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#### Our interpretation is the aff has to answer the question of the resolution by engaging the legal system

#### Statutory restrictions mandate legal change

Kershner 2010

(Joshua, Articles Editor, Cardozo Law Review. J.D. Candidate (June 2011), Benjamin N. Cardozo School of Law, “Political Party Restrictions and the Appointments Clause: The Federal Election Commission's Appointments Process Is Constitutional” Cardozo Law Review de novo 2010 Cardozo L. Rev. De Novo 615)

The process by which the President fills an Executive Branch position is governed by the Appointments Clause: [The President] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. n81 This process is divided into three phases: (1) Congress creates an Executive Branch position by statute; n82 (2) the President nominates an individual to fill the position; n83 and (3) the Senate confirms the nominee. n84 The Clause covers a specified list of positions and the generic "other Officers of the United States." n85 The Clause controls who nominates, appoints, and confirms an individual for such a position. n86 Finally, the Clause defines a separate process for inferior officers. n87 It should be noted, however, that the Appointments Clause limits but does not empower Congress to create positions. n88 That power comes from the Necessary and Proper Clause. n89 The House of Representatives has no role in the process of nomination and appointment and is specifically not mentioned in the [\*626] Appointments Clause. All of the powers contained in the Appointments Clause are reserved to the President, the Senate, or both. n90 The Appointments Clause makes a distinction between the power to nominate and the separate power to appoint. The power of nomination is textually reserved to the President of the United States, n91 whereas the power of appointment is shared by the President and the Senate. n92 Statutory restrictions violate the plain text of the Appointments Clause because the very act of passing a statute requires the involvement of the House of Representatives. n93 Statutory restrictions on the appointments process are further problematic because the Appointments Clause's power to nominate is vested solely in the President. n94 Those statutory restrictions that limit the President's power to nominate violate the plain text of the Clause. n95 Where the Constitution provides a clear procedural process, the Supreme Court has consistently applied strict principles of formalism, construing the text so as to limit, rather than expand, the powers of the various branches of government. n96 The Senate's role in the appointments process is the final confirmation of a nominee. n97 The "advice and consent" of the Senate applies only to the appointment power. n98 The President and the Senate have interpreted advice as non-binding guidance, and have interpreted [\*627] consent as the act of confirmation. n99 Thus, the Appointments Clause gives the Senate only the narrow function of confirming nominees. n100

#### So do judicial restrictions

Singer 2007

(Jana, Professor of Law, University of Maryland School of Law, SYMPOSIUM A HAMDAN QUARTET: FOUR ESSAYS ON ASPECTS OF HAMDAN V. RUMSFELD: HAMDAN AS AN ASSERTION OF JUDICIAL POWER, Maryland Law Review 2007 66 Md. L. Rev. 759)

n25. See, e.g., Dep't of the Navy v. Egan, 484 U.S. 518, 530 (1988) (noting the reluctance of courts "to intrude upon the authority of the Executive in military and national security affairs"); see also Katyal, supra note 1, at 84 (noting that "in war powers cases, the passive virtues operate at their height to defer adjudication, sometimes even indefinitely"); Harold Hongju Koh, Why the President (Almost) Always Wins in Foreign Affairs: Lessons of the Iran-Contra Affair, 97 Yale L.J. 1255, 1313-17 (1988) (discussing the Court's use of justiciability doctrines to refuse to hear challenges to the President's authority in cases involving foreign affairs); Gregory E. Maggs, The Rehnquist Court's Noninterference with the Guardians of National Security, 74 Geo. Wash. L. Rev. 1122, 1124-38 (2006) (discussing the Rehnquist Court's general policy of nonintervention in cases concerning actions of governmental agencies and political entities in national security matters); Peter E. Quint, Reflections on the Separation of Powers and Judicial Review at the End of the Reagan Era, 57 Geo. Wash. L. Rev. 427, 433-34 (1989) (discussing the use of the political question doctrine as a means to avoid judicial restrictions on presidential power in cases involving military force).

#### Prefer our interpretation –

#### A. Limits – there are an infinite number of ways to engage the topic – just winning one of the four parts of the resolution is bad skews the debate too far toward the affirmative – being tied to the stem ensures the negative predictable ground within the literature – that is key to debate

Steinberg & Freeley 2008

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

#### B. Legal Education - Debating and topic-preparation enhances student familiarity with legal complexity

Christopher C. Joyner (prof. of International law at Georgetown) Spring 1999 “teaching international law: views from an international relations political scientist” ILSA journal of international & comparative law 5 ILSA J Int’l & Comp L 377

A debate exercise provides students with deeper insights into and appreciation of the complexities of integrating international law into the foreign policy making process. The success of any given debate depends upon the quality of the team members' efforts to research and present a topic, and on their ability to relate concepts and principles of international law to the ways in which foreign policy objectives are formulated and achieved. The exercise is not intended to train international lawyers or to promote forensics as a skill, but rather to give undergraduate political science students a greater sense of the real-world process by which foreign policy is made and implemented, and of the place international legal considerations must be given in that process. In this way, the relevance and reality of international law can be more effectively demonstrated for students of political science in general and of international relations theory in particular.

#### And, you should prioritize practical paths to agency – structural strategy trumps discursive education

David McNally (prof. PoliSci at York University) 1997 *in defense of history: marxism and the postmodern agenda* p. 26-27

We are witnessing today a new idealism, infecting large sections of the intellectual left, which has turned language not merely into an independent realm, but into an all pervasive realm, a sphere so omnipresent, so dominant, as virtually to extinguish human agency. Everything is discourse, you see; and discourse is everything. Because human begins are linguistic creatures, because the world in which we act is a world we know and describe through language, it allegedly follows that there is nothing outside language. Our language, or “discourse,” or “text” – the jargon varies but not the message – defines and limits what we know, what we can imagine, what we can do. There is a political theory here too. Oppression is said to be rooted ultimately in the way in which we and others are defined linguistically, the way in which we are positioned by words in relation to other words, or by codes which are said to be “structured like a language.” Our very being, our identities and “subjectivities,” are constituted through language. As one trendy literary theorist puts it in David Lodge’s novel *Nice Work*, it is not merely that you are what you speak; no, according to the new idealism, “you are what speaks you.” Language is thus the final “prison-house.” Our confinement there is beyond resistance; it is impossible to escape from that which makes us what we are. This new idealism corresponds to a profound collapse of political horizons. It is the pseudoradicalism of a period of retreat for the left, a verbal radicalism of the word without deed, or, rather, of the word *as* deed. In response to actual structures and practices of oppression and exploitation, it offers the rhetorical gesture, the ironic turn of phrase. It comes as little surprise, then, when one of the chief philosophers of the new idealism, Jacques Derrida, tells us that he “would hesitate to use such terms as ‘liberation’” 1 Imprisoned within language, we may play with words; but we can never hope to liberate ourselves from immutable structures of oppression rooted in language, itself. The new idealism and the politics it entails are not simply harmless curiosities; they are an abdication of political responsibility, especially at a time of ferocious capitalist restructuring, of widening gaps between rich and poor, of ruling class offensives against social programs. They are also an obstacle to the rebuilding of mass ~~movements~~ of protest and resistance.

### 2

#### Their particularized focus on historical and present specialty of ghosts highlights the wrong part - we must highlight ghosts of labour, ghosts of the proletariat or we risk conjuring memories of the vast multitude of cultural knowledge production

D’Annibale and McLaren 2004(Valerie Catamburio, PhD, chairs the Graduate Program in Communication and Social Justice at the University of Windsor, and Peter, professor in the Division of Urban Schooling, Graduate School of Education and Information Studies, UCLA, “The Strategic Centrality of Class in the Politics of "Race" and "Difference”,” Cultural Studies <=> Critical Methodologies, Vol. 3, No. 2, 148-175 (2003))

Because post-al theories of difference often circumvent the material dimensions of difference and tend to segregate questions of difference from analyses¶ of class formation and capitalist social relations, we contend that it is necessary¶ to (re)conceptualize difference by drawing on Marx’s materialist and historical¶ formulations. Difference needs to be understood as the product of social contradictions and in relation to political and economic organization. Because systems of difference almost always involve relations of domination and oppression, we must concern ourselves with the economies of relations of difference¶ that exist in specific contexts. Drawing on the Marxist concept of mediation¶ enables us to unsettle the categorical (and sometimes overly rigid) approaches¶ to both class and difference for it was Marx himself who warned against creating false dichotomies at the heart of our politics—that it was absurd to choose¶ between consciousness and the world, subjectivity and social organization,¶personal or collective will, and historical or structural determination. In a similar vein, it is equally absurd to see “difference as a historical form of consciousness unconnected to class formation, development of capital and class politics”¶ (Bannerji, 1995, p. 30). Bannerji has pointed to the need to historicize difference in relation to the history and social organization of capital and class¶ (inclusive of imperialist and colonialist legacies) and to acknowledge the¶ changing configurations of difference and “otherness.” Apprehending the¶ meaning and function of difference in this manner necessarily highlights the¶ importance of exploring (a) the institutional and structural aspects of difference; (b) the meanings and connotations that are attached to categories of difference; (c) how differences are produced out of, and lived within, specific his torical, social, and political formations; and (d) the production of difference in¶ relation to the complexities, contradictions, and exploitative relations of¶ capitalism.¶ Moreover, it presents a challenge to “identitarian” understandings of difference based almost exclusively on questions of cultural and/or racial hegemony.¶In such approaches, the answer to oppression often amounts to creating greater¶ cultural space for the formerly excluded to have their voices heard (represented). Much of what is called the “politics of difference” is little more than a¶ demand for an end to monocultural quarantine and for inclusion into the metropolitan salons of bourgeois representation—a posture that reinscribes a¶ neoliberal pluralist stance rooted in the ideology of free market capitalism. In¶ short, the political sphere is modeled on the marketplace, and freedom¶ amounts to the liberty of all vendors to display their different “cultural” goods.¶A paradigmatic expression of this position is encapsulated in the following passage that champions a form of difference politics whose presumed aim¶ is to make social groups appear. Minority and immigrant ethnic groups have laid¶ claim to the street as a legitimate forum for the promotion and exhibition of traditional dress, food, and culture....[This] is a politics of visibility and invisibility. Because it must deal with a tradition of representation that insists on subsuming varied social practices to a standard norm, its struggle is as much on the¶ page, screen . . . as it is at the barricade and in the parliament, traditional¶ forums of political intervention before the postmodern. (Fuery& Mansfield,¶2000, p. 150)¶ This position fosters a “fetishized” understanding of difference in terms of primordial and seemingly autonomous cultural identities and treats such “differences” as inherent, as ontologically secure cultural traits of the individuals of¶ particular cultural communities. Rather than exploring the construction of¶ difference within specific contexts mediated by the conjunctural¶ embeddedness of power differentials, we are instead presented with an overflowing cornucopia of cultural particularities that serve as markers of ethnicity,¶ race, group boundaries, and so forth. In this instance, the discourse of difference operates ideologically—cultural recognition derived from the rhetoric of¶ tolerance averts our gaze from relations of production and presents a strategy¶ for attending to difference as solely an ethnic, racial, or cultural issue.¶What advocates of such an approach fail to acknowledge is that the forces of¶ diversity and difference are allowed to flourish provided that they remain¶ within the prevailing forms of capitalist social arrangements. The neopluralism¶ of difference politics cannot adequately pose a substantive challenge to the productive system of capitalism that is able to accommodate a vast pluralism of¶ ideas and cultural practices. In fact, the post-al themes of identity, difference,¶ diversity, and the like mesh quite nicely with contemporary corporate interests¶ precisely because they revere lifestyle—the quest for, and the cultivation of, the¶ self—and often encourage the fetishization of identities in the marketplace as they compete for “visibility” (Boggs, 2000; Field, 1997). Moreover, the¶ uncritical, celebratory tone of various forms of difference politics can also¶ lead to some disturbing conclusions. For example, if we take to their logical¶ conclusion the statements that “postmodern political activism fiercely contests¶ the reduction of the other to the same,” that post-al narratives believe that “difference needs to be recognized and respected at all levels” (Fuery& Mansfield,¶2000, p. 148), and that the recognition of different subject positions is paramount (Mouffe, 1988, pp. 35-36), their political folly becomes clear. Eagleton¶ (1996) sardonically commented on the implications:¶Almost all postmodern theorists would seem to imagine that difference, variability and heterogeneity are “absolute” goods, and it is a position I have long held¶ myself. It has always struck me as unduly impoverishing of British social life that¶ we can muster a mere two or three fascist parties. . . . The opinion that plurality is¶ a good in itself is emptily formalistic and alarmingly unhistorical. (pp. 126-127)¶ The liberal pluralism manifest in discourses of difference politics often means a¶ plurality without conflict, contestation, or contradiction. The inherent limitations of this position are also evident if we turn our attention to issues of class.¶Expanding on Eagleton’s observations and adopting the logic that seems to¶ inform the unqualified celebration of difference, one would be compelled to¶ champion class differences as well. Presumably, the differences between the¶ 475 billionaires whose combined wealth now equals the combined yearly¶ incomes of more than 50% of the world’s population are to be celebrated—a¶ posturing that would undoubtedly lend itself to a triumphant endorsement of¶ capitalism and inequitable and exploitative conditions. San Juan (1995) noted¶ that the cardinal flaw in current instantiations of culturalism lies in its decapitation of discourses of intelligibility from the politics of antagonistic relations.¶He framed the question quite pointedly: “In a society stratified by uneven¶ property relations, by asymmetrical allocation of resources and of power, can¶ there be equality of cultures and genuine toleration of differences?” (pp. 232-¶ 233).

#### The affirmative’s victimizing rhetoric disables agency and enables neoliberal consumerism and surveillance of society. The inability to claim right to victimhood destroys the ability to speak

Dean 2009 [jodi, professor of political science received ph.d., columbia, m.a., columbia,b.a., princeton, democracy and other neoliberal fantasies communicative capitalism & left politics duke university press durham & london 2009 p 5-7

The position of victim (rather than victor) grows out of a prominent strain of contemporary American politics, namely, the rights discourse associated with movements for civil rights, women's rights, and the rights of sexual minorities.7 Although often linked to left political correctness, speaking as a victim is at odds with the long history of the labor movement as well as with the politics of the new left. One need but recall a whole series of claims to power: "Black power;' "Sisterhood is powerful," "we're here; we're queer; get used to it;' "Power to the people:' Reducing political speech to testimony to the suffering of victims inverts these claims to power and subverts the movements' activist spirit. Shrinking the scope of political claims to those of victims needing recognition and redress also traps claimants in a double bind: to speak at all they have to demonstrate how they are harmed and vulnerable, how they are weak, inadequate, or suffering. They must speak as those who have lost, those who are losers.9 One who feels the political impulse to struggle, who is ready for a fight against injustice, is not injured enough to speak. For many leftists, the attraction of the position of the victim is thus double: one is always morally correct-for who can deny the suffering of the victim?-and never politically responsible-for victims are too weak and injured to govern. The language of victimization thrives in a variety of discursive habitats, not just those on the left. To take one example, some Christian evangelicals and fundamentalists speak as victims. They take nails for Christ as they endure the temptations of secular society. Identifying as victims enables these Christians to present themselves as a persecuted religiOUS minority (as if the majority of American citizens were not Christian as if the U.S. Constitution did not protect religious freedom). Accompanying the presumed weakness of the victim is a taste for cruelty. In the United States, claims for the rights of victims have stimulated increases in the brutality of the criminal justice system. Families of victims demand ever harsher penalties in the name of achieving "closure:' IO The criminal as the singular locus and cause of the monstrous injustice suffered by the victim is a necessary component of this demand (which, in chapter 2, 1 consider in light of the fantasy of free trade). Neoliberalism's inevitable losses are displaced from systematic problems in need of collective solutions and concentrated onto the fantastic image of the individual criminal to be imprisoned, punished, tortured, and killed. Communicative capitalism's consumerism, personalization, and therapeutization create ideal discursive habitats for the thriving of the victim identity. One might think here of gated communities (for huge houses with loads of closet space), surveillance cameras (I need to be sure that I'm safe), global positioning systems (where am I, anyway?), and RFID tags (no child left behind) as well as mini-furors over tainted pet food and ill-constructed toys. Moreover, particularly since leftists adopted the neoliberal language of hostility to regulation, constraining and penalizing corporations has seemed limited to the possibility of locating innocent, aggrieved victims-as if obscene inequities in corporate salaries and benefits weren't themselves criminal. Innumerable foundations organized around health and disease likewise struggle on behalf of victims, trying to secure ever-intangible "awareness." As Samantha King demonstrates with respect to breast cancer, such foundations form alliances with corporations engaged in cause-related marketing to reconfigure political action as consumption, volunteerism, and fundraising. 11 Finally, since September 11, 2001, the entirety of the population of the United States has seemingly acquired the right to speak as victims, as violated, as aggrieved, and therefore as fundamentally nonresponsible for violence enacted in our name. The American left has done little to challenge the hegemony of the victim. Instead, we have embraced and encouraged the current condition wherein those who don't speak as victims lack standing. The trap is deadly: those who don't speak as victims aren't supposed to complain *(they are privileged; what do they have to gripe about? what do they know of suffering?)* and the political trajectory that follows from the complaints of victims enhances surveillance and control, policing and security. Precisely because the victim-security matrix is so tightly structured, the left is either left out of the current matrix or doomed to reinforce it.

#### Modern capitalism ensures that Differentiations exist between the ontological *worlds* of identity politics. These differentiations are central to violence and extermination and necessitate unending war. The alternatives presupposition of ethical equality is a prerequisite to dealing with zones of sacrifice like debate

Balibar, 2001 (Etienne, Emeritus Prof. of Philosophy @ U. of Paris X Nanterre and U. of Cal., Irvine, “Outlines of a Topography of Cruelty: Citizenship and Civility in the Era of Global Violence,” Constellations, Vol. 8.1)

this paper is based on a talk which I was asked to deliver in November 1999 for the opening of the Graduate Course in Humanitarian Action at the University of Geneva.2 This will explain why the issues of citizenship and segregation, asylum and migration, mass poverty and genocides in the globalized world order will play a central role in this discussion. These are to me the crucial “cosmopo- litical” issues which we should try to locate and connect if we want to understand how and why democratic citizenship in today’s world cannot be separated from an invention of concrete forms and strategies of civility.¶I shall focus on two sets of problems. The first is typically European. I am thinking of the negative counterpart of the post-national integration and introduc- tion of “European Citizenship,” which is not only a revival of so-called “commu- nitarian” demands and “identity politics,” but above all a development of quasi-Apartheid social structures and institutions. This forms a contradictory pattern, which in many respects is now becoming highly unstable. The second set of problems is global: it appears as a systematic use of various forms of extreme violence and mass insecurity to prevent collective movements of emancipation that aim at transforming the structures of domination. For this reason – and also with the pattern of state-construction that Thomas Hobbes once described in the Leviathan as preventive counter-violence in mind – I shall not hesitate to speak of a politics of global preventive counter-revolution or counter-insurrection. But from another angle this “politics” is really anti-political, since in a nihilistic way it leads to suppressing the very conditions of building a polity. Instead, we witness the joint development of various sorts of wars and a kind of “humanitarian” action or intervention, which in many cases becomes an instrument in the service of precisely those powers who created the distress. Not by chance, in these two sets of problems the traditional institution of borders, which I think can be defined in the modern era as a “sovereign” or non-democratic condition of democracy itself, mainly works as an instrument of security controls, social segregation, and unequal access to the means of existence, and sometimes as an institutional distri- bution of survival and death: it becomes a cornerstone of institutional violence. This explains in advance why I shall insist on the democratization of borders, not only as their opening (and perhaps least of all as their generalized abolition, which in many cases would simply lead to a renewed war of all against all in the form of wild competition among economic forces), but above all as a multilateral, negotiated control of their working by the populations themselves (including, of course, migrant populations). Perhaps new representative institutions should be set up in this regard which are not merely “territorial” and certainly not purely national. This is part of what I would call a “cosmopolitics of human rights,” where citizenship and civility are closely associated.¶Before giving more detail about the two sets of concrete problems I want to deal with here, I think that we need some philosophical instruments to place them in the broader perspective of a reflection on the relationship between human rights and politics. It is widely accepted – and I share this view to a large extent – that here Hannah Arendt’s work provides a necessary starting point. Allow me a few considerations on what we can draw from her. In her discussion of imperialism in The Origins of Totalitarianism she addresses the question of “stateless” popula- tions, deprived of any civil and civic rights, which had been immensely increased in Europe (and elsewhere) after the two world wars.3 In so doing, she inverts the perspective of political philosophy in a double manner.¶First, she reinstalls – right in the middle of debates about citizenship and polit- ical regimes – forms of exclusion and situations of extreme violence where the survival of humans, as mere representatives of the species, is threatened. She did not want only to assert a humanistic criterion with a view to doing justice, but to show that it is only through the discovery of a solution for such situations that we can find a new foundation for the public sphere, where collective political action (or praxis) takes place, and not only the management of population movements and policing of social conflicts. In a very similar way, the French philosopher Jacques Rancière more recently argued that, since the very origins of democracy, the measure of equal liberty for all in the political realm was based on “la part des sans part,” i.e., giving a fair share to those who hold no share in the common- wealth, or the political recognition of the have-nots. In other words, this would mean an active transformation of exclusion processes into processes of inclusion of the discriminated categories into the “city” or the “polity.”4 This is exactly what isonomia in Greek cities was about. In this respect, “politics” in the strong sense becomes inseparable from “permanent revolution,” a notion that Hannah Arendt might have inherited from Rosa Luxemburg.¶From this perspective, the juridical form of equal liberty is clearly not elimi- nated. But it has to be reworked completely. With respect to the principles of modern humanism-universalism, a notion of “persons without rights” is a contra- diction in terms, since de jure nobody is without rights, not even children or the handicapped. But if we view positively, for instance, such claims as those of prop- ertyless peasants in Brazil, whose motto is “justice for the rightless” when they demand that paramilitary forces who kill and terrorize the poor be tried and condemned, or those of migrant workers in France who protest against their being denied official documents by asking for a “droit de cité pour les sans papiers” (legal residence for the undocumented), we can view these demands based on resistance and the refusal of violence as partial but direct expressions of the process of the creation of rights, a dynamic which allows the political constitution to become recognized as “popular sovereignty” or democracy.¶ This is one aspect of the lessons we can draw from Arendt’s reflections on citi- zenship, but there is another which in a sense is even more relevant today. I am thinking of the famous argument showing that the history of nation-states has produced a reversal of the traditional relationship between “human rights” and “political rights” (or droits de l’homme and droits du citoyen) since they evolved from the originary democratic national revolutions to the generalization of inter- national conflicts and the development of imperialism. Human rights in general can no longer be considered a mere prerequisite and an abstract foundation for political rights that are set up and preserved within the limits of a given national and sovereign state, but neither can they be considered to set a limit to the domi- nation of the political over the juridical; it has become the opposite, as the tragic experiences of imperialism and totalitarianism in the twentieth century made manifest. We discovered that political rights, the actual granting and conditions of equal citizenship, were the true basis for a recognition and definition of “human rights” – to begin with, the most elementary ones concerning survival, naked life. Giving a new, “unpolitical” meaning to the zôonpolitikon itself, those who were not citizens of some state, who were “citizens of nowhere in the world,” were no longer practically recognized and treated as humans. When the positive institu- tional rights of the citizen are destroyed – e.g., when, in a given historical context where citizenship and nationhood are closely associated, individuals and groups are chased out of their national belonging or simply put in the situation of an oppressed national “minority” – the basic rights which are supposed to be “natural” or “universally human” are threatened and destroyed: we witness forms of extreme violence, creating a distinction between so-called Untermenschen (subhumans) and “humans” believed to be supermen, Übermenschen. This is by no means a contingent phenomenon; it results from an irreversible process that has become common in contemporary politics. It imposes upon democracy the immediate task of a renewed foundation. The very essence of politics is at stake, since politics is not a mere “superstructure” above the social and natural condi- tions of life, communication, and culture. The true concept of politics already concerns the very possibility of a community among humans, establishing a space for encounter, for the expression and dialectical resolution of antagonisms among its various constitutive parts and groups.¶Seen from this angle, the crucial notion suggested by Arendt, that of a “right to have rights,” does not feature a minimal remainder of the political, made of juridi- cal and moral claims to be protected by a constitution; it is much more the idea of a maximum. Or, better said, it refers to the continuous process in which a minimal recognition of the belonging of human beings to the “common” sphere of exis- tence (and therefore also of work, culture, public and private speech, etc.) already involves a totality of rights, and makes it possible. I call this the “insurrectional” element of democracy, which predetermines every constitution of a democratic or republican state. Such a state, by definition, cannot consist (or cannot only consist) of statuses and rights ascribed from above; it requires the direct partici- pation of the demos. I should say that Arendt’s argument clearly recognizes the importance of the egalitarian or insurrectional element constitutive of democratic citizenship, but there is more: what she displays is the dialectical relationship of this element and the politics of civility. This comes from the fact that the radically excluded, those who, being denied citizenship, are also automatically denied the material conditions of life and the recognition of their human dignity, do not provide only a theoretical criterion to evaluate historical institutions against the model of the ideal constitution. They also force us to address the reality of extreme violence in contemporary political societies – nay, in the very heart of their everyday life. This is only a seeming paradox: the limit or the “state of exception” (Schmitt) is noth- ing exceptional. On the contrary, it is “banal”; it permeates the functioning of social and political systems which claim or believe themselves to be “democra- tic.” It is both an instrument for the continuity of their vested interests in power, and a permanent threat to their vitality. This is why we should not consider the choice between access to and denial of the rights of citizenship – more generally, the possibility and impossibility of an inclusive political order – as a speculative issue. It is a concrete challenge. The (democratic) political order is intrinsically fragile or precarious; if not continuously recreated in a politics of civility, it becomes again a “state of war,” within or across borders.¶We know that Arendt’s argument was based on the experience of a “catastrophe” in European history: Nazism, World War Two, and the racist extermination of European Jews, Gypsies, and other groups. She tried to trace back its “origins” in the evolution of the nation-form towards imperialism, while at the same time carefully remaining aware of its uniqueness. We might summarize her idea by speaking of a deadly circle in which the national constitution of the state had trapped us. The nation-state was at the same time the sole positive or institutional horizon for the recognition of human rights and an “impossible” one, producing the destruction of the universal values it had supported. Now we must ask ourselves whether we are still living and acting in the same conditions. If not, we should ask what the claim of “a right to have rights” could become in today’s politics. This question becomes a burning one when we observe that, although the nation-form has not simply been withering away, the conditions of politics, the economy, and culture, the material distribution of power and the possibilities of controlling it, have become increasingly transnational. “Post- national” state or quasi-state institutions have emerged in the general framework of globalization. The “European Community” is a privileged case of these develop- ments. Let us first reflect on some of the contradictory and worrying aspects of this process, which, seen from another side, holds much promise.¶I take it to be a crucial issue to acknowledge that, along with the development of a formal “European citizenship,” a real “European Apartheid” has emerged. In the long or even the short run, it could obstruct or block the construction of a democra- tic European community. It could therefore block European construction altogether, since there is no real possibility of the supranational community being achieved in an authoritarian way, à la Bismarck, even for the sake of accumulating power or creating a regional power which would be able to match the world’s economic, political, and military superpower. A supranational European community will exist only if, compared with existing national constitutions, it means a democratic surplus for the majority. Let me clarify the issue by asking two symmetrical ques- tions: Why speak of a European Apartheid? Why speak of Apartheid in Europe?¶Why speak of a European “Apartheid”? This cannot be simply the case because foreigners are granted lesser rights (more precisely: some categories of foreigners, mainly immigrant workers and asylum seekers from the East and the South who legally or illegally crossed the frontiers protecting the wealthy “civilization” of Europe, the Balkan region featuring in this respect a kind of combination of both extraneities). There must be something qualitatively new. This is indeed the case with the new developments of the construction of Europe since the 1993 Treaty of Maastricht. In each and every one of the European nation-states, there exist structures of discrimination which command uneven access to citizenship or nationality, particularly those inherited from the colonial past. But the additional fact with the birth of the European Union (coming after a mere European Economic Community) is that a concept of CivisEuropeanus progressively acquires a specific content: new individual and collective rights, which progres- sively become effective (e.g., possibilities to appeal to European Courts against one’s own national administration and system of justice).¶Now the crucial question becomes: new rights for whom? It could be, abstractly speaking, either for the whole population of Europe, or simply for a more limited European people (I am expanding here the dilemma which is now taking place in Germany about the distinction between Volk and Bevölkerung, since this dilemma actually concerns all of Europe and the German controversy is paradigmatic). It proves very difficult and embarrassing to “define” the Euro- pean people as the symbolic, legal, and material basis for the European constituency. Maastricht solved the problem by simply stating that those and only those who already possess citizenship (i.e., are nationals) in one of the constituent national states will automatically be granted European citizenship. But this – which may remind us of debates among the Founding Fathers of the US Consti- tution – already determines an orientation. Given the quantitative and qualitative importance of the immigrant population permanently residing in Europe (what French political scientist Catherine de Wenden has called “the sixteenth member- state”5), it immediately transforms a project of inclusion into a program of exclu- sion which could be summarized by three metamorphoses:¶• from foreigners to aliens (meaning second-class residents who are deemed to be of a different kind);¶ • from protection to discrimination (this is a very sensitive issue, as shown by the Austrian case, but again, with some differences in degree and language, it is a general European problem: since some of the immigrant workers who are deprived of political citizenship enjoy some social rights, i.e., are included in “social citizenship,” it becomes a crucial political issue and an obsession for conservative forces to have them expelled from welfare, social protection, etc. – what the French National Front has called préférencenationale, but precisely because a degree of préférence already exists in the national institutions, it is likely to become a préférenceeuropéenne); and finally,¶ • from cultural difference to racial stigmatization, which is the heart of the creation of the “new racism,” postcolonial and post-national. Why suggest a parallel with South African “Apartheid”? This could only be a useless provocation. . . Should we really suggest that, while Apartheid has offi- cially disappeared in Africa, it is now reappearing in Europe (and perhaps also elsewhere) – a further development in the process of “the Empire striking back” (Paul Gilroy)? We could think of comparisons with other historical cases of insti- tutional racism, for example the US, which we know has never completely forgot- ten the Jim Crow system, and periodically seems to be on the way to recreating it when conservative policy is on the agenda. . . For his part, my German colleague Helmut Dietrich, who has long worked on refugees and migrants on the “Eastern Border” of Europe, particularly the Balkans, spoke of the Hinterland of the new European Reich, etc.¶ Leaving aside the question of how to measure the amount of suffering created by one or another system and focusing instead on the structures, I suggest two complementary reasons at least to borrow lessons from the historical example of Apartheid, i.e., to compare the situation of the regions whence most of the migrants come, in Africa, Asia, or other parts of Europe, with homelands in the South African sense. One is that the position of the important group of workers who “reproduce” their lives on one side of the border and “produce” on the other side, and thus more precisely are neither insiders nor outsiders, or (for many of us) are insiders officially considered outsiders, produces a steady increase in the amount and the violence of “security” controls, which spread everywhere in the society and ramify the borderline throughout the “European” territory, combining modern techniques of identification and recording with good old “racial profil- ing” (contrôle au faciès). This in particular is what the Schengen agreement was about. The second complementary reason is that the existence of migrant families (and their composition, their way of life) has become a true obsession for migra- tion policies and public opinion. Should the alien families be separated or united (that is, reunited)? If so, on which side of the border, which kind of families (traditional, modern), which kind of relatives (parents, children), with what kind of rights, etc.? As I have argued elsewhere, the interference of family politics, more generally a politics of genealogy, with the definition of the national “community” is a crucial structural mode of production of historical racism.6 Of course, this is also true when the national becomes multinational community.¶From all this we might draw the conclusion that a de-segregated Europe, i.e., a democratic Europe, is far from the agenda. Indeed, the situation is much more contradictory, since tendencies point in both directions; we are in the middle of a historical crossroad that is, only partially and reluctantly acknowledged. But I prefer to insist on another idea, which provides me with the necessary transition to the next point, namely the fact that these issues typically illustrate a global-local (“glocal”) problem. The contradictory and evolutionary pattern of “European citi- zenship-cum-Apartheid” (or statutory, ascriptive citizenship) (Rogers Smith) in a sense is a reaction to real and imaginary effects of globalization. In another sense it is a mere projection, albeit with historical specificities, of such effects. I shall now directly address the main issue that I announced, that of the “global counter-insurrection”: not the violence of the border, but the violence without borders or beyond borders.¶Allow me to quote from a recent study of humanitarian action, published by a Swiss expert, Pierre de Senarclens of the University of Lausanne, who rightly insists on the importance of official definitions of contemporary violence and also on the problematic aspects of the justifications they provide for an extension of the scope and meaning of “humanitarian interventions”:¶ In 1981, the United Nations General Assembly adopted a resolution dedicated to a New International Humanitarian Order. . . . Shortly thereafter, the Assembly gave its support to the creation of an independent commission on international humani- tarian questions, which brought together eminent people. . . . The Commission’s 1986 report placed within the humanitarian project the principal political and social challenges of the age, such as environmental degradation, demographic transition, population movements, human rights violations, weapons of mass destruction, North-South polarization, terrorism, and drugs.7¶ He concludes: “We consider humanitarianism as a frame of reference for the iden- tification of important contemporary problems and a formula for their solution.” Later the author shows how, after 1989, the collapse of the Cold War system of “two camps” suppressed the limits which the confrontation between the super- powers had set to political violence, and blurred the borderlines between “war” and “peace”:¶No one foresaw the destruction of the Berlin Wall, the prelude to the swift end of the Cold War. Nor did anyone anticipate the transformations in international struc- tures and the violence that followed. Toward the mid-1990s, we count more than fifty new armed conflicts, essentially civil wars. Certain of these conflicts – in Rwanda, Yugoslavia, Chechnia, or Algeria – astonish by their violence and cruelty, by the extent of the destruction and the population movements they provoke. Inter- national society has never been confronted with so many wars making so many victims in such a short time.8¶ In such conditions, we can incline towards diverging conclusions. Either we think that the multifaceted phenomenon of mass violence and extreme violence has generally replaced politics, including internal and external relationships of forces among states, or we fully take into account the fact that the fields of poli- tics and violence – a violence that seems to lack rational organization, not except- ing self-destruction – are no longer separated; they have progressively permeated one another. It is precisely in such conditions that something called “humanitar- ian action” or “intervention,” both “private” and “public,” has become the neces- sary supplement of politics. I cannot discuss all the aspects of this mutation, but I would like briefly to address three questions which seem to me to have an importance for the concept of politics itself. 1. Are we facing an “unprecedented” spread of extreme violence (or violence of the extremes)?¶I should like to be very careful on this point, which raises a number of discussions ranging from the issue of “old and new wars”9 to the highly sensitive moral ques- tions of why and how to “compare genocides” in history. Perhaps what is unprecedented is basically the new visibility of extreme violence, particularly in the sense that modern techniques of media coverage and broadcasting and the transformation of images – in the end, as we could see for the first time on a grand scale during the Gulf War, of the production of “virtual reality” – transform extreme violence into a show, and display this show simultaneously before a world audience. We also know that the effect of such techniques is, at the same time, to uncover some violent processes, or scenes of horror (truly horrifying, such as hundreds of mutilated children in Angola or Sierra Leone), and to cover up others (equally horrifying, such as babies starving in Baghdad). We suspect that powerful ideological biases are at work when the coverage of extreme violence gives credit to such simple ideas as the political transition from the “equilibrium of terror” during the Cold War to the “competition among victims” through the undifferentiated uses of the legal and moral but hardly political notion of “crimes against humanity.” In the end, we become aware of the fact that talk- ing about and showing the images of everyday horror produces, particularly in the relatively wealthy and protected regions of humanity, a very ambivalent effect: raising compassion but also disgust, reinforcing the idea that humankind as such is really divided into qualitatively different cultures or civilizations, which, according to one political scientist, can only lead to a “clash” among them.¶I am aware of all these difficulties, but I would maintain that a reality lies behind the notion of something “unprecedented.” Perhaps it is simply the fact that a number of heterogeneous methods or processes of extermination (by which I mean eliminating masses of individuals inasmuch as they belong to objective or subjective groups) have themselves become “globalized,” i.e., operate in a simi- lar manner everywhere in the world at the same time, and so progressively form a “chain,” giving full reality to what E.P. Thompson anticipated 20 years ago with the name “exterminism.”10 In this series of connected processes, we must include, precisely because they are heterogeneous – they do not have one and the same “cause,” but they produce cumulative effects:¶• wars (both “civil” and “foreign,” a distinction which is not easy to draw in many cases – think of Yugoslavia or Chechnya);¶ • communal rioting, with ethnic and/or religious ideologies of “cleansing”;¶ • famines and other kinds of “absolute” poverty produced by the ruin of tradi-¶ tional or non-traditional economies;¶ • seemingly “natural” catastrophes which in fact are killing on a mass scale¶ because they are overdetermined by social, economic, and political structures, such as pandemics (think of the difference in the distribution of AIDS and the possibilities of treatment between Europe and Northern America on one side, and Africa and some parts of Asia on the other), draught, floods, or earthquakes in the absence of developed civil protection. . .¶ In the end it would be my suggestion that the “gobalization” of various kinds of extreme violence has produced a tendential division of the “globalized” world into life-zones and death-zones. Between these zones (which indeed are intricate, frequently reproduced within the boundaries of a single country or city) there exists a decisive and fragile superborder, which raises fears and concerns about the unity and division of mankind – something like a global and local “enmity line,” like the “amity line” which existed in the beginning of the modern Euro- pean seizure of the world.11 It is this superborder, this enmity line, that becomes at the same time an object of permanent show and a hot place for intervention. But also for nonintervention. We might consider whether the most worrying aspect of present international politics is “humanitarian intervention” or “gener- alized non-intervention,” or one coming after the other. . .¶ 2. Should we consider that extreme violence is “rational” or “functional” from the point of view of market capitalism (“liberal economics”)?¶This is a very difficult question – in fact, I think it is the most difficult question – but it cannot be avoided. Again, we should warn against a paralogism that is only too obvious but nonetheless frequent: that of mistaking consequences for goals or purposes. (But is it really possible to discuss social systems in terms of purposes? On the other hand, can we avoid reflecting on the immanent ends of a given structure, such as capitalism, or its “logic”?) It seems to me, very schematically, that the difficulty arises from the two opposite “global effects” which derive from the emergence of a chain of mass violence – as compared, for example, with what Marx called primitive accumulation when he described the creation of the preconditions for capitalist accumulation in terms of violent suppression of the poor.¶One kind of effect is simply to generalize material and moral insecurity for millions of potential workers, i.e., to induce a massive proletarianization or repro- letarianization (a new phase of proletarianization which crucially involves a return of many to the proletarian condition which they had more or less escaped, given that insecurity is precisely the heart of the “proletarian condition”). This process is contemporary with an increased mobility of capital and also humans, and so it takes place across borders. But, seen historically, it can also be distrib- uted among several political varieties:¶• in the “North,” it involves a partial or deep dismantling of the social policies and the institutions of social citizenship created by the welfare state, what I call the “national social state,” and therefore also a violent transition from welfare to workfare, from the social state to the penal state (the US showing the way in this respect, as has been convincingly argued by Loïc Wacquant12);¶ • in the “South,” it involves destroying and inverting the “developmental” programs and policies, which admittedly did not suffice to produce “take-off,” but indicated a way to resist impoverishment;¶ • in the “semi-periphery,” to borrow Wallerstein’s category, it was connected with the collapse of the dictatorial structure called “real existing socialism,” which was based on scarcity and corruption, but again kept the polarization of riches and poverty within certain limits.¶ Let me suggest that a common formal feature of all these processes that result in the reproletarianization of the labor-force is the fact that they suppress or mini- mize the forms and possibilities of representation of the subaltern within the state apparatus itself, or, if you prefer, the possibilities of more or less effective counter-power. With this remark I want to emphasize the political aspect of processes which, in the first instance, seem to be mainly “economic.”

#### This debate is about competing methodologies. The question at the end of the debate is whose ethical orientation best catalyzes political organization against Capital. Vote negative to affirm the Communist Hypothesis as a prerequisite to political or personal calculations, which ensure that discussions in debate continue to operate from within a broader framework of capitalistic competition

Badiou 2009 (Alain, Prof. @ European Graduate … ,*The Meaning of Sarkozy*, pgs. 97-103 bb)

I would like to situate the Sarkozy episode, which is not an impressive page in French history, in a broader horizon. Let us picture a kind of Hegelian fresco of recent world history - by which I do not, like our journalists, mean the triad Mitterrand-Chirac-Sarkozy, but rather the development of the politics of working-class and popular emancipation over nearly two centuries.¶Since the French Revolution and its gradually universal echo, since the most radically egalitarian developments of that revolution, the decrees of Robespierre's Committee of Public Safety on the 'maximum' and Babeuf's theoriza­ tions, we know (when I say 'we', I mean humanity in the abstract, and the knowledge in question is universally available on the paths of emancipation) that communum u the right hypothuu. Indeed, there is no other, or at least I am not aware of one. All those who abandon this hypothesis immediately resign themselves to the market economy, to parliamentary democracy - the form of state suited to capitalism - and to the inevitable and 'natural' character of the most monstrous inequalities.¶What do we mean by 'communism'? As Marx argued in the 1844ManUJcriptJ, communism is an idea regarding the destiny of the human species. This use of the word must be completely distinguished from the meaning of the adjective 'communist' that is so worn-out today, in such expressions as 'communist parties', 'communist states' or 'communist world' - never mind that 'communist state' is an oxymoron, to which the obscure coinage 'socialist state' has wisely been preferred. Even if, as we shall see, these uses of the word belong to a time when the hypothesis was still coming-to-be.¶In its generic sense, 'communist' means first of all, in a negative sense - as we can read in its canonical text The CommunutManijeJto - that the logic of classes, ofthefunda­ mental subordination of people who actually work for a dominant class, can be overcome. This arrangement, which has been that of history ever since antiquity, is not ipevitable. Consequently, the oligarchic power of those who possess wealth and organize its circulation, crystallized in the might of states, is not inescapable. The communist hypothesis is that a different collective organization is practicable, one that will eliminate the inequality ofwealth and even the division of labour: every individual will be a 'multi-purpose worker', and in particular people will circulate between manual and intellectual work, as well as between town and country. The private appropriation of monstrous fortunes and their transmission by inheritance will disappear. The existence of a coercive state separate from civil society, with its military and police, will no longer seem a self-evident necessity. There will be, Marx tells us - and he saw this point as his major contribution - after a brief sequence of 'proletarian dictatorship' charged with destroying the remains of the old world, a long sequence of reorganization on the basis of a 'free association' of producers and creators, which will make possible a 'with­ ering away' of the state.¶'Communism' as such only denotes this very general set of intellectual representations. This set is the horizon of any initiative, however local and limited in time it may be, that breaks with the order of established opinions - the necessity of inequalities and the state instrument for protect­ ing these - and composes a fragment of a politics of emancipation. In other words, communism is what Kant called an 'Idea', with a regulatory function, rather than a programme. It is absurd to characterize communist principles in the sense I have defined them here as utopian, as is so often done. They are intellectual patterns, always actualized in a different fashion, that serve to produce lines of demarcation between different forms of politics. By and large, a particular political sequence is either compatible with these principles or opposed to them, in which case it is reactionary. 'Communism', in this sense, is a heuristic hypothesis that is very frequently used in political argument,¶even if the word itself does not appear. If it is still true, as Sartre said, that 'every anti-communist is a swine', it is because any political sequence that, in its principles or lack of them, stands in formal contradiction with the communist hypothesis in its generic sense, has to be judged as opposed¶ to the emancipation of the whole of humanity, and thus to the properly human destiny of humanity. Whoever does not illuminate the coming-to-be of humanity with the communist hypothesis - whatever words they use, as such words matter little - reduces humanity, as far as its collective becoming is concerned, to animality. As we know, the contemporary - that is, the capitalist name of this animality - is 'competition'. The war dictated by self-interest, and nothing more.¶As a pure Idea of equality, the communist hypothesis has no doubt existed in a practical state since the beginnings of the existence of the state. As soon as mass action opposes state coercion in the name of egalitarian justice, we have the appearance of rudiments or fragments of the communist hypothesis. This is why, in a pamphlet titled De l'uJeologie, which I wrote in collaboration with the late lamented Fran<;oisBalmes and was published in 1976, we proposed to identifY 'communist invariants'.2 Popular revolts, such as that of the slaves led by Spartacus, or that of the German peasants led by Thomas Munzer, are examples of this practical existence of communist invariants.¶ However, in the explicit form that it was given by certain thinkers and activists of the French Revolution, the commu­ nist hypothesis inaugurates political modernity. It was this that laid low the mental structures of the ancien regime, yet without being tied to those 'democratic' political forms that the bourgeoisie would make the instrument for its own pursuit of power. This point is essential: from the beginning, the communist hypothesis in no way coincided with the 'democratic' hypothesis that would lead to present-day parliamentarism. It subsumes a different history and different events. What seems important and creative when illuminated by the communist hypothesis is different in kind from what bourgeois-democratic historiography selects. That is indeed why Marx, giving materialist foundations to the first effective great sequence of the modern politics of emancipation, both took over the word 'communism' and distanced himself from any kind of democratic 'politicism' by maintaining, after the lesson of the Paris Commune, that the bourgeois state, no matter how democratic, must be destroyed.¶Well, I leave it to you to judge what is important or not, to judge the points whose consequences you choose to assume against the horizon of the communist hypothesis. Once again, it is the right hypothesis, and we can appeal to its principles, whatever the declensions or variations that these undergo in different contexts.¶Sartre said in an interview, which I paraphrase: If the communist hypothesis is not right, if it is not practicable, well, that means that humanity is not a thing in itself, not very different from ants or termites. What did he mean by that? If competition, the 'free market', the sum of little pleasures, and the walls that protect you from the desire of the weak, are the alpha and omega of all collective and private existence, then the human animal is not worth a cent.¶And it is this worthlessness to which Bush with his aggressive conservatism and crusader spirit, Blair the Pious with his militarist rhetoric, and Sarkozy with his 'work, family, country' discipline, want to reduce the existence of the immense majority of living individuals. And the 'Left' is still worse, simply juxtaposing to this vacant violence a vague spirit of charity. To morbid competItIOn, the pasteboard¶ victories of daddy's boys and girls, the ridiculous supermen¶ of unleashed finance, the coked-up heroes of the planetary¶ stock exchange, this Left can only oppose the same actors¶ with a bit of social politeness, a little walnut oil in the wheels,¶crumbs of holy wafer for the disinherited - in other words,¶ borrowing from Nietzsche, the bloodless figure of the 'last man,.¶ To put an end once and for all to May '68 means agreeing that our only choice is between the hereditary nihilism of finance and social piety. It not only means accepting that communism collapsed in the Soviet Union, not only acknowledging that the PartiCommuniste Fran<;ais has been wretchedly defeated, but also and above all it means abandoning the hypothesis that May '68 was a militant invention precisely aware ofthe failure ofstate 'communism'. And thus that May '68, and still more so the five years that followed, inaugurated a new sequence for the genuine communist hypothesis, one that always keeps its distance from the state. Certainly, no one could say where all this might lead, but we knew in any case that what was at stake was the rebirth of this hypothesis.¶If the thing that Sarkozy is the name of succeeds in imposing the necessity of abandoning any idea of a rebirth of this kind, if human society is a collection of individuals pursuing their self-interest, if this is the eternal reality, then it is certain that the philosopher can and must abandon the human animal to its sad destiny.¶ But we shall not let a triumphant Sarkozy dictate the meaning of our existence, or the tasks of philosophy. For what we are witnessing in no way imposes such a renunciation of the communist hypothesis, but simply a consideration of the moment at which we find ourselves in the history of this hypothesis.

#### This round is key – every act of discussion must be understoo0d as a point of metaphoric condensation for Communism. Voting negative means the assuming with full ethical force that the battle is already won.

**BADIOU2010** [ALAIN, The Communist Hypothesis Translated by David Macey and Steve Corcoran 2010 p 252-257

Let's recapitulate as simply as possible. A truth is the political real. History, even as a reservoir of proper names, is a symbolic place. The ideological operation of the Idea of communism is the imaginary projection of the political real into the symbolic fiction of History, including in its guise as a representation of the action of innumerable masses via the One of a proper name. The role of this Idea is to support the individual's incorporation into the discipline of a truth procedure, to authorize the individual, in his or her own eyes, to go beyond the Statist constraints of mere survival by becoming a part of the body-of-truth, or the subjectivizable body. We will now ask: why is it necessary to resort to this ambiguous operation? Why do the event and its consequences also have to be exposed in the guise of a fact - often a violent one that IS accompanied by different versions of the 'cult of personality'? What is the reason for this historical appropriation of emancipatory politics? The simplest reason is that ordinary history, the history of individual lives, is confined within the State. The history of a life, with neither decision nor choice, is in itself a part of the history of the State, whose conventional mediations are the family, work, the homeland, property, religion, customs and so forth. The heroic, but individual, projection of an exception to all the above - as is a truth procedure - also aims at being shared with everyone else; it aims to show itself to be not only an exception but also a possibility that everyone can share from now on. And that is one of the Idea's functions: to project the exception into the ordinary life of individuals, to fill what merely exists with a certain mea'mre of the extraordinary. To convince my own immediate circle - husband or wife, neighbours and friends, colleagues - that the fantastic exception of truths in the making also exists, that we are not doomed to lives programmed by the constraints of the State. Naturally, in the final analysis, only the raw, or militant, experience of the truth procedure will compel one person or another's entry into the bodyoftruth. But to take him or her to the place where this experience is to be found - to make him or her a spectator of, and therefore partly a participant in, what is important for a truth the mediation of the Idea, the sharing of the Idea, are almost always required. The Idea of communism (regardless of what name it might otherwise be given, which hardly matters: no Idea is definable by its name) is what enables a truth procedure to be spoken in the impure language of the State and thereby for the lines of force by virtue of which the State prescribes what is possible and what i s impossible to be shifted for a time. In this view of things, the most ordinary action is to take someone to a real political meeting, far from their home, far from their predetermined existential parameters, in a hostel of workers from Mali, for example, or at the gates of a factory. Once they have come to the place where politics is occurring, they will make a decision about whether to incorporate or withdraw.But in order for them to come to that place, the Idea and for two centuries, or perhaps since Plato, it has been the Idea of communism - must have already shifted them in the order of representations, of History and of the State. The symbol must imaginarily come to the aid of the creative flight from the real. Allegorical facts must ideologize and historicize the fragility of truth. A banal yet crucial discussion with four workers and a student in an ill-lit room must momentarily be enlarged to the dimensions of Communism and thus be both what it is and what it will have been as a moment in the local construction of the True. Through the enlargement of the symbol, it must become visible that 'just ideas' come from this practically invisible practice.The fiveperson meeting in an out-of-the-way suburb must be eternal in the very expression of its precariousness. That is why the real must be exposed in a fictional structure.

#### We must have the courage to reinvent and remain faith to the idea of communism. The world of the status quo is not necessary and should be abolished. This radical starting point is good enough to create possibilities for new politics

**BADIOU2010** [ALAIN, The Communist Hypothesis Translated by David Macey and Steve Corcoran 2010 p 62-67

Having closed that parenthesis, we can say that we are still struggling with the difficult questions raised by May '68. We are the contemporaries of '68 from the point of view of politics, the definition of politics, and the organized future of politics. I therefore use the word 'contemporary' in the strongest possible sense. Of course, the world has changed, and of course categories have changed. The categories 'student th" k ' d " h' you , workers an peasants now mean sometlng different, and the union and party organizations of those days are now in ruins. But we have the same problem, and are the contemporaries of the problem revealed by May '68: the classical figure of the politics of emancipation was ineffective. Those of us who were politically active in the 1 960s and 1970s did not need the collapse of the USSR to teach us that. Countless new things have been experimented with, tried out and tested both in theory and in the practices that are dialectically bound up with it. And it still goes on thanks to the energy of a handful of activists, intellectuals and workers - and no distinction is made between them - who appear to be working in isolation. They are the guardians of the future and they are inventing the future. But it cannot be said that the problem has been resolved: what new forms of political organization are needed to handle political antagonisms? As in science, until such time as the problem has not been resolved, you have all sorts of discoveries stimulated by the search for a solution. Sometimes, and for the same reason, whole new theories see the light of day, but the problem itself is still there. We can define our contemporaneity with May '68 in similar terms. It is another way of talking about our fidelity to May '68. The decisive issue is the need to cling to the historical hypothesis of a world that has been freed from the law of profit and private interest - even while we are, at the level of intellectual representations, still prisoners of the conviction that we cannot do away with it, that this is the way of the world, and that no politics of emancipation is possible. That is what I propose to call the communist hypothesis. It is in fact mainly negative, as it is safer and more important to say that the existing world is not necessary than it is to say, when we have nothing to go on, that a different world is possible. This is a question of modal logic: how, in political terms, can we move from non-necessity to possibility?Because quite simply, if we accept the inevitability of the unbridled capitalist economy and the parliamentary politics that supports it, then we quite simply cannot see the other possibilities that are inherent in the situation in which we find ourselves. Second, we have to try to retain the words of our language, even though we no longer dare to say them out loud. In '68, these were the words that were used by everyone. Now they tell us: 'The world has changed, so you can no longer use those words, and you know that it WIL'S the language of illusions and terror.' 'Oh yes, we can! And we must!' The problem is still there, and that means that we must be able to pronounce those words. It is up to us to criticise them, and to give them a new meaning. We must be able to go on saying 'people', 'workers', 'abolition of private property', and so on, without being considered has-beens, and without considering ourselves as has-beens. We have to discuss these words in our own field, in our own camp. We have to put an end to the linguistic terrorism that delivers us into the hands of our enemies. Giving up on the language issue, and accepting the terror that subjectively forbids us to pronounce words that offend dominant sensibilities, is an intolerable form of oppression. And finally, we have to realize that all politics is organized, and that the most difficult question is probably that of what type of organization we need. We can resolve it through the multifaceted experiments that begin in '68. For the classic party dispositif, and its social supports, the most important 'battles' were in fact electoral battles, and that is a doctrine that has given all it can give. It is worn out and no longer works, despite the great things it was able to achieve or promote between 1900 and 1960. We have to discuss our fidelity to May '68 on two levels. At the ideological and historical level, we should draw up our own balance sheet for the twentieth century, so that we can reformulate the emancipation hypothesis in contemporary terms, now that the socialist states have failed. And we also know that new local experiments and political battles are going on, and that they will provide the backdrop that will create these new forms of organization. This combination of complex ideological and historical work, and theoretical and practical data about new forms of political organization, is the defining feature of our times. I would readily describe this as the era of the reformulation of the communist hypothesis. Then what is the virtue that means most to us? You know that the revolutionaries of 1 792-94 used the word 'virtue'. Saint-Just asked the crucial question: 'What do those who want neither virtue nor terror want?' His answer was that they wanted corruption. And that indeed is what today's world asks of us: to accept the wholesale corruption of minds under the yoke of commodities and money. The main political virtue we need to fight that now is courage. Not only courage when we face the police - though we will certainly find that - but the courage to defend and practice our ideas and principles, to say what we think, what we want, and what we are doing.To put it in a nutshell: we have to be bold enough to have an idea.A great idea.We have to convince ourselves that there is nothing ridiculous or criminal about having a great idea. The world of global and arrogant capitalism in which we live is taking us back to the 1840s and the birth of capitalism. Its imperative, as formulated by Guizot, was: 'Get rich!' We can translate that as 'Live without an idea!' We have to say that we cannot live without an idea. We have to say: 'Have the courage to support the idea, and it can only be the communist idea in its generic sense.' That is why we must remain the contemporaries of May '68. In its own way, it tells us that living without an idea is intolerable. And then a long and terrible resignation set in. Too many people now think that there is no alternative to living for oneself, for one's own interests. Let us have the courage to cut ourselves off from such people. I am a philosopher, so let me tell you something that has been said again and again since Plato's day. It is very simple. I am telling you as a philosopher that we have to live with an idea, and that what deserves to be called a real politics begins with that conviction.

## 2NC

### Kovel

#### Capitalism structures uneven development – difference exists but capitalism structures how those things take shape

Kovel, 2002 [Joel Kovel**,** Alger Hiss Prof. At Bard, 2002 The Enemy of Nature, Zed Books, p. 123-125]

If, however we ask the question of efficacy, that is, which split sets the others into motion, then priority would have to be given to class, for the plain reason that class relations entail the state as an instrument of enforcement and control, and it is the state that shapes and organizes the splits that appear in human ecosystems. Thus class is both logically and historically distinct from other forms of exclusion (hence we should not talk of ‘classism’ to go along with ‘sexism’ and ‘racism,’ and ‘species-ism’). This is, first of all, because class is an essentially [hu]man-made category, without root in even a mystified biology. We cannot imagine a human world without gender distinctions although we can imagine a world without domination by gender. But a world without class is eminently imaginable — indeed, such was the human world for the great majority of our species’ time on earth, during all of which considerable fuss was made over gender. Historically, the difference arises because ‘class’ signifies one side of a larger figure that includes a state apparatus whose conquests and regulations create races and shape gender relations. Thus there will be no true resolution of racism so long as class society stands, inasmuch as a racially oppressed society implies the activities of a class-defending state.’0 Nor can gender inequality be enacted away so long as class society, with its state, demands the super-exploitation of woman’s labour. Class society continually generates gender, racial, ethnic oppressions and the like, which take on a life of their own, as well as profoundly affecting the concrete relations of class itself. It follows that class politics must be fought out in terms of all the active forms of social splitting. It is the management of these divisions that keeps state society functional.

### O/V

#### Our ethico-political obligation is to assume responsibility for our actions. Capitalism render’s violence anonymous and ensures that the personal focus never come to terms with that—our epitstemological position is a PREREQUISITE to understanding the full extent of accessibility concerns.

Slavoj Zizek and Glyn Daly, Senior Lecturer in Politics in the Faculty of Arts and Social Sciences at University College, Northampton, 2004, Conversations With Zizek, p. 14-16

For Zizek it is imperative that we cut through this Gord­ian knot of postmodern protocol and recognize that our ethico-political responsibility is to confront the constitutive violence of today’s global capitalism and its obscene naturalization/anonymization of the millions who are subju­gated by it throughout the world. Against the standardized positions of postmodern culture — with all its pieties con­cerning ‘multiculturalist’ etiquette — Zizek is arguing for a politics that might be called ‘radically incorrect’ in the sense that it breaks with these types of positions and focuses instead on the very organizing principles of today’s social reality: the principles of global liberal capitalism. This requires some care and subtlety. For far too long, Marxism has been bedevilled by an almost fetishistic economism that has tended towards political mor­bidity. With the likes of Hilferding and Gramsci, and more recently Laclau and Mouffe, crucial theoretical advances have been made that enable the transcendence of all forms of economism. In this new context, however, Zizek argues that the problem that now presents itself is almost that of the opposite fetish. That is to say, the prohibitive anxieties surrounding the taboo of economism can function as a way of not engaging with economic reality and as a way of im­plicitly accepting the latter as a basic horizon of existence. In an ironic Freudian-Lacanian twist, the fear of economism can end up reinforcing a de facto economic necessity in respect of contemporary capitalism (i.e. the initial prohibi­tion conjures up the very thing it fears). This is not to endorse any kind of retrograde return to economism. Zizek’s point is rather that in rejecting economismwe should not lose sight of the systemic power of capital in shaping the lives and destinies of humanity and our very sense of the possible. In particular we should not overlook Marx’s central insight thatin order to create a uni­versal global system the forces of capitalism seek to conceal the politico-discursive violence of its constructionthrough a kind of gentrification of that system. What is persistently denied by neo-liberals such as Rorty (1989) and Fukuyama (1992) is thatthe gentrification of global liberal capitalism is one whose ‘universalism’ fundamentally reproduces and depends upon a disavowed violence that excludes vast sectors of the world’s population. In this way, neo-liberal ideology attempts to naturalize capitalism by presenting its out­comes of winning and losing as if they were simply a matter of chance and sound judgement in a neutral marketplace. Capitalism does indeed create a space for a certain diver­sity, at least for the central capitalist regions, but it is neither neutral nor ideal and its price in terms of social exclusion is exorbitant. That is to say, the human cost in terms of inherent global poverty and degraded ‘life-chances’ cannot be calculated within the existing economic rationale and, in consequence, social exclusion remains mystified and name­less (viz, the patronizing reference to the ‘developing world’. And Zizek’s point is that this mystification is mag­nified through capitalism’s profound capacity to ingest its own excesses and negativity: to redirect (or misdirect) social antagonisms and to absorb them within a culture of differ­ential affirmation. Instead of Bolshevism, the tendency today is towards a kind of political boutiquism that is readily sus­tained by postmodern forms of consumerism and lifestyle. Against thisZizek argues for a new universalism whose primary ethical directive is to confront the fact that our forms of social existence are founded on exclusion on a global scale. While it is perfectly true that universalism can never become Universal (it will always require a hegemonic-par­ticular embodiment in order to have any meaning), what is novel about Zizek’s universalism is that it would not attempt to conceal this fact or to reduce the status of the abject Other to that of a ‘glitch’ in an otherwise sound matrix.

### Knowledge Production

#### The alternative solves 100% of the affirmative without any risk of the particularizing strategy of the affirmative

Bedggood 1999 [David, Saint Jacques: Derrida and the Ghost of Marxism, *Cultural Logic*, ISSN 1097-3087, Volume 2, Number 2, Spring 1999, http://clogic.eserver.org/2-2/bedggood.html

Under capitalism, "**dead labour" is all the accumulated value of past labour owned as capital**. It is owned as the private property of the capitalist class. **Dead labour is therefore the accumulation of past living labour. It is in contradiction with living labour -- the working class that daily produces more value.** Dead labour is in contradiction with living labour because it is used to increase production of use-values only if it realises an exchange-value and creates a profit. This contradiction means that the accumulation of alienated dead labour is at the expense of the consumption of use-values to meet the needs of living labour. Production for profits starves the consumption (and therefore reproduction) of labour-power as a use value. **The contradiction can only be resolved when living labour reclaims its dead labour and frees up its capacity to produce use-values to meet the needs of all. Arising out of these social relations of production, alienation is the "human" condition of capitalism. It represents the "spectre" of past labour that comes back to haunt the bourgeoisie in the form of proletarian revolution**.[19](http://clogic.eserver.org/2-2/bedggood.html#note19)¶ 12. Alienation is the state of being separated from your self. Marx says that **humans live by their labour and by consuming the fruits of their labour, or they die. Therefore to be separated from your labour and its fruits is to be separated or estranged from your self. The "self" which bourgeois intellectuals today mystify as "identity" or "lifestyle" is empty, phoney, because it is not produced through our labour.** Rather our ersatz "self" is passively reconstituted when we consume our alienated labour as reified commodities.[20](http://clogic.eserver.org/2-2/bedggood.html#note20) Instead of seeing that it is our labour that is the value in the "things", these "things" appear to have value in themselves. Social relations of production become inverted as social relations between "things". Marx calls this commodity fetishism. Who we are, and what we are, is therefore the product of what we consume as alienated values. Because our labour and its value is alienated so is everything else. Money is now everything. I am, as Marx says, my hip pocket. I "shop therefore I am".[21](http://clogic.eserver.org/2-2/bedggood.html#note21)¶ 13. At the root of what is rotten about capitalism is the separation of workers from their labour so that they do not control the fruits of their labour. This means that they have lost any control over their lives. The less control they have the more they look for alien forces as the forces which determine their fate, or in desperation they challenge fate by appealing to the irrationality of chance or good luck. Under the grip of alien forces they are incapable of recognising that they are mere projections of their own power. They fail to see that they externalise their power to fate, chance, God etc as alien and outside their control. Is it not surprising that appeals to irrational, supernatural, out-of-world experiences, mysticism, and post-modernism, become alibis for *not* taking control of our-selves? The alienated bourgeois subject staring into the mirror! What the bourgeois fear is what they do not see in the mirror -- the ghost of dead labour that haunts them; yet it will disappear only when living labour re-expropriates its dead labour and abolishes capital in a social revolution. 14. That is why for ideological reactionaries today the spectre is still proletarian "communism". In the language of conservative neo-Hegelians like Fukuyama, it is the totality of the working class essence (forms of which appear as "socialist", environmentalist, religious fundamentalism, etc.) posing a threat to the unique, finite freedom of the bourgeois subject, i.e. capital. Derrida demolishes Fukuyama as an objective idealist incapable of providing a rationale to defend democracy and human rights.[22](http://clogic.eserver.org/2-2/bedggood.html#note22) This because such a "perfect liberal democracy" is in "contradiction" with the real world of the "10 plagues", and cannot therefore persuade anyone that the "end of history" has arrived.[23](http://clogic.eserver.org/2-2/bedggood.html#note23) But more than this, Hegelian idealism is another totalitarian system which has to be rejected along with its cross cousin, dialectical materialism.

### Multiculturalism

#### Liberal Multiculturalism is the status quo – calls for inclusion become consumed by the system to show the good face of capitalism – difference is accepted not because it is different but because difference becomes a part of capitalism – tolerance becomes how the aff is instrumentalized

Dean 2005Jodi Prof. of Political Theory @ Hobart and William Smith College, Zizek Against Democracy. <http://jdeanicite.typepad.com/i_cite/files/zizek_against_democracy_new_version.doc> )

A second argument Zizek employs against multiculturalism concerns the way that multicultural tolerance is part of the same matrix as racist violence. On the one hand, multicultural “respect” for the other is way of asserting the superiority of the multiculturalist.[[1]](#endnote-1) The multiculturalist adopts an emptied out, disembodied perspective toward an embodied, ethnic other. The ethnic other makes the “universal” position of the multiculturalist possible. Not only does this attitude disavow the particularity of the multiculturalist’s own position, but it also repeats the key gesture of global corporate capital: the big corporations will eat up, colonize, exploit, and commodify anything. They aren’t biased. They are empty machines following the logic of Capital. On the other hand, tolerance towards the other “passes imperceptibly into a destructive hatred of all (“fundamentalist”) Others who do not fit into our idea of tolerance—in short, against all *actual* Others.”[[2]](#endnote-2) The idea is that the liberal democrat, or multiculturalist, is against hatred and harassment. Tolerance, then, is tolerance for another who also doesn’t hate or harass, that is, tolerance for an other who is not really so other at all.[[3]](#endnote-3) To this extent, the multicultural position blurs into a kind of racism such that respect is premised on agreement and identity. The other with deep fundamental beliefs, who is invested in a set of unquestionable convictions, whose enjoyment is utterly incomprehensible to me, is not the other of multiculturalism. For Zizek, then, today’s tolerant liberal multiculturalism is “an experience of the Other deprived of its Otherness (the idealized Other who dances fascinating dances and has an ecologically sound holistic approach to reality, while practices like wife-beating remain out of sight . . .).”[[4]](#endnote-4) Just as in Eastern Europe after the fall of communism, so today’s reflexive multicultural tolerance has as its opposite, and thus remains caught in the matrix of, a hard kernel of fundamentalism, of irrational, excessive, enjoyment. The concrete realization of rational inclusion and tolerance coincides with contingent, irrational, violence.

### Accessibility

#### We address the root cause of attendance – economics cut against trending enrollment of black students – the aff does not address the key factor in participation

Robert Longley 9/6/2013 “College Enrollment Declines After Steady Growth”, <http://usgovinfo.about.com/b/2013/09/06/college-enrollment-declines-after-steady-growth.htm>

After six years of substantial and steady growth, U.S. college enrollment has fallen by nearly half a million students in less than a year, according to new report from the U.S. Census Bureau.¶ Statistics from the Census Bureau's School Enrollment: 2012, showed that college enrollment in fall 2012 plunged by 467,000 students compared to fall 2011. The decline, which includes both graduate and undergraduate students, reversed a trend that saw college enrollment soar by 3.2 million students between 2006 and 2011.¶ The report provides an annual look at the characteristics of students enrolled in all levels of schools from nursery to graduate school. Data includes enrollment by age, sex, race, Hispanic origin and country in which the students were born.¶ Also See: Federal Student Aid Primer¶ The greatest decline came among older students, age 25 and older. Their enrollment fell by 419,000, while the enrollment of younger students declined by 48,000.¶ Hispanic Enrollment Increased¶ While college enrollment among white students fell by 1.1 million and black students by 108,000, enrollment of Hispanic college students rose to 3.4 million, up 447,000 between 2011 and 2012. Overall, Hispanics made up almost 22% of all students enrolled in all levels of education from preschool to graduate school in 2012, an increase of nearly 16% since 2002.¶ "This increase in the number of Hispanics enrolled in college can be attributed to the combination of an increase in the adult Hispanic population and their climbing likelihood of being enrolled," said Census Bureau statistician Julie Siebens in a press release.¶ More Diversity on Campus¶ The Census report also reveals the growing diversity among U.S. college students. While the percentage of non-Hispanic white college students fell from 67% to 58% between 2006 and 2012, the percentage of Hispanic students rose from 11% to 17% over the same period and the percentage of black students rose from 14% to 15%.¶ In addition, the percentage of foreign-born students enrolled in preschool through college increased to almost 30% in 2012, up from 28.4% in 2002.¶ The statistics also showed a reduction in the popularity of private schools. The number of students enrolled in private elementary, middle and high schools fell from 4.8 million in 2005, to 4.2 million in 2012.¶ Is it the Rising Cost of College?¶ While the Census Bureau offered no reasons for the declining enrollment in U.S. colleges, it seems only logical that the ever-increasing cost of going to college has played a role.

### Perm

#### The affirmative makes notion of class just another marker like racism, sexism, homophobia, etc. This makes it impossible to access anti-capitalism

Slavoj Zizek, Senior Researcher at the Institute for Social Studies in Ljubljana, 2000, Contingency, Hegemony, Universality, p. 95-97

Let me, then, take a closer look at Laclau’s narrative which runs from Marxist essentialism the proletariat as the universal (lass whose revolu­tionary mission is inscribed into its very social being and thus discernible via ‘objective’ scientific analysis) to the ‘postmodern’ recognition of the contingent, tropological, metaphorico-metonymic, link between a social agent and its ‘task’. Once this contingency is acknowledged, one has to accept that there is no direct, ‘natural’ correlation between an agent’s social position and its tasks in the political struggle, no norm of devel­opment by which to measure exceptions say because of the weak political subjectivity of the bourgeoisie in Russia around 1900, the work­ing class had to accomplish the bourgeois-democratic revolution itself. My first observation here is that while this standard post— modern Leftist narrative of the passage from ‘essentialist’ Marxism with the proletariat as the unique Historical Subject, the privileging of economic class struggle, and so on, to the postmodern irreducible plu­rality of struggles undoubtedly describes an actual historical process, its proponents, as a rule, lease out the resignation at its heart the accept­ance of capitalism as ‘the only game in town’, the renunciation of any real attempt to overcome the existing capitalist liberal regime. This point was already made very precisely in Wendy Brown’s perspicuous observation that ‘the political purchase of contemporary American identity politics would seem to be achieved in part through a certain renaturalization of capitalism’. The crucial question to be asked is thus: to what extent a critique of capitalism is foreclosed by the current con­figuration of oppositional politics, and not simply by the ‘loss of the socialist alternative’ or the ostensible ~triumph of liberalism’ in the global order. In contrast with the Marxist critique of a social whole and Marxist vision of total transformation, to what extent do identity politics require a standard internal to existing society against which to pitch their claims, a standard that not only preserves capitalism from critique, but sustains the invisibility and inarticulateness of class — not incidentally, but endem­ically? Could we have stumbled upon one reason why class is invariably named but rarely theorized or developed in the multiculturalist mantra, ‘race, class, gender, sexuality’?1 One can describe in very precise terms this reduction of class to an entity ‘named but rarely theorized’: one of the great and permanent results of the so-called ‘Western Marxism’ first formulated by the young Lukics is that the class-and-commodity structure of capitalism is not just a phenomenon limited to the particular ‘domain’ of economy, but the structuring principle that overdetermines the social totality, from politics to art and religion. This global dimension of capitalism is sus­pended in today’s multiculturalist progressive politics: its ‘anti-capitalism’ is reduced to the level of how today’s capitalism breeds sexist/racist oppression, and so on. Marx claimed that in the series production—distribution —exchange—consumption, the term ‘production’ is doubly inscribed: it is simultaneously one of the terms in the series and the structuring principle of the entire series. In production as one of the terms of the series, production (as the structuring principle) ‘encounters itself in its oppositional determination’,’2 as Marx put it, using the pre­cise Hegelian term. And the same goes for the postmodern political series class—gender—race…: in class as one of the terms in the series of particular struggles, class qua structuring principle of the social totality encounters itself in its oppositional determination’.3 In so far as post­modern politics promotes, in effect, a kind of ‘politicization of the economy’, is not this politicization similar to the way our supermarkets which fundamentally exclude from their field of visibility the actual production process (the way vegetables and fruit are harvested and packed by immigrant workers, the genetic and other manipulations in their production and display, etc.) — stage within the field of the dis­played goods, as a kind of ersatz, the spectacle of a pseudo-production (meals prepared in full view in ‘food courts’, fruit juices freshly squeezed before the customers’ eyes, etc.)?’5 An authentic Leftist should therefore ask the postmodern politicians the new version of the old Freudian question put to the perplexed Jew: ‘Why are von saving that one should politicize the economy, when one should in fact politicize the economy?’ So: in so far as postmodern politics involves a ‘[t]heoretical retreat from the problem of domination within capitalism’, it is here. in this silent suspension of class analysis, that we are dealing with an exemplary case of the mechanism of ideological displacement: when class antagonism is disavowed, when its key structuring role is suspended. ‘other markers of social difference may come to hear an inordinate weight; indeed, they may hear all the weight of the sufferings produced by capitalism in addition to that attributable to the explicitly politicized marking”7. In other words, this displacement accounts for the somewhat ’excessive’ way the discourse of postmodern identity politics insists on the horrors of sexism, racism, and so on -- this ‘excess’ comes from the fact that these other ‘-isms’ have to hear the surplus-investment from the class struggle whose extent is not acknowledged.’8

## 1NR

**The aff will always win that the principles of their advocacy are good in the abstract – we can only debate the merits of their framework if they defend the specific consequences of political implementation**

**Ignatieff 4—Prof of Human Rights @ Harvard**

Michael, *Lesser Evils*p. 20-1

As for moral perfectionism, this would be the doctrine that a liberal state should never have truck with dubious moral means and should spare its officials the hazard of having to decide between lesser and greater evils. A moral perfectionist position also holds that states can spare their officials this hazard simply by adhering to the universal moral standards set out in human rights conventions and the laws of war.There are two problems with a perfectionist stance, leaving aside the question of whether it is realistic. The first is that articulating nonrevocable, nonderogable moral standards is relatively easy. The problem is deciding how to apply them in specific cases**.** What is the line between interrogation and torture, between targeted killing and unlawful assassination, between preemption and aggression? Even when legal and moral distinctionsbetween theseare clear in the abstract, abstractions are less than helpful when political leaders have to choose between them in practice. Furthermore, the problem with perfectionist standardsis that they contradict each other. The same person who shudders, rightly, at the prospect of torturing a suspect might be prepared to kill the same suspect in a preemptive attack on a terrorist base. Equally, the perfectionist commitment to the right to life might preclude such attacks altogether and restrict our response to judicial pursuit of offenders through process of law. Judicial responses to the problem of terror have their place, but they are no substitute for military operations when terrorists possess bases, training camps, and heavy weapons. To stick to a perfectionist commitment to the right to life when under terrorist attack might achieve moral consistency at the price of leaving us defenseless in the face of evildoers. Security, moreover, is a human right, and thus respect for one right might lead us to betray another.

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)