# 1NC

### 1NC---T

**a. Interpretation and violation---the affirmativee should defend the desirability of topical government action**

**Most predictable—the agent and verb indicate a debate about hypothetical government action**

Jon M **Ericson 3**, Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, **the agent is the subject** of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action **through governmental means**. 4. A specification of **directions or a limitation** of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. **The entire debate is about whether something ought to occur**. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Restrictions are prohibitions on action

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### Statutory restrictions require legislative action

The Law Dictionary 13 “What is Statutory Restriction?, The Law Dictionary: **Featuring Black’s Law Dictionary Free Online Legal Dictionary 2nd Edition**, http://thelawdictionary.org/statutory-restriction/

What is STATUTORY RESTRICTION?

Limits or controls that have been place[d] on activities by its ruling legislation.

#### Judicial restrictions require a court --- we’ll read evidence if they question this factual statement

**“Should” requires defending federal action**

Judge Henry **Nieto 9**, Colorado Court of Appeals, 8-20-2009 People v. Munoz, 240 P.3d 311 (Colo. Ct. App. 2009)

"Should" is "used . . . to express duty, **obligation**, propriety, or **expediency**." Webster's Third New International Dictionary 2104 (2002). Courts [\*\*15] interpreting the word in various contexts have drawn conflicting conclusions, although the **weight of authority** appears to favor interpreting "should" in an imperative, obligatory sense. HN7A number of courts, confronted with the question of whether using the word "should" in jury instructions conforms with the Fifth and Sixth Amendment protections governing the reasonable doubt standard, have upheld instructions using the word. In the courts of other states in which a defendant has argued that the word "should" in the reasonable doubt instruction does not sufficiently inform the jury that it is bound to find the defendant not guilty if insufficient proof is submitted at trial, the courts have squarely rejected the argument. They reasoned that the word "conveys a sense of duty and obligation and **could not be misunderstood** by a jury." See State v. McCloud, 257 Kan. 1, 891 P.2d 324, 335 (Kan. 1995); see also Tyson v. State, 217 Ga. App. 428, 457 S.E.2d 690, 691-92 (Ga. Ct. App. 1995) (finding argument that "should" is directional but not instructional to be without merit); Commonwealth v. Hammond, 350 Pa. Super. 477, 504 A.2d 940, 941-42 (Pa. Super. Ct. 1986). Notably, courts interpreting the word "should" in other types of jury instructions [\*\*16] have also found that the word conveys to the jury a sense of duty or **obligation and not discretion**. In Little v. State, 261 Ark. 859, 554 S.W.2d 312, 324 (Ark. 1977), the Arkansas Supreme Court interpreted the word "should" in an instruction on circumstantial evidence as synonymous with the word "must" and rejected the defendant's argument that the jury may have been misled by the court's use of the word in the instruction. Similarly, the Missouri Supreme Court rejected a defendant's argument that the court erred by not using the word "should" in an instruction on witness credibility which used the word "must" because the two words have the same meaning. State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958). [\*318] In applying a child support statute, the Arizona Court of Appeals concluded that a legislature's or commission's use of the word "should" is meant to convey duty or obligation. McNutt v. McNutt, 203 Ariz. 28, 49 P.3d 300, 306 (Ariz. Ct. App. 2002) (finding a statute stating that child support expenditures "should" be allocated for the purpose of parents' federal tax exemption to be mandatory).

**A general subject isn’t enough—debate requires a specific point of difference in order to promote effective exchange**

**Steinberg and Freeley 13**, \* David, Lecturer in Communication studies and rhetoric. Advisor to Miami Urban Debate League. Director of Debate at U Miami, Former President of CEDA. And \*\* Austin, attorney who focuses on criminal, personal injury and civil rights law, JD, Suffolk University, *Argumentation and Debate***,** *Critical Thinking for Reasoned Decision Making*, 121-4

Debate is a means of **settling differences**, so there must be a controversy, a difference of opinion or a conflict of interest **before there can be a debate**. If everyone is in agreement on a feet or **value** or policy, there is no **need or opportunity** 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 of issues, there is no debate. Controversy invites decisive choice between competing positions. 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 live 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? Does 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? How 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 card, 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 are best understood when seated clearly such that all parties to the debate **share an understanding about the objec­tive of the debate**. This enables focus on substantive and objectively identifiable issues facilitating comparison of **competing argumentation** **leading to effective decisions.** Vague understanding results in **unfocused deliberation** and **poor deci­sions**, general feelings of tension without opportunity for resolution, frustration, and emotional distress, as evidenced by the failure of the U.S. Congress to make substantial progress on the immigration debate. Of course, arguments may be presented without disagreement. For exam­ple, claims are presented and supported within speeches, editorials, and advertise­ments even without opposing or refutational response. Argumentation occurs in a range of settings from informal to formal, and may not call upon an audi­ence or judge to make a **forced choice** among competing claims. Informal dis­course occurs as conversation or panel discussion without demanding a decision about a dichotomous or yes/no question. However, **by definition**, debate requires "reasoned **judgment on a proposition**. The proposition is a statement about which competing advocates will offer alternative (pro or con) argumenta­tion calling upon their audience or adjudicator to decide. The proposition pro­vides **focus for the discourse** and **guides the decision process.** Even when a decision will be made through a process of compromise, it is important to iden­tify the beginning positions of competing advocates to begin **negotiation** and movement toward a center, or consensus position. It is frustrating and usually unproductive to attempt to make a decision when deciders are unclear as to what the decision is about. The proposition may be implicit in some applied debates (“Vote for me!”); however, when a vote or consequential decision is called for (as in the courtroom or in applied parliamentary debate) it is essential that the proposition be **explicitly expressed** (“the defendant is guilty!”). In aca­demic debate, the proposition provides **essential guidance for the preparation** of the debaters prior to the debate, the case building and discourse presented during the debate, and the **decision to be made by the** debate **judge** after the debate. Someone disturbed by the problem of a 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**. This focus contributes to better and more informed decision making with the **potential for better results**. In aca­demic debate, it provides **better depth of argumentation** and enhanced opportu­nity for reaping the educational benefits of participation. In the next section, we will consider the challenge of framing the proposition for debate, and its role in the debate. 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 a topic, such as ‘"homeless­ness,” or “abortion,” Or “crime,” or “global warming,” we are likely to have an interesting discussion but not to establish a profitable basis for argument. For example, the statement “Resolved: That the pen is mightier than the sword” **is debatable**, **yet** by itself **fails to provide much basis for dear argumen­tation**. If we take this statement to mean Iliad 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, perhaps promoting positive social change. (Note that “loose” propositions, such as the example above, may be defined by their advocates in such a way as to facilitate a clear contrast of competing sides; through definitions and debate they “become” clearly understood statements even though they may not begin as such. There are formats for debate that often begin with this sort of proposition. However, in any debate, at some point, effective and meaningful discussion relies on identification of a clearly stated or understood proposition.) Back to the example of the written word versus physical force. 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, cyber-warfare, disinformation, or what? What does it mean to be “mightier" 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 Laurania 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 treaty 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. Vote neg**

**1. Preparation and clash—changing the topic post facto manipulates balance of prep, which structurally favors the aff because they speak last and permute alternatives—strategic fairness is key to engaging a well-prepared opponent**

**Topical fairness requirements are key to meaningful dialogue—monopolizing strategy and prep makes the discussion one-sided and subverts any meaningful neg role**

Ryan **Galloway 7**, Samford Comm prof, Contemporary Argumentation and Debate, Vol. 28, 2007

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

**2. Substantive constraints on the debate are key to actualize effective pluralism and agonistic democracy**

John **Dryzek 6**, Professor of Social and Political Theory, The Australian National University, Reconciling Pluralism and Consensus as Political Ideals, American Journal of Political Science,Vol. 50, No. 3, July 2006, Pp. 634–649

A more radical contemporary pluralism is suspicious of liberal and communitarian devices for reconciling difference. Such a critical pluralism is associated with agonists such as Connolly (1991), Honig (1993), and Mouffe (2000), and difference democrats such as **Young** (2000). As Honig puts it, “Difference is just another word for what used to be called pluralism” (1996, 60). Critical pluralists resemble liberals in that they begin from the variety of ways it is possible to experience the world, but stress that the experiences and perspectives of marginalized and oppressed groups are likely to be very different from dominant groups. They also have a strong suspicion ofliberal theory that **looks neutral** but in practice supports and serves the powerful.

Difference democrats are **hostile to consensus**, partly because consensus decisionmaking (of the sort popular in 1970s radical groups) conceals informal oppression under the guise of concern for all by disallowing dissent (Zablocki 1980). But the real target is political theory that deploys consensus, especially deliberative and liberal theory. Young (1996, 125–26) argues that the appeals to unity and the common good that deliberative theorists under sway of the consensus ideal stress as the proper forms of political communication can often be oppressive. For deliberation so oriented all too easily equates the common good with the interests of the more powerful, thus sidelining legitimate concerns of the marginalized. Asking the underprivileged to set aside their particularistic concerns also means marginalizing their favored forms of expression, especially the telling of personal stories (Young 1996, 126).3 Speaking for an agonistic conception of democracy (to which Young also subscribes; 2000, 49–51), Mouffe states:

To negate the ineradicable character of antagonism and aim at a universal rational consensus— that is the real threat to democracy. Indeed, this can lead to violence being unrecognized and hidden behind appeals to “**rationality**,” as is often the case in liberal thinking. (1996, 248)

Mouffe is a radical pluralist: “By pluralism I mean the end of a substantive idea of the good life” (1996, 246). But neither Mouffe nor Young want to **abolish communication** in the name of pluralism and difference; much of their work advocates sustained attention to communication. Mouffe also cautions against uncritical celebration of difference, for some differences imply “subordination and should therefore be challenged by a radical democratic politics” (1996, 247). Mouffe raises the question of the **terms in which engagement across difference might proceed**. Participants should ideally accept that the positions of others are legitimate, though not as a result of being persuaded in argument. Instead, it is a matter of being **open to conversion** due to adoption of a particular kind of **democratic attitude** that converts antagonism into agonism, fighting into critical engagement, enemies into adversaries who are treated with respect. Respect here is notjust (liberal) toleration, but positive validation of the position of others. For Young, a communicative democracy would be composed of people showing “equal respect,” under **“procedural rules of fair discussion and decisionmaking**” (1996, 126). Schlosberg speaks of “agonistic respect” as “a critical pluralist ethos” (1999, 70).

Mouffe and Young both want pluralism to be regulated by a particular kind of attitude, be it respectful, agonistic, or even in Young’s (2000, 16–51) case reasonable.Thus **neither proposes unregulated pluralism as an alternative to (deliberative) consensus**. **This regulation cannot be just procedural, for that would imply “anything goes” in terms of the substance of positions**. Recall thatMouffe rejects differences that imply subordination. Agonistic ideals demand judgments about what is worthy of respect and what is not. Connolly (1991, 211) worriesabout **dogmatic assertions** and denials **of identity that fuel existential resentments** that **would have to be changed to make agonism possible**. Young seeks “transformation of private, self-regarding desires into public appeals to justice” (2000, 51). Thus for Mouffe, Connolly, and Young alike, **regulative principles for democratic communication are not just attitudinal or procedural; they also refer to the substance of the kinds of claims that are worthy of respect**. These authors would not want to legislate substance and are suspicious of the content of any alleged consensus. But in retreating from “anything goes” relativism, **they need principles to regulate the substance of what rightfully belongs in democratic debate.**

**Accepting minimal guidelines for debate is necessary to habituate democratic practices of argumentation and respect---this doesn’t necessitate discarding performance, but should be linked to a prescription for a topical action**

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

MY RECENT BOOK, The Way We Argue Now, has in a sense two theses. In the first place, the book makes the case for the **importance of debate and argument** to any vital democratic or pluralistic intellectual culture. This is in many ways an unexceptional position, but the premise of the book is that the claims of reasoned argument are often **trumped**, within the current intellectual terrain, **by appeals to cultural identity** and what I gather more broadly under the rubric of ethos, which includes cultural identity but also forms of **ethical piety and charismatic authority**. In promoting argument as a universal practice keyed to a human capacity for communicative reason, my book is a critique of relativism and identity politics, or the notion that forms of cultural authenticity or group identity **have a certain unquestioned legitimacy**, one that cannot or should not be **subjected to the challenges of reason or principle**, precisely because reason and what is often called "false universalism" are, according to this pattern of thinking, always involved in forms of exclusion, power, or domination. My book insists, by contrast, that **argument is a form of respect**, that the ideals of democracy, whether conceived from a nationalist or an internationalist perspective, rely fundamentally upon procedures of argumentation and debate in order to legitimate themselves and to keep their central institutions vital. And the **idea that one should be protected from debate**, that **argument is somehow injurious to persons** if it does not honor their desire to have their basic beliefs and claims and solidarities accepted without challenge, **is strenuously opposed**. As is the notion that **any attempt to ask people to agree upon processes of reason-giving argument is** **somehow necessarily to impose a coercive norm**, one that will **disable the free expression and performance of identities,** feelings, or solidarities. Disagreement is, by the terms of my book, a form of respect, not a form of disrespect. And by disagreement, I don't mean simply to say that we should expect disagreement rather than agreement, which is a frequently voiced-if misconceived-criticism of Habermas. Of course we should expect disagreement. My point is that we should focus on the moment of dissatisfaction in the face of disagreement-the internal dynamic in argument that imagines argument might be the beginning of a **process of persuasion and exchange** that could end in agreement (or partial agreement). For those who advocate reconciling ourselves to disagreements rather than arguing them out, by contrast, there is a complacent-and in some versions, even celebratory-attitude toward fixed disagreement. Refusing these options, I make the case for dissatisfied disagreement in the final chapter of the book and argue that people should be willing to justify their positions in dialogue with one another, especially if they hope to live together in a post-traditional pluralist society.

One example of the trumping of argument by ethos is the form that was taken by the late stage of the Foucault/Habermas debate, where an appeal to ethos-specifically, an appeal to Foucault's style of ironic or negative critique, often seen as most in evidence in the interviews, where he would playfully refuse labels or evade direct answers-was used to exemplify an alternative to the forms of argument employed by Habermas and like-minded critics. (I should pause to say that I provide this example, and the framing summary of the book that surrounds it, not to take up airtime through expansive self-reference, but because neither of my respondents provided any contextualizing summary of the book's central arguments, though one certainly gets an incremental sense of the book's claims from Bruce Robbins. Because I don't assume that readers of this forum have necessarily read the book, and because I believe that it is the obligation of forum participants to provide sufficient context for their remarks, I will perform this task as economically as I can, with the recognition that it might have carried more weight if provided by a respondent rather than the author.)

The Foucauldian counter-critique importantly **emphasizes a relation between style and position,** but it obscures (1) the importance or value of the Habermasian critique and (2) the possibility that the other side of the debate might have its own ethos to advocate, one that has precisely to do with an **ethos of argument**, an ideal of **reciprocal debate** that involves **taking distance on one's pre-given forms of identity** or the norms of one's community, both so as to **talk across differences** and to articulate one's claims **in relation to shared** and even universal **ideals**. And this leads to the second thesis of the book, the insistence that an emphasis on ethos and character is interestingly present if not widely recognized in contemporary theory, and one of the ways its vitality and existential pertinence makes itself felt (even despite the occurrence of the kinds of unfair trumping moves I have mentioned). We often fail to notice this, because identity has so uniformly come to mean sociological, ascribed, or group identity-race, gender, class, nationality, ethnicity, sexuality, and so forth. Instances of the move toward character and ethos include the later Foucault (for whom ethos is a central concept), cosmopolitanism (whose aspiration it is to turn universalism into an ethos), and, more controversially, proceduralist ethics and politics (with its emphasis on sincerity and civility). Another version of this attentiveness to ethos and character appears in contemporary pragmatism, with its insistence on casualness of attitude, or insouciance in the face of contingency-recommendations that get elevated into full-fledged exemplary personae in Richard Rorty's notion of the "ironist" or Barbara Herrnstein Smiths portrait of the "postmodern skeptic." These examples-and the larger claim they support-are meant to defend theory as still living, despite the many reports of its demise, and in fact still interestingly and incessantly re-elaborating its relation to practice. This second aspect of the project is at once descriptive, motivated by the notion that characterology within theory is intrinsically interesting, and critical, in its attempt to identify how characterology can itself be used to cover or **evade** the claims of rational **argument**, as in appeals to charismatic authority or in what I identify as **narrow personifications of theory** (pragmatism, in its insistence on insouciance in the face of contingency, is a prime example of this second form). And as a **complement** to the critical agenda, there is a reconstructive agenda as well, an attempt to recuperate liberalism and proceduralism, in part by advocating the possibility, as I have suggested, of an **ethos of argument**.

Robbins, in his extraordinarily rich and challenging response, zeroes in immediately on a crucial issue: who is to say exactly when argument is occurring or not, and what do we do when there is disagreement over the fundamentals (the primary one being over what counts as proper reasoning)? Interestingly, Robbins approaches this issue after first observing a certain tension in the book: on the one hand, The Way We Argue Now calls for dialogue, debate, argument; on the other, its project is "potentially something a bit stricter, or pushier: getting us all to agree on what should and should not count as true argument." What this point of entry into the larger issue reveals is a kind of blur that the book, I am now aware, invites. On the one hand, the book anatomizes academic debates, and in doing so is quite "debaterly" This can give the impression that what I mean by argument is a very specific form unique to disciplinary methodologies in higher education. But the book is not generally advocating a narrow practice of formal and philosophical argumentation in the culture at large, however much its author may relish adherence to the principle of non-contradiction in scholarly argument. I take pains to elaborate an ethos of argument that is linked to democratic debate and the forms of dissent that constitutional patriotism allows and even promotes. In this sense, **while argument here is** necessarily **contextualized** sociohistorically, **the concept is not merely academic.** It is a **practice** seen as **integral to** specific **political forms and institutions in** modern **democracies,** and to themore general **activity of critique** within modern societies-to the tradition of the public sphere, to speak in broad terms. Additionally, insofar as argument impels one to take distance on embedded customs, norms, and senses of given identity, it is a practice that **at once acknowledges identity, the need to understand the perspectives of others, and the shared commitment to commonality and generality, to finding a way to live together under conditions of difference.**

More than this: the book also discusses at great length and from several different angles the issue that Robbins inexplicably claims I entirely ignore: the question of disagreement about what counts as argument. In the opening essay, "Debatable Performances," I fault the proponents of communicative ethics for not having a broader understanding of public expression, one that would include the disruptions of spectacle and performance. I return to and underscore this point in my final chapter, where I espouse a democratic politics that can embrace and accommodate a wide variety of expressions and modes. This is certainly a discussion of what counts as dialogue and hence argument in the broad sense in which I mean it, and in fact I fully acknowledge that taking distance from cultural norms and given identities can be advanced not only through critical reflection, but through ironic critique and defamiliarizing performance as well. But I do insist-and this is where I take a position on the fundamental disagreements that have arisen with respect to communicative ethics-that when they have an effect, these other dimensions of experience do not remain unreflective, and insofar as they do become reflective, **they are contributing to the** very form of **reasoned analysis that their champions sometimes imagine they must refuse in order to liberate other modes of being** (the affective, **the narrative,** **the performative**, the nonrational). If a narrative of human rights violation is persuasive in court, or in the broader cultural public sphere, it is because it draws attention to a violation of humanity that is condemned on principle; **if a performance jolts people out of their normative understandings of sexuality** and gender, it prompts forms of understanding that can be **affirmed and communicated** and also **can be used to justify political positions and legislative agendas**.

**The impact outweighs—deliberative debate models impart skills vital to respond to existential threats**

Christian O. **Lundberg 10** Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p. 311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better **public judgment**. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's **capacities can change**, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them, to sort through and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly information-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make **evaluative choices** against an increasingly complex and multimediated information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that **it did not matter which topic students had been assigned** . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology for enhancing democratic deliberative capacities. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life.

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class, gender, and racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; and increasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

**Debate inevitably involves exclusions---making sure that those exclusions occur along reciprocal lines is necessary to foster democratic habits and critical thinking---this process of intellectual exchange outweighs the content of the aff and doesn’t link to any of their offense**

Amanda **Anderson 6**, prof of English at Johns Hopkins The Way We Argue Now, 25-8

25¶ Whether such a procedural approach actually helps to yield any substantive normative guidance is an issue of debate. Habermas has sought to justify communicative ethics through appeal to the principles of respect and **reciprocity** that he claims are inherent in linguistic practices geared toward reaching understanding. Attempting to redress the **overwhelmingly negative forms of critique** characteristic of both the Frankfurt School and poststructuralist traditions, he argues that the logocentrism of Western thought and the powerful instrumentality of reason are not absolute but rather constitute “a systematic foreshortening and distortion of a potential always already operative in the communicative practice of everyday life.” The potential he refers to is the potential for mutual understanding “inscribed into communication in ordinary language.” 7 Habermas acknowledges the dominance and reach of instrumental reason—his project is largely devoted to a systematic analysis of the historical conditions and social effects of that dominance—yet at the same time he wishes to retrieve an **emancipatory model of communicative**¶ ¶ 26¶ **reason derived from a linguistic understanding of intersubjective relations**. As Benhabib argues, this form of communicative action, embodied in the highly controversial and pervasively misunderstood concept of the “ideal speech situation,” entails strong ethical assumptions, namely the principles of universal moral respect and egalitarian reciprocity (SS, 29).¶ Habermas has famously argued that he does not believe any metaphysical grounding of such norms is possible; he insists instead that we view the **normative constraints of** the ideal **speech community** as “**universal** **pragmatic** **presuppositions**” of competent moral actors who have reached the postconventional stage of moral reasoning. Habermas’s theory combines a “weak transcendental argument” concerning the four types of validity claims operative in speech acts with an empirical reconstruction of psychosocial development derived from Lawrence Kohlberg. Benhabib, though she, too, appeals to socialization processes, distinguishes her position from Habermas’s “weak transcendental argument” by promoting a “historically **self-conscious universalism**” that locates the ethical principles of **respect and reciprocity** as “constituents of the moral point of view from within the normative hermeneutic horizon of modernity” (SS, 30). Benhabib’s work thus constitutes, like Habermas’s, a strong defense of specific potentialities of modernity. She differs from him in two key respects, besides the emphasis already outlined. First, she believes that Habermas’s emphasis on consensus seriously distorts his account of communicative ethics. Like others who have **argued against the conflation of understanding and consensus**, Benhabib champions instead a discourse model of ethics that is geared toward **keeping the conversation going**:¶ **When we shift the burden of the moral test** in communicative ethics from consensus to the idea of an **ongoing** moral **conversation**, **we begin to ask not what all would** or could **agree** to as a result of practical discourses **to be morally permissible** or **impermissible**, **but what would be allowed** and perhaps even necessary **from the standpoint of continuing and sustaining the practice of the** moral **conversation** among us. The emphasis now is less on rational agreement, but more on **sustaining those normative** **practices** and moral relationships **within which reasoned agreement as a way of life can flourish** and continue. (SS, 38)8¶ ¶ 27¶ The second significant difference between Habermas and Benhabib is that Benhabib rejects Habermas’s rigid opposition between justice and the good life, an opposition that effectively relegates identity-based politics to a lower plane of moral practice, and that for Benhabib undercuts our ability to apprehend the radical particularity of the other. While she believes in the importance of self-reflexive interrogations of conventional identities and roles, she strongly opposes any ethics or politics that privileges the unencumbered or detached self over the concrete, embodied, situated self. She argues in particular against those liberal models that imagine that conversations of moral justification should take place between individuals who have bracketed their strongest cultural or social identifications and attachments. Instead she promotes what she calls an “interactive universalism”:¶ Interactive universalism acknowledges the plurality of modes of being human, and differences among humans, without endorsing all these pluralities and differences as morally and politically valid. While agreeing that normative disputes can be settled rationally, **and** that **fairness, reciprocity and some procedure of universalizability are** constituents, that is, **necessary conditions** of the moral standpoint, interactive universalism regards difference as a starting point for reflection and action. In this sense, **“universality” is a regulative ideal that does not deny our embodied** and embedded **identity**, but aims at developing moral attitudes and **encouraging political transformations that can yield a point of view acceptable to all**. Universality is not the ideal consensus of fictitiously defined selves, but the concrete **process in politics** and morals of the struggle of concrete, embodied selves, striving for autonomy. (SS, 153) ¶ This passage encapsulates the core of Benhabib’s position, which attempts to mediate between universalism and particularism as traditionally understood. On the one hand, universalism’s informing principles of rational argumentation, fairness, and reciprocity adjudicate between different positions in the ethicopolitical realm, enabling crucial distinctions between those notions of the good life that promote interactive universalism and those that threaten its key principles. It insists, in other words, that there is a specifiable moral standpoint from which—to take a few prominent examples—Serbian aggression, neo-Nazism, and gay bashing can be definitively condemned. On the other hand, universalism “regards difference as a starting point.” It understands identity as “embodied and embedded” and promotes encounters with otherness so as to nurture the development of a moral attitude that will “yield a point of view acceptable to all.”¶ **Of course it must simultaneously be recognized that the “all” here cannot coherently include those who have**, according to universalism’s own principles, **forfeited their place as equal participants in the ethicopolitical**¶¶ 28¶ **community**. Ironically, then, Benhabib’s redefinition of universalism insists on inevitable exclusion, **but not in the sense that** many **poststructuralist** and postmodernist cultural **critics** **do**, as the hardwired effect of universalism’s false claims to inclusiveness, and as victimizing those disempowered by race, class, gender, or sexuality. **Against naive conceptions of inclusiveness** and plurality, which ultimately **prove self-undermining in their toleration of** communities, individuals, and **practices that exclude others arbitrarily,** **interactive universalism claims that certain exclusions are not only justified, but indeed required by the principles of recognition and respect that underpin democratic institutions and practices.**

### 1NC---Defense

#### They are a liability model of responsibility that only calls out particular individuals---this finger-pointing becomes self-fulfilling and endless because it gets mirred in retroactive punishment instead of forward-looking transformation---that’s counterproductive because it effaces collective responsibility for actually improving the community

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In ordinary language, we use the term “responsible” in several ways. One of these ways I have already discussed as paradigmatic of the liability model: to be responsible is to be guilty or at fault for having caused a harm and without valid excuses. We also say, however, that people have certain responsibilities by virtue of their social roles or positions, as when we say that a teacher has specific responsibilities, or when we appeal to our responsibilities as citizens. In this meaning, finding an agent respon- sible does not imply finding the agent at fault or liable for a past wrong, but rather refers to agents’ carrying out activities in a morally appropriate way and aiming for certain outcomes.41 What I propose as a social connection model of responsibility draws more on the latter usage of the term “responsibility” than on the liability usage. It does share with the liability usage, however, a reference to causes of wrongs—here in the form of structural processes that produce injustice. The social connection model of responsibility says that individuals bear responsibility for structural injustice because they contribute by their actions to the processes that produce unjust outcomes. Our responsibility derives from belonging together with others in a system of interdependent processes of cooperation and competition through which we seek benefits and aim to realize projects. Even though we cannot trace the outcome we may regret to our own particular actions in a direct causal chain, we bear responsibility because we are part of the process. Within this scheme of social cooperation, each of us expects justice toward our- selves, and others can legitimately make claims on us. Responsibility in relation to injustice thus derives not from living under a common con- stitution, but rather from participation in the diverse institutional pro- cesses that produce structural injustice. In today’s world, as I suggested above, many of these structural processes extend beyond nation-state boundaries to include globally dispersed persons. The structure and rela- tionships of the global apparel industry illustrate starkly and concretely such transnational social connections. I shall detail five main features of the social connection model of responsibility by contrasting it with the liability model. 1. Not isolating. The liability model of responsibility seeks to mark out and isolate those responsible, thereby distinguishing them from others, who by implication are not responsible. Such isolation of the one or ones liable from the others is an important aspect of legal responsibility, both incriminallawandintortlaw. Social practices of finding offenders guilty, or finding them to be at fault, or holding them strictly liable, focus on particular agents in order to sanction or demand compensation from them and them alone. A system of moral rules and legal accountability should make clear that agents who violate the rules may face accusation as individual agents. When harms result from the participation of thousands or millions of people in institutions and practices that produce unjust results, however, such an isolating concept of responsibility is inadequate. Where there is structural injustice, finding some people guilty of perpetrating specific wrongful actions does not absolve others whose actions contribute to the outcomes from bearing responsibility. Hired thugs who beat workers in horribly equipped factories are personally guilty of crimes, as are the factory managers who hire them and target particular workers. Finding them guilty, however, does not absolve the multinational corporations fromresponsibilityforthewidespreadnatureofpoorworkingconditions in the factories producing goods they market. Nor does it absolve those of us who purchase the goods from some kind of responsibility to the workers who make them. ¶ 2. Judging background conditions. Under a liability concept of responsi- bility, what counts as a wrong for which we seek a perpetrator and for which he or she might be required to compensate, is something we gen- erally conceive as a deviation from a baseline. Implicitly, we assume a normal background situation that is morally acceptable, if not ideal. A crime or an actionable harm consists in a morally and often legally unacceptable deviation from this background structure.42 The liability model considers the process that brought about the harm as a discrete, bounded event that breaks away from the ongoing normal flow. Punish- ment, redress, or compensation aims to restore normality or to “make whole” in relation to the baseline circumstance. In contrast, a model of responsibility derived from understanding the mediated connection that agents have to structural injustices does not evaluate harm that deviates from the normal and the acceptable; rather, it oftenbringsintoquestionpreciselythebackgroundconditionsthatascrip- tions of blame or fault assume as normal. When we judge that structural injustice exists, we mean that at least some of the normal and accepted background conditions of action are not morally acceptable. Most of us contribute to a greater or lesser degree to the production and reproduc- tion of structural injustice precisely because we follow the accepted and expected rules and conventions of the communities and institutions in which we act. Usually we enact these conventions and practices in a habitual way, without explicit reflection and deliberation on what we do, having in the foreground of our consciousness and intention immediate goals we want to achieve and the particular people we need to interact with to achieve them. We can think of many examples of accepted norms and institutional practicesthatconstitutethebackgroundconditionsforsweatshops.Ihave already referred to the fashion system and its seasons as one set of prac- tices that most producers and consumers reinforce to some extent. Exec- utives at major multinational retailers typically devote more attention and money to advertising campaigns to promote the image of the com- pany than to ensuring that the pay and working conditions of the work- erswhomaketheclothestheysellaredecent.Itisnormalinthisconsumer society for companies to devote a large portion of their investment to advertising rather than production. Levels of unemployment in many of the places where sweatshops exist are normally high, and the social pro- cesses depriving peasants of the means to make an independent liveli- hood speedily create more unemployed people. One should expect under these circumstances that each super-exploitive sweatshop job opening will have multiple applicants, and that the workers in these jobs will normally be compliant and urge their coworkers to be so as well. Though today they are largely taken for granted, each of these aspects of the global apparel system can and should come under critical scrutiny, and questions can be asked about the responsibilities those who act on these assumptions have in relation to the injustice to which they serve as background. ¶ 3. More forward-looking than backward-looking. Assigning responsibility, whether under the liability model or the social connection model, always has both backward-looking and forward-looking aspects. The liability and social connection models of responsibility nevertheless differ in temporal emphasis. On most occasions, application of the liability model is primarily backward-looking. The social connection model, in contrast, emphasizes forward-looking issues. ¶ Under the liability model of responsibility, the harm or circumstance for which we seek to hold agents responsible is usually an isolatable action or event that has reached a terminus. The robbery has taken place, or the oil tanker has spewed its contents on the beach. Usually the pur- pose of assigning responsibility in terms of blame, fault, or liability, then, istoseekretributionorcompensationforthispastaction. To be sure,such backward-looking condemnation and sanction may have a forward- looking purpose as well; often it aims to deter others from similar action in the future, or to identify weak points in an institutional system that allows or encourages such blameworthy actions, in order to reform institutions. Once we take this latter step, however, we may be leaving the liability model and moving toward the social connection model. The reform project likely involves a responsibility on the part of many people to take actions directed at achieving reform, even though they are not to blame for past problems.¶ When conceptualizing responsibility in relation to structural injustice, however, we are concerned with an ongoing set of processes that we understand is likely to continue producing harms unless there are inter- ventions in it. The temporality of assigning and taking responsibility, then, is more forward-looking than backward-looking. Because the par- ticular causal relationship of the actions of particular individuals or orga- nizations to structural outcomes is often impossible to trace, there is no point in seeking to exact compensation or redress from only and all those who have contributed to the outcome, and in proportion to their contributions. The injustice produced through structures has not reached a terminus, but rather is ongoing. The point is not to blame, punish, or seek redress from those who did it, but rather to enjoin those who participate by their actions in the process of collective action to change it.43 ¶ 4. Shared responsibility. From the observation that the social connection model differs from the liability model in that it does not isolate those liable (in ways that implicitly absolve others), it follows that all those who con- tributebytheiractionstothestructuralprocessesproducinginjusticeshare responsibility for such injustice. Philosopher Larry May distinguishes shared responsibility from collective responsibility in that the former is a distributedresponsibilitywhereasthelatterisnot.Acollectionofpersons, such as a corporation, might be said to be responsible for a state of affairs withoutanyofitsindividualmembersbeingdeterminatelyresponsiblefor it. Shared responsibility, in contrast, is a personal responsibility for out- comes,ortherisksofharmfuloutcomes,producedbyagroupofpersons. Eachindividualispersonallyresponsibleforoutcomesinapartialway,since he or she alone does not produce the outcomes; the specific part that each person plays in producing the outcome cannot be isolated and identified, however, and thus the responsibility is essentially shared.45¶ 5. Discharged only through collective action. A final feature of the social connection model that distinguishes it from a liability model of responsibility is that the forward-looking responsibility can be discharged only by joining with others in collective action. This feature follows from the essentially shared nature of the responsibility. Thousands or even mil- lions of agents contribute by their actions in particular institutional con- texts to the processes that produce unjust outcomes. Our forward-looking responsibility consists in changing the institutions and processes so that their outcomes will be less unjust. No one of us can do this on our own. Even if it were possible to do so, a single shopper would not change the working conditions of those toiling in sweatshops by refusing to buy all items she had reason to believe were produced under unjust conditions. The structural processes can be altered only if many actors in diverse social positions work together to intervene in these processes to produce different outcomes. Responsibility derived from social connection, then, is ultimately polit- ical responsibility. Taking responsibility in a forward-looking sense under this model involves joining with others to organize collective action to reform unjust structures. Most fundamentally, what I mean by “politics” here is public communicative engagement with others for the sake of organizing our relationships and coordinating our actions most justly. Thus, discharging my responsibility in relation to sweatshop workers might involve trying to persuade others that the treatment of these work- ers is unacceptable and that we collectively can alter social practices and institutional rules and priorities to prevent such treatment. Our working through state institutions is often an effective means of such collective action to change structural processes, but states are not the only tools of effectivecollectiveaction.46 Inthenextsection,Iwilldiscussandevaluate some of the activities of the anti-sweatshop movement. ¶ An important corollary of this feature of political responsibility is that many of those who are properly thought to be victims of harm or injustice may nevertheless share political responsibility in relation to it. On the liability model of responsibility, blaming those who claim to be victims of injustice usually functions to absolve others of responsibility for their plight. On the social connection model, however, those who can properly be argued to be victims of structural injustice can also be said to share responsibility with others who perpetuate the unjust structures, and can be called on to engage in actions directed at transforming those structures.¶ I have been arguing that, when compared to the liability model, the social connection model of responsibility better corresponds to the intuitions expressed in claims about the responsibilities agents have concerning global justice. The social connection model not only has these philosophical advantages, I suggest, but also has rhetorical advantages in public discussion that aims to motivate people to take responsibility for rectifying social injustice. Claims that some persons participate in producing injustice and ought to stop are too often heard under a liability model of responsibility. The actors addressed hear themselves being blamed for harms. More often than not, agents who believe themselves to be targets of blame react defensively: they look for other agents to blame instead of themselves, or find excuses that mitigate their liability in cases where they admit that their actionsdocausallycontributetotheharm. In situations of structural injustice, it is easy to engage in such blame-shifting or excusing discourse, because in fact others are also responsible and there are in fact structural constraints on most of the actors participating in the institutional processes that have unjust outcomes. In many contexts where the issue is how to mobilize collective action for the sake of social change and greater justice, such finger-pointing and blame-shifting lead more to resentment and refusal to take responsibility than to a useful basis of action.48¶ When executives of multinational retailers or consumers who shop at retail outlets hear the claims of anti-sweatshop activists as laying blame on them for the conditions under which goods are produced, they rightly become indignant, or scoff at the absurd extremism of the movement. A social connection model of responsibility that is distinct from (and complementary to) a liability model allows us to call on one another to take responsibility together for sweatshop conditions, without blaming anyone in particular for the structures that encourage their proliferation. This does not necessarily mean that all who share responsibility have an equal responsxibility. The power to influence the processes that produce unjust outcomes is an important factor that distinguishes degrees of responsibility.

### 1NC---Counterplan

#### Evan and I advocate that

#### The United States federal government should substantially increase programs for education and engage in national dialogue and consultation with representatives from communities disproportionately impacted by police violence, poverty, and socio-economic instability about how to increase accessibility and engagement in exclusive spaces, and implement the proposals of that consultation.

#### the counterplan utilizes a more productive methodology

#### Broad (anti) ethical gestures statements are counterproductive for addressing anti-blackness---evaluating the consequences and specificity of policies is key

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Second, reducing conversation on race matters to an ideological contest allows opponents to elide inquiry into whether the results of a particular preference policy are desirable. Policy positions masquerading as principled ideological stances create the impression that a racial policy is not simply a choice among available alternatives, but the embodiment of some higher moral principle. Thus, the "principle" becomes an end in itself, without reference to outcomes. Consider the prevailing view of colorblindness in constitutional discourse. Colorblindness has come to be understood as the embodiment of what is morally just, independent of its actual effect upon the lives of racial minorities. This explains Justice Thomas's belief in the "moral and constitutional equivalence" between Jim Crow laws and race preferences, and his tragic assertion that "Government cannot make us equal [but] can only recognize, respect, and protect us as equal before the law." [281](http://web.lexis-nexis.com/universe/document?_m=cd9713b340d60abd42c2b34c36d8ef95&_docnum=9&wchp=dGLbVzz-zSkVA&_md5=9645fa92f5740655bdc1c9ae7c82b328#n281) For Thomas, there is no meaningful difference between laws designed to entrench racial subordination and those designed to alleviate conditions of oppression. Critics may point out that colorblindness in practice has the effect of entrenching existing racial disparities in health, wealth, and society. But in framing the debate in purely ideological terms, opponents are able to avoid the contentious issue of outcomes and make viability determinations based exclusively on whether racially progressive measures exude fidelity to the ideological principle of colorblindness. Meaningful policy debate is replaced by ideological exchange, which further exacerbates hostilities and deepens the cycle of resentment.

#### Specific demands key to effective anti-racist politics

Adolph Reed 9, Professor of political science at the University of Pennsylvania and a member of the interim national council of the Labor Party, “The limits of anti-racism”, http://www.leftbusinessobserver.com/Antiracism.html

Antiracism is a favorite concept on the American left these days. Of course, all good sorts want to be against racism, but what does the word mean exactly?¶ The contemporary discourse of “antiracism” is focused much more on taxonomy than politics. It emphasizes the name by which we should call some strains of inequality—whether they should be broadly recognized as evidence of “racism”— over specifying the mechanisms that produce them or even the steps that can be taken to combat them. And, no, neither “overcoming racism” nor “rejecting whiteness” qualifies as such a step any more than does waiting for the “revolution” or urging God’s heavenly intervention. If organizing a rally against racism seems at present to be a more substantive political act than attending a prayer vigil for world peace, that’s only because contemporary antiracist activists understand themselves to be employing the same tactics and pursuing the same ends as their predecessors in the period of high insurgency in the struggle against racial segregation.¶ This view, however, is mistaken. The postwar activism that reached its crescendo in the South as the “civil rights movement” wasn’t a movement against a generic “racism;” it was specifically and explicitly directed toward full citizenship rights for black Americans and against the system of racial segregation that defined a specific regime of explicitly racial subordination in the South. The 1940s March on Washington Movement was also directed against specific targets,like employment discrimination in defense production. Black Power era and post-Black Power era struggles similarly focused on combating specific inequalities and pursuing specific goals like the effective exercise of voting rights and specific programs of redistribution.¶ ¶ Clarity lost¶ Whether or not one considers those goals correct or appropriate, they were clear and strategic in a way that “antiracism” simply is not. Sure, those earlier struggles relied on a discourse of racial justice, but their targets were concrete and strategic. It is only in a period of political demobilization that the historical specificities of those struggles have become smoothed out of sight in a romantic idealism that homogenizes them into timeless abstractions like “the black liberation movement”—an entity that, like Brigadoon, sporadically appears and returns impelled by its own logic.¶ Ironically, as the basis for a politics, antiracism seems to reflect, several generations downstream, the victory of the postwar psychologists in depoliticizing the critique of racial injustice by shifting its focus from the social structures that generate and reproduce racial inequality to an ultimately individual, and ahistorical, domain of “prejudice” or “intolerance.” (No doubt this shift was partly aided by political imperatives associated with the Cold War and domestic anticommunism.) Beryl Satter’s recent book on the racialized political economy of “contract buying” in Chicago in the 1950s and 1960s, Family Properties: Race, Real Estate, and the Exploitation of Black Urban America, is a good illustration of how these processes worked; Robert Self’s book on Oakland since the 1930s, American Babylon, is another. Both make abundantly clear the role of the real estate industry in creating and recreating housing segregation and ghettoization.¶ Tasty bunny¶ All too often, “racism” is the subject of sentences that imply intentional activity or is characterized as an autonomous “force.” In this kind of formulation, “racism,” a conceptual abstraction, is imagined as a material entity. Abstractions can be useful, but they shouldn’t be given independent life.¶ I can appreciate such formulations as transient political rhetoric; hyperbolic claims made in order to draw attention and galvanize opinion against some particular injustice. But as the basis for social interpretation, and particularly interpretation directed toward strategic political action, they are useless. Their principal function is to feel good and tastily righteous in the mouths of those who propound them. People do things that reproduce patterns of racialized inequality, sometimes with self-consciously bigoted motives, sometimes not. Properly speaking, however, “racism” itself doesn’t do anything more than the Easter Bunny does.¶ Yes, racism exists, as a conceptual condensation of practices and ideas that reproduce, or seek to reproduce, hierarchy along lines defined by race. Apostles of antiracism frequently can’t hear this sort of statement, because in their exceedingly simplistic version of the nexus of race and injustice there can be only the Manichean dichotomy of those who admit racism’s existence and those who deny it. There can be only Todd Gitlin (the sociologist and former SDS leader who has become, both fairly and as caricature, the symbol of a “class-first” line) and their own heroic, truth-telling selves, and whoever is not the latter must be the former. Thus the logic of straining to assign guilt by association substitutes for argument.¶ My position is—and I can’t count the number of times I’ve said this bluntly, yet to no avail, in response to those in blissful thrall of the comforting Manicheanism—that of course racism persists, in all the disparate, often unrelated kinds of social relations and “attitudes” that are characteristically lumped together under that rubric, but from the standpoint of trying to figure out how to combat even what most of us would agree is racial inequality and injustice, that acknowledgement and $2.25 will get me a ride on the subway. It doesn’t lend itself to any particular action except more taxonomic argument about what counts as racism.¶ Do what now?¶ And here’s a practical catch-22. In the logic of antiracism, exposure of the racial element of an instance of wrongdoing will lead to recognition of injustice, which in turn will lead to remedial action—though not much attention seems ever given to how this part is supposed to work. I suspect this is because the exposure part, which feels so righteously yet undemandingly good, is the real focus. But this exposure convinces only those who are already disposed to recognize.

### Case

#### T is a prescriptive norm, not violent oppression---there’s no link to psychic violence because we’re not saying that in all your future debates you’re mandated to read a plan; just that you shouldn’t win this debate because you weren’t topical which impeded negative engagement---our argument is just another axis along which to evaluate who did the better debating, which is the same thing that happens in every debate

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

Lets first examine the claim that my book is "unwittingly" inviting a resurrection of the "Enlightenment-equals-totalitarianism position." How, one wonders, could a book promoting argument and debate, and promoting reason-giving practices as a kind of common ground that should prevail over assertions of cultural authenticity, somehow come to be seen as a dangerous resurgence of bad Enlightenment? Robbins tells us why: I want "argument on my own terms"-that is, I want to impose reason on people, which is a form of power and oppression. But what can this possibly mean? Arguments stand or fall based on whether they are successful and persuasive, even an argument in favor of argument. It simply is not the case that an argument in favor of the importance of reasoned debate to liberal democracy is tantamount to oppressive power. To assume so is to assume, in the manner of Theodor Adorno and Max Horkheimer, that reason is itself violent, inherently, and that it will always mask power and enforce exclusions. But to assume this is to assume the very view of Enlightenment reason that Robbins claims we are "thankfully" well rid of. (I leave to the side the idea that any individual can proclaim that a debate is over, thankfully or not.) But perhaps Robbins will say, "I am not imagining that your argument is directly oppressive, but that what you argue for would be, if it were enforced." Yet my book doesn't imagine or suggest it is enforceable; I simply argue in favor of, I promote, an ethos of argument within a liberal democratic and proceduralist framework. As much as Robbins would like to think so, neither I nor the books I write can be cast as an arm of the police.

Robbins wants to imagine a far more direct line of influence from criticism to political reality, however, and this is why it can be such a bad thing to suggest norms of argument. Watch as the gloves come off:

Faced with the prospect of submitting to her version of argument roughly, Habermass version-and of being thus authorized to disagree only about other, smaller things, some may feel that there will have been an end to argument, or an end to the arguments they find most interesting. With current events in mind, I would be surprised if there were no recourse to the metaphor of a regular army facing a guerilla insurrection, hinting that Anderson wants to force her opponents to dress in uniform, reside in well-demarcated camps and capitals that can be bombed, fight by the rules of states (whether the states themselves abide by these rules or not), and so on-in short, that she wants to get the battle onto a terrain where her side will be assured of having the upper hand.

Lets leave to the side the fact that this is a disowned hypothetical criticism. (As in, "Well, okay, yes, those are my gloves, but those are somebody elses hands they will have come off of.") Because far more interesting, actually, is the sudden elevation of stakes. It is a symptom of the sorry state of affairs in our profession that it plays out repeatedly this tragicomic tendency to give a grandiose political meaning to every object it analyzes or confronts. We have evidence of how desperate the situation is when we see it in a critic as thoughtful as Bruce Robbins, where it emerges as the need to allegorize a point about an argument in such a way that it gets cast as the equivalent of war atrocities. It is especially ironic in light of the fact that to the extent that I do give examples of the importance of liberal democratic proceduralism, I invoke the disregard of the protocols of international adjudication in the days leading up to the invasion of Iraq; I also speak about concerns with voting transparency. It is hard for me to see how my argument about proceduralism can be associated with the policies of the Bush administration when that administration has exhibited a flagrant disregard of democratic procedure and the rule of law. I happen to think that a renewed focus on proceduralism is a timely venture, which is why I spend so much time discussing it in my final chapter. But I hasten to add that I am not interested in imagining that proceduralism is the sole political response to the needs of cultural criticism in our time: my goal in the book is to argue for a liberal democratic culture of argument, and to suggest ways in which argument is not served by trumping appeals to identity and charismatic authority. I fully admit that my examples are less political events than academic debates; for those uninterested in the shape of intellectual arguments, and eager for more direct and sustained discussion of contemporary politics, the approach will disappoint. Moreover, there will always be a tendency for a proceduralist to under-specify substance, and that is partly a principled decision, since the point is that agreements, compromises, and policies get worked out through the communicative and political process. My book is mainly concentrated on evaluating forms of arguments and appeals to ethos, both those that count as a form of trump card or distortion, and those that flesh out an understanding of argument as a universalist practice. There is an intermittent appeal to larger concerns in the political democratic culture, and that is because I see connections between the ideal of argument and the ideal of deliberative democracy. But there is clearly, and indeed necessarily, significant room for further elaboration here.

There is a way to make Robbins’s point more narrowly which would run something like this: Anderson has a very restricted notion of how argument should play out, or appear, within academic culture, given the heavy emphasis on logical consistency and normative coherence and explicitness. This conception of argument is too narrow (and hence authoritarian). To this I would reply simply that logical consistency and normative coherence and explicitness do not exhaust the possible forms, modes, and strategies of argumentation. There is a distinction to be made between the identification of moves that stultify or disarm argument, and an insistence on some sort of single manner of reasoned argument. The former I am entirely committed to; the latter not at all, despite the fact that I obviously favor a certain style of argument, and even despite the fact that I am philosophically committed to the claims of the theory of communicative reason. I do address the issue of diverse forms and modes of argument in the first and last chapters of the book (as I discuss above), but it seems that a more direct reflection on the books own mode of argumentation might have provided the occasion for a fuller treatment of the issues that trouble Robbins.

Different genres within academe have different conventions, of course, and we can and do make decisions all the time about what rises to the level of cogency within specific academic venues, and what doesn't. Some of those judgments have to do with protocols of argument. The book review, for example, is judged according to whether the reviewer responsibly represents the scholarship under discussion, seems to have a good grasp of the body of scholarship it belongs to, and convincingly and fairly points out strengths and weaknesses. The book forum is a bit looser-one expects responsible representation of the scholarship under discussion, but it can be more selectively focused on a key set of issues. And one expects a bit of provocation, in order to make the exchange readable and dramatic. But of course in a forum exchange there is an implicit norm of argument, a tendency to judge whether a particular participant is making a strong or a weak case in light of the competing claims at play. Much of our time in the profession is taken with judging the quality of all manner of academic performance, and much of it has to do with norms of argument, however much Robbins may worry about their potentially coercive nature.

From time to time I myself have wondered whether my book is too influenced by the modes of academe. But when I read a piece of writing like the one that Elspeth Probyn produced, I find myself feeling a renewed commitment to the evaluative norms of responsible scholarship, and to the idea that clearly agreed-upon genres and protocols of fair scholarship benefit from explicit affirmation at times. Probyn's piece does not conform at all to the conventions of the forum response. She may herself be quite delighted that it does not. Robbins may find himself delighted that she represents a viewpoint that does not agree on my (totalitarian) fundamentals of forum responses. But I would simply say that here we do not have fair or reasoned argument, which is one of the enabling procedures of forum exchanges. Indeed, I hear a different genre altogether: the venting phone call to a friend or intimate. In this genre, which I think we are all familiar with, one is not expected or required to give reasons or evidence, as one is in academic argument. Here's how the phone call might go: "Ugh. I have to write a response to this awful book. I agreed to this because I thought the book had an interesting title; it's called The Way We Argue Now. But I can't get through it; it isn't at all what I expected. I find myself alternately bored and irritated. It's so from the center—totally American parochial, and I just hate the style: polemical in a slam-bam-thank-you-ma'am way—really quite mean-spirited. She's so arrogant. And you wouldn't believe the so-called critique of Foucault. I don't know, I think I'm just sick of abstract theory—I mean, aren't we past this? It's so stultifying. I wish there were some way to get out of the commitment. I don't know how I'm ever going to get to it anyway, with all my journalism deadlines." The friend: "That sounds awful. But just use the occasion to write about something else, something you think is important. Write about yourself. Direct attention to a book that you do like. Whatever you do, don't spend too much time on it. And definitely call her out on the American centrism."

Do we really want to overhear this kind of conversation when we turn to the review section of a journal like Criticism? Of what intellectual value is it to know [End Page 288] Probyn's casual reactions to a book she won't bother responsibly to describe or engage, unless of course we accord to Probyn some sort of authority in advance that makes argument unnecessary. That she herself believes in such argument-by-authority is evident when she tells us, "As Stuart Hall would say, along with any undergraduate in my classes, 'A discourse is a group of statements that provide a language for talking about a particular kind of knowledge about a topic.'" This is the extent of Probyn's searing critique of the problem with advocating debate generally. But note that it relies, first, upon the invocation of an authority, Stuart Hall, and then upon the implication that her students have all entirely absorbed her own channeling of that authority. Probyn is entirely unbothered, moreover, that the undergraduates in her classes unblinkingly accept this empty statement without protest or challenge or further inquiry into its aimless specificity.

# 2NC

### AT: State = Racist

#### Avoiding engaging the topic because the state is irredeemably racist over-essentializes modern black-life---switching sides on Afro-Pessimism crucial

McWhorter 9—Associate Professor in the English and Comparative Literature, Columbia (John, What African-American Studies Could Be, [www.mindingthecampus.com/originals/2009/09/by\_john\_mcwhorter\_while\_this.html](http://www.mindingthecampus.com/originals/2009/09/by_john_mcwhorter_while_this.html))

The answer common in such departments is that the principal mission is to teach students about the eternal power of racism past and present. Certainly it should be part of a liberal arts education to learn that racism is more than face-to-face abuse, and that social inequality is endemic to American society. However, too often the curriculum of African-American Studies departments gives the impression that racism and disadvantage are the most important things to note and study about being black.

The question is whether this, for all of its moral urgency in the local sense, qualifies as education under any serious definition.

Typical is the curriculum of one African-American Studies department in a solid, selective state school west of the Mississippi. In this department, racism is, essentially, everything.

One course teaches that "Housing discrimination systematically skews opportunities and life chances," another that "racism, sexism, and heterosexism shape black life chances in a 21st century context," while yet another zeroes in on "the effects of institutional racism on social policy, desegregation, integration, and affirmative action programs."

Then there is "Blacks in the Media" - or, rather, one slice of that subject: "Studying literature, comic books, comic strips, cartoons, music, theater, cinema, broadcasting, and television, students will analyze the mythical imageries which have created stereotypes." This is a common trope in writings on black performance, in which any performer can be jammed into a category such as "Mammy" or "Tragic Mulatto," sidestepping the nevertheless brilliant performances of people like Ethel Waters and Fredi Washington in the old days, or Queen Latifah and Halle Berry today.

Following from this glum desperation is a fetishization of radical politics as blacks' only constructive allegiance. One would never know the marginal import of radicalism to most black lives from its centrality to so many African-American Studies department syllabi. One course analyzes "the tradition of radical thought and the relevance of this thought to the needs and interests of the black community" - but what does the "relevance" consist of except intellectually? Yet the same department also offers a course on, more specifically, black Marxism.

According to this curriculum, being black has been so horrific that we are even challenged by the mere physicality of existence. One courses teaches that black women's bodies have to be "important spaces of resistance," while another is based on the idea that black people have been done in by various permutations of "urban spatial relations."

Because racism and inequality will always exist in some forms, this all qualifies as a bone-deep, almost willful pessimism about black potential. One would expect the thinking class of a troubled race to at least pay more lip service to looking forward. The set-jawed obsession with tabulating obstacles becomes almost peculiar, as if based on an assumption that in some way, black Americans are uniquely exempt from treating challenges as surmountable. There is even a course on black psychology whose description would get a white-run department picketed out of existence in a week, examining "manifestations of various psychological characteristics of people of African decent [sic], their cultual [sic] and behavioral norms, including the way that issues of race, class, gender and sexuality affect their cognitive, social, and emotional development."

One senses that the people teaching in African-American Studies departments feel that blackness is indeed something very different, likely because African slaves were unwilling immigrants. However, Ralph Ellison once asked "Can a people live and develop for over three hundred years simply by reacting?"

To those who would consider themselves representing black people by answering in the affirmative, there are legions of black people of all walks who would heartily disagree. There is no self-standing metric of unassailable truth that justifies intellectuals treating that disagreement - that is, the life-spirit of a people millions strong making the best of the worst for four hundred years -- as unworthy of serious address.

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As to the possible objection that course descriptions do not engage these departments closely enough, a look at a few actual course syllabi is useful.

At the University of Pennsylvania, the syllabus for "Racial and Sexual Conflict" openly states that "The term paper for this course should be concerned with the structure, causes, and policies that attempt to alleviate or perpetuate racial and/or sexual discrimination in the United States." Technically, this stipulation could allow an exploration of what people have done to get past obstacles rather than merely describe them. However, the material covered in this course gives precious little support to such an endeavor.

One week, the discussion concerns the questions as to "What role does educational opportunity play in economic opportunity? How has government policy affected educational opportunity by race?" However, the readings include none of the academic literature by scholars such as Joleen Kirschenman, Kathryn Neckerman, Jomills Braddock, James McPartland and Alford Young on how attitudinal factors affect the hireability of many uneducated black men, none of the literature on solid job opportunities for people without college degrees, and nothing on organizations nationwide assisting people in taking advantage of such opportunities. In a course purporting to teach America's brightest and most ambitious students about urgent realities, how are sources such as these irrelevant?

At the University of Massachusetts at Amherst, one course exemplifies the focus on radicalism. "Race, Radicalism and African American Culture" seeks to "track the genealogy of the movement that came to be called 'Black Power,' and to situate black radical artists and intellectuals in the broader history of twentieth-century American thought, culture, and politics."

And the course covers a noble procession of figures: Marcus Garvey, W.E.B. Du Bois, Richard Wright, Paul Robeson, the Black Panthers, Amiri Baraka, Cornel West, Bell Hooks. Not to mention James Baldwin. And Malcolm X. And Stokely Carmichael. Upon which the simple question is: despite their resonance, what effect did any of these people have upon the fact that there are today more middle-class black people than poor ones? Which was more central to making whites comfortable enough with blackness to elect a black President, the legacy of Malcolm X or the legacy of Dr. King?

As to King, the course does address Bayard Rustin, who was central to organizing the March on Washington. But he was at loggerheads with black radicals as the sixties wore on. The main legacy of black radicalism has been mood and fashion. Is its centrality to so many African-American Studies departments' curricula a matter of comprehensive engagement with black political development? Or is it what happens to be a common political orientation among modern academics in the humanities, including black ones?

To the extent that the answer is the latter, students are being underserved. At Columbia, in one African-American Studies course Manning Marable assigns an article by Robin Kelley called "Beyond the 'Real' World, or Why Black Radicals Need to Wake Up and Start Dreaming." But which black radical dreams have borne fruit in a way that would elicit a salute from ordinary black people in 2009? Dr. King had a dream indeed -- but he didn't mean us to stop there.

The issue is not the quality of these courses in themselves. I will gladly assume that these professors are all excellent lecturers, assiduous researchers and dedicated mentors. Yet attention must be paid to their ideological bias nevertheless. An African-American Studies curriculum whose main message is that black Americans' most interesting experience has always been racism, still is, and that this requires radicalism as a politics of choice is not education. It is indoctrination. It proposes a single minority view as sense incarnate. This is not what education is supposed to be.

To the extent that these courses and syllabi are typical, then, there is a problem. And anyone familiar with African-American Studies departments knows that these courses and syllabi are, indeed, typical.

African-American Studies departments have a place in a liberal arts education. However, to deserve that inclusion in anything beyond a symbolic sense, they should revise their curricula in exactly two ways, simple but crucial.

First, there should be full acknowledgment in all courses that the role of racism in black people's lives and fates is receding, and to such a degree that the race's challenges today are vastly different than they were forty years ago.

The aim should not be to downplay the reality of racism, but to present precisely what education consists of: the ambiguities and challenges of real life and how one thinks about it.

Defeatism should be discouraged. Any sense that defeatism is the empirically proper position on black American history in the same way as it would have been for Pompeiians in the face of the eruption of Mount Vesuvius fails -- for the simple reason that progress for black Americans continues on so many fronts.

Most of the people in question would resist being characterized as defeatist, or as not acknowledging change. However, there is acknowledgment and there is genuflection. Plus, a claim that black radicalism is our only real future is, in itself, defeatism. Four centuries of black history give no indication that these politics will significantly affect how most black people thrive.

For example, a course like Yale's on "African-American Politics" should include not only mention of the Bradley Effect (under which whites voters have claimed in polls that they would vote for black candidates but do not at the voting booth) but also that it has been proven to be on the wane repeatedly for twenty years, including in the election of Barack Obama. Otherwise, Yale's teachings will lag behind what even Wikipedia tells us about the reality on the Bradley Effect, as opposed to its recruitment as a strategy of indoctrination.

The course I mentioned on blacks' problems with urban space flags environmental racism - but would ideally mention the important work of Christopher Foreman of the Brookings Institution (black, for the record) showing that claims along these lines have been overblown.

It must also fall out of this that there will be no such thing as a course shoehorning the careers of hundreds of hard-working and excellent black artists and performers as lessons in stereotyping, or as most interesting for how they were hemmed in by racism than for what they accomplished regardless. Just as it is impossible to imagine Jewish Americans submitting themselves to so dispiriting and reductive a historiography of performance as this one, black scholars should step away from this kind of thinking as giving in to, rather than coping with, the ills of our history.

In the same vein, black popular music (including hip hop) should not be treated as most interesting in how it happened to intersect with (leftist and radical) political ideology - anymore than klezmer music, Chinese opera, or Tchaikovsky is. What about how our music is just good?

Second, an African-American Studies department should be considered larval without a course on black conservative thought - upon which courses on black radicalism would then be acceptable as alternative arguments.

Crucially, token assignment of writings of ancient three-named figures like Booker T. Washington, who wrote amidst post-Civil War conditions now ancient history, are a mere beginning. Most departments already slip in Washington, for example - although they should now regularly engage Robert Norrell's new biography that rescues the man from a century of calumny.

However, equally central to honest engagement with "black thought" are modern figures often considered controversial by the campus set, such as Shelby Steele, Thomas Sowell, Walter Williams, Debra Dickerson, and Stanley Crouch. (I will refrain from putting myself on this list, but will mention that my work is not uncommonly assigned to college students and seems not to leave them deaf to America's sociological imperfections.) Also useful, given that African-American Studies syllabi typically include some white writers, would be Stephen and Abigail Thernstrom, Lawrence Mead, Dan Subotnik and Peter Wood.

There is an argument hardly unfamiliar in the halls of ivy that black writers of this ilk are irrelevant to serious discussion because they are traitors to the race. Those charges must be permitted as free speech - but have no place in any brand of academic inquiry. All of the writers I have listed are careful thinkers deeply concerned with the fate of black America. It will not do to tar them as "not scholarly" because they do not all write in academic format or publish in obscure scholarly journals. Writings typically assigned by James Baldwin, Cornel West or even most of the others in this school are not written in this format either.

Thomas Sowell is read by millions in a nationally syndicated column, and this is in part because he is an economics and history scholar of long standing, whose books are often festooned with footnotes and references to academic work. Shelby Steele won the National Book Award, because of rhetorical skill surely the equal of writers like Patricia Williams and Michael Eric Dyson. Stanley Crouch is a polymath whose salty, "down" essence challenges anyone's claim that not being with the black radical program means not being "culturally black."

To be sure, many professors in African-American Studies departments think of themselves as doing their jobs in what they term "contesting" assorted topics. An example is Marable's "Critical Approaches to African-American Studies" at Columbia in which the contesting is the likes of "Remapping the black experience," "Redefining whiteness," and "Race-ing justice." However, this is a rearranging of furniture, very en famille. The confrontational, leftwardly politicized assumptions remain steadfast - while millions of blacks have overcome having never heard of politics of this kind.

These views, nevertheless, have value and should be heard. Yet they are not, on their own, truth. They verge into excess and anti-empiricism as readily as views from the right. There exist as many intelligent "contestings" of these leftist views as there exist "contestings" of the writings of Shelby Steele or myself. In a university department worth the status, contesting from all sides must be heard.

#### Their critiques of debate miss the mark—defending a topic that involves the state for the sake of deliberation is distinct from accepting it in our personal lives---limited content for deliberation in debate is key

**Talisse 2005** – philosophy professor at Vanderbilt (Robert, Philosophy & Social Criticism, 31.4, “Deliberativist responses to activist challenges”) \*note: gendered language in this article refers to arguments made by two specific individuals in an article by Iris Young

These two serious activist challenges may be summarized as follows. First, the activist has claimed that political discussion must always take place within the context of existing institutions that due to structural inequality grant to certain individuals the power to set discussion agendas and constrain the kinds of options open for consideration prior to any actual encounter with their deliberative opponents; the deliberative process is in this sense rigged from the start to favor the status quo and disadvantage the agents of change. Second, the activist has argued that political discussion must always take place by means of antecedent ‘discourses’ or vocabularies which establish the conceptual boundaries of the deliberation and hence may themselves be hegemonic or systematically distorting; the deliberative process is hence subject to the distorting influence of ideology at the most fundamental level, and deliberative democrats do not have the resources by which such distortions can be addressed. As they aim to establish that the deliberativist’s program is inconsistent with her own democratic objectives, this pair of charges is, as Young claims, serious (118). However, I contend that the deliberativist has adequate replies to them both.

Part of the response to the first challenge is offered by Young herself. The deliberative democrat does not advocate public political discussion only at the level of state policy, and so does not advocate a program that must accept as given existing institutional settings and contexts for public discussion. Rather, the deliberativist promotes an ideal of democratic politics according to which deliberation occurs at all levels of social association, including households, neighborhoods, local organizations, city boards, and the various institutions of civil society. The longrun aim of the deliberative democrat is to cultivate a more deliberative polity, and the deliberativist claims that this task must begin at more local levels and apart from the state and its policies. We may say that deliberativism promotes a ‘decentered’ (Habermas, 1996: 298) view of public deliberation and a ‘pluralistic’ (Benhabib, 2002: 138) model of the public sphere; in other words, the deliberative democrat envisions a ‘multiple, anonymous, heterogeneous network of many publics and public conversations’ (Benhabib, 1996b: 87). The deliberativist is therefore committed to the creation of ‘an inclusive deliberative setting in which basic social and economic structures can be examined’; these settings ‘for the most part must be outside ongoing settings of official policy discussion’ (115).

Although Young characterizes this decentered view of political discourse as requiring that deliberative democrats ‘withdraw’ (115) from ‘existing structural circumstances’ (118), it is unclear that this follows. There certainly is no reason why the deliberativist must choose between engaging arguments within existing deliberative sites and creating new ones that are removed from established institutions. There is no need to accept Young’s dichotomy; the deliberativist holds that work must be done both within existing structures and within new contexts. As Bohman argues,

Deliberative politics has no single domain; it includes such diverse activities as formulating and achieving collective goals, making policy decisions and means and ends, resolving conflicts of interest and principle, and solving problems as they emerge in ongoing social life. Public deliberation therefore has to take many forms. (1996: 53)

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The second challenge requires a detailed response, so let us begin with a closer look at the proposed argument. The activist has moved quickly from the claim that discourses can be systematically distorting to the claim that all political discourse operative in our current contexts is systematically distorting. The conclusion is that properly democratic objectives cannot be pursued by deliberative means. The first thing to note is that, as it stands, the conclusion does not follow from the premises; the argument is enthymematic. What is required is the additional premise that the distorting features of discussion cannot be corrected by further discussion. That discussion cannot rehabilitate itself is a crucial principle in the activist’s case, but is nowhere argued.

Moreover, the activist has given no arguments to support the claim that present modes of discussion are distorting, and has offered no analysis of how one might detect such distortions and discern their nature.20 Rather than providing a detailed analysis of the phenomenon of systematic distortion, Young provides (in her own voice) two examples of discourses that she claims are hegemonic. First she considers discussions of poverty that presume the adequacy of labor market analyses; second she cites discussions of pollution that presume that modern economies must be based on the burning of fossil-fuels. In neither case does she make explicit what constitutes the distortion. At most, her examples show that some debates are framed in ways that render certain types of proposals ‘out of bounds’. But surely this is the case in any discussion, and it is not clear that it is in itself always a bad thing or even ‘distorting’. Not all discursive exclusions are distortions because the term ‘distortion’ implies that something is being excluded that should be included.

Clearly, then, there are some dialectical exclusions that are entirely appropriate. For example, it is a good thing that current discussions of poverty are often cast in terms that render white supremacist ‘solutions’ out of bounds; it is also good that pollution discourses tend to exclude fringe-religious appeals to the cleansing power of mass prayer. This is not to say that opponents of market analyses of poverty are on par with white supremacists or that Greens are comparable to fringe-religious fanatics; it is rather to press for a deeper analysis of the discursive hegemony that the activist claims undermines deliberative democracy. It is not clear that the requested analysis, were it provided, would support the claim that systematic distortions cannot be addressed and remedied within the processes of continuing discourse. There are good reasons to think that continued discussion among persons who are aware of the potentially hegemonic features of discourse can correct the distorting factors that exist and block the generation of new distortions.

As Young notes (116), James Bohman (1996: ch. 3) has proposed a model of deliberation that incorporates concerns about distorted communication and other forms of deliberative inequality within a general theory of deliberative democracy; the recent work of Seyla Benhabib (2002) and Robert Goodin (2003: chs 9–11) aims for similar goals. Hence I conclude that, as it stands, the activist’s second argument is incomplete, and as such the force of the difficulty it raises for deliberative democracy is not yet clear. If the objection is to stick, the activist must first provide a more detailed examination of the hegemonic and distorting properties of discourse; he must then show both that prominent modes of discussion operative in our democracy are distorting in important ways and that further discourse cannot remedy these distortions.

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## T

### SSD Solves Racism

#### Engaging in switch-side debate around a provisional topic is a praxis of self-reflexive thought that is necessary to help break down racism

Asao Inoue 5, submitted in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY, THE EPISTEMOLOGY OF RACISM AND COMMUNITY-BASED ASSESSMENT PRACTICE, https://research.wsulibs.wsu.edu/xmlui/bitstream/handle/2376/294/a\_inoue\_012205.pdf?sequence=1

Sophistic antilogic and a slightly altered version of dialectic, as heuristics, can be quite beneficial to the writing classroom. Originally, these methods were meant for education, and for the sophists, a way to invent arguments, not in an Aristotelian sense (i.e. to discover the available means of persuasion), but in an explorative sense. It’s this second sense I hold up as more profitable contemporary classrooms. As a set of heuristics, sophistic pedagogy, particularly antilogic and dialectic method, asks students to play with ideas and language in order to come closest to acceptable truth for a given context, purpose, audience, and their currently understood ethical limits. The practice of antilogic when married to a dialectical forum (as a community of rhetors who vie for understanding) can also provide for ways in which students can see past the god-trick in their own dispositions and the common sense. However, for it to work as a critical pedagogy, the epistemology of racism should be incorporated in order for students to see dispositions as a part of habitus and common sense in discourse as rhetorical and social structures that structure their very ways of seeing and believing. Additionally, it can move away from discussions of relativism that many students will resist, discussions that seem purely opinion-based that antilogic might seem to encourage. Instead dialectic and antilogic can help students position themselves at other locations in a network of ideas and subjectivies, and thus see how consent and SR are structured into our lives, daily activities, and discourse, even when good intentions suggest otherwise. To openly explore opposing positions pushes us to reconsider our own vantage points in the network, and thus they can work to help students better use the epistemology of racism as a framework to see structurally. Antilogic and dialectic also highlight a crucial aspect of the writing class: that it’s not only about grammar, linguistic precision, correctness, or rules to learn, it’s also about learning to be citizens, about the limits and horizons to our knowledge and ways of coming to that knowledge, about revising our initial perspectives and allowing for potential adjustments to them later on, and about finding a critical space in which to make good decisions that work for the present and future. In short, as I’ll discuss in chapter 4, the writing class is about assessing our positions and ideas, as well as those of others, in critical ways that look for structuring structures and address power relationships.

Man-Measure and the Teachability of Arête

A writing pedagogy that uses both antilogic and dialectic as heuristics would also have to incorporate what I’ve only hedged on to this point, Protagoras’ man-measure doctrine and the question of the teachability of virtue (arête). This is the second important issue that contemporary writing students need to be able to address since it historically and contemporaneously attached to notions of citizenship as well as educational access. And again, the sophists offer ample ways to think about virtue, citizenship, and education. In fact, questions in the writing classroom around language and literacy can deepen discussions around the social structuring of knowledge and the purpose and nature of literacy as a citizen-building endeavor that is critical. Important to these kinds of discussions is a full understanding of the man-measure doctrine since it informs social constructionist pedagogy and composition theory. Man-measure is not a doctrine of simple relativism, nor carte blanche to make any claim in which one can offer support, then call it true (for that lone perspective), effective, or persuasive. It is, at its base, a doctrine about community judgment as a collective, or more precisely, it reveals a society’s structured hermeneutical practices (our ways of judging) when we put language to our views, ideas, decisions, positions, and visions of the world.

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#### The belief that the oppressed can only theorize about their experiences calcifies privilege---deconstruction of identity is a prerequisite to ending racism

Rosi Braidotti 6, contemporary philosopher and feminist theoretician, Transpositions: On Nomadic Ethics, 77-8

On this point, both bell hooks and Stuart Hall have in fact warned of the cheap trick that consists in 'saving' the marginal others from the destabilizing impact of postmodernism in general and poststructuralist philosophies in particular. In 'Postmodern blackness' bell hooks strongly objects to the way in which blacks and other 'others' are not entitled to deconstructive approaches to identity. It is as if they should be stuck with the burden of 'authentic' experience, empirical 'reality' and real-life socioeconomic 'conditions', thus leaving the task of theorizing to others, hooks (1990:23) argues that 'Racism is perpetuated when blackness is associated solely with concrete, gut-level experience, conceived as either opposing or having no connection to abstract thinking and the production of critical theory'. It is rather the case that postmodern blackness is infinitely more dangerous to racism, in so far as it exposes the white arrogance which consists in automatically assimilating the marginal 'others' to 'the view from below'.

The task of bringing into adequate representation the sort of new mixtures that contemporary subjects have become is at the heart of poststructuralist philosophies and hence of philosophical nomadism. The aim here is to provide a materially based practice of conceptual representation of the subjects m-becoming within the fast-shifting social landscape of postindustrial societies. The process of drawing cartographies of the present is central to social theory and cultural studies, in both feminist and mainstream theories. The great advantage of a poststructuralist approach is that it allows for a radical critique of 'representational' thinking and the kind of metaphorization processes it implies. Priority is given to the quest for new figurations that account for processes of changes and transformation, that is to say in-between-ness and flows. The aim is not to validate or sacralize the authenticity of experience, but rather to develop politically empowering methods of deconstructing identities, so as to enable a radical shift of perspective within the subject and to lay the foundations for new interconnections and alliances, bell hooks put it succinctly (hooks 1990: 27): 'Radical postmodernism calls attention to those shared sensibilities which cross the boundaries of class, gender, race, etc. that could be fertile ground for the construction of empathy - ties that would promote recognition of common commitments, and serve as a base for solidarity and coalition.'

## Counterplan

#### No perms---Political energy finite---authenticity tests and pointing fingers at individuals trades off with challenging broader structures

Iris Marion Young 6, was Professor of Political Science at the University of Chicago, Responsibility and Global Justice, sites.coloradocollege.edu/engaging-the-global/files/2013/01/Young\_2006.pdf

So far, I have offered only a way of thinking about responsibility in general. One mightwellobjectthatthesocialconnectionmodelofrespon- sibility raises as many questions as it answers. For example, the model says that all who participate by their actions in processes that produce injustice share responsibility for its remedy. Does this mean that all par- ticipants bear responsibility in the same way and to the same degree? If not, then what are the grounds for differentiating kinds and degrees of responsibility? Most of us participate in many structural processes, more- over, that arguably have disadvantaging, harmful, or unjust consequences for others. It is asking too much to expect most of us to work actively to restructure each and every one of the structural injustices for which we arguably share responsibility. How, then, should we reason about the best ways to use our limited time, resources, and creative energy to respond to structural injustice?

Adequatelyrespondingtoquestionslikethesewouldtakeatleastanother fullessay.Thus,Iwillonlysketchanswershere,andillustratetheresponses once again through the example of the anti-sweatshop movement.

Some moral theorists argue that responsibility names a form of obli- gationdistinctfromduty.JoelFeinberg,forexample,distinguishesbetween an ethic that focuses on obligation or duty and an ethic that focuses on responsibility. On the one hand, a duty specifies a rule of action or delin- eates the substance of what actions count as performing the duty. A responsibility, on the other hand, while no less obligatory, is more open with regard to what counts as carrying it out.49 A person with responsibilities is obliged to attend to outcomes that the responsibilities call for, and to orient her actions in ways demonstrably intended to contribute to bringing about those outcomes. Because a person may face many moral demands on her actions, and because changes in circumstances are often unpredictable, just how a person goes about discharging her responsibilities is a matter subject to considerable discretion.5° Given that a combination of responsibilities may be overly demanding, and given that agents have discretion in how they choose to discharge their responsibilities, it is reasonable to say that it is up to each agent to decide what she can and should do under the circumstances, and how she should order her moral priorities. Others have the right to question and criticize our decisions and actions, however, especially when we depend on one another to perform effective collective action. Part of what it means to be responsible on the social connection model is to be accountable to others with whom one shares responsibility—accountable for what one has decided to do and for which structural injustices one has chosen to address. When an agent is able to give an account of what she has done, and why, in terms of shared responsibilities for structural injustice, then others usually ought to accept her decision and the way she sets priorities for her actions.

These considerations begin to provide an answer to the question I stated above, namel how should one reason about the best way to use one’s limited time and resources to respond to structural injustices? In a world with many and deep structural injustices, most of us, in principle, share more responsibility than we can reasonably be expected to discharge.5’ Thus, we must make choices about where our action can be most useful or which injustices we regard as most urgent. While a social connection model of responsibility will not give us a list of maxims or imperatives, it should offer some parameters for reasoning to guide our decisions and actions. These parameters, in turn, address the other ques tion I raised earlier—the question about kinds and degrees of responsi bility. Different agents plausibly have different kinds of responsibilities in relation to particular issues of justice, and some arguably have a greater degree of responsibility than others.

#### We don’t embrace civil society---we’re not pro-state, just recognize working within the system is necessary

Dr. Richard Barbrook 97, Hypermedia Research Centre – U. of Westminster, 6-5, “More Provocations,” Amsterdam.nettime.org/Lists-Archives/nettime-1-9706/msg00034.html

I thought that this position is clear from my remarks about the ultra-left posturing of the ‘zero-work’ demand. In Europe, we have real social problems of deprivation and poverty which, in part, can only be solved by state action. This does not make me a statist, but rather anti-anti-statist. By opposing such intervention because they are carried out by the state anarchists are tacitly lining up with the neo-liberals. Even worse, refusing even to vote for the left, they acquiese to rule by neo-liberal parties. I deeply admire direct action movements. I was a radio pirate and we provide server space for anti-roads and environmental movements. However, this doesn’t mean that I support political abstentionism or, even worse, the mystical nonsense produced by Hakim Bey. It is great for artists and others to adopt a marginality as a life style choice, but most of the people who are economically and socially marginalised were never given any choice. They are excluded from society as a result of deliberate policies of deregulation, privatisation and welfare cutbacks carried out by neo-liberal governments. During the ‘70s. I was a pro-situ punk rocker until Thatcher got elected. Then we learnt the hard way that voting did change things and lots of people suffered if state power was withdrawn from certain areas of our life, such as welfare and employment. Anarchism can be a fun artistic pose. However, human suffering is not.

#### The aff’s approach is a method for dispute resolution---normative policy prescriptions are educationally valuable and don’t deny agency

Richard Ellis et al 9, Ph.D. University of California, Berkeley, degree completed December 1989, M.A. University of California, Berkeley, Political Science, 1984, B.A. University of California, Santa Cruz, Politics, 1982, Debating the Presidency: Conflicting Perspectives on the American Executive, p. google books

In 1969 the political scientist Aaron Wildavsky published a hefty reader on the American presidency. He prefaced it with the observation that “the presidency is the most important political institution in American life” and then noted the paradox that an institution of such overwhelming importance had been studied so little. “The eminence of the institution,” Wildavsky wrote, “is matched only by the extraordinary neglect shown to it by political scientists. Compared to the hordes of researchers who regularly descend on Congress, local communities, and the most remote foreign principalities, there is an extraordinary dearth of students of the presidency, although scholars ritually swear that the presidency is where the action is before they go somewhere else to do their research.”1 Political scientists have come a long way since 1969. The presidency remains as central to national life as it was then, and perhaps even more so. The state of scholarly research on the presidency today is unrecognizable compared with what it was forty years ago. A rich array of new studies has reshaped our understanding of presidential history, presidential character, the executive office, and the presidency’s relationship with the public, interest groups, parties, Congress, and the executive branch. Neglect is no longer a problem in the study of the presidency. In addition, those who teach about the presidency no longer lack for good textbooks on the subject. A number of terrific books explain how the office has developed and how it works. Although students gain a great deal from reading these texts, even the best of them can inadvertently promote a passive learning experience. Textbooks convey what political scientists know, but the balance and impartiality that mark a good text can obscure the contentious nature of the scholarly enterprise. Sharp disagreements are often smoothed over in the writing. The primary purpose of Debating the Presidency is to allow students to participate directly in the ongoing real-worldcontroversies swirling around the presidencyand to judge for themselves which side is right. It is premised philosophically on our view of students as active learners to be engaged rather than as passive receptacles to be filled. The book is designed to promote a classroom experience in which students debate and discuss issues rather than simply listen to lectures. Some issues, of course, lend themselves more readily to this kind of classroom debate. In our judgment, questions of a normative nature —asking not just what is, but what ought to be—are likely to foster the most interesting and engaging classroom discussions. So in selecting topics for debate, we generally eschewed narrow but important empirical questions of political science—such as whether the president receives greater support from Congress on foreign policy than on domestic issues—for broader questions that include empirical as well as normative components—such as whether the president has usurped the war power that rightfully belongs to Congress. We aim not only to teach students to think like political scientists, but also to encourage them to think like democratic citizens. Each of the thirteen issues selected for debate in this book’s second edition poses questions on which thoughtful people differ. These include whether the president should be elected directly by the people, whether the media are too hard on presidents, and whether the president has too much power in the selection of judges. Scholars are trained to see both sides of an argument, but we invited our contributors to choose one side and defend it vigorously. Rather than provide balanced scholarly essays impartially presenting the strengths and weaknesses of each position, Debating the Presidency leaves the balancing and weighing of arguments and evidence to the reader. The essays contained in the first edition of this book were written near the end of President George W. Bush’s fifth year in office; this second edition was assembled during and after Barack Obama’s first loo days as president. The new edition includes four new debate resolutions that should spark spirited classroom discussion about the legitimacy of signing statements, the war on terror, the role of the vice presidency, and the Twenty-second Amendment. Nine debate resolutions have been retained from the first edition and, wherever appropriate, the essays have been revised to reflect recent scholarship or events. For this edition we welcome David Karol, Tom Cronin, John Yoo, Lou Fisher, Peter Shane, Nelson Lund, Doug Kriner, and Joel Goldstein, as well as Fred Greenstein, who joins the debate with Stephen Skowronek over the importance of individual attributes in accounting for presidential success. In deciding which debate resolutions to retain from the first edition and which ones to add, we were greatly assisted by advice we received from many professors who adopted the first edition of this book. Particularly helpful were the reviewers commissioned by CQ Press: Craig Goodman of Texas Tech University, Delbert J. Ringquist of Central Michigan University, Brooks D. Simpson of Arizona State University, and Ronald W. Vardy of the University of Houston. We are also deeply grateful to chief acquisitions editor Charisse Kiino for her continuing encouragement and guidance in developing this volume. Among the others who helped make the project a success were editorial assistants Jason McMann and Christina Mueller, copy editor Mary Marik, and the book’s production editor, Gwenda Larsen. Our deepest thanks go to the contributors, not just for their essays, but also for their excellent scholarship on the presidency.

#### We’re not the view from nowhere—the dichotomy they’re drawing makes them equally suspect—because it claims a privileged insight on reality

**DISCH ‘93** (Lisa J.; Professor of Political Theory – University of Minnesota, “More Truth Than Fact: Storytelling as Critical Understanding in the Writings of Hannah Arendt,” Political Theory 21:4, November)

What Hannah Arendt called “my old fashioned storytelling”7 is at once the most elusive and the most provocative aspect of her political philosophy. The apologies she sometimes made for it are well known, but few scholars have attempted to discern from these “scattered remarks” as statement of epistemology or method.8 Though Arendt alluded to its importance throughout her writings in comments like the one that prefaces this essay, this offhandedness left an important question about storytelling unanswered: how can thought that is “bound” to experience as its only “guidepost” possibly be critical? I discern an answer to this question in Arendt’s conception of storytelling, which implicitly redefines conventional understandings of objectivity and impartiality. Arendt failed to explain what she herself termed a “rather unusual approach”9 to political theory because she considered methodological discussions to be self-indulgent and irrelevant to real political problems.10 This reticence did her a disservice because by failing to explain how storytelling creates a vantage point that is both critical and experiential she left herself open to charges of subjectivism.11 As Richard Bernstein has argued, however, what makes Hannah Arendt distinctive is that she is neither a subjectivist nor a foundationalist but, rather, attempts to move “beyond objectivism and relativism.”12 I argue that Arendt’s apologies for her storytelling were disingenuous; she regarded it not as an anachronistic or nostalgic way of thinking but as an innovative approach to critical understanding. Arendt’s storytelling proposes an alternative to the model of impartiality defined as detached reasoning. In Arendt’s terms, impartiality involves telling oneself the story of an event or situation form the plurality of perspectives that constitute it as a public phenomenon. This critical vantage point, not from outside but from within a plurality of contesting standpoints, is what I term “situated impartiality.” Situated impartial knowledge is neither objective disinterested nor explicitly identified with a single particularistic interest. Consequently, its validity does not turn on what Donna Haraway calls the “god trick,” the claim to an omnipotent, disembodied vision that is capable of “seeing everything from nowhere.”13 But neither does it turn on a claim to insight premised on the experience of subjugation, which purportedly gives oppressed peoples a privileged understanding of structures of domination and exonerates them of using power to oppress. The two versions of standpoint claims – the privileged claim to disembodied vision and the embodied claim to “antiprivilege” from oppression – are equally suspect because they are simply antithetical. Both define knowledge positionally, in terms of proximity to power; they differ only in that they assign the privilege of “objective” understanding to opposite poles of the knowledge/power axis. Haraway argues that standpoint claims are insufficient as critical theory because they ignore the complex of social relations that mediate the connection between knowledge and power. She counters that any claim to knowledge, whether advanced by the oppressed or their oppressors, is partial. No one can justifiably lay claim to abstract truth, Haraway argues, but only to “embodied objectivity,” which she argues “means quite simply situated knowledges.”14 There is a connection between Arendt’s defense of storytelling and Haraway’s project, in that both define theory as a critical enterprise whose purpose is not to defend abstract principles or objective facts but to tell provocative stories that invite contestation form rival perspectives.15

## Case

### AT: Social Death

#### The invocation of social death as ontologically inevitable inscribes a pessimism towards politics which makes agency impossible and oversimplifies the history of resistance

Brown 9 Vincent, Prof. of History and African and African-American Studies @ Harvard Univ., December, "Social Death and Political Life in the Study of Slavery," American Historical Review, p. 1231-1249

Specters of the Atlantic is a compellingly sophisticated study of the relation be- tween the epistemologies underwriting both modern slavery and modern capitalism, but the book’s discussion of the politics of anti-slavery is fundamentally incomplete. While Baucom brilliantly traces the development of “melancholy realism” as an op- positional discourse that ran counter to the logic of slavery and finance capital, he has very little to say about the enslaved themselves. Social death, so well suited to the tragic perspective, stands in for the experience of enslavement. While this heightens the reader’s sense of the way Atlantic slavery haunts the present, Baucom largely fails to acknowledge that the enslaved performed melancholy acts of accounting not unlike those that he shows to be a fundamental component of abolitionist and human rights discourses, or that those acts could be a basic element of slaves’ oppositional activities. In many ways, the effectiveness of his text depends upon the silence of slaves—it is easier to describe the continuity of structures of power when one down- plays countervailing forces such as the political activity of the weak. So Baucom’s deep insights into the structural features of Atlantic slave trading and its afterlife come with a cost. Without engagement with the politics of the enslaved, slavery’s history serves as an effective charge leveled against modernity and capitalism, but not as an uneven and evolving process of human interaction, and certainly not as a locus of conflict in which the enslaved sometimes won small but important victories.11¶ Specters of the Atlantic is self-consciously a work of theory (despite Baucom’s prodigious archival research), and social death may be largely unproblematic as a matter of theory, or even law. In these arenas, as David Brion Davis has argued, “the slave has no legitimate, independent being, no place in the cosmos except as an instrument of her or his master’s will.”12 But the concept often becomes a general description of actual social life in slavery. Vincent Carretta, for example, in his au- thoritative biography of the abolitionist writer and former slave Olaudah Equiano, agrees with Patterson that because enslaved Africans and their descendants were “stripped of their personal identities and history, [they] were forced to suffer what has been aptly called ‘social death.’ ” The self-fashioning enabled by writing and print “allowed Equiano to resurrect himself publicly” from the condition that had been imposed by his enslavement.13 The living conditions of slavery in eighteenth-century Jamaica, one slave society with which Equiano had experience, are described in rich detail in Trevor Burnard’s unflinching examination of the career of Thomas Thistle- wood, an English migrant who became an overseer and landholder in Jamaica, and who kept a diary there from 1750 to 1786. Through Thistlewood’s descriptions of his life among slaves, Burnard glimpses a “world of uncertainty,” where the enslaved were always vulnerable to repeated depredations that actually led to “significant slave dehumanization as masters sought, with considerable success, to obliterate slaves’ personal histories.” Burnard consequently concurs with Patterson: “slavery completely stripped slaves of their cultural heritage, brutalized them, and rendered ordinary life and normal relationships extremely difficult.”14 This was slavery, after all, and much more than a transfer of migrants from Africa to America.15 Yet one wonders, after reading Burnard’s indispensable account, how slaves in Jamaica or- ganized some of British America’s greatest political events during Thistlewood’s time and after, including the Coromantee Wars of the 1760s, the 1776 Hanover conspiracy, and the Baptist War of 1831–1832. Surely they must have found some way to turn the “disorganization, instability, and chaos” of slavery into collective forms of belonging and striving, making connections when confronted with alien- ation and finding dignity in the face of dishonor. Rather than pathologizing slaves by allowing the condition of social death to stand for the experience of life in slavery, then, it might be more helpful to focus on what the enslaved actually made of their¶ situation.¶ Among the most insightful texts to explore the experiential meaning of Afro- Atlantic slavery (for both the slaves and their descendants) are two recent books by Saidiya Hartman and Stephanie Smallwood. Rather than eschewing the concept of social death, as might be expected from writing that begins by considering the per- spective of the enslaved, these two authors use the idea in penetrating ways. Hart- man’s Lose Your Mother: A Journey along the Atlantic Slave Route and Smallwood’s Saltwater Slavery: A Middle Passage from Africa to American Diaspora extend social death beyond a general description of slavery as a condition and imagine it as an experience of self. Here both the promise and the problem with the concept are most fully apparent.16¶ Both authors seek a deeper understanding of the experience of enslavement and its consequences for the past, present, and future of black life than we generally find in histories of slavery. In Hartman’s account especially, slavery is not only an object of study, but also the focus of a personal memoir. She travels along a slave route in Ghana, from its coastal forts to the backcountry hinterlands, symbolically reversing the first stage of the trek now commonly called the Middle Passage. In searching prose, she meditates on the history of slavery in Africa to explore the precarious nature of belonging to the social category “African American.” Rendering her re- markable facility with social theory in elegant and affective terms, Hartman asks the question that nags all identities, but especially those forged by the descendants of slaves: What identifications, imagined affinities, mythical narratives, and acts of re- membering and forgetting hold the category together? Confronting her own alienation from any story that would yield a knowable genealogy or a comfortable identity, Hartman wrestles with what it means to be a stranger in one’s putative motherland, to be denied country, kin, and identity, and to forget one’s past—to be an orphan.17 Ultimately, as the title suggests, Lose Your Mother is an injunction to accept dis- possession as the basis of black self-definition.¶ Such a judgment is warranted, in Hartman’s account, by the implications of social death both for the experience of enslavement and for slavery’s afterlife in the present. As Patterson delineated in sociological terms the death of social personhood and the reincorporation of individuals into slavery, Hartman sets out on a personal quest to “retrace the process by which lives were destroyed and slaves born.”18 When she contends with what it meant to be a slave, she frequently invokes Patterson’s idiom: “Seized from home, sold in the market, and severed from kin, the slave was for all intents and purposes dead, no less so than had he been killed in combat. No less so than had she never belonged to the world.” By making men, women, and children into commodities, enslavement destroyed lineages, tethering people to own- ers rather than families, and in this way it “annulled lives, transforming men and women into dead matter, and then resuscitated them for servitude.” Admittedly, the enslaved “lived and breathed, but they were dead in the social world of men.”19 As it turns out, this kind of alienation is also part of what it presently means to be African American. “The transience of the slave’s existence,” for example, still leaves its traces in how black people imagine and speak of home:¶ We never tire of dreaming of a place that we can call home, a place better than here, wherever here might be . . . We stay there, but we don’t live there . . . Staying is living in a country without exercising any claims on its resources. It is the perilous condition of existing in a world in which you have no investments. It is having never resided in a place that you can say is yours. It is being “of the house” but not having a stake in it. Staying implies transient quarters, a makeshift domicile, a temporary shelter, but no attachment or affiliation. This sense of not belonging and of being an extraneous element is at the heart of slavery.20¶ “We may have forgotten our country,” Hartman writes, “but we haven’t forgotten our dispossession.”21¶ Like Baucom, Hartman sees the history of slavery as a constituent part of a tragic present. Atlantic slavery continues to be manifested in black people’s skewed life chances, poor education and health, and high rates of incarceration, poverty, and premature death. Disregarding the commonplace temporalities of professional historians, whose literary conventions are generally predicated on a formal distinction between past, present, and future, Hartman addresses slavery as a problem that spans all three. The afterlife of slavery inhabits the nature of belonging, which in turn guides the “freedom dreams” that shape prospects for change. “If slavery persists as an issue in the political life of black America,” she writes, “it is not because of an antiquated obsession with bygone days or the burden of a too-long memory, but because black lives are still imperiled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago.”22¶ A professor of English and comparative literature, Hartman is in many respects in a better position than most historians to understand events such as the funeral aboard the Hudibras. This is because for all of her evident erudition, her scholarship is harnessed not so much to a performance of mastery over the facts of what hap- pened, which might substitute precision for understanding, as to an act of mourning, even yearning. She writes with a depth of introspection and personal anguish that is transgressive of professional boundaries but absolutely appropriate to the task. Reading Hartman, one wonders how a historian could ever write dispassionately about slavery without feeling complicit and ashamed. For dispassionate accounting—exemplified by the ledgers of slave traders—has been a great weapon of the powerful, an episteme that made the grossest violations of personhood acceptable, even necessary. This is the kind of bookkeeping that bore fruit upon the Zong. “It made it easier for a trader to countenance yet another dead black body or for a captain to dump a shipload of captives into the sea in order to collect the insurance, since it wasn’t possible to kill cargo or to murder a thing already denied life. Death was simply part of the workings of the trade.” The archive of slavery, then, is “a mortuary.” Not content to total up the body count, Hartman offers elegy, echoing in her own way the lamentations of the women aboard the Hudibras. Like them, she is concerned with the dead and what they mean to the living. “I was desperate to reclaim the dead,” she writes, “to reckon with the lives undone and obliterated in the making of human commodities.”23¶ It is this mournful quality of Lose Your Mother that elevates it above so many histories of slavery, but the same sense of lament seems to require that Hartman overlook small but significant political victories like the one described by Butter- worth. Even as Hartman seems to agree with Paul Gilroy on the “value of seeing the consciousness of the slave as involving an extended act of mourning,” she remains so focused on her own commemorations that her text makes little space for a consideration of how the enslaved struggled with alienation and the fragility of belonging, or of the mourning rites they used to confront their condition.24 All of the ques- tions she raises about the meaning of slavery in the present—both highly personal and insistently political—might as well be asked about the meaning of slavery to slaves themselves, that is, if one begins by closely examining their social and political lives rather than assuming their lack of social being. Here Hartman is undone by her reliance on Orlando Patterson’s totalizing definition of slavery. She asserts that “no solace can be found in the death of the slave, no higher ground can be located, no perspective can be found from which death serves a greater good or becomes any- thing other than what it is.”25 If she is correct, the events on the Hudibras were of negligible importance. And indeed, Hartman’s understandable emphasis on the personal damage wrought by slavery encourages her to disavow two generations of social history that have demonstrated slaves’ remarkable capacity to forge fragile com- munities, preserve cultural inheritance, and resist the predations of slaveholders. This in turn precludes her from describing the ways that violence, dislocation, and death actually generate culture, politics, and consequential action by the enslaved.26¶ This limitation is particularly evident in a stunning chapter that Hartman calls “The Dead Book.” Here she creatively reimagines the events that occurred on the voyage of the slave ship Recovery, bound, like the Hudibras, from the Bight of Biafra to Grenada, when Captain John Kimber hung an enslaved girl naked from the mizzen stay and beat her, ultimately to her death, for being “sulky”: she was sick and could not dance when so ordered. As Hartman notes, the event would have been unre- markable had not Captain Kimber been tried for murder on the testimony of the ship’s surgeon, a brief transcript of the trial been published, and the woman’s death been offered up as allegory by the abolitionist William Wilberforce and the graphic satirist Isaac Cruikshank. Hartman re-creates the murder and the surge of words it inspired, representing the perspectives of the captain, the surgeon, and the aboli tionist, for each of whom the girl was a cipher “outfitted in a different guise,” and then she puts herself in the position of the victim, substituting her own voice for the unknowable thoughts of the girl. Imagining the experience as her own and wistfully representing her demise as a suicide—a final act of agency—Hartman hopes, by this bold device, to save the girl from oblivion. Or perhaps her hope is to prove the impossibility of ever doing so, because by failing, she concedes that the girl cannot be put to rest. It is a compelling move, but there is something missing. Hartman discerns a convincing subject position for all of the participants in the events sur- rounding the death of the girl, except for the other slaves who watched the woman die and carried the memory with them to the Americas, presumably to tell others, plausibly even survivors of the Hudibras, who must have drawn from such stories a basic perspective on the history of the Atlantic world. For the enslaved spectators, Hartman imagines only a fatalistic detachment: “The women were assembled a few feet away, but it might well have been a thousand. They held back from the girl, steering clear of her bad luck, pestilence, and recklessness. Some said she had lost her mind. What could they do, anyway? The women danced and sang as she lay dying.”¶ Hartman ends her odyssey among the Gwolu, descendants of peoples who fled the slave raids and who, as communities of refugees, shared her sense of dispos- session. “Newcomers were welcome. It didn’t matter that they weren’t kin because genealogy didn’t matter”; rather, “building community did.” Lose Your Mother con- cludes with a moving description of a particular one of their songs, a lament for those who were lost, which resonated deeply with her sense of slavery’s meaning in the present. And yet Hartman has more difficulty hearing similar cries intoned in the past by slaves who managed to find themselves.27¶ Saltwater Slavery has much in common with Lose Your Mother. Smallwood’s study of the slave trade from the Gold Coast to the British Americas in the late seventeenth and early eighteenth centuries likewise redeems the experience of the people traded like so many bolts of cloth, “who were represented merely as ciphers in the political arithmetic,” and therefore “feature in the documentary record not as subjects of a social history but as objects or quantities.”28 Each text offers a penetrating analysis of the market logic that turned people into goods. Both books work with the concept of social death. However, Smallwood examines the problem of social death for the enslaved even more closely than Hartman does.29¶ Like Hartman, Smallwood sees social death as a by-product of commodification. “If in the regime of the market Africans’ most socially relevant feature was their exchangeability,” she argues, “for Africans as immigrants the most socially relevant feature was their isolation, their desperate need to restore some measure of social life to counterbalance the alienation engendered by their social death.” But Small- wood’s approach is different in a subtle way. Whereas for Hartman, as for others, social death is an accomplished state of being, Smallwood veers between a notion of social death as an actual condition produced by violent dislocation and social death as a compelling threat. On the one hand, she argues, captivity on the Atlantic littoral was a social death. Exchangeable persons “inhabited a new category of mar- ginalization, one not of extreme alienation within the community, but rather of ab- solute exclusion from any community.” She seems to accept the idea of enslaved commodities as finished products for whom there could be no socially relevant relationships: “the slave cargo constituted the antithesis of community.” Yet elsewhere she contends that captives were only “menaced” with social death. “At every point along the passage from African to New World markets,” she writes, “we find a stark contest between slave traders and slaves, between the traders’ will to commodify people and the captives’ will to remain fully recognizable as human subjects.”30 Here, I think, Smallwood captures the truth of the idea: social death was a receding ho- rizon—the farther slaveholders moved toward the goal of complete mastery, the more they found that struggles with their human property would continue, even into the most elemental realms: birth, hunger, health, fellowship, sex, death, and time.¶ If social death did not define the slaves’ condition, it did frame their vision of apocalypse. In a harrowing chapter on the meaning of death (that is, physical death) during the Atlantic passage, Smallwood is clear that the captives could have no frame of reference for the experience aboard the slave ships, but she also shows how des- perate they were to make one. If they could not reassemble some meaningful way to map their social worlds, “slaves could foresee only further descent into an endless purgatory.” The women aboard the Hudibras were not in fact the living dead; they were the mothers of gasping new societies. Their view of the danger that confronted them made their mourning rites vitally important, putting these at the center of the women’s emerging lives as slaves—and as a result at the heart of the struggles that would define them. As Smallwood argues, this was first and foremost a battle over their presence in time, to define their place among ancestors, kin, friends, and future progeny. “The connection Africans needed was a narrative continuity between past and present—an epistemological means of connecting the dots between there and here, then and now, to craft a coherent story out of incoherent experience.” That is precisely what the women on the Hudibras fought to accomplish.31