### Case

#### Only the aff provides a medium of difference that ultimately solves essentialism

Braidotti 3 (Rosi, Professor of Women’s Studies in the Arts Faculty of Utrecht University and scientific director of the Netherlands Research School of Women’s Studies, “Becoming Woman: or Sexual Difference,” pg. 44-45 Theory, Culture & Society 2003 (SAGE, London, Thousand Oaks and New Delhi), Vol. 20(3) //nimo)

As I have often argued (Braidotti, 1991, 1994, 2002) the body, or the embodiment of the subject, is a key term in the feminist struggle for the redefinition of subjectivity. It is to be understood as neither a biological nor a sociological category, but rather as a point of overlap between the physical, the symbolic and the material social conditions (Braidotti, 1989; Grosz, 1987). As Chanter put it: Irigaray ‘brings the body back into play, not as the rock of feminism, but as a mobile set of differences’ (1995: 46). The body is then an interface, a threshold, a field of intersecting material and symbolic forces, it is a surface where multiple codes (race, sex, class, age, etc.) are inscribed; it’s a cultural construction that capitalizes on the energies of a heterogeneous, discontinuous and unconscious nature. Feminist philosophies of sexual difference are historically embedded in the decline and crisis of Western humanism, the critique of phallogo- centrism and the crisis of European identity. The philosophical generation that proclaimed the ‘death of Man’ led to the rejection of humanism and also marked the implosion of the notion of Europe. Especially in her more recent work, Irigaray has also contributed to the dis-assembly of the package of geo-political specificity of Western discourses and of philosophy in particular. The fact that she considers sexual difference as the matrix of power does not mean that she neglects or down-plays other differences. On the contrary, Irigaray broadens the range of her intervention to cover spatio- temporal coordinates and a number of many constitutive relations, includ- ing race and ethnicity and especially religion. The fact that the notion of ‘difference’ as pejorative goes to the heart of the European history of phil- osophy and of the ‘metaphysical cannibalism’ of European thought makes it a foundational concept. It has been colonized by hierarchical and exclu- sionary ways of thinking, which means that historically it has also played a constitutive role not only in events that Europe can be proud of, such as the Enlightenment, but also in darker chapters of our history, such as in European fascism and colonialism. Because the history of difference in Europe has been one of lethal exclusions and fatal disqualifications, it is a notion for which critical intellectuals since the post-structuralists have chosen to make themselves accountable. Therefore, feminism shares with post-structuralist philosophies not only the sense of a crisis of the Logos, but also the need for renewed conceptual creativity and for politically informed cartographies of the present. One of the aims of feminist practice therefore is to overthrow the pejorative, oppressive connotations that are built not only into the notion of difference, but also into the dialectics of Self and Other. This transmutation of values could lead to the re-assertion of the positivity of difference by enabling a collective re-appraisal of the singularity of each subject in his/her complexity. In other words, the subject of feminism is not Woman as the complementary and specular other of man, but rather a complex and multi-layered embodied subject who has taken her distance from the institution of femininity. ‘She’ no longer coincides with the disempowered reflection of a dominant subject who casts his mascu- linity in a universalistic posture. She, in fact, may no longer be a she, but the subject of quite another story: a subject-in-process; a mutant; the other of the Other; a post-Woman embodied subject cast in female morphology who has already undergone an essential metamorphosis.

### 2AC

#### 1. We reduce the president’s authority – he currently has the power to exclude women from *any* combat position he chooses – the aff ends that power – that’s Wash Times

#### 2. Presidential authority stems from the constitution or statutory delegation

Gaziano, 2001 (Todd, senior fellow in Legal Studies and Director of the Center for Legal Judicial Studies at the Heritage Foundation, 5 Texas Review of Law & Politics 267, Spring, lexis)

Although President Washington's Thanksgiving Proclamation was hortatory, other proclamations or orders that communicate presidential decisions may be legally binding. n31 Ultimately the authority for all presidential orders or directives must come from either the Constitution or from statutory delegations. n32 The source of authority (constitutional versus statutory) carries important implications for the extent to which that authority may be legitimately exercised or circumscribed. Regardless of the source of substantive power, however, the authority to use written directives in the exercise of that power need not be set forth in express terms in the Constitution or federal statutes. As is explained further below, the authority to issue directives may be express, implied, or inherent in the substantive power granted to the President. n33 The Constitution expressly mentions certain functions that are to be performed by the President. Congress has augmented the President's power by delegating additional authority within these areas of responsibility. The following are among the more important grants of authority under which the President may issue at least some directives in the exercise of his constitutional and statutorily delegated powers: Commander in Chief, Head of State, Chief Law Enforcement Officer, and Head of the Executive Branch.

#### 3. And it’s a war power

War Powers Resolution 73 [50 USC Chapter 33 - WAR POWERS RESOLUTION, § 1547 - Interpretation of joint resolution, http://www.law.cornell.edu/uscode/text/50/1541]

(c) Introduction of United States Armed Forces¶ For purposes of this chapter, the term “introduction of United States Armed Forces” includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities.

#### **4.** Executive has authority to exclude women

Barry 13 (Ben Barry, Senior Fellow for Land Warfare at the IISS, 03 Apr 2013, “Women in Combat,” Survival vol. 55 no. 2 April–May 2013 pp. 19, summon //nimo)

On 14 January US Secretary of Defense Leon Panetta and Chairman of¶ the Joint Chiefs of Staff General Martin Dempsey announced that ‘we are¶ eliminating the direct ground combat exclusion rule for women and we¶ are moving forward with a plan to eliminate all unnecessary gender-based¶ barriers to service’.‘ This triggered media speculation that all barriers to¶ women serving in the US military would quickly be lifted. But much of the¶ reporting on the policy shift was over-simplistic. Panetta and Dempsey's¶ announcement is more conditional and nuanced than is often described.¶ And it allows the Pentagon to decide to continue to exclude women from¶ some combat roles. There is a real possibility that this may happen — espe-¶ cially for US Army and Marine Corps infantry.

#### 5. Limits – including delegated powers is key to congress affs because only the supreme court can reinterpret the president’s constitutional powers.

#### 6. Force composition is key aff ground --- every time an authorization of force is passed, it involves discussions of what sort of limits should be placed on that intervention.

#### 7. Aff Ground – they only allow 6 affs because they prevent the aff specifying what forms of war powers authority they limit.

#### 8. Reasonability – competing interpretations is a race to the bottom, crowds out substantive debate & forces intervention

### 2AC Mil

#### The aff should get to weigh our impact against the impacts of the kritik – other framework moots the 1AC and destroys topic specific education debate becomes centered on abstract theories rather than policy action

#### Perm do the plan and reject in all other instances; either the alt can overcome the residual link of the aff or it can’t overcome the hundreds of years of anthropocentrism

#### The case is a patriarchy disad to the alternative. Absent the introduction of women, the abolition of the military is a victory by men, for men. Only the affirmative challenges the patriarchal logics that undergird militarism

#### The military is too great a social force to leave to the realm of masculinity.

Enloe 13 Cynthia, Research Professor at Clark University; “Combat: The Zone of Women’s Liberation?” *The Progressive*; January 24, 2013; http://www.progressive.org/combat-the-zone-of-women-and-liberation

In a country whose popular culture is as profoundly militarized as ours (think Junior ROTC in high schools, think B-22 fly-overs at the opening of the NFL season), it is all too easy to militarize even women’s liberation.¶ Militarization happens any time that the protection of women’s rights is either justified by appealing to military necessity or measured in terms of women’s participation in war-waging.¶ Neither those women nor those men deployed in wartime combat should be imagined by the rest of us as “the real heroes” or the “real patriots.” Infantry bunkers and fighter plane cockpits should not be where genuine “first class citizens” are cultivated.¶ This feminist caveat, though, does not mean that lifting the Pentagon’s artificial ban is insignificant. The military remains one of the most powerful political and cultural institutions in contemporary America. Its influence can be seen in our lopsided federal budget, in our entertainment and sports industries, in our science and technology, in our schools and in our Congress.¶ An institution this powerful cannot be permitted to sustain its entrenched masculinized culture. This, after all, is the same institutional culture that has rewarded mid-level and senior officers for ignoring American male soldiers’ sexual assaults on their female comrades (as documented in the Oscar-nominated film “The Invisible War,” ).

#### Four reasons the plan is a prerequisite to societal demilitarization:

#### Military goals—strucutured around a patriarchal idea of the role of the soldier and the ro military. Our introduction of women into combat solves. That’s Goodell

#### Myth of Masculinity—the introduction of women into combat collapses traditional ideas of strong male warriors, solves the reasons the military becomes militaristic. **Vojdoik**

#### Decision-making—increasing the role of women in the military moves decision-making away from men. Prerequisite to changing society

#### D. Patriarchy is the root cause of militarism, alt fails absent the plan

Spretnak 83 Charlene, feminist and ecological activist and author; “Naming the Cultural Forces That Push Us Toward War” *Journal of Humanistic Psychology* vol. 23, no. 3 pp. 104-114; Summer, 1983; http://jhp.sagepub.com/content/23/3/104.abstract

Anthropology and archaeology have demonstrated that human societies can pass hundreds and even thousands of years in peace. Patriarchal cultures, however, go to war rather regularly. Militarism and warfare are continual features of a patriarchal society because they reflect and instill patriarchal values and fulfill essential needs of such a system. Men under patriarchy must prove dominance and control, must distance their character from that of "lowly" women, must survive the toughest violent initiation to enter full manhood, must shed the sacred blood of the hero, and must collaborate with death in order to hold it at bay. Such patriarchal pressures on men have traditionally reached resolution in ritual fashion on the battle-field. Unless peace efforts address the cultural pressures as well as the economic and political factors pushing us toward war, we will be unable to build a lasting peace.

#### E. Must examine effects on women - cuomo

#### Even if they win that the law is inherently racist, the proper response to is to fight for reforms that are necessary bulwarks against historical injustice

Delgado 98

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

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

#### Their absolutist stance is ineffective—our pragmatic challenge to war solves best

Walsh 68 Chad, professor of English, Beloit College; Episcopal Priest; “An Exchange on Resistance: Noam Chomsky debates with Chad Walsh and William X” *New York Review of Books*; February 1, 1968; http://www.chomsky.info/debates/19680201.htm

I believe that the number of persons who for pragmatic, rather than absolute moral reasons, are turning against the war is very large, and that their numbers are likely to increase. Any strategy of "dissent" or "resistance" which overlooks these potential millions of allies is very shortsighted. It may never be possible, by even the most dramatic examples of "resistance," to convince 51 percent of the American people that the war is "wrong," but I am convinced that by "patiently explaining" it may easily be possible to convince 65 percent that the war is damned foolishness.¶ I grant that anyone who categorically believes the war to be so monstrous an evil that [s]he must retain [her] his moral purity at all cost is morally justified in taking whatever measures of resistance [s]he can, in order to demonstrate the verdict of his conscience. And young men about to be drafted face this challenge in its starkest form. But I suggest only that in more general situations each person must ask himself, which is more important—to have a pure conscience, or to bring the war to an end?¶ If the second is more important, the patient effort to win over those millions who view the war in pragmatic rather than moral terms may be more significant than blocking the pathways to Dow interviewers or even than turning the flank of Pentagon soldiers. Sometimes a pure conscience

comes at too high a price, if it does not actually help put an end to war.

#### Endorsing equity in combat does not necessitate militarism – inclusion doesn’t have to be “good” for it to be right

Stachowitsch 13 (Saskia Stachowitsch, post-doctoral research fellow and lecturer at the Department of Political Science at the University of Vienna, February 19, 2013, “Feminism and the Current Debates on Women in Combat,” e-International Relations, http://www.e-ir.info/2013/02/19/feminism-and-the-current-debates-on-women-in-combat/ //nimo)

Feminist disagreements over these issues will go on and likely never be settled. Meanwhile, a rights-based approach might still be the safest bet for those wishing to make a non-militaristic point for military gender integration. While some may not perceive the ‘right’ to fight, kill, and die as a desirable objective, focusing on equal access to important state institutions is preferable to arguments that women can fulfil placatory functions in the military or provide the social skills that men lack. Women should not be required to prove that they can do anything ‘better’ than men or bring any specific qualities to military and other institutions to be allowed to participate.¶ In conclusion, there is no easy, straightforward answer to journalists’ questions about the normative evaluation of women’s integration into ground-combat. In the light of feminist research in the areas of military, war, security, foreign policy, and international institutions, we can only conclude that full integration does not need to be ‘good’ for it to be right.

#### Their pacifist stance removes them from politics—conscientious and particular rejections of militarism solve better

Robert L. Phillips, professor of philosophy, War and Justice, 1984, p. 114-6

It conceivable that governments might grant selective objection the same legal status as it gives to pacifism? The answer, I fear, is no. And that tells us something important about pacifism. Governments are prepared to tolerate pacifism, because it poses no threat either to their political policies or to the manner in which wars are con­ducted. The pacifist objects equally to all wars waged by all governments. In this sense he opts out of the game altogether. By contrast, the selective objector will be forced to analyze both the policy decisions of the government as well as the conduct of the armed forces. He will be publicly carrying out an officially sanctioned comparison between mutually agreed just-war criteria and the actual performance of the government. That is a lot to expect of governments as we know them, but there is still more. What would be the implication of a state granting an ex­emption on selective grounds? Fundamentally, the state would be agreeing with the claim that its war policies may be reasonably interpreted as unjust. The belief that all war is wrong is a proposition which states might agree is debatable among rational men, and, therefore, claims to exemption on this basis may be allowed. It is a very dif­ferent matter, however, to grant exemption for a particular war, for here we are faced not with two philosophical theories about violence but with a factual dispute. Selec­tive objection presupposes that both the government and the claimant agree upon the criteria for undertaking a justified war and the rules for conducting it. The claimant would have to show, in order to qualify for an exemption, that his government is engaged in acts of war which a person might reasonably characterize as immoral. As such an admission is inseparable from policy questions, it is in­conceivable that any government would be willing (or po­litically able) to wage war while publicly agreeing that there is sufficient reason to doubt the morality of that war to grant exemptions from it. This is not to say that individuals should not refuse to fight in wars which they believe are immoral but to acknowledge that governments cannot be expected to institutionalize such a practice. The evenhandedness of the pacifist who objects to all wars does not threaten the particular policies of any state. In condemning them all equally, pacifism exempts itself from political reality: What is needed, then, is not a general pacifism but a discrim­inating conscientious refusal to engage in war in certain circum­stances. States have not been loath to recognize pacifism and to grant it a special status. The refusal to take part in all war under any conditions is an unworldly view bound to remain a sectarian doctrine. It no more challenges the state’s authority than the celibacy of priests challenges the sanctity of marriage. By exempting pacifists from its prescriptions the state may even seem to display a certain magnanimity. But conscientious refusal based upon the principles of justice as they apply to particular conflicts is another matter. For such refusal is an affront to the government’s pretensions, and when it becomes widespread, the continuation of an unjust war may prove impossible

#### **Perm do the aff and non-mutually exclusive parts of the alt**

#### **The plan is not an embrace of status quo American militarism – we can criticize military policy without endorsing militarism AND the military can be good for peace – it’s a question of how we engage**

DeCew, 95 (Judith Wagner DeCew is Professor of Philosophy and Department Chair at Clark University, where she is also former Associate Dean of the College. The Combat Exclusion and the Role of Women in the Military. Special Issue: Feminist Ethics and Social Policy, Part 1 Volume 10, Issue 1, pages 56–73, February 1995)

Feminists may believe that a right to serve in combat in the military exists but that it should take low priority for feminist thinkers, given the many rights denied women around the world. Or, more strongly, they may reject any female participation in U.S. interventionist and military endeavors, particularly under male orders. They may believe an equal right to carry out U.S. military orders, which they find both morally outrageous and internationally illegal, is a right they would prefer not to have. By arguing against the combat exclusion, however, I am not thereby endorsing current military activities. I believe we can and must discuss the egalitarian concerns raised by the exclusion independently of assessments of general military policies, procedures, and objectives. There are, furthermore, two considerations that make the inequality of the combat exclusion relevant for a wide range of feminists. First, we can idealize the military in such a way that we see it as the kind of institution that will be needed even in a largely peaceful and demilitarized world, to deal with the kinds of peacekeeping efforts that will continue to be necessary in a world without the military institutions and activities with which we are currently familiar. Second, we must realize how nonideal this world is and can be expected to remain. It is arguable that military establishments and military efforts are necessary and even justifiable, when, for example, they are used to prevent atrocities and violations of human rights such as those we have seen in such places as Bosnia and to provide aid in crises like that in Rwanda.5 If this is correct, there is good reason for feminists to be concerned about the combat exclusion, the importance of women gaining equal treatment in the military, and their ability to be promoted to positions where they can transform military practices. Although my argument provides just one liberal feminist approach, it is, I believe, a compelling one.

#### Aff resolves bad parts of militarism by examining the effects of militaristic society on individuals – that’s Cuomo

### 2AC Colon

#### Conditionality is a voting issue: spreads out the 2AC and skews the strategy; not real world because policymakers don’t advocate 4 bills at once; not reciprocal – justifies aff condtionality

#### 1. Framework is to find the best political strategy for reducing violence –

#### SP A) The aff should get to weigh our impact against the impacts of the kritik – other framework moots the 1AC and destroys topic specific education debate becomes centered on abstract theories rather than policy action

#### SP B) Reformism is good – changing the way we interact with the government is necessary for true change – that’s Zerelli

#### And disengagement causes worse atrocities and ultimately extinction

Boggs ’97 (CARL BOGGS – Professor and Ph.D. Political Science, National University, Los Angeles -- Theory and Society 26: 741-780)

The false sense of empowerment that comes with such mesmerizing impulses is accompanied by a loss of public engagement, an erosion of citizenship and a depleted capacity of individuals in large groups to work for social change. As this ideological quagmire worsens, urgent problems that are destroying the fabric of American society will go unsolved -- perhaps even unrecognized -- only to fester more ominously into the future. And such problems (ecological crisis, poverty, urban decay, spread of infectious diseases, technological displacement of workers) cannot be understood outside the larger social and global context of internationalized markets, finance, and communications. Paradoxically, the widespread retreat from politics, often inspired by localist sentiment, comes at a time when agendas that ignore or side-step these global realities will, more than ever, be reduced to impotence. In his commentary on the state of citizenship today, Wolin refers to the increasing sublimation and dilution of politics, as larger numbers of people turn away from public concerns toward private ones. By diluting the life of common involvements, we negate the very idea of politics as a source of public ideals and visions.74 In the meantime, the fate of the world hangs in the balance. The unyielding truth is that, even as the ethos of anti-politics becomes more compelling and even fashionable in the United States, it is the vagaries of political power that will continue to decide the fate of human societies. This last point demands further elaboration. The shrinkage of politics hardly means that corporate colonization will be less of a reality, that social hierarchies will somehow disappear, or that gigantic state and military structures will lose their hold over people's lives. Far from it: the space abdicated by a broad citizenry, well-informed and ready to participate at many levels, can in fact be filled by authoritarian and reactionary elites -- an already familiar dynamic in many lesser- developed countries. The fragmentation and chaos of a Hobbesian world, not very far removed from the rampant individualism, social Darwinism, and civic violence that have been so much a part of the American landscape, could be the prelude to a powerful Leviathan designed to impose order in the face of disunity and atomized retreat. In this way the eclipse of politics might set the stage for a reassertion of politics in more virulent guise -- or it might help further rationalize the existing power structure. In either case, the state would likely become what Hobbes anticipated: the embodiment of those universal, collec- tive interests that had vanished from civil society.75

#### SP C) Best way to evaluate the alt – a methodology that includes the state is necessary for engagement with racist policies

#### Perm do both

#### 2. Lack of state authority means endless war among factions

Woodward 99 Dr. Susan L. Woodward, Senior Fellow at the Brookings Institution in Washington, served as Head, Analysis and Assessment Unit, Office of the Special Representative of the Secretary General, UNPROFOR, in 1994, and was associate professor of political science at Yale University prior to joining Brookings Naval War College Review, 00281484, Spring 99, Vol. 52, Issue 2 “Failed states” Academic Search Premier

The loss of a state's monopoly on authority to legislate, tax, enforce, and restrict the right to bear arms creates a situation of relative balance in resources, especially arms, and in access to finances for war. Examples are regional control over trade routes and customs posts, as can be seen in Bosnia, and over mineral resources, as in Angola today. (The Angolan case shows that where there are such resources, lucrative financial offers are likely to appear from international businesses who have no scruples about dealing with warlords and who do not condition their payments on certain behavior and reforms, as do the United States and international organizations.) Contrary to the stabilizing effects of balance-of-power interstate relations, the most likely result of this anarchic balance of resources (particularly military ones) domestically is unending war of attrition.[ [7](http://web.ebscohost.com/ehost/detail?vid=3&hid=13&sid=54f20012-08e1-4c38-892a-3ce935be2595%40sessionmgr13&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#bib7)] The equilibrium result--a negative equilibrium, in economists' terms--is "stable anarchy," in which "all resources would be spent in fighting rather than production." There may be temporary cessations of fighting, but only as battlefield stalemates; internal actors cannot on their own end the fight. ¶ This relative balance also creates layer upon layer of security dilemmas. A spiraling dynamic of mutual fear continues to feed such wars once they begin.[ [8](http://web.ebscohost.com/ehost/detail?vid=3&hid=13&sid=54f20012-08e1-4c38-892a-3ce935be2595%40sessionmgr13&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#bib8)] To understand the disintegration of Yugoslavia or the Bosnian war, for example, one must recognize that once the federal state lost its authority, each group pressed for its own national fights and claimed to be at risk of exploitation and even extirpation by other groups in the same dissolving state; it became critical that each group was a numerical minority and perceived itself as acting only in defensive ways. Interventions that attempt to remain impartial, delivering food and shelter to all civilians but not intervening politically to stop the spiraling dynamic, thus are likely to perpetuate these perceptions and the stalemate; those that do intervene politically, taking one side but not going to war in support of that side (and thereby resolving the battlefield situation) also perpetuate the conflict, by demonstrating to the other sides that they are indeed endangered and that they cannot safely disarm, psychologically or physically.

#### 5. Permutation do the aff and seek the death of the American man. These two strategies are not mutually exclusive – it’s net-beneficial, Wilderson’s ungendered black body can never explain the totality of black female experience—the alt alone ensures patriarchal domination

**Hodges** 20**12** – Asia Hodges University of California Irvine, African American Studies, Mama’s Baby & the Black Gender Problematic [http://www.academia.edu/2027925/Mamas\_Baby\_and\_the\_Black\_Gender\_Problematic](http://www.academia.edu/2027925/Mamas_Baby_and_the_Black_Gender_Problematic" \t "_blank)

Asia Nichole Hodges Undergraduate Critical Theory Conference 2012 Mentor: Tamara Beauchamp Mama’s Baby & the Black Gender Problematic For me, this paper represents an opportunity to bring focus to the ungendered black subject of afropessimist thought, a concept I was first introduced to in winter quarter of 2011, which was the most theoretically rich coursework I have ever undertaken. In retrospect, the work of Frank Wilderson, III also appeared at a very critical moment in my development, both as a thinker and as a black woman engaged in organizing around issues affecting the black community on campus as well as back home. Afropessimist thought resonated deeply because it spoke to the terrifying truths of antiblack racism, black structural positionality and black life, corroborating my own experience but more importantly providing the language and a framework through which to approach a more thorough explanation of this experience theoretically. Further, when I use the term ‘’black” I mean it in the sense closest to the truth of the paradigm of afropessimist thought as described by Wilderson in Red, White & Black: Cinema & the Structure of U.S. Antagonisms. It is my intent to critique Wilderson’s argument for an ungendered black subject using the work of black feminist scholar, Hortense Spillers, and explore the categories she protects in her work. She is indispensible here not only because she was an impetus for Wilderson’s project, but also because it was her thought that mothered my own. In conversation with the seminal article of Hortense Spillers, Mama’s Baby, Papa’s Maybe: An American Grammar Book, Wilderson explains that, for him, antiblackness functions as a prohibition on gender, thus the black subject is inherently genderless. He writes, “Gratuitous violence relegates the Slave to the taxonomy, the list of things. That is, it reduces the Slave to an object. Motherhood, fatherhood, and gender differentiations can only be sustained in the taxonomy of subjects.”1 While this framework has helped me to understand of the structuring properties of violence, and grasp its role in subject formation more generally, this explanation features an ungendered black subject and cannot be extended to the truth of my life as a black and as a female. This is not to say that afropessimism does not hold the potential to speak to the effect of antiblackness on gender. To the contrary, it was Spillers who first argued that such work was fruitful, writing that in “undressing these conflations of meaning, as they appear under the rule of dominance… we would gain… the potential for gender differentiation as it might express itself along a range of stress points, including human biology in its intersection with the project of culture.”2 Both Wilderson and Spillers take the dereliction of the black from civil society as their point of departure, but in many ways, Spillers has offered us a great deal more than we know what to do with on Wilderson, III, Frank B., Red, White & Black: Cinema and the Structure of U.S. Antagonisms. Durham, NC: Duke University Press, 2010, 136. 2 Spillers, Hortense. "Mama's Baby, Papa's Maybe."Diacritics. (1987): 66. Print. 1 matters of gender and antiblackness. In Mama’s Baby, Papa’s Maybe she theorizes that there is a profundity to the particularities of the position of the female black that is exemplified through regimes of naming. In the spirit of black feminism, though its ensemble of questions cannot help me here, I must occasion an explanation of black positionality that accounts for the manner of existential negation and the modes of violence which position me, moving beyond the concerns with black patriarchy. Theoretically, antiblackness does not only lend itself to an argument against a gendered understanding of my condition, it also offers an opportunity for a more nuanced understanding of gender itself. This begs the question, what does a genderless black subject help us to understand that a more complicated rendering [or gendering] of the black subject would obscure? In my view, black political thought lags here, unable to describe its condition without relegating the particularities of the female black to the abyss. Moreover, it seems the black female labors in service of civil society in ways we have yet to fully understand. Spillers supports an argument for the necessity of this work in building a more robust theoretical foundation for black political thought, and afropessimism could be our point of departure. For Wilderson, there is a line of recognition and incorporation. Above it are human beings, civil society made up of white men and women, and below it is the black in absolute dereliction, a concept he draws from Frantz Fanon writings on the black condition. I mean to suggest that the distinction we’re looking for under the line of recognition and incorporation is not “man” and “woman”, which Wilderson would reject, but that is not to say there is no distinction to be made whatsoever. It seems we may too hastily disregard the possibility for distinction for three reasons, described loosely as outlined by Spillers: 1) there was no distinction made between male and female slaves on the ships, 2) men and women performed the same hard, physical labor and lastly, 3) gender is a category requiring the symbolic integrity from which the black is barred. I am unable to go into each in detail here, but the validity of these points of contention is not what is in question for Spillers. The distinctions made on ships or on fields are not the only sites we should scourer for insight into the black gender problematic, and evidence that captives are not regarded as “men” and “women,” like their captors, is elucidating but not explanatory. In Mama’s Baby, Papa’s Maybe, Spillers uses naming as a point of entry into black gender problematic. She revisits Daniel Patrick Moynihan’s report on the state of the black community in America during the late 1960s, and meditates on the significance of black women emerging as the locus of black pathology. She writes that for Moynihan, “the ‘Negro Family’ has no Father to speak of—his Name, his Symbolic function mark the impressive missing agencies in the essential life of the black community… and it is, surprisingly, the fault of the Daughter, or the female line”. Thus, it is the “displacing [of] the Name and the Law of the father to the territory of the Mother and Daughter [that] becomes an aspect of the African-American female’s misnaming.”3 The black is without the gendered symbolic integrity that the subjects of civil society enjoy; the black performs to both genders, as well as anything in between and beyond, and is not granted the protections of motherhood or the entitlements of fatherhood for example. Moynihan observes the behavior of the black family and concludes that it is a manifestation of the backwardness of blackness generally, and the pathology of black women in particular. But a structural analysis would include a discussion of historical context, relations to power and positionality, with an understanding of the black as positioned through the violence of captivity. Moreover, the emergence of the female black marks the divergence between chattel slavery and racial slavery. Peter Wood, professor of history at Duke University, explains that partus sequitir ventrem, “that which is brought forth follows the womb”, is a legal doctrine which mandates that the child follows the status of the mother, or rather in the case of the female black, her child is doomed to captivity. Woods notes that there was a “shift from indentured servitude to lifelong slavery to heredity slavery, where not only am I enslaved but my children as well” and emphasizes that it was indeed “a remarkable shift”4. However, the problem is not that we do not know this history, but rather we have not dealt with it theoretically, and even in the most likely 3 4 Ibid, 66. of discourses, particularity on the basis of sex is not explored. In chapter 11 of Red, White and Black, Wilderson takes up the issue of gender and sex under captivity, but largely leaves the work Spillers does in Mama’s Baby, Papa’s Maybe untouched. Earlier in the chapter, she is employed as support for Wilderson’s claim that the position of white women and black females are made distinct as a direct consequence of captivity. However, when Wilderson addresses blackness and gender, specifically gender ontology and the reification of gender, Spillers absence is haunting. Moreover, the effect of captivity on gender is not simply a reversal of power between the categories of “man” and “woman” as suggested by Moynihan, but rather that these categories are in fact eviscerated entirely where the black is concerned. Though the black does not hold the symbolic integrity for gender normativity, as argued by both Wilderson and Spillers, the categories of male and female are still apt here; “man” and “woman” representing the body and the latter, eviscerated categories, representing Spillers’ notion of the flesh. She writes: Before there is the ‘body’ there is the ‘flesh,’ that zero degree of social conceptualization that does not escape concealment under the brush of discourse, or the reflexes of iconography. Even though the European hegemonies stole bodies—some of them female… we regard this human and social irreparability as high crimes against the flesh, as a person of African females and African males registered the wounding. 5 Here, Spillers shows that the violence of captivity registers on multiple levels, and of course that the violence can be understood from multiple registers, however the flesh that registers the wounding is sexed, the violence at times sexualized. So how, then, does the female black function within the structure, positioned through regimes of sexualized violence? My project is to seek answers to the questions developed here by acquiescing to the chasms in our understanding. I do not aim to fill the chasm here, but only to make the conceptual leap and let the matter remain unresolved so that we might titter on the edge and engage further with the black gender problematic. To conclude, the closing thoughts of Spillers in Mama’s Baby, Papa’s Maybe, “The female breaks in upon the imagination with a forcefulness that marks both a denial and an ‘illegitimacy’… In this play of paradox, only the female stands in the flesh, both mother and mother-dispossessed. This problematizing of gender places her, in my view, out of the traditional symbolics of female gender, and it is our task to make a place for this different social subject.“ 5 Spillers, 67.

**5. Power is fluid and the state is not a unitary institution—our politics recognizes the contradictory nature of the state and uses it to advance our struggle**

**Rhode 94**

Deborah L. Rhode, Law Prof @ Stanford, April 1994, “Changing Images of the State,” 107 Harv. L. Rev. 1181, p ln

**Neither can the state be understood solely as an instrument of men's interests.** As a threshold matter, what constitutes those interests is not self-evident, as MacKinnon's own illustrations suggest. If, for example, policies liberalizing abortion serve male objectives by enhancing access to female sexuality, policies curtailing abortion presumably also serve male objectives by reducing female autonomy. n23 In effect, patriarchal frameworks verge on tautology. **Almost any gender-related policy can be seen as either directly serving men's immediate interests, or as compromising short-term concerns in the service of broader, long-term goals, such as "normalizing" the system and stabilizing power relations. A framework that can characterize all state interventions as directly or indirectly patriarchal offers little practical guidance in challenging the conditions it condemns.** And if women are not a homogenous group with unitary concerns, surely the same is true of men. Moreover, if **the state is best understood as a network of institutions with complex, sometimes competing agendas**, then the patriarchal model of single-minded instrumentalism seems highly implausible. **It is difficult to dismiss all the anti-discrimination initiatives of the last quarter century as purely counter-revolutionary strategies. And it is precisely these initiatives, with their appeal to "male" norms of "objectivity and the impersonality of procedure, that [have created**] [\*1186] **leverage for the representation of women's interests.**" n24 Cross-cultural research also suggests that **the status of women is positively correlated with a strong state, which is scarcely the relationship that patriarchal frameworks imply**. n25 While the "tyrannies" of public and private dependence are plainly related, many feminists challenge the claim that they are the same. As Carole Pateman notes, women do not "live with the state and are better able to make collective struggle against institutions than individuals." n26 To advance that struggle, **feminists need more concrete and contextual accounts of state institutions** than patriarchal frameworks have supplied. Lumping together police, welfare workers, and Pentagon officials as agents of a unitary patriarchal structure does more to obscure than to advance analysis. What seems necessary is a contextual approach that can account for greater complexities in women's relationships with governing institutions. Yet despite their limitations, patriarchal theories underscore an insight that generally informs feminist theorizing. As Part II reflects, governmental institutions are implicated in the most fundamental structures of sex-based inequality and in the strategies necessary to address it. ¶ These tensions within the women's movement are, of course, by no means unique. **For any subordinate group, the state is a primary source of both repression and assistance in the struggle for equality. These constituencies cannot be "for" or "against" state involvement in any categorical sense. The questions are always what forms of involvement, to what ends, and who makes these decisions**. From some feminist perspectives, liberalism has failed to respond adequately to those questions because of deeper difficulties. In part, the problem stems from undue faith in formal rights. The priority granted to individual entitlements undermines the public's sense of collective responsibility. This critique has attracted its own share of criticism from within as well as from outside the feminist community. As many left feminists, including critical race theorists, have noted, **rights-based claims have played a crucial role in advancing group as well as individual interests. n32 Such claims can express desires not only for autonomy, but also for participation in the struggles that shape women's collective existence. The priority that state institutions place on rights is not in itself problematic.** The central difficulty is the limited scope and inadequate enforcement of currently recognized entitlements. Since rights-oriented campaigns can advance as well as restrict political struggle, evaluation of their strategic value demands historically-situated contextual analysis.

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

Farber 98 (Daniel, Prof. of the Minnesota School of Law, “Is American Law Inherently Racist”, w/ Prof. Delgado, Berkeley Law Scholarship Repository, http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1211&context=facpubs)

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

#### Patriarchy is the root cause of oppression, racism, and suffering

Nhanenge 7 [Jytte Masters @ U South Africa, paper submitted in part fulfilment of the requirements for the degree of master of arts in the subject Development Studies, “ECOFEMINSM: TOWARDS INTEGRATING THE CONCERNS OF WOMEN, POOR PEOPLE AND NATURE INTO DEVELOPMENT”]

The androcentric premises also have political consequences. They protect the ideological basis of exploitative relationships. Militarism, colonialism, racism, sexism, capitalism and other pathological 'isms' of modernity get legitimacy from the assumption that power relations and hierarchy are inevitably a part of human society, due to man's inherent nature. Because when mankind by nature is autonomous, competitive and violent (i.e. masculine) then coercion and hierarchical structures are necessary to manage conflicts and maintain social order. In this way, the cooperative relationships such as those found among some women and tribal cultures, are by a dualised definition unrealistic and utopian. (Birkeland 1995: 59). This means that power relations are generated by universal scientific truths about human nature, rather than by political and social debate. The consequence is that people cannot challenge the basis of the power structure because they believe it is the scientific truth, so it cannot be otherwise. In this way, militarism is justified as being unavoidable, regardless of its patent irrationality. Likewise, if the scientific "truth" were that humans would always compete for a greater share of resources, then the rational response to the environmental crisis would seem to be "dog-eat-dog" survivalism. This creates a self-fulfilling prophecy in which nature and community simply cannot survive. (Birkeland 1995: 59). This type of social and political power structure is kept in place by social policies. It is based on the assumption that if the scientific method is applied to public policy then social planning can be done free from normative values. However, according to Habermas (Reitzes 1993: 40) the scientific method only conceal pre-existing, unreflected social interests and pre-scientific decisions. Consequently, also social scientists apply the scientific characteristics of objectivity, value-freedom, rationality and quantifiability to social life. In this way, they assume they can unveil universal laws about social relations, which will lead to true knowledge. Based on this, correct social policies can be formulated. Thus, social processes are excluded, while scientific objective facts are included. Society is assumed a static entity, where no changes are possible. By promoting a permanent character, social science legitimizes the existing social order, while obscuring the relations of domination and subordination, which is keeping the existing power relations inaccessible to analysis. The frozen order also makes it impossible to develop alternative explanations about social reality. It prevents a historical and political understanding of reality and denies the possibility for social transformation by human agency. The prevailing condition is seen as an unavoidable fact. This implies that human beings are passive and that domination is a natural force, for which no one is responsible. This permits the state freely to implement laws and policies, which are controlling and coercive. These are seen as being correct, because they are based on scientific facts made by scientific experts. One result is that the state, without consulting the public, engages in a pathological pursuit of economic growth. Technology can be used to dominate societies or to enhance them. Thus both science and technology could have developed in a different direction. But due to patriarchal values infiltrated in science the type of technology developed is meant to dominate, oppress, exploit and kill. One reason is that patriarchal societies identify masculinity with conquest.

Thus any technical innovation will continue to be a tool for more effective oppression and exploitation. The highest priority seems to be given to technology that destroys life. Modern societies are dominated by masculine institutions and patriarchal ideologies. Their technologies prevailed in Auschwitz, Dresden, Hiroshima, Nagasaki, Vietnam, Iran, Iraq, Afghanistan and in many other parts of the world. Patriarchal power has brought us acid rain, global warming, military states, poverty and countless cases of suffering. We have seen men whose power has caused them to lose all sense of reality, decency and imagination, and we must fear such power. The ultimate result of unchecked patriarchy will be ecological catastrophe and nuclear holocaust. Such actions are denial of wisdom. It is working against natural harmony and destroying the basis of existence. But as long as ordinary people leave questions of technology to the "experts" we will continue the forward stampede. As long as economics focus on technology and both are the focus of politics, we can leave none of them to experts. Ordinary people are often more capable of taking a wider and more humanistic view than these experts. (Kelly 1990: 112-114; Eisler 1990: 3233; Schumacher 1993: 20, 126, 128, 130).

#### Perm – Their fixation on euro-modernity ignores multiple modernities, which negates alternatives now challenging the North— their narrow reification of euro-modernity excludes the wills of real people

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(Lawrence, Cultural Studies in the Future Tense, pg. 286-7) //DDI13

Before ending this discussion of multiple modernities, I want to address one final challenge. One might, confronted with the claim of other modernities, ask why I call them modern instead of something else, perhaps even alternatives to modernity. This question deserves a serious answer, although I want to reiterate that I do not think that other modernities are the only possibilities that are being struggled over. There are certainly alternatives to modernity even in the broad sense that I am using it, but there are also some possibilities better thought of as modernities. I have no doubt that at least one reason for this conclusion lies in the "origins" of this investigation, in any effort to find a better way of understanding the contemporary conjunc- ture of the United States. This led me to a story about struggles over the "coming American modernity." As happens too often, having "discovered" modernity as the definition of a problem-space, I discovered that many oth- ers have been addressing the question of (and demand for) modernity in other- both geographically and historically-conjunctures.

A second reason is tl1at I want to avoid paradoxically reproducing the negative logic of euro-modernity. The question, are these other possibilities not outside of, or other to, modernity itself?, can too quickly become a euro- modern negative difference. Perhaps, by thinking about multiple moderni- ties, we can move our interrogation onto other topologies; the effort to find other ways of thinking relationality is itself a part of the effort to think beyond euro-modernity, but without the analytic work, it can easily remain an imaginary logic.

But the most important reason is what Gaonkar (2oor, 21) describes as the "rage for modernity" and what Lisa Rofel (1999, xi) captures, describing her fieldwork conversations: "'Modernity' was something that many people from all walks of lite felt passionately moved to talk about and debate." Rofel (cited in Deeb 2006, r89) continues: "In the end, despite its messiness, the attempt to redefine the terms of discourse around being modern was really an attempt to posit a way of being that is neither West nor East, and that is both 'modern’ and 'authentic."'38 Of course, I could have chosen to invent another term for other modernities, given the power of euro- modernity over our imagination of modernity itself, but I want to resist such a temptation to give in to the power of euro-modernity. We cannot start by denying people's desire to be modern, nor should we underestimate their ability to imagine the possibility of being modern without following in the path of the North Atlantic nation-states. Nor can we take for granted that we understand what it is they are reaching for in this desire.

Gyekye (1997, 263) asserts that modernity "has in fact assumed or rather gained a normative status, in that all societies in the world without exception aspire to become modern, to exhibit in their social, cultural and political lives features said to characterize modernity---whatever this notion means or those features are." He is clearly not suggesting that the whole world is try- ing to become Europe; in fact, he similarly describes a number of writers

in the Middle Ages (269): "In characterizing themselves and their times as modern, both Arabic and Latin scholars were expressing their sense of cul- tural difference from tl1e ancients. . . . But not only tl1at: tl1ey must surely have considered tl1eir own times as advanced (or more advanced) in most, if riot all, spheres of human endeavor." On what ground<> do we deny such claims or judgments of modernity? Even Lefebvre (I995, r85) acknowledges that the "'modern' is a prestigious word, a talisman, an open sesame, and it comes with a lifelong guarantee." Admittedly, tl1e relations to discourses of the modern are often extraordinarily complex and contradictmy. Deeb's research with Shi'ites leads her to conclude: 1'The concept of modern-ness is used as a value-laden comparison in relation to people's ideas about themselves, others" (2006, 229), and "Incompatible desires come together here -- tile desire to undermine dominant western discourses about being modern and the desire to be modern (or to be seen as modern)" (233). I want to suggest that at least a part of the complexity of these discourses is precisely the thinness of our vocabulary --- and understanding --- of modernity.

Thus, the answer to why I want to think through and with the concept of a multiplicity of modernities is because the contest over modernity is already being waged, because it has real consequences, and because we need to seek a new ground, of possibility and hope, and of a new imagination for future ways of being modern. Cultural studies has always taught that any successful struggle for political transformation has to start where people are; the choice of where to begin the discourses of change cannot be defined simply by the desires, or even the politics, of intellectuals. Of course, there is another perspective on such matters that we also have to take account of: Blaser (2009), for example, has suggested that I am taking people's desire to be modern too literally, and failing to consider that their use of the term may be an adaptation to or the equivocation of a demand. That is, might not the demand for modernity also be the product of the political positioning of such populations? I have no doubt that such questions need to be raised in specific conjunctural struggles, and for specific actors. I have no doubt that there are, as Deeb (zoo6, r89) declares, "other stories to be told.''

(186).

Perm: embrace plan in context of alternative modernities and decolonization of knowledge—Their either-or is a false dichotomy – can seek alternative modernities that aren’t eurocentric

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(Lawrence, Cultural Studies in the Future Tense, pg. 264) //DDI13

The M/C project, focused on the possibility of radical alterity, seeks to find "an other way of thinking ... [and] talking about 'worlds and knowledges otherwise’ (Escobar 2007, 179). They too agree that what I have called the alternative modernities model, “in the last instance . . . end[s] up being a reflection of a euro-centered social order, under the assumption that modernity is now everywhere" (183). There is, however, fundamental conceptual disagreement that separates our projects without, I hope, closing off the conversation. They assume that there is no modernity without coloniality. Or, in slightly different terms, “colonialism and the making of the capitalist world system [is] constitutive of modernity" (183). That is, they equate modernity with euro-modernity, and this guarantees that they see their project not as looking for other modernities, but, rather for alternatives to modernity. As I have said previously, I do not disagree that some of the struggles over modernity in the world today are actually struggles against any moder- nity, propelled by a desire to find alternatives to modernity, and that such struggles have to be supported on their own terms, but I do not think these are the only two choices. Additionally, I do agree that the possibility of other modernities, or for that matter, of alternatives to modernity, will require a decolonization of knowledge itself

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Alternative and multiple modernities good—offers a more nuanced understand than is captured by their alt

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(Lawrence, Cultural Studies in the Future Tense, pg. 267-8) //DDI13

The question is not when or where modernity belongs, but what it is to belong to modernity. I am not concerned with the contradictions within modernity, but with the possibilities of contradictions among modernities. What would it mean to see modernity as multiple, to think that there are always radically other modernities? It would mean refusing to assume a single narrative of modernity, or even a fractured linear narrative through which modernity moves, whether smoothly or rupturally, in a series of states. It is not a matter of variations, however great, around a set of themes, nor a continuing process of the hybridization of some originary formation. We must "unlearn to think of history as a developmental process in which that which is possible becomes actual ... to learn to think the present---the now that we inhabit as we speak---as irreducibly not one" (Chakrabarty 2000, 249). We must ask, with Gilroy (2ooo~ 56-57), ''in what sense does modernity belong to a closed entity, a geo-body' named Europe?" We must wonder whether C. L. R. James (1989) was right to think that modernity was invented in the "periphery'" of the world system, in the Caribbean. This is to think "modernity elsewhere" (Gilroy zooo~ 76) and, I might add, "else when"; it is to offer "an altogether different, a-centered understanding of European history'' (80).