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#### The 1AC’s ontological critique of civil society and affirmation of and end to the world through blackness argues that the Black cannot be Human. That because humanity, freedom, and autonomy are qualities defined in opposition to the Black, that we should trash modern humanist strategies of expanding the circle of Humanity. The ontological form of the aff’s critique asks questions about Being—what it is and what it is possible to be. They say it is impossible to be a Black subject or a human without a slave.

#### We criticize the absoluteness of the ontological critique of the Human, the modern, and the Slave. Their absolute ontological division between Master and slave or human and slave does violence to slaves and dooms our political strategy to one of unsuccessful revolutionary violence.

#### A) Modernity and civil society

#### Our historical reading of the relationship between slavery and civil society and humanity honors the legacy of slave revolution. The Haitian revolution contained and expanded ideas trafficked in civil society of universal humanity.

Dash 10—J. Michael Dash, Africana Studies French, Social and Cultural Analysis @ NYU [Book Review: Universal Emancipation: The Haitian Revolution and The Radical Enlightenment *Slavery & Abolition* 31 (1) p. 142-143]

Universal Emancipation argues against the French appropriation of universalism as the exclusive product of the revolution of 1789. From the broad focus of Nesbitt’s narrative, the age of revolution becomes a truly global phenomenon and furthermore, the Haitian revolution surpassed that of the metropole in realising the goal of universal freedom. This is not a new story. Michel Rolph Trouillot, for instance, argued in 1995 ‘The Haitian revolution was the ultimate test to the universalist pretensions of both the French and the American revolutions’.1 Later, for another major scholar Laurent Dubois, the Haitian Revolution ‘represented the pinnacle of Enlightenment universalism’.2 Furthermore, C.L.R. James in the Black Jacobins reminded us that the revolutionary events in France’s colony would take the French Revolution further than was ever intended. The slaves of St Domingue were left out of the universalist claims of 1789 but they used its ideals to press for their freedom. As James put it, the slaves ‘had heard of the revolution and had construed it in their own image . . . they had caught the spirit of the thing. Liberty, equality, Fraternity’.3 Nesbitt asserts that there is nothing surprising about the fact that the slaves caught ‘the spirit of the thing’ since they ‘needed no interpreter’ but the fact that they were ‘on the so-called periphery of the modern world-system in 1791’ meant that the ‘truth of 1789 could be most fully comprehended’ (36). Furthermore, the Haitian revolution ‘serves to disprove the notion that there was any single ‘Enlightenment project’ but ‘a variegated complex of multiple “enlightenments”’ (20). Consequently, the former slaves of St Domingue were not ‘passively parroting ideas imported from France’ but ‘autonomously exercised their faculty of judgement in order to illuminate the universal implications of the natural rights tradition in ways unthinkable for the North American or Parisian political class’ (60). In rejecting a ‘linear filiation’ between Enlightened Europe and savage colony, Nesbitt scrambles centres and peripheries and challenges the silencing of the Haitian Revolution by asserting that ‘it succeeded in displacing the center of modernity . . . not only for a small peripheral island but for the entire world system’ (131). The revolution is rendered ‘thinkable’ through an intricate discussion of the universally operative nature of Spinoza’s concept of natural law and Kantian universalism, which meant human beings were free ‘to define themselves in their differential singularity’ (101). For Nesbitt the abstract concept of freedom or liberte emanating from Europe was reinterpreted by the ex-slaves of St Domingue as libete and formed the basis for the creation of a self-regulating egalitarian bossale state. In this regard, he ventures where historians of the Haitian revolution fear to tread. For historians, the impact of ideas on the revolution is hard to quantify and is therefore underplayed. He speculates that political awareness came through such ‘transnational Atlantic sites’ as waterfronts and marketplaces. The slaves then transformed this Enlightenment-derived liberty into the idea of absolute freedom for post-plantation St Domingue. Since Universal Emancipation depends on no new research into the circumstances of the Haitian revolution, Nesbitt depends heavily on the work of Carolyn Fick and the late Gerard Barthelemy to make his case for the importance popular insurgency in the making of the revolution. In their refusal of large-scale agrarian capitalism, the exslaves produced an egalitarian peasant system that could harmonise social relations without recourse to government, police, or legal code. He follows Bathelemy in citing social strategies, such as the refusal of technological innovation, the subdivision of property from generation to generation, and active caco resistance to the outside world that supported bossale egalitarianism. Haitian peasant society is presented as a maroon enclave beyond the reach of the liberal individualism and boundless consumerism of the West. This seems a puzzling departure from both Eugene Genovese and Michel-Rolph Trouillot who are cited at other times with approval. Genovese argued in From Rebellion to Revolution that the great achievement of the Haitian revolution was the attempt to create a modern black state and not continue the restorationist practices of marronage.4 Similarly, Trouillot has argued that those who insist on the isolation of the moun andeyo or the ‘dualist sociologists’ have ‘missed the depth of penetration of urban civil society’ by the peasantry.5 In both instances, Haitian peasants are seen to be part of a global process and not the world’s indigestible other. The modern heroes of Nesbitt’s spirited narrative of mass-based revolution are the agronomist turned broadcaster Jean Dominique and the priest turned politician Jean Bertrand Aristide. In both instances, heroic popular resistance masks the much more complex reality of the spread of modern technology, of cassettes and transistor radios in rural Haiti, and the doctrine of liberation theology spread by the grassroots church or ti legliz. The idealising of strategic marronnage and stateless egalitarianism in Haiti is aimed ultimately at ‘all who believe that the coming shift from unlimited consumerism to an ethics of global responsibility will require fundamental changes to the sociopolitical system that has brought us to the brink of disaster’ (171). It might have been more useful to think of the New World context and not the new World order. Oddly enough there is no reference, except for a fleeting allusion to Brazilian music at the end, to other instances of the radicalisation of the idea of the rights of man in the hemisphere. What of Guadeloupe, for instance, which had a parallel history at the turn of the century? Do other peasant societies in the Caribbean share Haiti’s bossale culture? Trouillot claims to have learned more about the Haitian peasantry after ‘fifteen months doing fieldwork on the peasantry of Dominica’ than he did ‘during eighteen years in Port-au-Prince.’ 6 What Nick Nesbitt does very persuasively is present the Haitian revolution as the most radical revolution of its time. He is less convincing in enlisting the Haitian moun andeyo in his campaign against global capitalism.

#### The slave was always-already a participant in modernity. They theorize the slave as a total object—we recognize the slave as both object and subject of modernity.

Trouillot 3—Michael-Rolph Trouillot, Anthropology @ Chicago [*Global Transformations* p. 41-43]

Differently Modern: The Caribbean as Alter-Native I have argued so far that modernity is structurally plural inasmuch as it requires a heterology, an Other outside of itself. I would like to argue now that the modern is also historically plural because it always requires an Other from within, an otherwise modern created between the jaws of modernity and modernization. That plurality is best perceived if we keep modernity and modernization as distinct yet related groups of phenomena with the understanding that the power unleashed through modernization is a condition of possibility of modernity itself. I will draw on the sociohistorical experience of the Caribbean region to make that point. Eric Wolf once wrote in passing, but with his usual depth, that the Caribbean is "eminently a world area in which modernity first deployed its powers and simultaneously revealed the contradictions that give it birth." Wolf's words echo the work of Sidney W. Mintz (1966, 1971b, 1978, 1983, 1996, 1998) who has long insisted that the Caribbean has been modern since its early incorporation into various North Atlantic empires. Teasing out Wolf's comments and drawing from Mintz's work, I want to sketch some of the contradictions from the Caribbean record to flesh out a composite picture of what I mean by the Otherwise Modern. Behold the sugar islands from the peak of Barbados's career to Cuba's lead in the relay race-after Jamaica and Saint-Domingue, from roughly the 1690s to the 1860s. At first glance, Caribbean labor relations under slavery offer an image of homogenizing power. Slaves were interchangeable, especially in the sugar fields that consumed most of the labor force, victims of the most "depersonalizing" side of modernization (Mintz 1966). Yet as we look closer, a few figures emerge that suggest the limits of that homogeneity. Chief among them is the slave striker, who helped decide when the boiling of the cane juices had reached the exact point when the liquid could be transferred from one vessel to the next.2 Some planters tried to identify that moment by using complex thermometers. But since the right moment depended on temperature, the intensity of the fire, the viscosity of the juice, the quality of the original cane, and its state at the time of cutting, other planters thought that a good striker was much more valuable than the most complex technology. The slave who acquired such skills would be labeled or sold as "a striker." Away from the sugar cane, especially on the smaller estates that produced coffee, work was often distributed by task, allowing individual slaves at times to exceed their quota and gain additional remuneration. The point is not that plantation slavery allowed individual slaves much room to maneuver in the labor process: it did not. Nor is the point to conjure images of sublime resistance. Rather, Caribbean history gives us various glimpses at the production of a modern self-a self producing itself through a particular relation to material production, even under the harshest possible conditions. For better and for worse, a sugar striker was a modern identity, just as was being a slave violinist, a slave baker or a slave midwife (Abrahams 1992:126-30; Debien 1974; Higman 1984). That modern self takes firmer contours when we consider the provision grounds of slavery. Mintz (1978) has long insisted on the sociocultural relevance of these provision grounds, small plots on the margins of the plantations, land unfit for major export crops in which slaves were allowed to grow their own crops and raise animals. Given the high price of imported food, the availability of unused lands, and the fact that slaves worked on these plots in their own free time, these provision grounds were in fact an indirect subsidy to the masters, lessening their participation in the reproduction of the labor force. Yet Mintz and others-including myself-have noted that what started as an economic bonus for planters turned out to be a field of opportunities for individual slaves. I will not repeat all those arguments here (Trouillot 1988, 1996, 1998). Through provision grounds, slaves learned the management of capital and the planning of family production for individual purposes. How much to plant of a particular food crop and where, how much of the surplus to sell in the local market, and what to do with the profit involved decisions that required an assessment of each individual's placement within the household. The provision grounds can be read not only as material fields used to enhance slaves' physical and legal conditions-including at the time the purchase of one's freedom-they can also be read as symbolic fields for the production of individual selves by way of the production of material goods. Such individual purposes often found their realization in colonial slave markets, where slaves-especially female slaves-traded their goods for the cash that would turn them into consumers. One can only guess at the number of decisions that went into these practices, how they fed into a slave's habitus, or how they impacted on gender roles then and now in the Caribbean. Individual purposes also realized themselves through patterns of consumption, from the elaborate dresses of mulatto women, to the unique foulard (headscarf) meant to distinguish one slave woman from another. The number of ordinances regulating the clothing of nonwhites, both free and enslaved, throughout the Caribbean in the days of slavery is simply amazing. Their degree of details-e.g., "with no silk, gilding, ornamentation or lace unless these latter be of very low value" (Fouchard 1981 [1972] :43) is equally stunning. Yet stunning also was the tenacity of slaves who circumvented these regulations and used clothing as an individual signature. Moreau de St-Mery, the most acute observer of Saint-Domingue's daily life, writes: It is hard to believe the height to which a slave woman's expenses might rise .. . In a number of work gangs the same slave who wielded tools or swung the hoe duringthe whole week dresses up to attend church on Sunday or to go to market; only with difficulty would they be recognized under their fancy garb. The metamorphosis is even more dramatic in the slave woman who has donned a muslin skirt and Paliacate or Madras kerchief. .. (in Fouchard 1981 [1972]:47). Moreau's remarks echo numerous observations by visitors and residents of the Americas throughout slavery's long career. If modernity is also the production of individual selves through patterns of production and consumption, Caribbean slaves were modern, having internalized ideals of individual betterment through work, ownership, and personal identification with particular commodities. It was a strained and harsh modernity, to be sure. Otherwise modern they were; yet still undoubtedly modern by that definition.

#### The Haitian revolution demonstrates the danger of the break with modernity. The binary ontology of “*for or against*” results in genocidal barbarism. They link to their own offense against modernity and civil society because the idea of a *complete break* and *total autonomy* is the most modern form of politics.

Miller 10—Paul Miller, French & Italian @ Vanderbilt [*Elusive Origins: The Enlightenment in the Modern Caribbean Imagination* p. 76-79]

The necessity of rupture with authority, the Enlightenment’s categorical imperative, is not merely a question of a psychological condition, an extended childhood or immaturity (as Kant would have it), but rather involves concrete material conditions resulting in privation once the break is complete. State otherwise, Kant places the onus of the rupture between master and slave squarely on the shoulders of the latter, when in fact it is clear that the master will go to great lengths to maintain the slave in a state of bondage. Toussaint knew that Saint Domingue society needed French technical know-how and capital to rebuild the island’s agricultural infrastructure, which had been devastated by a war waged with scorched-earth tactics, and went to lengths to conciliate the French. The very contradictions of Enlightenment are here condensed into a single historical moment that James captures with great timing and clarity. And yet almost immediately after outlining this situation, James elaborates his notion of the tragic, which characterizes Toussaint the individual rather than the historical choice he was forced to make. The contextualization of this “tragic individual” seems incongruous: “But in a deeper sense the life and death are not truly tragic. Prometheus, Hamlet, Lear, Phedre, Ahab, assert what may be the permanent impulses of the human condition against the claims of organized society” (291). James begins by outlining Toussaint’s historical dilemma, which illustrates precisely what the Enlightenment meant for the Caribbean. And yet this particular framework is almost immediately abandoned in favor of Toussaint the individual, who is compared and contrasted with the tragic figures of the Western literature—certainly a disconcerting analogy. James is no doubt correct in warning the reader that is would be an error to merely view Toussaint as an isolated figure in a remote West Indian island-and yet his remedy to this error, placing Toussaint squarely within the tradition of Western tragic figures is also suspect. James’s gesture does not at a stroke merely do away with the center/periphery dynamic, but rather his integrative comparison tends to put forth the center *as* the whole, thereby strengthening its pretension to universality. Edward W. Said praises James, and specifically within the context of *The Black Jacobins*, for his capacity to critique Western imperialism while at the same time disassociating this critique from the appreciation of the West’s “cultural achievements.” But Said overlooks that this disassociation between culture and politics is not only one of the principal dynamics lurking beneath the text of *The Black Jacobins*; in a sense, it describes the very structure of the “flaw” responsible for Toussaint’s downfall. Toussaint is described as full of admiration for the aristocratic manners and gestures of a white Frenchmen: “Struck by the carriage and bearing of a French officer, he said to those around him, ‘My sons will be like that’” (246). Should we characterize this deferential attitude toward the French “carriage and bearing” as a reaction to imperialism or to cultural achievements? James, in his use often cryptic or paradoxical language, makes explicit Toussaint’s double-bind: that to be enlightened entails a renunciation of the Enlightenment, requires in a fact a kind of barbarism. And yet James does not seem to embrace fully this dialectic, opting instead for a more literary and traditional sense of tragedy as his signifying model. Toussaint’s final allegiance was to revolutionary France and thus to the Enlightenment, and this, in James’s eyes, is his saving grace, his “condemnation and his atonement.” James’s reading of Dessalines, the Haitian leader who succeeded Toussaint, places into perspective Toussaint’s dilemma and clarifies the author’s affinities: “If Dessalines could see so clearly and simply, it was because the ties that bound this uneducated soldier to French civilization were of the slenderest. He saw what was under his nose so well because he saw no further. Toussaint’s failure was the failure of enlightenment, not of darkness” (288). Dessalines, then, serves as Toussaint’s foil or antithesis and does not, as Said describes James, value Western cultural achievements. Whereas James repeatedly emphasizes Toussaint’s literacy and even canonizes him among the great writers of the Enlightenment, Dessalines is described as bearing the marks of the whip on his body, the scars amounting to a kind of epithet in lieu of literacy. Dessalines had no allegiance to the tenets of the French Reovlution, was illiterate, and therefore, since his ties to “civilization were the slenderest,” was able to muster the resolve necessary to declare independence while Toussaint vacillated: “[T]his old slave, with the marks of the whip below his general’s uniform, was fast coming to the conclusion at which Toussaint still boggled. He would declare the island independent and finish with France” (301). Though in celebrated Caribbean book George Lamming compares Toussaint to Caliban—“C.L.R. James shows us Caliban as Prospero had never known him: a slave who was a great soldier in battle, an incomparable administrator in public affairs, full of paradox but never without compassion, a humane leader of men” –in my view there is no question that in James’s depiction, Dessalines is Caliban to Toussaint’s Ariel. And yet, paradoxically, his resolve to declare Haiti independent qualifies him to a certain extent as more enlightened than Toussaint, more eager to throw off the yoke of arbitrary and tyrannical authority**.**  Dessalines merely embodies the same paradox as Toussaint, though now inverted: emancipation achieved though barbarous autonomy rather than civilized tutelage. Dessalines also performs one of the most revolutionary symbolic and enlightened gestures in the history of the struggle for independence in the Americas. Eager to differentiate the revolutionary army from the French enemy, Dessalines designs a new flag by removing the white from the French tricouleur. And yet this gesture also has its chilling historical counterpart. One of his first orders of business as emperor of the new nation is to exterminate the remaining whites in Haiti, a massacre that James goes to great lengths to explain, though not to justify. In fact, James places the cause of Haiti’s suffering over the next two centuries squarely on this massacre: As it was Haiti suffered terribly from the resulting isolation. Whites were banished from Haiti for generations, and the unfortunate country, ruined economically, its population lacking in social culture, had its inevitable difficulties doubled by this massacre. That the new nation survived at all is forever to its credit for if the Haitians thought that imperialism was finished with them they were mistaken. “Its population lacking in social culture” sounds like a phrase that could have been uttered by Toussaint himself. If James asserts that Toussaint’s failure was one of enlightenment, not of darkness then we might surmise that the inverse formula is applicable to Dessalines, that is to say, that his success was one of darkness and not of enlightenment. Toussaint (Ariel), as a result of being too enlightened, is doomed to unelightenment, which by definition is barbarism itself. Dessalines (Caliban), overly barbaric (in James’s view), is able to make a clean break with authority, and therefore achieves enlightenment. James, however, as I have pointed out, does not embrace this Caliban/Ariel dialectic. Rather, he reasserts in the 1963 appendix, “From Toussaint L’Ouverture to Fidel Castro”: “Toussaint could see no road for the Haitian economy but the sugar plantation. Dessalines was a barbarian” (393).

#### B) Humanity

#### We should not abandon the category of universal humanity. Anti-slavery abolition and its intersections with critiques of gendered citizenship drew on universal humanity as a source of solidarity.

Gilroy 9—Paul Gilroy, Anthony Giddens Prf. of Social Theory @ London School of Economics [*Race and the Right to be Human* p. 6-11]

At times, the movement against slavery was extended into a comprehensive assault on racial hierarchy which invoked an idea of universal humanity (by no means always religious in origin) as well as an idea of inalienable rights1. That alternative provides my point of departure this evening. It was articulated in distinctive accents which were neither bourgeois nor liberal. It requires us to follow a detour through colonial history which has come under revisionist pressure as a result of recent attempts to revive imperial relations. That dubious development has made it imperative to place the west’s avowal of modern, liberal, humanistic and humanitarian ideas in the context of the formative encounter with native peoples whose moral personality and humanity had long been placed in doubt. The approach I favour requires seeing not just how all-conquering liberal sensibilities evolved unevenly into considerations of human rights but how a range of disputes over and around the idea of universal humanity—its origins, its hierarchies and varying moral and juridical dispositions—were connected to struggles over race, slavery, colonial and imperial rule, and how they in turn produced positions which would later be narrated and claimed as liberal. This agonistic enterprise necessitates a different genealogy for human rights than is conventional. It begins with the history of conquest and European expansion and must be able to encompass the evolving debates over how colonies and slave plantation systems were to be administered4. At its most basic, it must incorporate the contending voices of Las Casas and Sepulveda. It should be able to analyze the contrapuntality of a text like Thomas Hobbes’ Leviathan with the introduction of England’s Navigation Acts and illuminate the relationship between John Locke’s insightful advocacy on behalf of an emergent bourgeoisie and his commitment to the colonial improvers’ doctrine of the vacuum domicilium. This counter-narrative would certainly include the Treaty of Utrecht and the Assiento. It could terminate uneasily in the contemporary debates about torture and rendition or in discussion about the institutionalisation of rightslessness which floods into my mind each time I navigate the halls of the Schiphol complex. Focusing on that combination of progress and catastrophe through a postcolonial lens yields a view of what would become the liberal tradition moving on from its seventeenth century origins in a style of thought that was partly formed by and readily adapted to colonial conditions5. This helps to explain how an obstinate attachment to raciology recurs. Struggles against racial hierarchy have contributed directly and consistently to challenging conceptions of the human. They valorised forms of humanity that were not amenable to colour-coded hierarchy and, in complicating approaches to human sameness, they refused the full, obvious force of natural differences even when they were articulated together with sex and gender. These struggles shaped philosophical perspectives on the fragile universals that had come into focus initially on the insurgent edges of colonial contact zones where the violence of racialized statecraft was repudiated and cosmopolitan varieties of care took shape unexpectedly across the boundaries of culture, civilization, language and technology6. One early critique of the humanitarian language and tacit racialization of the enlightenment ideal had been delivered by the militant abolitionist David Walker in his 1830 commentary on the US constitution: Appeal to the Coloured Citizens of the World, but in particular, and very expressly, to those of the United States of America. His famous text supplies a useful symbolic, starting point for generating the new genealogy we require. Erecting secular demands over the foundation of a revolutionary, Pauline Christianity, Walker made the problem of black humanity and related issues of rights—political and human—intrinsic to his insubordinate conception of world citizenship. His plea that blacks be recognized as belonging to “the human family” was combined with a view of their natural rights as being wrongfully confiscated in the condition of slavery which could, as a result of their exclusion, be justifiably overthrown7. His address was primarily offered to the coloured citizens of the world but the tactical reduction of that universalist argument to the parochial problem of joining the US as full citizens soon followed. The consequences of that change of scale can be readily seen in the humanistic abolitionism that followed. Frederick Douglass—particularly in his extraordinary 1852 speech on the meaning of the 4th of July to the slave8, spoke directly to the US in the name of its polluted national citizenship. His indictment of slavery was a cosmopolitan one in which the eloquent facts of plantation life were judged, just as Walker had suggested they should be, through global comparisons. They were compared with all the abuse to be found in “the monarchies and despotisms of the Old World (and in) South America”. Douglass concluded that “for revolting barbarity and shameless hypocrisy, America reigns without a rival”. He continued, again echoing Walker: “Must I undertake to prove that the slave is a man? That point is conceded already. Nobody doubts it. The slave-holders themselves acknowledge it in the enactment of laws for their government. They acknowledge it when they punish disobedience on the part of the slave. . . . . . How should I look to-day, in the presence of Americans, dividing, and subdividing a discourse, to show that men have a natural right to freedom? speaking of it relatively and positively, negatively and affirmatively. To do so, would be to make myself ridiculous, and to offer an insult to your understanding.”9 In demanding equality based on natural rights and exploring the relationship of debased citizenship and tainted law to racialized life, Douglass was drawing upon the thinking of an earlier cohort of abolitionist writers. Many of them had, like Walker and other anti-slavery radicals, practiced a chiliastic Christianity that built upon St. Paul with incendiary consequences which could not be limited by the heading of anti-slavery. Consider the way in which Angelina Grimké had articulated the concept of human rights in her 1836 Appeal To The Christian Women of The South: . . . man is never vested with . . . dominion over his fellow man; he was never told that any of the human species were put under his feet; it was only all things, and man, who was created in the image of his Maker, never can properly be termed a thing, though the laws of Slave States do call him ‘a chattel personal;’ Man then, I assert never was put under the feet of man, by that first charter of human rights which was given by God, to the Fathers of the Antediluvian and Postdiluvian worlds, therefore this doctrine of equality is based on the Bible10. Grimké elaborated upon this inspired refusal of the reduction of people to things in a memorable (1838) letter to her friend Catherine Beecher (the older sister of Harriet Beecher Stowe). There, she connected the notion of divinely instituted human rights to a growing sense of what it would mean for women to acquire political rights. Her insight was framed by a deep engagement with the problem of a gendered alienation from the humanity of “species being”: “The investigation of the rights of the slave has led me to better understanding of our own. I have found the Anti-slavery cause to be the high school of morals in our land—the school in which human rights are more fully investigated and better understood and taught, than in any other. Here a great fundamental principle is uplifted and illuminated, and from this central light rays innumerable stream all around. Human beings have rights, because they are moral beings: the rights of all men grown out of their moral nature, they have essentially the same rights. ”11 It is not easy to assimilate this variety of critical reflection to the political traditions inherited by modern liberalism from revolutionary France. The foregrounding of race is, for example, a fundamental and distinguishing feature as is the suggestion that reflecting upon the thwarted rights of slaves promotes a richer understanding of the rightslessness known by women. Here, slavery was not only a political metaphor. A different kind of connection was being proposed: whoever we are, we can learn about our own situation from studying the suffering of others which instructively resembles it. This approach makes the disinterest in abolitionism shown by today’s liberal chroniclers of human rights struggles all the more perplexing. The long battle to appropriate the language and political morality of human rights re-worked the assumptions which had led to articulating the unthinkable prospects of black citizenship and black humanity **in** the form of the ancient rhetorical questions immortalized in Wedgewood’s porcelain: “Am I not a Man and a brother?” “Am I not a Woman and a sister?”. The liberatory recognition solicited by those inquiries was pitched against the corrosive power of racial categories and mediated by the cosmopolitan power of human shame. It asked that the social divisions signified by phenotypical difference be set aside in favour of a more substantive human commonality. It promised an alternative conception of kinship that could deliver a world purged of injustice in general and racial hierarchy in particular.

#### Enlightenment understandings of humanity were always fractured—anti-Imperial strands in universal humanity should be recognized. There was a robust strand of anti-Imperial universalism that criticized dispossession and slavery.

Muthu 3—Sankar Muthu, Poli Sci @ Chicago [*Enlightenment Against Empire* p. 266-271]

Universal Dignity, Cultural Agency, and Moral Incommensurability Do commitments to the idea of a shared humanity, to human dignity, to cross-cultural universal moral principles, and to cross-cultural standards of justice rest upon assumptions and values that unavoidably denigrate, or that disturbingly undermine respect for, cultural pluralism, that is, the wide array of human institutions and practices in the world?16 Are they imperialistic either explicitly, to justify Europe's political, military, and commercial subjugation of the non-European world, or implicitly, by indicating a rank ordering of superior and inferior peoples, which could then be used to justify a more indirect, quasi-imperial 'civilizing' process? The aforementioned commitments are sometimes collectively gathered under the term 'Enlightenment universalism' and, as we have seen, they are sometimes considered to constitute the core of 'the Enlightenment project'. I have suggested already that such assertions mask and distort a complex reality**.** In this case, they obscure the multiplicity of universalisms across eighteenth-century European political thought, each with distinct foundational claims, varying relationships to conceptualizations of human diversity and to humanity (which themselves differ from thinker to thinker, and even from text to text), and different political orientations toward the nature and limits of state power in theory and in practice. These philosophical sensibilities and approaches can yield remarkably dif-ferent political arguments toward foreign peoples, international justice, and imperialism. Thus, rather than ask whether 'the Enlightenment project' and 'Enlightenment universalism' are compatible with an appreciation of cultural pluralism or whether they are at bottom imperializing ideologies, it is more constructive to pose more precise and historically accurate versions of such questions with regard to particular texts and thinkers. In this book, I have studied a distinctive variant of Enlightenment writings against empire, one which includes the philosophical and political arguments of Diderot, Kant, and Herder. While there is no such thing as 'Enlightenment universalism' as such, let alone a larger 'Enlightenment project', there is nonetheless an identifiable set of philosophical and political arguments, assumptions, and tendencies about the relationship between universal and pluralistic concepts that animates the strand of Enlightenment political thought under study here. With this in mind, one can more meaningfully ask what the relationship is between universalism, pluralism, and incommensurability in such political philosophies, and how precisely they yield anti-imperialist political commitments. Answers to these more circumscribed questions can be given by better understanding the core elements of Diderot's, Kant's, and Herder's political philosophies, and how they differ from earlier (and, indeed, from many later) understandings and judgements of empire. Immanuel Kant remarks pointedly in Toward Perpetual Peace that the Europeans who landed and eventually settled in the New World often denied indigenous peoples any moral status. When America, the Negro countries, the Spice Islands, the Cape, and so forth were discovered, they were, to them [to Europeans], countries belonging to no one [die keinem angehorten], since they counted the inhabitants as nothing. (8:358, emphasis added) What philosophical concepts and arguments were necessary for New World peoples to be counted finally as something and especially to be considered as equals, as they were eventually in some crucial respects, by anti-imperialist political thinkers in the Enlightenment era? In this section, I focus on what I have taken in this book to be the philosophically most robust strand of Enlightenment anti-imperialist political thought. 17 Despite the many differences in the ethnographic sources that Diderot, Kant, and Herder consulted, the philosophical languages that these thinkers employed, and the particular concepts they drew upon to attack European empires, their anti-imperialist arguments intriguingly overlap in important respects. Thus, in this section, I identify and elucidate the family resemblances that exist among their philosophical arguments and rhetorical strategies, and discuss the underlying assumptions, ideas, and intellectual dispositions that make their version of anti-imperialist political thinking conceptually possible. In contrast to what is effectively the premiss of the kinds of familiar questions asked at the opening of this section, the commitments of Diderot, Kant, and Herder to moral universalism, cultural diversity, partial incommensurability, and the delegitimization of empire are not fundamentally in tension but rather reinforce one another. Overall, there are three principal philosophical sources of Enlightenment anti-imperialism. The first and most basic idea is that human beings deserve some modicum of moral and political respect simply because of the fact that they are human. This humanistic moral principle alone, however, was far from sufficient for engendering an anti-imperialist politics. The whole modern tradition\_Qf natural right and social contract theory held this view in some form. Moreover, Amerindians inparticurar: were explicitly described by such thinkers as the pure, natural humans of the state of nature. Yet much of this tradition of modern political thought, from Grotius onward, was either agnostic about imperialism or lent philosophical support to European empires. Not every understanding of what it means fundamentally to be a human fosters the philosophical materials necessary to build a more inclusive and pluralistic political theory that could serve as the basis of anti-imperialist arguments. Indeed, as I will argue, some understandings of humanity that are manifestly egalitarian can nevertheless impede such a development. Second, therefore, these anti-imperialist arguments rested upon the view that human beings are fundamentally cultural beings. Diderot, Kant, and Herder all contend that the category of the human is necessarily marked by cultural difference; in this view, humanity is cultural agency. This thicker, particularized view of the human subject, paradoxically, helped to engender a more inclusive and meaningful moral universalism. Third, a fairly robust account of moral incommensurability and relativity was also necessary for the rise of anti-imperialist political thought. The anti-imperialist arguments offered by Diderot, Kant, and Herder all partly rest upon the view that peoples as a whole are incommensurable. From this perspective, entire peoples cannot be judged as superior or inferior along a universal scale of value. Moreover, in distinct but closely related ways, these thinkers argue that our cultural freedom produces a wide variety of individual and collective practices and beliefs that are incommensurable, given their view that many practices and beliefs lie outside the bounds of a categorical judgement or universal standard. When these three conceptual developments were brought together, the strand of Enlightenment anti-imperialist political theory that I have identified became philosophically possible. I want to reiterate here that this framework is not meant to elucidate all of the anti-imperialist arguments that one can find in the philosophical writings of the Enlightenment era. Moreover, the distinc-tive intellectual dispositions, personal idiosyncrasies, and domestic political commitments of Enlightenment-era thinkers significantly shaped their particular arguments on the issue of empire. Still, as I will show, these three philosophical ideas play a crucial role in enabling the development of a rich strand of anti-imperialist political theory in the late eighteenth century. In discussing the development of a more inclusive and anti-imperialist political theory, my focus in this section (as it has been generally in this book) is on Europeans' political attitudes toward non-Europeans. Many thinkers in non-European societies clearly operated with similarly self-centred conceptions, but my emphasis throughout is on Europeans' intellectual responses to the fact of cultural difference and imperial politics, not with non-European peoples' understandings of each other or of their ac-counfs of European peoples. Nor do I examine here the variety of intra-European distinctions between allegedly superior and inferior groups, those, for instance, involving linguistic, geographical, class, religious, and gender differences, which of course historically also legitimated differential treatment within European societies. Thus, I do not intend to argue that Enlightenment anti-imperialist political philosophies are inclusive as such, for their underlying principles do not necessarily (and, in the eighteenth century, they manifestly did not) support egalitarian arguments against every form of exclusion. As I have noted, the first idea that enables Enlightenment anti-imperialism- first both historically and analytically-is that foreigners are human beings and, consequently, that they deserve moral respect, however understood. The development, in other words, of some variant of a humanistic moral universalism ensured that the shared humanity of both Europeans and non-Europeans would be acknowledged and given some due. The philosophical and political legacy with which Enlightenment anti-imperialist thinkers struggled, as they themselves understood, was one of exclusion. As they often noted, ethical principles of respect and reciprocity had been limited almost always to (some) members of one's own tribe, polis, nation, religion, or civilization. Accordingly, the distinction between one's own society, however defined, and the barbaroi (others, foreigners), whether justified outright or tacitly assumed, influenced not only the anthropological conceptions of, and popular understandings about, foreign peoples, but also legitimated the often brutally differential treatment of various groups. It is along these lines that Kant expresses dismay, in a lecture on moral philosophy, at what he calls the "error that the [ancient] Greeks displayed, in that they evinced no goodwill towards extranei [outsiders, or foreigners], but included them all, rather, sub voce hastes = barbari [under the name of enemies, or barbarians]". (27:674) In the long history of imperial exploits, actions that in at least some contexts might have provoked outrage in one's own land not only gainedlegitimacy on foreign soil but were deemed praiseworthy, noble, and even morally obligatory abroad. While European imperialists in the New World, writes Diderot, "faithfully observe their own laws, they will violate the rights of other nations in order to increase their power. That is what the Romans did."lB Enlightenment anti-imperialists recognized that such Janus-faced practices constituted the very core of imperial activity from the empires of the ancient world to the imperial conquests and commercial voyages of their day. The fact of difference itself lay at the heart of such inconsistent behaviour from Europeans' initial encounters with Amerindians onward, as Diderot notes: "[t]he Spaniard, the first to be thrown up by the waves onto the shores of the New World, thought he had no duty to people who did not share his colour, customs, or religi6n~" 19 Not wanting to single out tlie Spanish, Diderot suggests further that the Portuguese, Dutch, English, French, and Danes all followed in precisely the same spirit of exclusion and injustice. From an anthropological viewpoint, such discoveries of non-European peoples no doubt played a role in Europeans' changing conceptions of humanity. From Herodotus onward, of course, travel narratives played a central role in contemplating what it might mean to be, in some fundamental sense, a human being. Given that theorizations of human nature relate, in complicated ways, to changing understandings of the range and characteristics of human societies, institutions, and practices, the European discovery of 'new' lands and peoples accordingly generated further, and at times more complex, theorizations of humanity.2o Moreover, from the sixteenth century onward, thinkers were particularly keen to consult and appropriate the latest ethnographic reports. In part, the heightened interest no doubt complemented, and may in part have resulted from, what is often described as the intellectual revolution in 'natural philosophy' and the resulting emphasis on experimentation, empirical study, and inductive reasoning in fields such as astronomy, but also (especially from the mid-seventeenth century onward) in the study of human anatomy, physiology, and psychology. Although many of Hume's contemporaries did not share his hope of introducing "the experimental method" to moral philosophy, there was nonetheless a widespread presumption that an understanding of the human condition needed to take account, in some manner, of the growing anthropological literature that detailed the vast range of human experiences, customs, and practices throughout the globe.21 This turn toward what Georges Gusdorf has called 'human science', however, requires a stable referent for what counts as 'human' while also upsetting the stability of the term by focusing attention increasingly on human difference.22 In this sense, the attempt at identifying the most salient features of humanity was often an erratic and inherentlyconflicted task, as John Locke argued it would have to be, given the very nature of our self-knowledge.

#### The slave represents the infra-human—not the non-human. Included as only *partly human* the status of the slave has historically been contested by appeals to universal human community. As with *Uncle Tom’s Cabin*—the fact that this type of political activity simultaneously contained negative effects for our understanding of the slave doesn’t mean it should be rejected.

Gilroy 9—Paul Gilroy, Anthony Giddens Prf. of Social Theory @ London School of Economics [*Race and the Right to be Human* p. 13-15]

The structure of sentimental feeling articulated by Harriet Beecher Stowe was instrumental in the formation of a trans-national moral collectivity and in winning recognition of the suffering humanity of the slave whom it was no longer possible to dismiss as a brute. Through her voice and chosen genre, distinctive patterns of “heteropathic” identification appear to have leaked not only into Europe but further afield as well. Uncle Tom’s Cabin helped to compose a cosmopolitan chapter in the moral history of our world. Is all of that potential for political action and pedagogy to be damned now because campus anti-humanism doesn’t approve of the dubious aesthetic and moral registers in which an un-exotic otherness was initially made intelligible? The scale of the historical and interpretative problems posed by the case of Uncle Tom’s Cabin can only be glimpsed here. George Bullen, keeper of books at the British Museum compiled a bibliographic note included in the repackaged 1879 edition. He revealed that almost three decades after publication, Stowe’s novel had been translated into numerous languages including Dutch, Bengali, Farsi, Japanese, Magyar and Mandarin. Fourteen editions had been sold in the German language during the first year of publication and a year later, seventeen editions in French and a further six in Portuguese had also appeared. In Russia, the book had been recommended as a primer in the struggle against serfdom and was duly banned. The first book to sell more than a million copies in the US, the publication of Stowe’s novel was a world historic event. Though it cemented deeply problematic conceptions of slave passivity, redemptive suffering and indeed of racial type, it was also instrumental in spreading notions of black dignity and ontological depth as well as the anti-racist variety of universal humanism that interests me. This combination merits recognition as a potent factor in the circulation of a version of human rights that racial hierarchy could not qualify or interrupt. The example of Stowe draws attention to issues which would reappear through the nineteenth century as part of struggles to defend indigenous peoples, to improve the moral and juridical standards of colonial government and to reform the immorality and brutality of Europe’s imperial order. This activity was not always altruistically motivated. How those themes developed in the period after slavery is evident from the para-academic work of campaigners like Harriet Colenso, Ida B. Wells, Roger Casement and E.D. Morel. The constellation of writings produced by these critical commentators on racism, justice and humanity needs to be reconstructed in far greater detail than is possible here. They can nonetheless be seen to comprise a tradition of reflection on and opposition to racial hierarchy that, even now, has the power, not only to disturb and amend the official genealogy provided for Human Rights but also to re-work it entirely around the tropes of racial difference. Allied with parallel insights drawn from struggles against colonial power, these interventions contribute to a counterhistory of the contemporary conundrum of rights and their tactical deployment. This neglected work remains significant because debate in this field is increasingly reduced to an unproductive quarrel between jurists who are confident that the world can be transformed by a better set of rules and sceptics who can identify the limits of rights talk, but are almost always disinterested in racism and its metaphysical capacities. Thinkers like Wells and Morel were alive to what we now call a deconstructive approach. They identified problems with rights-talk and saw the way that racial difference mediated the relationship of that lofty rhetoric to brutal reality. They grasped the limits of rights-oriented institutional life empirically and saw how rights-claims entered into the battle to extend citizenship. But, their vivid sense of the power of racism meant that the luxury of any////

 casual anti-humanism could not be entertained. They wished to sustain the human in human rights and to differentiate their own universalistic aspirations from the race-coded and exclusionary humanisms which spoke grandly about all humanity but made whiteness into the prerequisite for recognition. Their alternative required keeping the critique of race and racism dynamic and demanding nothing less than the opening of both national- and world-citizenship to formerly infrahuman beings like the negro. Grimké, Wells and the rest appealed against racism and injustice in humanity’s name. Their commentaries might even represent the quickening of the new humanism of which Frantz Fanon would speak years later. The movement these commentators created and mobilized persisted further into the twentieth century when new causes and opportunities were found that could repeat and amplify its critique of racialized political cultures and terroristic governmental administration.

#### The political significance of humanity is both terrible and terribly important. Though the concept of humanity makes us guilty, it also is a pre-requisite for a politics that can fight atrocity.

Hannah Arendt 3 [*The Portable Hannah Arendt* p. 155]

For many years now we have met Germans who declare that they are ashamed of being Germans. I have often felt tempted to answer that I am ashamed of being human. This elemental shame, which many people of the most various nationalities share with one another today, is what finally is left of our sense of international solidarity; and it has not yet found an adequate political expression. Our fathers’ enchantment with humanity was of a sort which not only light-mindedly ignored the national question; what is far worse, it did not even conceive of the terror of the idea of humanity and of the Judeo-Christian faith in the unitary origin of the human race. It was not very pleasant even when we had to bury our false illusions about “the noble savage,” having discovered that men were capable of being cannibals. Since then people have learned to know one another better and have learned more and more about the evil potentialities in men. The result is that they have recoiled more and more from the idea of humanity and they become more susceptible to the doctrine of race, which denies the very possibility of a common humanity. They instinctively felt that the idea of humanity, whether it appears in a religious or humanistic form, implies the obligation of a general responsibility which they do not wish to assume. For the idea of humanity, when purged of all sentimentality, has the very serious consequence that in one form or another mean must assume responsibility for all crimes committed by men and that all nations share the onus of evil by all others. Shame at being a human being is the purely individual and still non-political expression of this thought. In political terms, the idea of humanity, excluding no people and assigning a monopoly of guilt to no one, is the only guarantee that one “superior race” after another may not feel obligated to follow the “natural law of the right of the powerful, and exterminate “inferior races unworthy of survival”’ so that at the end of an “imperialistic age” we should find ourselves in a stage which would make the Nazis look like crude precursors of future political methods. To follow a non-imperialistic policy and maintain a non-racist faith becomes daily more difficult because it becomes daily clearer how great a burden mankind is for man. Perhaps those Jews, to whose forefathers we owe the first conception of the idea of humanity, knew something about the burden when each year they used to say “Our Father and King, we have sinned before you,” taking not only the sins of their own community but all human offenses upon themselves. Those who today are ready to follow this road in a modern version do not content themselves with the hypocritical confession “God be thanked, I am not like that,” in horror at the undreamed-of-potentialities of the German national character. Rather, in fear and trembling, have they finally realized of what man is capable—and this is indeed the precondition of any modern political thinking. Such persons will not serve very well as functionaries of vengeance. This, however, is certain: Upon them and only upon them, who are filled with a genuine fear of the inescapable guilt of the human race, can there be any reliance when it comes to fighting fearlessly, uncompromisingly, everywhere against the incalculable evil that men are capable of bringing about.

#### Radical humanism takes up the burden and the ambiguity of humanity. Identification with common humanity across lines of oppression opens up possibilities for everyday political virtue.

Gilroy 9—Paul Gilroy, Anthony Giddens Prf. of Social Theory @ London School of Economics [*Race and the Right to be Human* p. 20-23]

Arendt and Agamben are linked by their apparent distaste for analyzing racism and by their complex and critical relations to the idea of the human. This combination of positions can facilitate hostility to the project of human rights which is then dismissed for its inability to face the political and strategic processes from which all rights derive and a related refusal to address the analytical shortcomings that arise from the dependence of human rights on an expansion of the rule of law—which can incidentally be shown to be fully compatible with colonial crimes23. Histories of colonial power and genealogies of racial statecraft can help to explain both of these problems and to break the impasse into which the analysis of human rights has fallen. This is another reason why anti-racism remains important. It does not argue naively for a world without hierarchy but practically for a world free of that particular hierarchy which has accomplished untold wrongs. The possibility that abstract nakedness was not so much a cipher of insubstantial humanity but a sign of racial hierarchy in operation arises from the work of concentration camp survivors. Jean Améry recognized his own experience through a reading of Fanon. Primo Levi, his fellow Auschwitz inmate and interlocutor, who interpreted the lager’s brutal exercises in racial formation as conducted for the benefit of their perpetrators, suggested that racism’s capacity to reconcile rationality and irrationality was expressed in the dominance of outrage over economic profit. Both men saw infrahuman victims made to perform the subordination that race theory required and anticipated but which their bodies did not spontaneously disclose. Inspired by Levi, by the philosophical writings of Jean Améry, and various other observers of and commentators on the pathologies of European civilisation, we should aim to answer the corrosive allure of absolute sameness and purity just as they did, with a historical and moral commitment to the political, ethical and educational potential of human shame. Though being ashamed may sometimes appear to overlap with sentimentality or even to be its result, they are different. Excessive sentimentality blocks shame’s productivity, its slow, humble path towards ordinary virtue**.** Shame arises where identification is complicated by a sense of responsibility. Sentimentalism offers the pleasures of identification in the absence of a feeling of responsible attachment. Améry was an eloquent proponent of what he called a radical humanism. Through discovering his Jewishness under the impact of somebody’s fist but more especially as a result of having been tortured by the Nazis, he acquired a great interest in a politics of dignity which could answer the governmental actions that brought racial hierarchy to dismal life. Perhaps for that very reason, he found through his post-war reading of Fanon, that “the lived experience of the black man . . . corresponded in many respects to my own formative and indelible experience as a Jewish inmate of a concentration camp. . .”. He continued: “I too suffered repressive violence without buffering or mitigating mediation. The world of the concentration camp too was a Manichaean one: virtue was housed in the SS blocks, profligacy, stupidity, malignance and laziness in the inmates’ barracks. Our gaze onto the SS-city was one of ‘envy’ and ‘lust’ as well. As with the colonized Fanon, each of us fantasized at least once a day of taking the place of the oppressor. In the concentration camp too, just as in the native city, envy ahistorically transformed itself into aggression against fellow inmates with whom fought over a bowl of soup while the whip of the oppressor lashed at us with no need to conceal its force and power.”24 With Levi and Fanon, Améry shared a commitment to extracting humanistic perspectives from the extremity he had survived in the lager. In a famous [1964] essay exploring his experiences at the hands of the Gestapo, he insisted that torture was “the essence”25 of the Third Reich and in making that case, shows how these issues should become important again in comprehending and criticising the brutal, permissive conduct of “the war on terror”.

## \*\*\* 2NC

### K Prior – Historical Account Determines Anti-Racism

#### Historical analysis of racial dynamics helps formulate anti-racist policy. Our K is prior to their denouncing institutions as racist.

Joseph **LOWNDES ET AL** Poli Sci @ Oregon **‘8** “Race and American Political Development” Joseph Lowndes, Julie Novkov & Dorian Warren in *Race and American Political Development* eds. Lowndes, Novkov & Warren p. 9-10

Race and contemporary politics Historical explorations of racial politics are essential, but not only for history's s.lke. Analyses of prior political struggles make visible the contingency of what now appear as settled, even natural, social or economic phenomena; be they racially inequitable residential patterns, labor market inequalities, disparate imprisonment rates, the prevalence and severity of certain diseases among populations of color, or starkly different voting behavior. Such patterns and practices are the result ofinstitutional and discursive histories. We cannot hope to gain analytic purchase on deeply entrenched social and political problems without understanding the forces which-intentionally or not-went into their production. This is clearly evident today, when **political approaches** to racial issues often **turn on** whether and **how history** is to be **considered**. In an era when "colorblindness" .is a widely accepted approach to questions of racial equality in U.S. politics, the past has never been of more importance. Colorblind ness is a particularly attractive target for the analysis we advocate, both because of its advocates' prominence in contemporary debates about politics and policy and because of its refusal to engage history. Proponents of colorblind arguments claim that the acknowledgement of race in social policy only serves to reproduce racial hierarchies. This ~pproach is crystallized in the Supreme Court's 2007 landmark ruling striking down school desegregation plans in Louisville and Seattle, which many legal experts see as retreating sharply !l'om the core principle uf Brown v. Board ofEducation 1. In Parents Involved ill Community Schools, ChiefJustice John Roberts interpreted the Fourteenth Amendment to prohibit policymakers from addressing racial subordination unless a specific, narrow, state-sponsored, and utterly unremediated history of discrimination could be identified, and to permit policymakers to acknowledge racial difference only as an ahistoric and thin conception of diversity.4 His summary of the Fourteenth Amendment's command to legislators and administrators is telling: "The way to stop discrimination on the basis of race is to Stop discriminating on the basis of race" While it is too early to tell how this ru ling will shape policies and later controversies, Roberts' ability to muster a majority around the outcome and three justices around this specific principle calls into question the center of the Court's capacity to negotiate more <ll1l bivalent rulings like that issued in Grutter v. Bollinger upholding affirmative <lerion in 2003. This assertion actively crases the significance ofhistory, because it claims that past institutional and cultural discrimination must not direct our attempts to remedy their current manifestations. But how an: we to determine the "way to Stop racial discrimination" without clear, concrete analyses of the institutional arrangements, cultural patterns, and economic dynamics that have produced the racial stratificatinn that demands remedy> Indeed, only historical tools can enable us to make clear sense of the very term "racial discrimination." Roberts' strong focus on individuals as the subjects of law and policy silently endorses a conception of racial discrimination as an individual phenomenon that need only be confined to the private realm to render it constitutionally irrelevant. At the same timc, his OV\-ll (and his concurring justices') narrow understanding of history blinds him to the institutional, cultural, and economic embedding of racial discrimination and its production ofintractable pattu-ns of hiu-archy, exclusion, and diminished possibilities based on one's racial position in society. But how exactly are we to make use of the past? From Lyndon Johnson's 1965 Howard University address to the current reparations movement, the argument has been made time and again that past wrongs require attention and redress ifwe are to ever achieve an egalitarian society (Balfour 2003). However, addressing the relationship between past and present racial hierarchies requires not simply an **accounting** of **past** **individual** and **institutional** **crimes**. As Robert Lieberman argues, we must also seek to understand precisely how institutional patterns of racialization have developed over time (chapter 9). Such specificity allows us to **better understand** and **craft law** and **policy** to **dismantle** **racial discrimination** today (Katznelson 2005). Analyses of forms of political exclusion built into New Deal legislation and implementation, as well as post-World War II patterns ofdiscrimination produced by the federal Housing Authority, and the GI Bill among others, gives us better purchase on the dynamics that produced the school segregation with which the Court was grappling. Only through tracing back the intelwincd institutional and ideological paths that produced the contemporary manifestations of inequality we observe can we effectively formulate policies to address these inequalities-and justify the need to do so.

### Scott

#### Appeals to personal experience replace analysis of group oppression with personal testimony. As a result, politics becomes a policing operation—those not in an identity group are denied intellectual access and those within the group who don’t conform to the aff’s terms are excluded. Over time, this strategy LIMITS politics to ONLY the personal and shuts down public dialogue. This devastates structural change, and turns the case

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The logic of individualism has structured the approach to multiculturalism in many ways. The call for tolerance of difference is framed in terms of respect for individual characteristics and attitudes; group differences are conceived categorically and not relationally, as distinct entities rather than interconnected structures or systems created through repeated processes of the enunciation of difference. Administrators have hired psychological consulting firms to hold diversity workshops which teach that conflict resolution is a negotation between dissatisfied individuals. Disciplinary codes that punish "hate-speech" justify prohibitions in terms of the protection of individuals from abuse by other individuals, not in terms of the protection of members of historically mistreated groups from discrimination, nor in terms of the ways language is used to construct and reproduce asymmetries of power. The language of protection, moreover, is conceptualized in terms of victimization; the way to make a claim or to justify one's protest against perceived mistreatment these days is to take on the mantle of the victim. (The so-called Men's Movement is the latest comer to this scene.) Everyone-whether an insulted minority or the perpetrator of the insult who feels he is being unjustly accused-now claims to be an equal victim before the law. Here we have not only an extreme form of individualizing, but a conception of individuals without agency. There is nothing wrong, on the face of it, with teaching individuals about how to behave decently in relation to others and about how to empathize with each other's pain. The problem is that difficult analyses of how history and social standing, privilege, and subordination are involved in personal behavior entirely drop out. Chandra Mohanty puts it this way: There has been an erosion of the politics of collectivity through the reformulation of race and difference in individualistic terms. The 1960s and '70s slogan "the personal is political" has been recrafted in the 1980s as "the political is personal." In other words, all politics is collapsed into the personal, and questions of individual behaviors, attitudes, and life-styles stand in for political analysis of the social. Individual political struggles are seen as the only relevant and legitimate form of political struggle.5 Paradoxically, individuals then generalize their perceptions and claim to speak for a whole group, but the groups are also conceived as unitary and autonomous. This individualizing, personalizing conception has also been be- hind some of the recent identity politics of minorities; indeed it gave rise to the intolerant, doctrinaire behavior that was dubbed, initially by its internal critics, "political correctness." It is particularly in the notion of "experience" that one sees this operating. In much current usage of "experience," references to structure and history are implied but not made explicit; instead, personal testimony of oppression re- places analysis, and this testimony comes to stand for the experience of the whole group. The fact of belonging to an identity group is taken as authority enough for one's speech; the direct experience of a group or culture-that is, membership in it-becomes the only test of true knowledge. The exclusionary implications of this are twofold: all those not of the group are denied even intellectual access to it, and those within the group whose experiences or interpretations do not conform to the established terms of identity must either suppress their views or drop out. An appeal to "experience" of this kind forecloses discussion and criticism and turns politics into a policing operation: the borders of identity are patrolled for signs of nonconformity; the test of membership in a group becomes less one's willingness to endorse certain principles and engage in specific political actions, less one's positioning in specific relationships of power, than one's ability to use the prescribed languages that are taken as signs that one is inherently “of” the group. That all of this isn't recognized as a highly political process that produces identities is troubling indeed, especially because it so closely mimics the politics of the powerful, naturalizing and deeming as discernably objective facts the prerequisites for inclusion in any group. Indeed, I would argue more generally that separatism, with its strong insistence on an exclusive relationship between group identity and access to specialized knowledge (the argument that only women can teach women's literature or only African-Americans can teach African-American history, for example), is a simultaneous refusal and imitation of the powerful in the present ideological context. At least in universities, the relationship between identity- group membership and access to specialized knowledge has been framed as an objection to the control by the disciplines of the terms that establish what counts as (important, mainstream, useful, collective) knowledge and what does not. This has had an enormously important critical impact, exposing the exclusions that have structured claims to universal or comprehensive knowledge. When one asks not only where the women or African-Americans are in the history curriculum (for example), but why they have been left out and what are the effects of their exclusion, one exposes the process by which difference is enunciated. But one of the complicated and contradictory effects of the implementation of programs in women's studies, African-American studies, Chicano studies, and now gay and lesbian studies is to totalize the identity that is the object of study, reiterating its binary opposition as minority (or subaltern) in relation to whatever is taken as majority or dominant.

## \*\*\* 1NR

### 2NC—Impacts

#### We have a moral obligation to construct strategies of resistance that don’t sanction genocide. Critical intellectuals should de-romanticize subaltern revenge and pessimism.

Jones 9—Adam Jones, Poli Sci @ British Columbia (Okanagan) [*Genocides by the Oppressed: Subaltern Genocide in Theory and Pratice* eds. Robins and Jones p. 201-202]

Attention to the subaltern strand of genocide tends to evoke a less idealized and romanticized image of subaltern actors. A pressing task is to construct framings of subaltern genocide that acknowledge the morally plausible element of campaigns for freedom and liberation, against oppression and injustice—while also recognizing that atrocious and even genocidal tendencies may result from such initiatives. One is therefore called on to identify such tendencies as early as possible in a genocidal process**—**and for scholars to approach past genocides of this type with equal seriousness and dispatch, for the lessons they may hold.56 Moreover, close attention should be paid to institutional environments and social “niches” where subaltern actors may exercise local and/or temporary hegemony (point (3) on the continuum of subaltern genocide sketched in Table 9.1). If it is true, as Kofi Annan has suggested, that genocide occurs when even a single person is targeted “not for what [s]he has done, but because of who [s]he is,”57 then genocidal actions short of full-scale exterminatory campaigns may well qualify—and subaltern actors may sometimes hold the upper hand in these encounters.

### Ehlers

#### Equating present conditions with slavery annihilates agency – their ontological account of social death is wrong.

**Ehlers 12** – (2012, Nadine, Professor, School of Social Sciences, Media, and Communication Faculty of Law, Humanities, and Arts University of Wollongong, “Racial Imperatives: Discipline, Performativity, and Struggles against Subjection,” p. 9-12, footnote from p. 145)

While I deploy these terms for analytic convenience, the study pivots on the desire to make dear tbe false homogeneity of subjects that are denoted by these terms and the arbitrariness of race per se. In the same moment that I employ these terms as critical tools of analysis, then, I hope to expose the mechanisms of their production and mark possibilities for their rearticulation. The final portion of this study is concerned with examining what forms of agency and resistance are possible within the context of this binary construction of black and white identities. Guiding this analysis is the question of how individuals struggle against subjection and how racial norms might be recited in new directions, given that the coercive demands of discipline and performative constraints make it seem like race is an insurmountable limit or closed system. **That race operates as a limit appears particularly so for black subjects.** For despite the fact that all subjects are produced and positioned within and by the discursive formations of race, the impact of that positioning and what it means for experience is markedly different. Black subjects are situated within an antiblack context where the black body/self continues to be torn asunder within the relations of civil society. This means that, as Yancy (2008, 134 n. n) insists, " the capacity to imagine otherwise is seriously truncated by ideological and material forces that are systematically linked to the history of white racism!'

A number of scholars have examined these realities and advanced critical accounts of what they identify as the resulting condition of black existence. David Marriot, for instance, argues that "the occult presence of racial slavery" continues to haunt our political and social imagination: "nowhere, but nevertheless everywhere, a dead time which never arrives and does not stop arriving" (2007, xxi). Saidiya Hartman, in her provocative Lose Your Mother: A journey Along the Atlantic Slave Route (2007) refers to this haunting as slavery's afterlife. She insists that we do not live with the residue or legacy of slavery but, rather, that slavery lives on. It 'survives' (Sexton 2010, 15), through what Loic Wacquant (2002, 41) has identified as slavery's fu nctional surrogates: Jim Crow, the ghetto, and the prison. For Hartman, as echoed by other scholars, slavery has yet to be undone:

Black lives are still imperiled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago. This is the afterlife of slavery- skewed life chances, limited access to health and education, premature death, incarceration, and impoverishment. I, too, am the afterlife of slavery. (2007, 6)

Frank B. **Wilderson** III, in his Red, White, and Black: Cinema and the Structures of U.S. Antagonisms (2009), powerfully frames slavery's afterlife as resulting in a form of **social death** for black subjects and, more than this, he argues that black subjectivity is constituted as **ontological death**. For Wilderson, " the Black [is) a subject who is always already positioned as Slave" (2009, 7) in the United States, while everyone else exists as "Masters" (2009, 10 ).8

Studies of slavery's afterlife and the concept of social death have inarguably made essential contributions to understandings of race.9 The strengths of such analyses lie in the salient ways they have theorized broad social systems of racism and how they have demanded the foregrounding of suffering, pain, violence, and death. Much of this scholarship can be put or is productively in conversation with Foucault's account ofbiopolitics that, as I noted earlier, regulates at the level of the population. Where sovereignty 'took life and let live,' in the contemporary sphere biopolitics works to 'make live.' However, certain bodies are not in the zone of protected life, are indeed expendable and subjected to strategic deployments of sovereign power that 'make die.' It is here that Foucault positions the function of racism. It is, he argues, "primarily a way of introducing a break into the domain of life that is under power's control: the break between what must live and what must die" (2003b, 254). Thus, certain bodies/subjects are killed - or subjected to sovereign power and social death- so that others might prosper. 10

In Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America (1997), Hartman examines the 'must die' imperative of social death understood broadly as a lack of social being-but she also illuminates how, within such a context, slave "performance and other modes of practice . .. exploit[ed), and exceed[ed] the constraints of domination" (1997, 54, my emphasis). Hartman analyzes quotidian enactments of slave agency to highlight practices of "(counter)investment" (1997, 73) that produced "a reconstructed self that negates the dominant terms of identity and existence" (1997, 72). 11 She thus argues that a form of agency is possible and that, while "the conditions of domination and subjugation determine what kinds of actions are possible or effective" (1997, 54), **agency is not reducible to these conditions** (1997, 55).'2 The questions that I ask in this analysis travel in this direction, and aim to build on this aspect of Hartman's work. In doing so I make two key claims: first, that despite undeniable historical continuities and structural d)'namics, race is also marked by discontinuity; and second, race is constantly reworked and transformed within relations of power **by subjects**. 13

**For Vincent Brown, a historian of slavery,** ''violence, dislocation, and death actually generate politics, and consequential action by the enslaved" (2009, 1239) . He warns that focusing on an overarching condition or state potentially **obscures seeing these politics**. More than this, however, **it risks positioning relations of power as totalizing and transhistorical**, and it risks essentializing experience or the lived realities of individuals. **14** I scale down to the level of the subject to analyze both (a) how subjects are formed, and (b) how subjects – black and white alike – have struggled against conditions in ways that refuse totalizing, immutable understandings of race. This book does not seek to mark a condition or situa tion then, but instead takes up Brown's challenge (made within the context of studies of slavery) to pay attention to efforts to remake condition. Looking to those efforts to remake condition and identity grapples with the microphysics of power and the practices of daily life, enacted by individuals and i11 collective politics, to consider what people do with situations: those dynamic, innovative contestations of (a never totalizing) power. Echoing the call raised by Brown (2009, 1239), my work focuses then on "examining ... social and political lives **rather than assuming . . . lack of social being**" in order to think about how subjects can and have "made a social world out of death itself" (Brown 2009, 1233) or how, more generally, race can be reconfigured within the broader workings of what I am calling racial discipline and performative imperatives.

But in addressing the quotidian and those efforts to remake condition and identity, this study insists on a shift in perspective in terms of how power is thought about. As I have remarked, I am not focused on biopolitics or what can be seen as solely sovereign forms of power that are deployed to condition who will live and who will die. Instead, I am concerned with disciplinary power, which is articulated simultaneously but at a different level to biopolitics (and despi te the exercise of sovereign forms of power} (Foucault 2003a, 250). For Foucault, this form of power is not absolute, nor does it exist in opposition to resistance. Rather, power is seen as always fragmentary and incoherent, and power and resistance are seen as mutually constitutive. Disciplinary power is productive, in that it generates particular capacities and forms of subjectivity (and, necessarily, agency). And finally, **though subjects are formed in power, they are not reducible to it, not determined by power**.

[BEGIN ENDNOTE]

**14.** Historian Vincent Brown, in his "Social Death and Political Life in the Study of Slavery" (2009), has examined a number of scholars who seemingly take up such a viewpoint, in that they broadly position blackness as a totalizing state that, historically and in the present, renders slavery synonymous with social death and blackness as always already synonymous with slavery. Brown focuses specifically on the academic uptake and what he sees as the problematic distillation and extension of Orlando Patterson's (1981) concept of"slavery as social death;' where social death indicates a lack of social being. As a scholar of slavery, Brown is most concerned with examining the limitations of this idea in relation to the enslaved, but he is also interested in how the idea is used in relation to the present. For Brown, **Patterson's "slavery as social death," and contemporary usages of this concept to account for the present, advance a troubling transhistorical characterization of slavery** He argues in line with I-Ierman Bennett (quoted in Brown 1009, 1133), who has observed:

As the narrative of the slave experience, soclardeath assumes a uniform African, slave, and ultimately black subject rooted in a static New World history whose logic originated in being property and remains confined to slavery. It absorbs and renders exceptional evidence that underscores the contingent nature of experience and consciousness. Thus, normative assumptions about the experiences of peoples of African descent assert a timeless, ahistorical, epiphenomenal "black" cultural experience.

[END ENDNOTE]

### AT: Wilderson---Anti-Blackness Wrong

#### Anti-blackness is not an ontological antagonism---conflict is inevitable in politics, but does not have to be demarcated around whiteness and blackness---the alt’s ontological fatalism recreates colonial violence

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Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, its real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.

### Civil Society - Impact

#### Belief in the possibility of civil repair key to anti-colonialism, limiting arbitrary state violence, and empowerment. Our impact turns and outweighs the case.

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IN THIS BOOK, I have presented a new theory of society by defining a new sphere, its cultural structures, its institutions, and its boundary relations with discourses and institutions outside it. With this theory, I have tried to create a new social fact and to examine it empirically in a series of case studies. If this new theory is productive, and the case studies illuminating, we will better understand our society and ourselves, and we will see more clearly the possibilities of justice. Nothing is more practical than a good theory. For a good part of the last two centuries, many social theorists, activists, and ordinary persons interested in the project of social improvement have been preoccupied with a particular form of critical thinking called Marxism and, more recently, with critical theory. Their concerns have lain less with thinking through the possibilities of justice broadly construed and the institutions it might necessitate than with justice as it might be realized in the form of socialism and with the equal distribution of economic resources. The purpose of this book has been to examine a more fundamental question, one overlooked in this narrower focus, that has to do with the foundations of social criticism per se, and I have sought throughout to broaden our understanding of these foundations. The death of the socialist dream is not the end of critical thought, deep institutional reform, or cultural discourse in a utopian vein. It is not this or that institutional form that marks the critical strand of democratic life. Civil solidarity-that is the real utopia. It lies beneath every particular demand for institutional reform, every historically specific demand for cultural reformation. The utopia of a truly civil solidarity informs every manifestation of the restless and critically demanding spirit that marks democratic life. It is the general language of every specific, historically delineated form of reformist speech. Utopianism is not over. To the contrary, it is being continuously redefined. We do not know where this restless spirit will lead. We cannot guess what new evil the intrusive spirit of civil hermeneutics will interpret and construct next. The civil sphere's utopian discourse is not an entirely freefloating signifier, but neither is it rigidly defmed. In the centuries since it assumed a national form, there has never been certainty about where this spirit will alight. For now at least, the worker-centered dream of dramatically transforming civil society into socialism has faded. In its moJerate form, the dream transmogrified into social democracy and reformist liberalism. In its radical form, it was a totalizing vision, a kind of big-bang version of civil repair. It may return again someday in another, less totalizing form, one that is less inclined toward an abstract equality that trumps justice in its other, plural ways. That might be a good thing. For now, we are living in a world of smaller and more discrete utopian dreams, of family, of conjugal and erotic love, of the kingdom of god on earth, of the perfect market, of equilibrated nature, or a pure liberal state. These are sphere-specific demands, and their advocates often want to be **civil-sphere free.** Rather than resenting civil injustice, they celebrate and idealize the qualities of noncivil life. sometimes as indispensable facilitating inputs to the good society. often as superior forms of justice in themselves, and it is the civil sphere itself' that often seems to intrude. There does, in fact, need always to be adjustments in boundary relations between civil and uncivil spheres. Institutions change. Industrial becomes postindustrial, sex becomes more detached from love, women from husbands and men. The scope of private life becomes enlarged even as civil controls on arbitrary authority take hold. Boundary relations need to be adjusted for new historical times. The discourse of civil society is a pattern of signifiers. About its particular and specific signifieds, history will decide. But shifting involvements always shift again. We live in relatively conservative, chastened, and sometimes frightened times, but the spheres outside civil society still cannot be seen as merely benign, much less as purely facilitating inputs to democratic life. They will inevitably be seen as destructive intrusions as well. Civil society is a project. It is a restless aspiration that lies deep in the soul of democratic life. Great utopian projects of democracy rocked Western and Eastern societies in the last decades of the twentieth century. In the world of intellectual life, one major result was the revival of" civil society." We must take hold of this concept before it is too late. We must make civil society into a major focus of empirical and theoretical thought and thus to **everyday social life.** That has been my ambition here. In Part I, I retrieved "civil society" from the cobwebs of earlier social theory. Once it made good sense to think of civil society as all the realms outside the state. Later, during the earlier days of industrial capitalism, many were afraid that civil society had disappeared, or been narrowed to mimic the selfishness of economic life. It is this vision that, in modern social science. allowed the spirit ofThrasymachus free rein. Realism is the salve for disappointment. But civil society has not disappeared. It is not everywhere, but it is not nowhere, either. Rather than dancing on its grave. we need to transform the idea of civil society in a critical way. It needs to be recentered on the promise of a community of individuals, centered on solidarity of a **distinctively civil kind**. Civil society is not everywhere except the state. A differentiated sphere of justice. it contends with and often conflicts with the value demands of spheres. In Part II of Civil Sphere, we left the world of high theory to discover the imbedded discourse and institutions of everyday social lite. Rather than an abstract deduction of philosophers, the normative stipulations of civil society turn out to be the language of the street, the television, novels, polls, parties, politics, office, and scandal. This rich and textured language is not only about utopia but about the evils that impede it. It turns out, in tact. that ideal inclusion is always shadowed by pollution and exclusion. The e\"ils of modernity are not anomalies. Postmodernity will not overcome them. They are systemic products of the search for civil justice and the good life. But if we cannot overcome binarism, we can fundamentally change its referents. There will always be two goalposts, but we shift them, even in the middle of play. This is what concerned us in Parts III and IV. The civil sphere is a promise, and this promise can be redeemed. Outsiders demand the expansion of the discourse of liberty. Stigmatized individuals and groups, polluted by the discourse of repression, can be purified and redeemed. If leaders are skillful, followers are brave, and the stars are right, movements for civil repair can \ucceed. But often they do not. History can go backward. The cracks in civil society split open. The golden bowl can drop and split into parts. It can be thrown down and shattered. The discourse of repression can triumph, and barbarism can rise in its place. Though the empirical studies in Civil Sphere concern movements inside of nation-states or regions, its theoretical reflections have been developed without reference to scale. They refer to a way of imagining and organizing a society, not to a particular expanse. They do not necessarily refer to city, nation, or region. It is possible, indeed, for the imagining and the organizing of civil society to go beyond the territory of the nation-state. As the scale of other institutions, interactions, and discourses expands, so might the organization of the civil sphere. If it were possible to organize a global sphere, the systematic problem of **earthly war would cease**, for civil virtue could not be demonstrated by exterminating the other side. It would be extraordinarily difficult to achieve this new resting place for the spirit of civil utopia. There would have to be a world state or something like a state for civil communication to become regulation on a global scale and for civil repair to proceed. Still, a more global playing field has already emerged. Even if were able to establish a global civil sphere, and to extend the goalposts of civil society to the other side of the earth, the binary nature of civil discourse and the contradictions of time, place, and function would not go away. Certainly. they have not done so in the nation-state. The spirit of civil society will always he restless. Its boundary relations will continue to be dynamic, and it will be as liable to exclusionary integration as it is within the nation-state. The contradictions would still be alarming, and struggles over civil repair would still be contingent and dramatic. In a world of increasingly dangerous weapons and political tactics, such a globalized civil sphere may be the only way to proceed. Without a global range, the promises even of civil society in its national form may die. Only the civil sphere can regulate force and eliminate arbitrary violence. It does so through persuasion and civil power and, if necessary, by dispensing force to defend democratic solidarity and to keep the aspirations of civil society alive. As violence becomes global, so must the civil sphere. We cannot foresee how the life and times of the civil sphere will proceed. At the beginning of the last century we could not have predicted that the fledgling feminist struggle would eventually create massive movements of civil regulation to free women £rom male power; or that gays and lesbians would demand civil unions and eventually their full freedoms as equal and autonomous human beings; or that masses of nonwhite people would overthrow every great colonial power in the name of civil aspirations for independence, so that they could create civil power to regulate their own states. Nor could we have anticipated the horrifying scale of military technology and how difficult it would still be, at the beginning of the twenty-first century, to regulate violence in the name of civil life. What we can know for certain is that the discourse and structure of the civil sphere will remain. It will still be restless, and its dynamism will be dangerous and contradictory. But the discourse of liberty will continue, and the hopes for civil repair will remain. Civil society is a project. [t inspires hope for a democratic life.