilla, also known as Abdullah al-Muhajir, is a former Chicago Latin Kings gang member who converted to Islam.' He was picked up by authorities as he returned from Pakistan and was allegedly planning to set off a dirty bomb containing radioactive materials. 36 He is now being held in incommunicado detention in a U.S. military prison as an "enemy combatant," without access to counsel or any court-military or civilian, and may never be tried. 1 37 In December 2002, U.S. District Court for the Southern District of New York judge Michael Mukasey issued a 102 page opinion affirming Padilla's right to consult counsel, but the government continues to resist the court's order. 38 Another U.S. citizen, Yaser Hamdi, born in Louisiana of Saudi descent, who was captured by Northern Alliance in Afghanistan, is also being held as an enemy combatant, after being discovered among the Guantanamo prisoners. 139 The U.S. government in both the Padilla and Hamdi cases is resisting petitions for habeas corpus and saying that courts should just accept the President's determinations as to their status.140 Ironically, putting U.S. citizens under military jurisdiction without access to legal counsel places them in a legal limbo where they have less rights than foreigners Reid or Moussaoui 14 1 In October 2002, Reid ultimately pleaded guilty and was sentenced to life imprisonment by Judge William G. Young of the U.S. District Court in Boston. 142 In Seattle last August, an African American thirty-six year old, Earnest James Thompson, now known as James Uj aama, was accused of lending assistance to Al Qaeda by founding a training camp in Bly, Oregon in 1999.43 He was also alleged to have run a militant Islamic web site in Great Britain, and was allegedly linked to Abou Hamza Masri, a London Muslim and alleged recruiter for Bin Laden.'" Investigators hope to "squeeze some information out of him, "and he is being tried in a civilian court.145 In March 2003, the INS was dissolved and folded into the new Department of Homeland Security along with 21 other federal agencies. The implications are ominous, as one commentator has stated. "Placing all of the INS's functions into a department focused primarily on national security suggests that the United States no longer views immigrants as welcome contributors, but as potential threats viewed through a terrorist lens."'146 At the time of this writing, it is alleged that the U.S. government has drafted in secret Patriot II, the Domestic Security Enhancement Act of 2003.147 The proposed law would authorize secret arrests, overturning the federal court decision requiring the government to release the names of all those detained since September 11. 148 Additionally, the law would permit the U.S. to extradite even American citizens for trial to countries with which we do not have extradition treaties, such as Saudi Arabia, Syria and Libya, which are well known for torture. 149 International and current U.S. law prohibit sending a person to a country where there is likelihood of torture. 50 Constituting a new level of invasion of privacy, a proposed Terrorist Identification database would authorize the collection of DNA of any suspect and of all noncitizens suspected of having an association with a "terrorist organization."'' The most extraordinary proposal would possibly strip Americans of citizenship as a form of punishment for giving material support to terrorist groups.15 2

#### Islamophobia shapes US foreign policy—notions of western superiority are a critical tool to drum up support for militaristic and elitist interventions

Kumar 13

[09/11/13, Deepa Kumar is an Associate Professor of Media Studies and Middle Eastern Studies at the Rutgers University. She is the author of Islamophobia and the Politics of Empire and Outside the Box: Corporate Media, Globalization, and the UPS Strike being interviewed by Jessica Desvarieux, The Real News Network, “Twelve Years Post 9/11, Islamophobia Still Runs High”, http://truth-out.org/video/item/18759-twelve-years-post-9-11-islamophobia-still-runs-high]

KUMAR: Absolutely not. I think it is true that larger numbers of conservative voters are racist. They are racist not just in terms of their attitude towards Arabs and South Asians, but also to a whole host of other groups. So it's true that this idea sort of concentrated within those ranks. But in fact Islamophobia is far more systemic than that. That is to say, the idea of a Muslim enemy, the idea of a terrorist enemy is one that actually goes back a couple of decades but was brought to light after 9/11 by the political elite, by our political leaders. So in fact it is built into the system of U.S. foreign policy in this country. And to simply look at the far right and to ignore the fact that it has larger implications in terms of justifying U.S. foreign policy would be really to have only an incomplete picture of what is at work in this form of racism. DESVARIEUX: Okay. Let's talk about the mass media and how they depict Islam since 9/11. Can you describe for us how the mass media has depicted Islam? KUMAR: Well, basically, the trauma of 9/11, the fact that, you know, 3,000 Americans died meant that it enabled the U.S. media to actually draw on stereotypes that have been, you know, propped up by Hollywood, by the news media, and so on for a few decades before that. And that was the idea that these are crazy, irrational people. They are all apparently driven by Islam to violence. And so we should lock them up, we should be suspicious of them, we should detain them at airports, and so on and so forth. And so that's what you saw in the immediate aftermath of 9/11. And this show called 24, which your viewers may know, is--it's about a lot of things [incompr.] that it's about justifying the building of a national security state and justifying practices like torture and so on and so forth. DESVARIEUX: Okay. And also the story of the day, of course, is Syria, and everyone's attention is drawn to Syria. Can you describe for us just how does Islamophobia play a role in any of the arguments for intervention in Syria, really? KUMAR: Okay. It doesn't play a direct role in that. It is--the idea of humanitarianism has a long history in the United States. The idea that there are victims all over the world, that the U.S. government has then got to make war in order to, you know, somehow defend them, this goes back all the way to the Spanish-American war of 1898, which was supposed to be about rescuing Cubans. And similarly, you see these sorts of justifications given. You know, Vietnamese need to be defended. In Iraq, it was babies, apparently, who were being bayoneted in Kuwait, and therefore the U.S. needed to intervene and defeat Iraq in 1991. So this idea of humanitarianism has a long history within the foreign policy establishment. But what makes it particularly potent in this case is that after 9/11 what you see is the Bush administration projecting this idea of clash of civilizations, which is basically the notion that we in the West are democratic, we are rational, we are civilized, we are, you know, all things wonderful, and they in the East are barbaric, they're misogynistic, and so on and so forth, and therefore we have an obligation, what used to be called the white man's burden, to go off and rescue them. And so you see some of that language, which is the idea that Arabs cannot bring democracy by themselves, they cannot make change, and so we need to intervene. So it's a combination both of the victim narrative, which has a long history, combined with this language of clash of civilizations. DESVARIEUX: Okay. And how does this fit into domestic policy? How do they work Islamophobia into domestic policy? KUMAR: Right. I mean, the comparison I make in the book and that I'm actually working on in the next book is that the U.S. government, and U.S. imperialism in particular, always needs an enemy. That is, when there is no humanitarian cause, an enemy is an extremely useful way to justify wars abroad, as well as the policing of dissent at home. So, for instance, during the Cold War we had been menacing enemy of the Soviet Union, against whom both a hot and a Cold War had to be waged. And, of course, this justified, then, McCarthyism, because there's always a reflection of the external enemy inside, and these people have to be rounded up, blacklisted, and so on and so forth. So that's the logic back then, and, of course, it was entirely about a politics of fear. Today we have the same sort of thing. After 9/11, the war on terror comes into being precisely about fighting endless wars. Remember, back in 9/11 the Bush administration was going to start with Afghanistan, go to Iraq, and then Iran, Syria, and so on and so forth. It didn't work out that way. But the idea was to drum up this fear of this menacing terrorist enemy, which justified wars all over the world in order to gain the U.S.'s interest in [incompr.] particularly in the oil-rich region in the Middle East. You asked me about domestic politics. Always there was a reflection of the domestic in terms of the international threat. And so what you've seen is innocent Muslims--and often actually not even Muslims, people from the Middle East, North Africa and South Asia, some of them Sikhs, some some of them Hindus, some of them Christians, and so on, being racially profiled because that is the logic that comes out of this. I have a whole chapter in the book about how the legal system has been reworked so as to justify things like indefinite detention, things like torture, things like deportation. And, frankly, the infiltration of agents into our schools, into my school, into colleges, and so forth. So, you know, it's truly horrific the extent to which Muslim Americans and people who look Muslim have been demonized since 9/11.

#### This dehumanization of foreign populations establishes horrific material conditions of violence—the way we conceive of and discuss foreign bodies matters

Collins and Glover 2 (John Collins, Ass. Prof. of Global Studies at St. Lawrence, and Ross Glover, Visiting Professor of Sociology at St. Lawrence University, 2002, Collateral Language, p. 6-7, The Real Effects of Language)

As any university student knows, theories about the “social con­struction” and social effects of language have become a common feature of academic scholarship. Conservative critics often argue that those who use these theories of language (e.g., deconstruc­tion) are “just” talking about language, as opposed to talking about the “real world.” The essays in this book, by contrast, begin from the premise that language matters in the most concrete, im­mediate way possible: its use, by political and military leaders, leads directly to violence in the form of war, mass murder (in­cluding genocide), the physical destruction of human commu­nities, and the devastation of the natural environment. Indeed, if the world ever witnesses a nuclear holocaust, it will probably be because leaders in more than one country have succeeded in convincing their people, through the use of political language, that the use of nuclear weapons and, if necessary, the destruction of the earth itself, is justifiable. From our perspective, then, every act of political violence—from the horrors perpetrated against Native Americans to the murder of political dissidents in the So­viet Union to the destruction of the World Trade Center, and now the bombing of Afghanistan—is intimately linked with the use of language. Partly what we are talking about here, of course, are the processes of “manufacturing consent” and shaping people’s per­ception of the world around them; people are more likely to sup­port acts of violence committed in their name if the recipients of the violence have been defined as “terrorists,” or if the violence is presented as a defense of “freedom.” Media analysts such as Noam Chomsky have written eloquently about the corrosive ef­fects that this kind of process has on the political culture of sup­posedly democratic societies. At the risk of stating the obvious, however, the most fundamental effects of violence are those that are visited upon the objects of violence; the language that shapes public opinion is the same language that burns villages, besieges entire populations, kills and maims human bodies, and leaves the ground scarred with bomb craters and littered with land mines. As George Orwell so famously illustrated in his work, acts of vio­lence can easily be made more palatable through the use of eu­phemisms such as “pacification” or, to use an example discussed in this book, “targets.” It is important to point out, however, that the need for such language derives from the simple fact that the violence itself is abhorrent. Were it not for the abstract language of “vital interests” and “surgical strikes” and the flattering lan­guage of “civilization” and ‘just” wars, we would be less likely to avert our mental gaze from the physical effects of violence.

#### **This detention of Islamic bodies establishes a form of constant dehumanization and perpetual warfare—the deeming of people as “dangerous” creates a free license for capture that establishes detention sites as a space of perpetual warfare**

Butler 6, Professor at UC Berkeley

(Judith, “Precarious Life: The Powers of Mourning and Violence” Ch. 3: Indefinite Detention, pg 50)

If a person is simply deemed dangerous, then it is no longer a matter of deciding whether criminal acts occurred. Indeed, "deeming" someone dangerous is an unsubstantiated judgment that in these cases works to preempt determinations for which evidence is required. The license to brand and categorize and detain on the basis of suspicion alone, expressed in this operation of "deeming," is potentially enormous. We have already seen it at work in racial profiling, in the detention of thousands of Arab residents or Arab- American citizens, sometimes on the basis of last names alone; the harassment of any number of US and non-US citizens at the immi- gration borders because some official "perceives" a potential difficulty; the attacks on individuals of Middle Eastern descent on US streets, and the targeting of Arab-American professors on campuses. When Rumsfeld has sent the US into periodic panics or "alerts," he has not told the population what to look out for, but only to have a heightened awareness of suspicious activity. This objectless panic translates too quickly into suspicion of all dark-skinned peoples, especially those who are Arab, or appear to look so to a population not always well versed in making visual distinctions, say, between Sikhs and Muslims or, indeed, Sephardic or Arab Jews and Pakistani- Americans. Although "deeming" someone dangerous is considered a state prerogative in these discussions, it is also a potential license for prejudicial perception and a virtual mandate to heighten racialized ways of looking and judging in the name of national security. A population of Islamic peoples, or those taken to be Islamic, has become targeted by this government mandate to be on heightened alert, with the effect that the Arab population in the US becomes visually rounded up, stared down, watched, hounded and monitored by a group of citizens who understand themselves as foot soldiers in the war against terrorism. What kind of public culture is being created when a certain "indefinite containment" takes place outside the prison walls, on the subway, in the airports, on the street, in the workplace? A falafel restaurant run by Lebanese Christians that does not exhibit the American flag becomes immediately suspect, as if the failure to fly the flag in the months following September Il, zooi were a sign of sympathy with al-Qaeda, a deduction that has no justification, but which nevertheless ruled public culture-and business interests\_at that time. If it is the person, or the people, who are deemed dangerous, and no dangerous acts need to be proven to establish this as true, then the state constitutes the detained population unilaterally, taking them out of the jurisdiction of the law, depriving them of the legal protections to which subjects under national and international law are entitled. These are surely populations that are not regarded as subjects, humans who are not conceptualized within the frame of a political culture in which human lives are underwritten by legal entitlements, law, and so humans who are not humans. We saw evidence for this derealization of the human in the photos of the shackled bodies in Guantanamo released by the Department of Defense. The DOD did not hide these photos, but published them openly. My speculation is that they published these photographs to make known that a certain vanquishing had taken place, the reversal of national humiliation, a sign of a successful vindication. These were not photographs leaked to the press by some human rights agency or concerned media enterprise. So the international response was no doubt disconcerting, since instead of moral triumph, many people, British parliamentarians and European human rights activists among them, saw serious moral failure. Instead of vindication, many saw instead revenge, cruelty, and a nationalist and self-satisfied flouting of international convention. So that several countries asked that their citizens be returned home for trial. But there is something more in this degradation that calls to be read. There is a reduction of these human beings to animal status, where the animal is figured as out of control, in need of total restraint. It is important to remember that the bestialization of the human in this way has little, if anything, to do with actual animals, since it is a figure of the animal against which the human is defined. Even if, as seems most probable, some or all of these people have violent intentions, have been engaged in violent acts, and murderous ones, there are ways to deal with murderers under both criminal and international law. The language with which they are described by the US, however, suggests that these individuals are exceptional, that they may not be individuals at all, that they must be constrained in order not to kill, that they are effectively reducible to a desire to kill, and that regular criminal and international codes cannot apply to beings such as these. The treatment of these prisoners is considered as an extension of war itself, not as a postwar question of appropriate trial and punish- ment. Their detention stops the killing. If they were not detained, and forcibly so when any movement is required, they would appar- ently start killing on the spot; they are beings who are in a permanent and perpetual war. It may be that al-Qaeda representatives speak this way-some clearly do-but that does not mean that every individual detained embodies that position, or that those detained are centrally concerned with the continuation of war. Indeed, recent reports, even from the investigative team in Guantanamo, suggest that some of the detainees were only tangentially or transiently involved in the war effort." Other reports in the spring of 2003 made clear that some detainees are minors, ranging from ages thirteen to sixteen. Even General Dunlavey, who admitted that not all the detainees were killers, still claimed that the risk is too high to release such detainees. Rumsfeld cited in support of forcible detention the prison uprisings in Afghanistan in which prisoners managed to get hold of weapons and stage a battle inside the prison. In this sense, the war is not, and cannot be, over; there is a chance of battle in the prison, and there is a warrant for physical restraint, such that the postwar prison becomes the continuing site of war. It would seem that the rules that govern combat are in place, but not the rules that govern the proper treatment of prisoners separated from the war itself. When General Counsel Haynes was asked, "So you could in fact hold these people for years without charging them, simply to keep them off the street, even if you don't charge them?" he replied, "We are within our rights, and I don't think anyone disputes it that we may hold enemy combatants for the duration of the conflict. And the confiict is still going and we don 'z see an erm' in sig/zz right now" (my emphasis). | 1 If the war is against terrorism, and the definition of terrorism expands to include every questionable instance of global difficulty, how can the war end? Is it, by definition, a war without end, given the lability of the terms "terrorism" and "war"? Although the pictures were published as a sign of US triumph, and so apparently indicating a conclusion to the war effort, it was clear at the time that bombing and armed confiict were continuing in Afghanistan, the war was not over, and even the photographs, the degradation, and the indefinite detention were continuing acts of war. Indeed, war seems to have established a more or less permanent condition of national emergency, and the sovereign right to self-protection outfianks any and all recourse to law.

#### The affirmative advocates a critical praxis centered on challenging islamophobic indefinite detention policies.

#### Despite the fact that I may never be affected by the targeting that occurs as a result of Islamophobia, I believe it is important to advocate for our praxis in this space is key—interrogating islamophobia in educational settings is critical to establish a critical consciousness that enables larger political projects

Housee 12, Senior Lecturer in Sociology

[Jan. 04 2012, Shirin Housee works at the School of Humanities, Languages and Social Sciences, University of Wolverhampton, UK “What’s the point? Anti-racism and students’ voices against Islamophobia”, Volume 15, Issue 1]

Having reflected on the two seminar sessions on Islamophobia and the student comments, I am convinced that the work of anti-racism in university classrooms is fundamentally important. As one student said racism is real. Through racism people suffer physically, psychologically, socially, educationally and politically. Our work in university classrooms is just the beginning of this challenge against racisms and other oppressions. Classroom discussions and general teaching form a very important contribution to this work of anti racism in education. There are no short cuts or painless cuts; the work of anti-racism is a difficult one. As educators we should make use of classroom exchanges; students’ engaged learning could be the key to promoting anti-racism in our class. My goal is to teach in a way that engages students and leads them to reflect on the socio-economic political/religions issues that surrounds theirs (our) lives. This article argues for making anti-racist thinking possible in class. The student voice, that critiques mainstream thinking as found in the media and elsewhere, is a starting point for this political work. I argue that teaching and learning in our classroom should encourage the critical consciousness necessary for pursuing social justice. Whilst I acknowledge the limits of doing anti-racist campaign in university spaces, I argue that this is a good starting point. And who knows, these educational exchanges may become (as with my own story) the awakening for bigger political projects against injustices in our society. In conclusion I endorse social justice advocates, such as Cunningham (cited in Johnson-Bailey 2002, 43) who suggest that educators re-direct classroom practices and the curriculum, because: ‘if we are not working for equity in our teaching and learning environments, then…educators are inadvertently maintaining the status quo.’ In conclusion I argue that a classroom where critical race exchanges and dialogues take place is a classroom where students and teachers can be transformed. Transformative social justice education calls on people to develop social, political and personal awareness of the damages of racism and other oppressions. I end by suggesting that in the current times of Islamophobic racism, when racist attacks are a daily occurrence, in August and September 2010 alone, nearly 30 people have been racially abused and physically attacked (Institute of Race Relations 2010). The point of studying racism, therefore, is to rise to the anti-racist challenge, and for me, a place to start this campaign is within Higher Education Institutions, optimistic as it might sound, I believe, as asserted by Sheridan (cited in Van Driel 2004) that: ‘Education can enlighten students and promote positive attitudes…. Education settings can be the first arena in which battles can be fought against Islamophobia. It is to education that our attention should be directed.’ (162)

#### Deconstructing and interrogating flawed assumptions behind Islamphobia is critical to establish a transformative and liberatory pedagogy that enables us as agents to challenge racist dynamics

Zine 4, Professor of Sociology and Equity Studies

[2004, Jasmin Zine is a researcher studying Muslims in the Canadian diaspora. She teaches graduate courses in the Department of Sociology and Equity Studies in Education at the Ontario Institute for Studies in Education of the University of Toronto in the areas of race and ethnicity, anti-racism education and critical ethnography., “Anti-Islamophobia Education as Transformative Pedadogy: Reflections from the Educational Front Lines”, American Journal of Islamic Social Sciences 21:3]

As an anti-racism scholar and educator, fellow colleagues and I realized from as early as September 12 that there was an urgency to frame a critical pedagogical response to address and challenge the rampant Islamophobia affecting the realities of Muslims from all walks of life and social conditions. Among the most vulnerable were children and youth, who received little support from schools in dealing with the backlash that many were experiencing on a routine basis. Most schools were reluctant to engage in any response beyond the politically neutral arena of “crisis management.” Among the school districts that I was in contact with, there was a clear resistance to addressing or even naming issues of racism and Islamophobia. In fact, the discursive language to name and define the experiences that Muslims were encountering on a day-to-day basis did not even exist within the educational discourse. While schools were reluctant to name specific incidents as racism – part of an all-too-common denial – the notion of “Islamophobia” did not have any currency at all. In fact, it was not a part of the language or conceptual constructs commonly used by educators, even by those committed to multicultural and antiracist pedagogy. I realized the urgency to map a new epistemological and pedagogical terrain by creating an educational framework for addressing Islamophobia. Within the existing equity-based educational frameworks, one could find the conceptual and pedagogical tools to address issues of racism, classism, sexism, homophobia, ableism, and anti-Semitism. However, the discursive foundations for dealing with Islamophobia and the accompanying educational resources simply did not exist. Developing a new framework to fill this gap involved coining a new term: “Anti-Islamophobia Education.” Being able to name and define the experience of Muslims as the result of Islamophobia was critical to shaping the kind of interventions that would take place from a critical educational standpoint. Before outlining a methodology for conducting anti-Islamophobia education, it was necessary to develop some discursive foundations, arrive at a definition of Islamophobia, and create an understanding of what it was that we sought to challenge and resist. From a socio-psychological standpoint, the notion of Islamophobia is often loosely translated as an “attitude of fear, mistrust, or hatred of Islam and its adherents.” However, this definition presents a narrow conceptual framework and does not take into account the social, structural, and ideological dimensions through which forms of oppression are operationalized and enacted. Applying a more holistic analysis, far from being based on mere “ignorance,” Islamophobic attitudes are, in fact, part of a rational system of power and domination that manifests as individual, ideological, and systemic forms of discrimination and oppression. The idea that discrimination, be it based on race, class, gender, sexuality, ability, or religion, simply stems from “ignorance” allows those engaged in oppressive acts and policies to claim a space of innocence. By labeling Islamophobia as an essentially “irrational” fear, this conception denies the logic and rationality of social dominance and oppression, which operates on multiple social, ideological, and systemic levels. Therefore, to capture the complex dimensions through which Islamophobia operates, it is necessary to extend the definition from its limited conception as a “fear and hatred of Islam and Muslims” and acknowledge that these attitudes are intrinsically linked to individual, ideological, and systemic forms of oppression that support the logic and rationale of specific power relations. For example, individual acts of oppression include such practices as name-calling or personal assault, while systemic forms of oppression refer to the structural conditions of inequality regulated through such institutional practices as racial profiling or denying jobs or housing opportunities. These exclusionary practices are shored up by specific ideological underpinnings, among them the purveyed notions designed to pathologize Muslims as “terrorists” and impending threats to public safety. Understanding the dimensions of how systems of oppression such as Islamophobia operate socially, ideologically, and systemically became a key component of developing educational tools that would help build the critical skills needed to analyze and challenge these dynamics. From a discursive standpoint, I locate anti-Islamophobia education within a integrative anti-racism framework5 that views systems of oppression based on race, class, gender, sexuality, ability, and religion as part of a multiple and interlocking nexus that reinforce and sustain one another. Based on this understanding, I have mapped some key epistemological foundations for anti-Islamophobia education.6 This includes the need to “reclaim the stage” through which Islam is represented from the specter of terrorists and suicide bombers to a platform of peace and social justice. “Reclaiming the stage” requires adopting a pedagogical approach that shifts the popular media discourse away from the negative, essentialized referents and tropes of abject “Otherness” ascribed to Muslims. This move involves presenting a critical counter-narrative in order to reframe the Manichean worldview and “clash of civilizations” narratives

typically being purveyed in order to present a more nuanced, reasoned, and critical perspective of the global sociopolitical realities that Muslim individuals and societies are confronting, engaging, and challenging. Another foundational aspect of anti-Islamophobia education involves interrogating the systemic mechanisms through which Islamophobia is reinforced, by analytically unraveling the dynamics of power in society that sustain social inequality.

Racial profiling, which targets groups on the basis of their race, ethnicity, faith, or other aspects of social difference, and similar issues are major systemic barriers that criminalize and pathologize entire communities. In schools, the practice of “color-coded streaming,” whereby a disproportionate number of racially and ethnically marginalized youth are channeled into lower non-academic level streams, is another example of institutionalized racism. Negative perceptions held by teachers and guidance counselors toward racialized students have often led to assumptions of failure or limited chances for success, based on such false stereotypes as the notion that “Islam doesn’t value education for girls” or “Black students won’t succeed.” These negative attitudes are relayed to students through the “hidden curriculum” of schooling and lead to lower expectations being placed upon youth from specific communities.7 Developing critical pedagogical tools to analyze and develop challenges to these systems of domination is part of building a transformative and liberatory pedagogy, one geared toward achieving greater social justice in both schools and society. Another key goal of anti-Islamophobia education involves the need to demystify stereotypes. Since 9/11, renewed Orientalist constructions of difference have permeated the representation of Muslims in media and popular culture. Images of fanatical terrorists and burqa-clad women are seen as the primary markers of the Muslim world. Deconstructing and demystifying these stereotypes is vital to helping students develop a critical literacy of the politics of media and image-making. Critically examining the destructive impact of how these images create the social and ideological divide between “us” and “them” is important to exposing how power operates through the politics of representation.

### 2AC Language K

#### CP fails – only by using the criticized language can we undermine it – necessary for recognition and effectiveness.

Shirley Wilson Logan, Professor of English at the University of Maryland, 2001, JAC: A Journal of Rhetoric, Culture and Politics, http://www.jaconlinejournal.com/archives/vol21.1/logan-amid.pdf

When Audre Lorde observed that the master's tools will never dismantle the master's house, she was arguing that to work against various forms of oppression, we must not employ the tactics of the oppressors; we must develop new ones. Advancing a theory of emancipatory composition, Bradford Stull suggests in Amid the Fall that those who wish to write a discourse of emancipation must use the oppressor's linguistic tools ("America's cultural vocabulary") but that they must use them radically. Stull chooses the term composition over the term literacy to highlight intentionality and process. Composition resonates, as well, with a sense of agency not heard in discourse, the term I find myself using synonymously throughout this review. He borrows the term emancipatory from the literacy theories of Henry Giroux and others but expands its meaning to incorporate an explicit, theorized approach to the teaching of emancipatory composition, one that takes into account a range of subjectivities. Acknowledging that racism is one of many forms of oppression in need of compositional liberation, Stull focuses on the "problem" of race, he says, because it emerged out of American slavery, a foundational American institution. His examples suggest that this "race problem" is experienced primarily by African Americans, who are "unique because no other oppressed group has been enslaved in America," implying that it is not a problem for those who are invisibly raced as white. Thus, to demonstrate this "problem," he includes the oft-cited story of Cornel West trying to catch a taxicab in New York City and another in which a white policeman called him "nigger." The remaining examples concern the reluctance of a midwestern university to hire an African American as chancellor; differences in the topics of conversation between residents of the University of Chicago's Hyde Park community and the residents of Chicago's south side; and racist jokes told in Malcolm X's history class. Granted, these examples are meant to be representative of a larger problem, but I could not help wishing that Stull had provided salient examples of racism's systemic and ongoing damage to ordinary black people rather than focusing on the plights of two middle-class black men, Cornel West and a college chancellor. Or maybe the difficulty is that examples need to be provided in the first place. The author studies the emancipatory compositions of W.E.B. Du Bois, Martin Luther King, Jr. and Malcolm X because he believes them to be "among the most important rhetoricians of the twentieth century" and because all three influenced the civil rights, anti-war, and separatist social movements through their contributions to the discourse on these subjects. It would be difficult to argue with these choices, given the "twentieth century" qualifier; still, it is hard to think of emancipatory compositions with respect to race in America without at least a footnote reference to such nineteenth-century intellectuals as Frederick Douglass on abolition and human rights or Ida B. Wells on anti-lynching and suffrage. Stull identifies fourtheo-political tropes in theserhetors' emancipatory compositions: the Fall, the Orient, Africa, and Eden. Alluding on one level to the biblical fall of Adam and Eve, the trope of the Fall also suggests various manifestations of societal evils. To demonstrate the prevalence of this trope in the American context, Stull draws examples from theologian Reinhold Niebuhr, John Milton's Paradise Lost, poet Mary Fell, popular culture, and finally Kenneth Burke. From Burke, he derives three subcategories-"Babel," "division of property," and "violence"upon which to develop his analysis. Exploring the theme of Babel in Malcolm X's autobiography and speeches, Stull points to the writer's struggle to increase his own linguistic storehouse and his recognition that difference resides in world views as well as language. Stull suggests that Malcolm X appropriated Standard American English (SAE) in order to overcome the limitations of Babel and speak to dominant culture. For support, he cites Malcolm X's oft-quoted statement, "You have to be able to speak a man's language in order to make him get the point." Limiting his analysis ofDu Bois to his writings in the Crisis, the organ of the NAACP, Stull finds allusion to Babel in Du Bois' discussion of meanings of the word negro, stating that he "appeals to the American rhetorical heritage." Perhaps Stull might have complicated the assumptions inherent in a phrase that reifies such a heritage. Who can claim this heritage and who established it? Stull does later observe that Du Bois steps outside of this heritage in order to question it, but the solution seems to be to choose another language: French. King, according to Stull, finds a solution to Babel in the Judeo-Christian tradition and in the belief that this tradition contains within it elements of a universal language reaching a broad audience. Stull observes that all three writers cite economic deprivation and violence as further evidence offallen America. Given that most African peoples were brought to America as property, it is not surprising that "division of property " emerges as a trope of emancipatory composition. Stull reiterates some of the economic inequities these writers' works address, adding examples from Spike Lee's movie Do the Right Thing perhaps to convince contemporary readers that such inequities still exist. The second emancipatory trope, the Orient, manifests itself in the ways in which Du Bois, King, and Malcolm X remind their audiences of the parallel and frequently intersecting incidents of oppression of African and Asian peoples; all three writers acknowledge a close kinship of oppression among peoples of color worldwide. Stull defends his use of the term Orient-with its concurrent images of alien other, wise person, and backward people-as being particularly comprehensive. He asserts that Orient can include Egypt as well as Japan and can serve to remind us of how the West reductively composed this vast territory. Having myself been trained out of using the descriptor Oriental, it was disconcerting to find it here. Using a phrase such as "Eastern culture(s)" may have been a more effective way to remind readers of this tendency, especially since, at least in the examples provided, the three writers never use Orient and seem always to refer to specific geographical locations-Japan, China, India (Calcutta and Bombay), and Vietnam-even ifstereotypically. As in his earlier demonstration of a racist America, Stull provides more than enough examples of stereotypical perceptions of the Orient, including examples from the movies The Next Karate Kid and City of Hope, Isabel Allende's novel The Infinite Plan, and E.D. Hirsch's Cultural Literacy. One wonders whether, by offering so much wide-ranging evidence that Eastern culture is misunderstood, the author imagines a fairly naive audience. Stull seems particularly eager to account for his inclusion of Africa as a trope of emancipatory rhetoric: "They [extremists] might wonder why I, who profess parochially American inclinations, who is a conservative, would include this term, would demand that Americans who would be literate know Africa and its web of associations. Africa, after all, necessarily leads to a condemnation of the American republic." Unless the point of emancipatory composition is to make those to whom it appeals feel comfortable, eliciting such a reaction would seem to be all the more reason why Africa should be included. Later in this chapter, Stull makes the strong point that this national vocabulary isa site of contention, in opposition to E.D. Hirsch's assertion that it is rather "an instrument of communication among diverse cultures." This is a point well worth remembering especially at places in the text where such terms as "American culture" are used unproblematically. In order to illustrate that Africa has dual images in America (monstrous/noble and suffering), the author gives the example of a student enrolled in a writing class who, in spite of poor performance, received the admiration of his peers because he was studying to become a Muslim and wore an African icon around his neck ("publicly composing Africa on his own body"). The author sees this dress and behavior as a way of demonizing America and sanctifying Africa. Itmay in fact represent the student's attempt to construct a positive self-image, or, as Stull states, it could merely be an "aestheticized piece ofjewelry"-or a bit of both. At any rate, Stull observes that given the student's gesture, this classroom might have served as a site of discussion of emancipatory composition. Fully elaborated examples from the film Legends of the Fall are offered as evidence of the various ways in which America composes a savage Africa. Stull sees Spike Lee's film School Daze as another example of this opposition, with the fraternity men on one side and the "young radicals" who protest South African apartheid on the other. My sense is that the film ismore complicated in that the frat brothers probably also oppose apartheid and that the young radicals in African clothing also desire financial success. The movie has less to do with Africa than with ways of surviving in America. Stull also notes that in their compositions of Africa, the three writers seem to appropriate the cause of a suffering Africa only as a means of pleading for suffering African America, rather than out of concern for African liberation. He suggests that Malcolm X tries to offset in his later speeches a prior belief in the "myth" that blacks were the first humans from whom all other peoples were derived. In view of the fact that for many, then and now, this is not considered myth, perhaps the author could have qualified this characterization. Even Du Bois, later quoted as claiming Ethiopia the "All-mother of men," would himself seem to subscribe to this belief, one the author characterizes as a "radical vision." Malcolm X's speech "After the Bombing" provides ample evidence of this emancipatory trope. In it, he highlights the ways in which negative images of Africa have affected African Americans, and in another speech he composes an Africa that Americans can model emancipation after. Stull observes that King viewed blacks in America as having greater economic potential and that he concentrated, along with Du Bois, on only portraying Africa's positive images. Du Bois' pan-Africanist writings are invoked to remind the reader that Du Bois' Africa would serve as a center for worldwide negotiations. Stull's chapter on Eden is his most astute. Eden, the last of the carefully ordered tropes, marks desire. All three writers describe Eden as a nonexistent ideal. Stull suggests that the socioeconomic privilege ofDu Bois and King resulted in a more positive perspective from which to envision Eden than did Malcolm X' s disruptive life experiences. Malcolm X's Eden took shape as a separatist black Africa of economic and political empowerment. In the pages of the Crisis, Du Bois draws on his experience of parts of America to compose his Eden-Oberlin, Ohio, Seattle, and the American Northwest-but he ultimately argues for the "Edenic potential" of Africa. King, however, never viewed Africa as an Edenic alternative. In his "I Have a Dream" speech, for example, he envisions an Eden firmly rooted in American principles but growing beyond its walls and out into an unknown paradise resonating with images of the second coming. In short, Stull outlines these three writers' differing responses to an oppressive America and in the process captures some of the essential differences in their worldviews, linking those differences to biography. Stull's final chapter reiterates the point made in the first-that emancipatory composition must be crafted in the "familiar language of the community only to transform it." Thus, he positions his argument between the political right of William Bennett and E.D. Hirsch and the political left of Ray Browne, Henry Giroux, Arthur Neal, Barbara Hemstein Smith, and others. According to Stull, the Right would frown upon this discourse because it is a discourse that condemns America as racist and looks to Africa for solutions; the Left would reject the notion of a common set of theo-political tropes as an attempt to standardize a nonexistent common cultural knowledge. Stull counters that we both receive and shape literacy and culture and that even those who reject the notion of cultural literacy allude to common knowledge in their writing. So here at the end, Stull pulls us back into the cultural literacy debate-or maybe we were in the midst of it all the time. The issue here, it seems, is not that we allude to things "out there" in the construct called "culture" but that we recognize those referents, along with their freighted meanings, and know them for the ways in which they have promoted the goals of oppression. If the Fall, the Orient, Africa, and Eden are the theo-political tropes of emancipatory composition, we all helped to make them so. Now, as Audre Lorde understood, this is a tricky rhetorical move: to appropriate the oppressor's tools-which are also our tools-ever mindful of the work they have done in the past, and apply them to the task of emancipation. For Stull, to accomplish this is to "Be conservative. Be extreme. Be radical," all at the same time.

#### CP paralyzes politics, precludes alternative discourses, only the perm solves – star this card.

Schram 95 (Sanford F. Schram, professor of social theory and policy at Bryn Mawr College, words of welfare: The Poverty of Social Science and the Social Science of Poverty, pg. 20-26 “The sounds of silence…what isolated instances of renaming can accomplish”)

The sounds of silence are several in poverty research. Whereas many welfare policy analysts are constrained by economistic- herapeutic-manage- na1 discourse, others find themselves silenced by a politics of euphemisms. The latter suggests that if only the right words can be found, then political change will quickly follow. This is what happens when a good idea goes bad, when the interrogation of discourse collapses into the valorization of terminological distinctions.' Recently, I attended a conference of social workers who were part of a network of agencies seeking to assist homeless youths. A state legislator addressed the group and at one point in the question-and-answer pe- riod commiserated with one professional about how the by then well- accepted phrase children at risk ought to be dropped, for it is pejorative. The legislator preferred children under stress as a more "politically correct" euphemism. Much discussion ensued regarding how to categorize clients so as to neither patronize nor marginalize them. No one, however, mentioned the reifying effects of all categorization, or how antiseptic language only exacerbates the problem by projecting young people in need onto one or another dehumanizing dimension of therapeutic discourse.' No one sug- gested that although isolated name changes may be a necessary part of political action, they are insufficient by themselves. No one emphasized the need for renamings that destabilize prevailing institutional practices.' In- stead, a science of renaming seemed to displace a politics of interrogation. A fascination with correcting the terms of interpersonal communication had replaced an interest in the critique of structure. A comfort in dealing with discourse in the most narrow and literal sense had replaced an interest in the broader discursive structures that set the terms for reproducing organized daily life. I was left to question how discourse and structure need to be seen as connected before reflection about poverty can inform political action.' The deconstruction of prevailing discursive structures helps politi- cize the institutionalized practices that inhibit alternative ways of con- structing social relations.5 Isolated acts of renaming, however, are unlikely tohelppromotepoliticalchange if they are not tied to interrogations of the structures that serve as the interpretive context for making sense of new terms.' This is especially the case when renamings take the form of euphemisms designed to make what is described appear to be consonant with the existing order. In other words, the problems of a politics of renaming are not confined to the left, but are endemic to what amounts to a classic American practice utilized across the political spectrum.' Homeless, wel- fare, and family planning provide three examples of how isolated in- stances of renaming fail in their efforts to make a politics out of sanitizing language. Reconsidering the Politics of Renaming Renaming can do much to indicate respect and sympathy. It may strategi- cally recast concerns so that they can be articulated in ways that are more appealing and less dismissive. Renaming the objects of political contesta- tion may help promote the basis for articulating latent affinities among disparate political constituencies. The relentless march of renamings can help denaturalize and delegitimate ascendant categories and the constraints they place on political possibility. At the moment of fissure, destabilizing renamings have the potential to encourage reconsideration of how biases embedded in names are tied to power relations." Yet isolated acts of renam- ing do not guarantee that audiences will be any more predisposed to treat things differently than they were before. The problem is not limited to the political reality that dominant groups possess greater resources for influenc- ing discourse. Ascendant political economies, such as liberal postindustrial capitalism, whether understood structurally or discursively, operate as insti- tutionalized systems of interpretation that can subvert the most earnest of renamings." It is just as dangerous to suggest that paid employment exhausts possi- bilities for achieving self-sufficiency as to suggest that political action can be meaningfully confined to isolated renamings.'° Neither the workplace nor a name is the definitive venue for effectuating self-worth or political intervention." Strategies that accept the prevailing work ethos will con- tinue to marginalize those who cannot work, and increasingly so in a post- industrial economy that does not require nearly as large a workforce as its industrial predecessor. Exclusive preoccupation with sanitizing names over- looks the fact that names often do not matter to those who live out their lives according to the institutionalized narratives of the broader political economy, whether it is understood structurally or discursively, whether it is monolithically hegemonic or reproduced through allied, if disparate, prac- tices. What is named is always encoded in some publicly accessible and as- cendent discourse." Getting the names right will not matter if the names are interpreted according to the institutionalized insistences of organized society." Only when those insistences are relaxed does there emerge the possibil- ity for new names to restructure daily practices. Texts, as it now has become notoriously apparent, can be read in many ways, and they are most often read according to how prevailing discursive structures provide an interpretive context for reading diem. 14 The meanings implied by new names of necessity overflow their categorizations, often to be reinterpreted in terms of available systems of intelligibility (most often tied to existing institutions). Whereas re- naming can maneuver change within the interstices of pervasive discursive structures, renaming is limited in reciprocal fashion. Strategies of containment that seek to confine practice to sanitized categories appreciate the discursive character of social life, but insufficiently and wrongheadedly. I do not mean to suggest that discourse is dependent on structure as much as that structures are hegemonic discourses. The operative structures reproduced through a multitude of daily practices and reinforced by the efforts of aligned groups may be nothing more than stabilized ascendent discourses." Structure is the alibi for discourse. We need to destabilize this prevailing interpretive context and the power plays that reinforce it, rather than hope that isolated acts of linguistic sanitization will lead to political change. Interrogating structures as discourses can politicize the terms used to fix meaning, produce value, and establish identity. Denaturalizing value as the product of nothing more than fixed interpretations can create new possibilities for creating value in other less insistent and injurious ways. The discursively/structurally reproduced reality of liberal capitalism as deployed by power blocs of aligned groups serves to inform the existentially lived experiences of citizens in the contemporary postindustrial order." The powerful get to reproduce a broader context that works to reduce the dissonance between new names and established practices. As long as the prevailing discursive structures of liberal capitalism create value from some practices, experiences, and identities over others, no matter how often new names are insisted upon, some people will continue to be seen as inferior simply because they do not engage in the same practices as those who are currently dominant in positions of influence and prestige. Therefore, as much as there is a need to reconsider the terms of debate, to interrogate the embedded biases of discursive practices, and to resist living out the invid- ious distinctions that hegemonic categories impose, there are real limits to what isolated instances of renaming can accomplish. Renaming points to the profoundly political character of labels. Labels oper- ate as sources of power that serve to frame identities and interests. They predispose actors to treat the subjects in question in certain ways, whether they are street people or social policies. This increasingly common strategy, however, overlooks at least three major pitfalls to the politics of renaming." Each reflects a failure to appreciate language's inability to say all that is meant by any act of signification. First, many renamings are part of a politics of euphemisms that conspires to legitimate things in ways consonant with hegemonic discourse. This is done by stressing what is consistent and de-emphasizing what is inconsis- tent with prevailing discourse. When welfare advocates urge the nation to invest in its most important economic resource, its children, they are seek- ing to recharacterize efforts on behalf of poor families as critical for the country's international economic success in a way that is entirely consonant with the economistic biases of the dominant order. They are also distracting the economic-minded from the social democratic politics that such policy changes represent." This is a slippery politics best pursued with attention to how such renamings may reinforce entrenched institutional practices."

Yet Walter Truett Anderson's characterization of what happened to the "cultural revolution" of the 1960s has relevance here: One reason it is so hard to tell when true cultural revolutions have occurred is that societies are terribly good at co-opting their opponents; something that starts out to destroy the prevailing social construction of reality ends up being a part of it. Culture and counterculture overlap and merge in countless ways. And the hostility, toward established social constructions of reality that produced strikingly new movements and behaviors in the early decades of this century, and peaked in the 1960s, is now a familiar part of the cultural scene. Destruction itself becomes institutionalized." According to Jeffrey Goldfarb, cynicism has lost its critical edge and has become the common denominator of the very society that cynical criticism sought to debunk .21 If this is the case, politically crafted characterizations can easily get co-opted by a cynical society that already anticipates the politi- cal character of such selective renamings. The politics of renaming itself gets interpreted as a form of cynicism that uses renamings in a disingenuous ashion in order to achieve political ends. Renaming not only loses credibility but also corrupts the terms used. This danger is ever present, given the limits of language. Because all terms are partial and incomplete characterizations, every new term can be invalidated as not capturing all that needs to be said about any topic? With time, the odds increase that a new term will lose its potency as it fails to emphasize ne-glected dimensions of a problem. As newer concerns replace the ones that helped inspire the terminological shift, newer terms will be introduced to ad- dress what has been neglected. Where disabled was once an improvement over handicapped, other terms are now deployed to make society inclusive of all people, however differentially situated. The "disabled" are now "physi- cally challenged" or "mentally challenged?' The politics of renaming pro- motes higher and higher levels of neutralizing language." Yet a neutralized language is itself already a partial reading even if it is only implicitly biased in favor of some attributes over others. Neutrality is always relative to the prevailing context As the context changes, what was once neutral becomes seen as biased. Implicit moves of emphasis and de-emphasis become more visible in a new light. "Physically" and "mentally challenged" already begin to look insufficiently affirmative as efforts intensify to include people with such attributes in all avenues of contemporary life.24 Not just terms risk being corrupted by a politics of renaming. Proponents of a politics of renaming risk their personal credibility as well. Proponents of a politics of renaming often pose a double bind for their audiences. The politics of renaming often seeks to highlight sameness and difference si- multaneously.25 It calls for stressing the special needs of the group while at the same time denying that the group has needs different from those of anyone else. Whether it is women, people of color, gays and lesbians, the disabled, or even "the homeless:' renaming seeks to both affirm and deny difference. This can be legitimate, but it is surely almost always bound to be difficult. Women can have special needs, such as during pregnancy, that make it unfair to hold them to male standards; however, once those differ- ent circumstances are taken into account, it becomes inappropriate to as- sume that men and women are fundamentally different in socially signifi- cant ways .21 Yet emphasizing special work arrangements for women, such as paid maternity leave, may reinforce sexist stereotyping that dooms women to inferior positions in the labor force. Under these circumstances, advocates of particular renamings can easily be accused of paralyzing their audience and immobilizing potential sup- porters. Insisting that people use terms that imply sameness and difference simultaneously is a good way to ensure such terms do not get used. This encourages the complaint that proponents of new terms are less interested in meeting people's needs than in demonstrating who is more sophisticatedand sensitive. Others turn away, asking why they cannot still be involved in trying to right wrongs even if they cannot correct their use of terminology," Right-minded, if wrong-worded, people fear being labeled as the enemy; important allies are lost on the high ground of linguistic purity. Euphemisms also encourage self-censorship. The politics of renaming discourages its proponents from being able to respond to inconvenient infor- mation inconsistent with the operative euphemism. Yet those who oppose it are free to dominate interpretations of the inconvenient facts. This is bad politics. Rather than suppressing stories about the poor, for instance, it would be much better to promote actively as many intelligent interpretations as possible. The politics of renaming overlooks that life may be more complicated than attempts to regulate the categories of analysis. Take, for instance, the curious negative example of "culture?' Somescholars have been quite insis- tent that it is almost always incorrect to speak about culture as a factor in explaining poverty, especially among African Americans .211 Whereas some might suggest that attempts to discourage examining cultural differences, say in family structure, are a form of self-censorship, others might want to argue that it is just clearheaded, informed analysis that de- mphasizes cul- ture's relationship to poverty.29 Still others suggest that the question of what should or should not be discussed cannot be divorced from the fact that when blacks talk publicly in this country it is always in a racist society that uses their words to reinforcetheir subordination. Open disagreement among African Americans will be exploited by whites to delegitimate any challengesto racism and to affirm the idea that black marginalization is self-generated.3° Emphasizing cultural differences between blacks and whites and exposing internal "problems" in the black community minimize how "problems" across races and structural political-economic factors, including especially the racist and sexist practices of institutionalized society, are the primary causes of poverty. Yet it is distinctly possible that although theories proclaiming a "culture of poverty" are incorrect, cultural variation itself may be an important issue in need of examination." For instance, there is much to be gained from contrasting the extended-family tradition among African Americans with the welfare system of white society, which is dedicated to reinforcing the nuclear two-parent family.32 A result of self-censorship, however, is that animportant subject is left to be studied by the wrong people. Although ana- lyzing cultural differences may not tell us much about poverty and may be dangerous in a racist society, leaving it to others to study culture and poverty can be a real mistake as well. Culture in their hands almost always becomes "culture of poverty."" A politics of renaming risks reducing the discussants to only those who help reinforce existing prejudices.

## 2AC Counter-Praxis

#### Permutation: vote affirmative to endorse that their counterpraxis doesn’t disprove that the 1AC’s praxis is productive and beneficial

#### The permutation is theoretically legitimate and provides valuable benefits

#### 1. Division of responsibility—the aff has the burden of proof and the negative has the burden of rejoinders—permutation are a test that their method meets the burden rejoinder—maintaining that division has two specific benefits

#### a. Clash—method debates are only productive if we use them to hone in the benefits of different methods—providing a stable advocacy that the debate centers around specifically the affirmative advocacy and requiring the negative to say “should not” in response to the advocacy is the only way to test the advantages and disadvantages of methods by establishing nexus questions

#### b. Interaction—commensurability is a useful heuristic to study the interaction between methods—resistance doesn’t happen alone but happens in conjunction with others—their model forecloses analyses of conjunctive efforts by abandoning ideas of working together

#### 2. Permutation is not the assimilation or the violation of embodiment—voting for the perm doesn’t mean you are literally affirming their performance but voting that the idea of it is beneficial and commensurable with the idea of our method—when you vote negative, you’re not voting just for their performance but their defense of the method, which they didn’t perform all instances of—voting aff is not for the perm, but still for the aff—specifically a commensurability advantage to the aff as a reason why it’s good because it’s commensurable with other strategies

#### The affirmative’s challenge to islamophobic indefinite detention policies creates an ideal intersectional space to build coalitions against racial violence—general claims to racial injustice are insufficient—we must coalesce around particular projects where there is a commonality of interest LIKE THE ADVOCACY—Coalitions our net better despite their indicts

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Because of the various problems with coalition building, several scholars do not endorse it. For example, Delgado advocates laboring within your own group for the social justice goals you support. "For some projects, justice turns out to be a solitary though heroic quest, and the road to justice is one that must be traveled alone, or with our deepest, most trusted companions."' 4 Haunani-Kay Trask states that real organizing of native Hawaiians takes place outside of coalitions.205 She supports Malcolm X's claims that whites need to tackle racism within their own communities, rather than in coalition." "Work in conjunction with us-each working among our own kind."207 Despite the frictions and problems between various traditional and nontraditional groups, coalition building can be a useful tool of critical race praxis in the current period. African Americans have been used to being the dominant minority in the United States, able to keep their concerns at the center of the civil rights movement. Latinos are now surpassing Blacks numerically,208 and are the majority in California already.2 They will be 25% of the U.S. population by 2050.210 Blacks will have to learn to work in coalition with Latinos to ensure that Black concerns are not lost in a new dispensation of "favored minority." While the Latinos are becoming the majority minority, they are not as politically organized as the Blacks yet, with many being recent immigrants or noncitizens, who may not speak English.21 ' Thus in some instances, Latinos will need to learn from African Americans, and with them, to achieve various goals. Coalition is good for Asians because although they score higher on standardized tests and have a higher income level than the other minority groups, history has already shown that they remain regarded as perpetual foreigners,1 2 once subject to internment. 3 Native Americans constitute only two million people," 4 and can benefit from linking with the larger groups, some of whom may resent those tribes, who now profit from gambling casino wealth." 5 Arabs and Muslims need to join in coalition with the other groups because they are too small and too recent as immigrants in comparison to the other groups to go it alone. As the current personification of evil of the moment, they need to draw upon the resources of other groups for support. Coalition building does not happen in a vacuum. It must coalesce around particular projects where there is commonality of interest. For instance, Frank Valdes has noted that Latinos and Asians share a common interest in legal issues that involve "immigration, family, citizenship, nationhood, language, expression, culture, and global economic restructuring."216 Racial profiling is a potential issue for cooperation as it affects all the major minority groups. I will use it for illustrative purposes in the remainder of this section, even though it is only one of various issues that could be the basis for coalition building. Asian scholars have noted how both the recent mistreatment of Chinese American scientist Dr. Wen Ho Lee 2 17 and the interning of 120,000 Japanese and Japanese Americans in World War II could both be regarded as cases of racial profiling.218 Kevin Johnson has called for Asians and Latinos to form political coalitions to challenge arbitrary INS conduct . 21 He also wants Blacks and Latinos to form coalitions to work on issues of racial profiling, as well.22° In the war against terrorism, racial profiling is particularly affecting Blacks, Latinos and South Asians who look Arab, creating an ideal intersectional issue for coalition building.22 ' Coalescing around profiling in these times will not be easy. In his timely book, Justice at War: Civil Liberties and Civil Rights in a Time of Crisis, Richard Delgado, a founder of CRT, queries, "Will the establishment insist on Americanism and toeing the line in the war on terrorism, and demand that minorities demonstrate loyalty, in return for a symbolic concession or two?.. .Will it choose one minority group for favored treatment, in hope of keeping the others in line."2'22 There are several foreseeable scenarios in this regard. For example, the Bush administration could reconfigure rather than terminate various federal affirmative action programs after an expected hostile Supreme Court decision in the upcoming Michigan cases,223 to attempt to ensure Black support for the war efforts. The administration's rejection of the pro-affirmative action position of the University of Michigan may have attracted some Asian support.224 The perpetuation of the forty year old blockade against Cuba despite U.S. business opposition ensures Cuban American loyalty,225 and the rumored appointment of a Hispanic for the next U.S. Supreme Court vacancy may attract other Latinos.22 ' Delgado wonders whether people of color will "be able to work together toward mutual goals--or [will] the current factionalism and distrust continue into the future, with various minority groups competing for crumbs while majoritarian rule continue[s] unabated? 22

#### The war on terror establishes islamaphobia in a form that presents a challenge to our status quo understandings of race— the US has launched a civilizational and cultural war on Islam—racism has moved beyond exclusions justified on biological difference to a new differentialist racism based on culture

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In this context, addressing racial formation in terms of racial projects at the macro level of social processes, we may point to judicial, legislative, and administrative initiatives by the state. The infamous words of President Bush in 2001, ‘Either you are with us, or you are with the terrorists,’ which neatly recuperates the bipolar structure of the Cold War, (re)constitutes the us/them structure. The executive and legislative measures that have followed these initiatives ‘have included mass arrests, secret and indefinite detentions, prolonged detention of “material witnesses,” closed hearings and use of secret evidence, government eavesdropping on attorney-client conversations, FBI home and work visits, wiretapping, seizures of property, removals of aliens with technical visa violations, and mandatory special registration.’ As a result, as of 2004, ‘at least 100,000 Arabs and Muslims living in the United States have personally experienced one of these measures.’18 At the micro-social level, to follow the racial formation argument, we might say that the state of being ‘spooked’ and the ability to ‘see’ suspicious brown men (in this or similar cases) who ‘look’ a particular way is a way of experiencing racialization. In Omi and Winant's (1994) language, ‘our ability to interpret racial meanings depends on the preconceived notions of a racialized social structure’ (p. 59). The color-coded terrorism threat advisory scale by the Homeland Security Advisory System, and its politicized deployment by the Bush administration, is where the social structure and the individual psychic meet. Here these projects, against the backdrop of relentless cultural representations of Muslim Other, entail the construction and intensification of the generic category of ‘Arab-Middle Eastern-Muslim’ Other (see Naber 2006, Volpp 2003). In this hyphenated space we find the work of racialization of the Other through racializing religion, national origins, ethnicity, phenotypes (‘brown’ skin) and their intersections. As Naber (2006) has argued, ‘within the post-9/11 moment of crisis, the racialization of an “Arab-Middle Eastern-Muslim” Other has been constituted by a dual process of cultural racism and the racialization of national origin’ (p. 236). Cultural racism builds on a conceptualization of ‘race as culture,’ which in Goldberg's (1993) analysis includes religion, language, and dress among others. Is there a shift in the forms and strategies of racism that corresponds to this shift from race as biology to race as culture? The passage from imperialism to Empire is reflected in the shifting configurations of racism (Hardt & Negri 2000). There is a shift in the dominant theoretical form of racism. Racist theory based on biology (modern racism) is replaced by one based on culture (imperial racism). Imperialist racist theory agrees with the thrust of modern anti-racism in that ‘race’ is a social construction, that individual behavior or aptitude cannot be attributed to biological origins. Instead, they are the product of different cultures. Up to this point, Hardt amd Negri (2000) argue, imperial racism and modern anti-racism are taking the same position (p. 192). Here they draw from Balibar (1991) and his discussion of ‘neo-racism.’ Balibar argues that the ‘new’ racism is ‘racism without races.’ The neo-racist takes into account the failure of the classical racism, which viewed the Other inferior according to ‘race’ based on biological differences. In the ‘neo-racist’ logic, the Other/self dichotomy is no longer explained in an inferior/superior framework. Instead, the Other is believed to be ‘different.’ This is the racism of ‘the era of “decolonization,” of the reversal of the population movements between the old colonies and the old metropolises, and the division of the humanities within a single political space’ (p. 21). Here culture functions ‘like a nature, and it can in particular function as a way of locking individuals and groups a priori into a genealogy, into a determination that is immutable and intangible in origin’ (p. 22). The dominant theme for this racism ‘is the insurmountablity of cultural differences, a racism which, at first sight, does not postulate the superiority of certain groups or peoples in relation to others but “only” the harmfulness of abolishing frontiers, the incompatibility of life-styles and traditions’ (p. 21). Here Balibar characterizes neo-racism as ‘culturalist’ or ‘differentialist’ racism.19 It is not surprising that prominent individuals have characterized many of the current geopolitical conflicts as religious/cultural/civilizational. Influential religious leaders (e.g. Jerry Falwell, Par Robertson, Franklin Graham), active military personnel (e.g. General Boykin), Congressmen (e.g. Tom Delay, Peter king, Conrad Burns), and media personalities with megaphones (e.g. Glenn Beck, Bill O'Rilley, Ann Coulter, Michael Savage) are among them.20 President George W. Bush's ‘offhand’ remarks in September of 2001 that ‘the war on terror’ was a ‘crusade,’ a remark that made ‘Europe cringe,’21 was among the first to signal such a view. This conceptualization of ‘difference,’ of ‘other’ cultures as immutable, fixed, frozen and static essences, is as essentialist as the biological one. The hatful diatribe and slurs against Muslims (e.g. ‘ragheads,’ ‘diaperheads,’ ‘sand niggers,’ ‘hajis’) and the more respectful version of ‘they are different’ and ‘we can't mix’ amount to the same difference. Although culture is used as a substitute for race, paradoxically, its function is to preserve ‘racial difference’ and to strengthen the extant racial hegemonies. The right-wing diatribe against ‘towel-heads’ and the multicultural sensibility that mystifies international politics and political violence by attributing them to differences in culture, tradition, and religion are both informed by the logic of differentialist racism. Thus, Islamophobia should be understood in these terms. Islamophobia is a cultural-ideological outlook that seeks to explain ills of the (global) social order by attributing them to Islam. It is a way of thinking that conflates histories, politics, societies and cultures of the Middle East into a single unified and negative conception of Islam. It is an ideology in which the ‘backwardness’ of the Other is established through an essentialized Islam. It is, as a form of racism, an essentialist view of peoples whose culture it deems ‘different’ in an eternal, fixed, and immutable fashion. It is a way of conceptualizing (international) politics that explains political acts and political violence not in terms of geopolitical calculations, motives, and actors, but in terms of religion. Islamophobia posits ‘Islam’ as a conception of the world that is incompatible with modernity, with civilization, and, more important, with Euro-Americanness. Islamophobia, on the one hand, creates difference (the ‘Other’) and, on the other hand, erases difference (all of ‘them’ are the ‘same’).

#### Anti-blackness is not the master-key—the focus on it as such skews discussions of racial justice and promotes nationalistic and xenophobic forms of racism

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The future of race in the United States, or elsewhere, will not be determined solely through the American instinct to return to black white politics—as if the question of the conservation or elimination of race and racial justice is in the hands of whites and blacks who need to hash out their issues for the sake of all of us. That somehow American racial problems are primarily black and white problems is the conceit of too many Americans. This conceit is rooted in an image of an America defi ned by Protestantism, the English language, and its ties to Europe and populated by fading yet romantic “Indians,” a few Mexicans, and “Orientals” but dominated by whites and blacks. In this fantasy, the racial problems that we have are determined by the painful yet interesting history between whites and blacks. From here, liberals and conservatives part company, but the central vision holds—both sides affi rm that black-white division is the United States’ core racial problem, and that solving black-white confl ict is the master key to all of its racial problems. The result of this assumption has been that the concerns, problems, and questions, specifi c to blacks and whites and the relationship between them, have historically dominated discourse over race in the United States. The domination of this focus, often called the blackwhite binary, has colored the U.S. reaction toward, and policies about, Native Americans, Asians, Latinos, and its colonial subjects, such as Puerto Ricans and Filipinos.1 The color line, which W. E. B. Du Bois famously claimed marked the twentieth century and spanned the globe, was imagined in the cast of the black-white binary. In the following sections I clarify various conceptions of the black-white binary and consider their relative merits and failings. I then turn to the host of objections against this binary. I support the primary complaint against the binary, that it does not engender accurate descriptions of the United States’ racial past or present, and it skews discussions of the future of race and racial justice toward the perspectives and interests of blacks and whites. Some readers may think that the problems with the black-white binary are so obvious and great that the subject is not worth a chapter-length study. I urge such readers to momentarily suspend their incredulity about the blackwhite binary so that they can consider the demands for justice that motivate its proponents. I argue that the black-white binary should not simply be dismissed, for incautious dismissals of it end up casting off the demands of justice that frequently motivate statements that seemingly support the binary. Nonetheless, there are troubling aspects of the black-white binary that go beyond the usual objections, leading, fi nally, to its total rejection. The black-white binary is rooted in a peculiar conception of black-white American nationalism and xenophobia that is ultimately hostile to American multiculturalism. Such a view is fundamentally illiberal, and the people of the United States should not capitulate to its desire that the false image of America as black and white not be upset.

#### This epistemological exclusion does more than just excluding cultural forms of racism from our discussion, it actively replicates them—the view of American racism as a black/white issue helped solidify xenophobic violence against Arab bodies in the war on terror as foreign issues outside the American schema

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To underline this fi nal point, the critiques of the binary offered by legal scholars, such as Juan Perea and Richard Delgado, underscore the dangers that Alcoff’s critique exposes.34 Delgado in particular distinguishes three ways that the binary negatively affects Latinos and Asian Americans. First, it has framed the legal conception of equal protection in terms of the struggle for equal black citizenship. That frame aids in discrimination against nonwhite immigrants and undermines the equal protection of Latino/a and Asian American citizens. Second, the binary plays into contractarian justifications for the national self-determination of citizenship and thus cements past race-based (and racist) definitions of citizenship. Third, the binary places Latinos, Asian Americans, and Native Americans “out of sight” and thus out of the discourse of racial justice. The consequence of the normative force of the binary is that African Americans, according to Delgado, are trained to pursue, and are recognized as the primary legitimate recipients of, benefi ts and protections that fl ow from antidiscrimination laws. The black-white binary, as a “template” or master key, demarcates who is a proper subject of our thoughts about race, racism, and civil rights. Consequently, some individuals and groups, and their respective interests, are left out of public deliberations of race and social justice, and are typifi ed as, quite literally, foreign issues. Legal scholar Juan Perea put it this way: If Latinos/as and Asian Americans are presumed to be White by both White and Black writers . . . then our claims to justice will not be heard or acknowledged. Our claims can be ignored by Whites, since we are not Black and therefore are not subject to real racism. And our claims can be ignored by Blacks, since we are presumed to be, not Black, but becoming White, and therefore not subject to real racism. Latinos/as do not fi t the boxes supplied by the paradigm.35 In the wake of the reaction of the United States to the terrorist strikes against the World Trade Center towers, the black-white binary’s role as principle of exclusion in the service of American nationalism took on an ugly clarity.36 It assuaged American worries about racism as it targeted Arabs, Middle Easterners, and Muslims in the war against Al-Qaeda in Afghanistan, the war against Iraq, and the everlasting war on terror.37 Whatever the role of racism in the rounding up, questioning, detention, and expulsion of Arabs, Muslims, and people from the Middle East, the United States was comforted by the “United We Stand” rhetoric, and a rainbow coalition of Americans helped author and justify the United States’ reactions to terrorism. Thus practices such as the racial profi ling of Arabs, Muslims, and those who look like them, to our eyes, met with 60 percent approval ratings, while before the war 80 percent of Americans disapproved of racial profi ling, a sentiment that George Bush and even John Ashcroft supported before the war. It is of great consequence that this exclusion is a result of a particular black-white normative vision of the American nation as being properly and primarily black and white. The implication is that the black-white binary is a nativist idea that aids the continued exclusion of Latinos, Asian Americans, and other nonwhite immigrant groups, such as Arabs and Muslims, from full citizenship and equal protection.38

#### A unique focus on military detention is critical—military detention establishes an unprecedented and new manifestation of prison systems characterized by no end or bounds—the fixture of military prisons in a space of lawlessness demands an exposition otherwise the stories are forgotten

Brown 5

[Michelle Brown, “"Setting the Conditions" for Abu Ghraib: The Prison Nation Abroad”, American Quarterly 57.3 (2005) 973-997, <http://muse.jhu.edu/journals/american_quarterly/v057/57.3brown.html>]

Abu Ghraib, like Guantánamo and other U.S. military prisons, marks the kind of penal expansion that takes place in the context of wars with no end: wars on drugs, crime, and terror. In the U.S., we imprison more than anyone in the world and more than any other society has ever imprisoned for the purposes of crime control, and we do so in a manner that is defined by race.57 This unprecedented use of imprisonment has largely taken place outside of democratic checks or public interest, in disregard of decades of work by penal scholars and activists who have introduced a vocabulary of warning through terms such as "penological crisis," "incarceration binge," "prison-industrial complex," and the "warehousing" of offenders. Such massive expansion has direct effects upon the private lives of prisoners, prison workers, their families, [End Page 990] and their communities. I have tried, at least, to point to the ways in which these effects may extend far beyond their immediate contexts into a potential reconfiguration of public life. Such unprecedented penal expenditures mark the global emergence of a new discourse of punishment, one whose racial divisions and abusive practices are revised into a technical, legal language of acceptability, one in which Americans are conveniently further distanced from the social realities of punishment through strategies of isolation and exclusion, all conducted in a manner and on a scale that exacerbates the fundamental class, race, and gender contradictions and divisions of democracy. In this respect, the "new war prison" is constituted by both material practices and a discursive language whose expansion and intensification need recognize no limits, no borders, no bounds. I have used punishment and torture interchangeably across this piece, not because I believe they are without distinction or difference, but because I believe, as history and social theory teach us, that they are grounded in the same fundamental practice: the infliction of pain. Because punishment carries pain, rupture, and trauma with it, its implementation will always be fundamentally tragic. Torture, then, is not incidental to punishment. It is at its core. Instead of accepting this reality, the history of the practice and study of punishment is marred by an assumption that intention matters, that explanations and justifications define punishment and its appropriate use, and that the law can control its violence. However, these kinds of assumptions conceal the presence of the law itself. When punishment is invoked, it is always intended to remind the people of the power and presence of the state. However, this is an invocation that is precisely meant to be avoided in democratic contexts, as strong governments have no need to rely upon force. According to both Nietzsche and Durkheim, it is a weak state that will resort to a display of force and violence. Any regime that decides to inflict pain and harm will inevitably find itself caught up in a unique social institution whose essence is violence and whose justifications are inherently problematic. Punishment is, thus, always most usefully understood at its most elemental level: as a bloodlust for revenge, one whose essence is passion, unreason, anger, and emotion, whose invocation is highly individualized, subjective, and personal, an insatiable urge that knows no limits. In such a setting, as sociolegal scholar Austin Sarat argues, a "wildness" is introduced into the "house of law," wherein "private becomes public and public becomes private; passion is introduced into the temple of reason, and yet passion itself is subject to the discipline of reason. Every effort to distinguish revenge and retribution nevertheless reveals that 'vengeance arrives among us in a judicious disguise.'"58 The vengeance that underlies [End Page 991] the implied calm reason of systematic, procedural, proportional retribution cannot be repressed and is evidenced in contemporary patterns of punishment in the United States that often defy a rational logic of any kind. Any solidarity or sociality gained at the price of such punishment, then, speaks not only to the end of democracy but of humanity as well. And so we went from September 11 to a war on terror, from Abu Ghraib to the summer of beheadings in an endless repetition whose limits are defined currently only in the possibility of sheer exhaustion. For American studies, this means that Abu Ghraib operates at a series of intersections and borders that have rendered the fundamental contradictions of imprisonment in a democratic context acutely visible, if only temporarily. As the impossible case for democracy, the "scandal" at Abu Ghraib reveals how an unmarked proliferation of penal discourses, technologies, and institutions not only "set the conditions" for the grossest violations of democratic values but revealed the normalcy and acceptability of these kinds of practices in spaces beyond and between the law. Consequently, Abu Ghraib falls within a distinct category of legal and territorial borders, those spaces that sociolegal scholar Susan Bibler Coutin observes "defy categories and paradigms, that 'don't fit,' and that therefore reveal the criteria that determine fittedness, spaces whose very existence is simultaneously denied and demanded by the socially powerful." Capturing the sense of doubleness that characterizes Abu Ghraib, she describes these "targets of repression and zones of militarization" as contradictory spaces that "are marginalized yet strategic, inviolate yet continually violated, forgotten yet significant."59 Many peoples exist at these borders, and all stories may be told there. But, and this is of crucial significance, there is no guarantee that these stories will be told. So much of the writing and thought surrounding the borderlands has been directed at the development of a new social vision, derived from the pain of history and experience, but grounded in the celebratory justice of the inevitable, vindicating arrival of the hybrid. As Gloria Anzaldúa insists, "En unas pocas centurias, the future will belong to the mestiza."60 Yet Abu Ghraib falls squarely into the kind of border zone that cannot be celebrated, a subaltern site where many stories and voices will never be told or heard, no matter how we reconstruct its history and its events. Judith Butler observes that the subject outside of the law "is neither alive nor dead, neither fully constituted as a subject nor fully deconstituted in death."61 Under Saddam Hussein's rule, numberless thousands were lost in the prison. Under American occupation, "ghost detainees" were a prevalent problem, unidentified, vanished inside the institution's own lost accountability. As Žižek points out, these individuals constitute the "living dead," those missed [End Page 992] by bombs in the battlefield, "their right to life forfeited by their having been the legitimate targets of murderous bombings." This positioning has direct impact upon the legal privilege of their captors: "And just as the Guantánamo prisoners are located, like homo sacer, in the space 'between two deaths,' but biologically are still alive, the U.S. authorities that treat them in this way also have an indeterminate legal status. They set themselves up as a legal power, but their acts are no longer covered and constrained by the law: they operate in an empty space which is, nevertheless, within the domain of the law."62 The spectacle of abuse at Abu Ghraib makes plain the consequences of putting prisoners and custodians in this space "between two deaths," a legal borderland filled with spectral violence, a space packed with people and yet profoundly empty of its humanity. Bibler Coutin writes, "I cannot celebrate the space of nonexistence. Even if this space is in some ways subversive, even if its boundaries are permeable, and even if it is sometimes irrelevant to individuals' everyday lives, nonexistence can be deadly."63 When writing of Abu Ghraib, I find myself in a similar space, peering in at a border whose history, purpose, and foundations prevent it from being redeemed or reclaimed, its terrorized inhabitants the essence of Anzaldúa's "zero, nothing, no one."64 Abu Ghraib reminds us then of the pains we had hoped to transcend, of the "intimate terrorism" we had hoped to end, of the bloody sovereignty we had hoped to eclipse in a postnational context.65 As Anzaldúa observed of "life in the borderlands" nearly two decades ago: The world is not a safe place to live in. We shiver in separate cells in enclosed cities, shoulders hunched, barely keeping the panic below the surface of the skin, daily drinking shock along with our morning coffee, fearing the torches being set to our buildings, the attacks in the street. Shutting down . . . The ability to respond is what is meant by responsibility, yet our cultures take away our ability to act—shackle us in the name of protection. Blocked, immobilized, we can't move forward, we can't move backwards. That writhing serpent movement, the very movement of life, swifter than lightning. Frozen.66 In the working vocabulary and memory of a penal culture, Abu Ghraib remains a border lost to us, accessible only through the fixed and frozen images that remind us of its irrevocableness. We find ourselves, in a sense, at a new border that is very old, caught at the crossroads, left alone with America, asking, and with considerable trepidation, what will our futures be?67

#### Permutation—do the plan and the alternative—the starting point of military detention allows an interrogation of us notions of punishment

Brown 5

[Michelle Brown, “"Setting the Conditions" for Abu Ghraib: The Prison Nation Abroad”, American Quarterly 57.3 (2005) 973-997, <http://muse.jhu.edu/journals/american_quarterly/v057/57.3brown.html>]

As a site of unseemly conjunctures between various kinds of competing law, Abu Ghraib is an unusually complex instance of American imprisonment. Its gates mark encounters with United States, Islamic, military, criminal, and international human rights law. Its walls mark not simply the contours of sovereignty and the boundaries of the nation/state but, more significantly, their violation as an immense superpower engages in a preemptive strike, invasion, occupation, and torture. Within this configuration of power, transnational exportations of punishment materialize in a variety of manifestations: (1) in the sociopolitical contexts that define the lives of the primary actors caught up in the prison/military-industrial complex and its increasingly global economies; (2) through the international implementation of U.S. penal technologies with unprecedented exclusionary capabilities, epitomized in President Bush's desire to raze Abu Ghraib and build a "state of the art" supermax prison in its place; and (3) in the unregulated use of force outside of the boundaries of law, a violence juxtaposed and conflated with the memory and backdrop of penal horror under the regime of Saddam Hussein. Abu Ghraib, then, is the kind of place always caught in a double gesture. Regimes and governments attempt to deny and erase the prison's existence. Yet we are simultaneously unable to turn away from its grotesqueness, a site that demands investigation and thus constitutes, as ordered by military judicial ruling, "the scene of the crime."6 Prisons have long served as liminal spaces both inside and outside the boundaries of constitutional law, belonging to (in fact, invented by) but not of the United States. The birth of the penitentiary, a form of punishment defined [End Page 974] entirely upon the denial of freedom, is culturally grounded in democratic values. As historian David Rothman points out, incarceration emerged "at the very moment when Americans began to pride themselves on the openness of their society, when the boundless frontier became the symbol of opportunity and equality . . . as principles of freedom became more celebrated in the outside society."7 Sociolegal scholar David Garland depicts the penitentiary as a regime constructed upon notably American value systems, including "the targeting of 'liberty' as the object of punishment" and the "intensive focusing upon the individual in prison cells."8 However, as an institution fundamentally constructed through the inverse of these values, the American penitentiary rests upon a crucial cultural contradiction, the removal of liberty in a nation that would seek to preserve it, the use of violence to counter violence. As Michael Ignatieff writes: "Outside was a scrambling and competitive egalitarianism; inside, an unprecedented carceral totalitarianism."9 The prison is built upon an interior secret, a union of antithetical ideas and values. Its invocation always risks disclosing the weakness not simply of the sovereign state but of American democracy, founded in distinctly penal terms, including genocide and slavery. Prisons, then, are strategic research sites, from which we may always uncover the contradictions of American power. For these reasons, special attention must be given to how recent assertions of sovereignty by the United States, coded in penal terms, set the conditions for what Judith Butler refers to as the "new war prison," where "the current configuration of state power, in relation both to the management of populations (the hallmark of governmentality) and the exercise of sovereignty in the acts that suspend and limit the jurisdiction of law itself, are reconfigured," a context rife with possibilities for the violation of human rights.10 This corruptibility is, in part, an intrinsic property of punishment. To borrow Ignatieff's terminology, prisons are inherently "lesser evil" institutions. Even as democratic defense, such institutions always risk, in any invocation, the violation of foundational commitments to democracy. Even when applied in the context of legislative deliberation, judicial review, and adversarial constraint, they remain necessarily tragic and ultimately evil.11 However, events at Abu Ghraib and other contemporary domestic and war prisons prove most disconcerting not simply because of the absence of open, adversarial justification, but because of the larger absence of any perceived need for justification. As evidence emerges that Abu Ghraib was simply one site of detainee abuse among many in the war against terror,12 we realize the fear, as expressed by Amy Kaplan in her 2003 presidential address to the American Studies Association, that Guantánamo would become a story of our future, a world where "this floating [End Page 975] colony will become the norm rather than an anomaly, that homeland security will increasingly depend on proliferating these mobile, ambiguous spaces between the domestic and foreign."13 Abu Ghraib is, consequently, the kind of "unanticipated event," dramatic, poignant, and ugly all at once, in which the "normality of the abnormal is shown for what it is"—terror as usual. For these reasons, it also marks a critical site from which to consider how what it means to do American studies is irrevocably bound up with the practice and conjugation of U.S. punishment, not simply at home but abroad, and especially in those "mobile, ambiguous spaces" lost somewhere in between in a time of empire.