### Off

#### The negatives speech act is a performance - the aff should not get a perm.

Evans 13 - Debate Guru (Rashad, https://www.facebook.com/groups/318979761518379/permalink/542109029205450/, October 14th 2013)

Rashad Evans: Counter performances are always competitive. Performance based framework recognizes that there is always a forced choice between the the two teams and the ballot can only be awarded to one team. This is why permutations are problematic. Therefore, if the negative offers up a performance of there own with its own benefits that are more beneficial. The affirmative cannot say: we permute your performance because we could have done that too. In addition, while I loathe role of the ballot arguments, they immediately set of competition in the same way that plan focus does because it identifies what the debate must be about which always allows the negative to say this debate should be about X. You say the role of the ballot is who best X; we say the role of the ballot is who best challenges Y.

### Off

#### Borders are static, for who?? The 1AC is engaged in an act of forgetting and it is this act of forgetting which underpins the limitations of their political project. Borders are not static for transnational capitalism.

**Vandenberghe 2008** (Frédéric Vandenberghe, Deleuzian capitalism, *Philosophy Social Criticism* 2008; 34; 877, vol 34 no 8 • pp. 877–903, Sage Publications)

The basic principle of rhizomatic sociology is that society is always *en fuite*, always leaking and fleeing, and may be understood in terms of the manner in which it deals with its *lignes de fuite*, or lines of flight. There is always something that flees and escapes the system, something that is not controllable, or at least not yet controlled. With their machinic analysis of becoming, Deleuze and Guattari want to encourage leakages and ‘cause a run off – *faire fuire* – as when you drill a hole in the pipe or open up the abscess’ (Guattari, 1977: 120; Deleuze and Guattari, 1980: 249; Deleuze, 1990: 32). The intention is obviously anti-systemic– draining the system, digging holes, continuing the work of the old mole. Yet, today, the capitalistic system itself thrives on anti-systematicity, ‘artificial negativity’ (Adorno), or ‘repetition and difference’ (Deleuze). It feeds, as it were, on its own problems and in the process it changes itself and mutates. The ‘repetition of the same’ eventually leads to ‘difference’, which is tantamount to saying that the survival of capitalism means ‘continuity with difference’. Capitalism explores and anticipates the de-territorializing lines of flight to capture them from without, enter into symbiosis with them, and redirect them from within, like a parasite, towards its own ends. Capitalism is inventive; its creativity knows no limits – ‘it is of the viral type’ (Deleuze and Guattari, 1980: 580). Deleuze and Guattari put their anti-capitalist hopes in the guerrilla tactics of the schizoid minority that refuses to play the game (Marcuse’s *nicht mitmachen*) of the self-content majority. Although they know that the squirms of the dispersed minority accompany the war machine of the entrepreneurial companies like their ‘supplement’, although they realize that capitalism advances like a war machine that feeds on the lines of flight and indicated that capitalism knows no internal limits, they nevertheless believed that capitalism would find its logical conclusion in the schizophrenic production of a free flow of desire: ‘Schizophrenia is the external limit of capitalism itself’ (Deleuze and Guattari, 1972: 292). What they apparently meant by that mad statement is that the final crisis of capitalism would eventually be generated not by the regulation or domestication of capitalism but by the complete commodification of the desiring machines that we are. Only by accelerating the decadence of the present system, only through some kind of self-commodification in a consumerist potlatch, would the capitalist system be beaten by its own game: Which is the revolutionary path, if there’s one? To withdraw from the world market . . . in a curious renewal of the ‘economic solution’ of the fascists? Or might it go in the opposite direction? To go still further in the movement of the market, of decoding and territorialisation? . . . Not withdraw from the process, but going further, ‘accelerating the process’, as Nietzsche said. As a matter of fact, we ain’t seen nothing yet. (Deleuze and Guattari, 1972: 285)1 A quarter of a century later, the process of accumulation has accelerated to the point that capitalism itself has become Deleuzian in form, in style and in content. This junction is not accidental. As usual, an ironic and profoundly perverse relationship exists between the romantic ethic and the spirit of capitalism (Campbell, 1987: 202–27). Needless to say that I am not claiming that Deleuze’s libertarian critique of capitalism was anti-critical or phoney from the start and that Deleuze is somehow the Giddens of the 1970s: a neo-liberal disguised as a libertarian, or Thatcher on LSD. What I am claiming is, rather, that capitalism has progressively integrated the critique of capitalism into its mode of functioning, with the result that capitalism appears stronger than ever, whereas the critique of capitalism seems rather disarmed. In their magisterial analysis of the new spirit of capitalism, Boltanski and Chiapello (1999: 241–90) have convincingly demonstrated that capitalism has coopted the postmodernizing critique of the 1960s and 1970s and used it as a way to reorganize itself and expand infinitely. The industrially organized capitalism of the ‘golden thirties’ (1945–73) was essentially Fordist. Bureaucratic, hierarchical, pyramidal and centrally controlled, planned and taylorized, oriented to the mass production of standardized goods, it was elephantine, rigid and alienating. The neocorporatist arrangement between the state, the employers and the unions guaranteed job security, an indexed income, a steady career track and a pension, but this security hardly compensated for the employees’ lack of autonomy. Attacking the dehumanizing and disciplining, massifying and standardizing nature of the ‘capitalist-bureaucratic-technical-totalitarian society of planned exploitation and directed consumption’ (Lefebvre) in the name of spontaneity, creativity and authenticity, the libertarian left took over the ‘artistic critique’ of capitalism of the bohemians and translated their grievances in a language that was inspired by surrealism and the ‘masters of suspicion’ (Marx, Freud and

#### This politics of mobility underscores the modern capitalism of endless smooth space.

Diken and Lausten 1 (Bülent Diken, lecturer in Sociology at Lancaster University, and Carsten Bagge Laustsen, Ph.D. student at the University of Copenhagen, Department of Political Sciences, http://www.comp.lancs.ac.uk/sociology/papers/Diken-Laustsen-Enjoy-Your-Fight.pdf)

The de-traditionalized, increasingly reflexive individuals no longer have ready-made symbolic authorities, and they complain, as does Tyler in Fight Club, “we are a generation of men raised by women”. He never “knew his father” (Palahniuk 1997: 49). In the social space within which Fight Club emerges there is no father, only a ruse of signs, an experience of a smooth space without symbolic hierarchies. A place no longer determined by the law and tradition or by the solidity of a habitus. What follows is the burden of reflexivity as one has to choose one’s place in the social, because identity is no longer a matter of occupying an already given subject position. Hence one desperately searches for a true identity, tries to find an objective correlate to being. “I loved my life. I loved my condo. I loved every stick of furniture. That was my whole life. Everything—the lamps, the chairs, the rugs—were me. The dishes were me. The plants were me. The television was me”. This “friction-free”, smooth space is of course the space of contemporary capitalism, of flows. What is often overlooked is that in this social space fantasies are violated, not because they are forbidden but because they are not. Today fantasies are subsumed under capital, and a market for the extreme and the perverted is growing. In our post-Oedipal era, the paradigmatic mode of subjectivity is the “polymorphously perverse” subject that follows the command to enjoy; no longer the Oedipal subject integrated into the symbolic order through castration (Žižek 1999: 248). If, in the reflexive society, the symbolic father of the uncompromising “No!” is in retreat, the void is filled with either ersatz authorities (e.g. ethical committees) or authorities that make transgression or perversion of the Law a rule in the service of enjoyment. Thus, the standard situation of the disciplinary subject is reversed: “we no longer have the public Order of hierarchy, repression and severe regulation, subverted by the secret acts of liberating transgression ... on the contrary, we have public social relations among free and equal individuals, where the ‘passionate attachment’ to some extreme form of strictly regulated domination and submission becomes the secret transgressive source of libidinal satisfaction, the obscene supplement to the public sphere of freedom and equality” (Žižek 1999: 345). The problem of authority today is not that of the symbolic authority that forbids enjoyment but that of the superego, of the obscene authority that enjoins one to enjoy. This is a scenario in which transgression does not result in freedom but in new, and even more rigid, authority structures. The distinction between societies of discipline and societies of control, in which power goes nomadic, is illuminating here. Deleuze claims that capitalism is no longer characterized by panoptic, place-bounded discipline forcing people to overtake given subject positions, but by a permanent movement, in which the subject is always in a state of becoming. “Control”, he says, “is short-term and rapidly shifting, but at the same time continuous and unbounded, whereas discipline was long-term, infinite and discontinuous” (Deleuze 1995: 181). If the geography of discipline worked in terms of fixed points or positions, control operates in terms of mobility, speed, flexibility, anonymity and contingent identities, in terms of “the whatever” (Hardt 1998: 32). The symptom of control society is the collapse of the institutional walls: not that discipline ends with the deterritorialization of institutions. Rather, discipline, now freer than ever from territorial constraints, has become more immanent to the social field (Hardt & Negri 2000). In control society subjectivity is “produced simultaneously by numerous institutions in different combinations and doses”; hence social space tends to lose its delimitation: one “is factory worker outside the factory, student outside the school, inmate outside prison, insane outside the asylum—all at the same time. It belongs to no identity and all of them—outside the institutions but even more intensely ruled by their disciplinary logics” (Hardt & Negri 2000: 331-2). This unfinished, constantly mutating status of everything does not bring with it freedom, but control, which corresponds to the immanent, axiomatic logic of capital. Capitalism does no longer function according to the discourse of the master (Žižek 1999: 373). Control is not given by castration, that is, by a restriction of the subject’s ability to move and to act, by a limitation in being. It pertains to flows; the universe of capitalism is immanent, infinite, without an end. As Fight Club says, living in it is like living in “The IBM Stellar Sphere, The Philip Morris Galaxy, Planet Starbucks”. The source of anxiety in this open, smooth space is not lack of being; rather, too much pseudo-freedom, e.g. freedom to consume. “[T]he anxiety generated by the risk society is that of a superego: what characterizes the superego is precisely the absence of a ‘proper measure’—one obeys its commands not enough / or too much; whatever one does, the result is wrong and one is guilty. The problem with the superego is that it can never be translated into a positive rule to be followed” (Žižek 1999: 394). Thus, permitted enjoyment—You may!—turns into the prescriptive enjoyment—You must!—(Žižek 2000: 133). In other words, the demise of the symbolic authority does in no way imply the demise of authority as such, and herein lies the paradox of the theory of reflexivity, its blindness to the (re)emerging non-symbolic forms of authority. The paradox of postmodern individuality: the injunction to be oneself, to realize one’s creative potential, results in the exact opposite, that is, the feeling of the inauthenticity of all acts. No act, no commodity is really it. My “inner being” is not expressed that way, either (Ibid. 22-23). Extreme individuality reverts to its opposite, causing the subject experience to be uncertain and faceless, changing from mask to mask, trying to fill the void behind the mask by shifting between idiosyncratic hobbies (Žižek 1999: 373).

#### Ever since the border was created Mexican immigrants have been allowed into the State for the purpose of providing cheap and expendable labor

Bach 78

(Robert L, former director of the Global Inclusion Division of the Rockefeller Foundation, *“Mexican Immigration and the American State,”* International Migration Review, Winter 1978, JSTOR)

The rise of the liberal state at the national level corresponds to the rapid incorporation of regions of Mexico and the U.S. into a single structure of accumulation. The commodity chains established earlier continued to expand both in number and volume as U.S. railroads extended into Mexico and Western commercial agriculture boomed (McWilliams, 1942). The flow of landless workers from Mexico also increased along the expanded commercial routes. Earlier migrations of Mexicans to Texas to work in the cotton fields and in basic processing plants were complemented by a larger volume of Mexican laborers moving to help construct and maintain the railroads (Dillingham Commission, 1911; Bureau of Labor Statistics, 1939). Simultaneously, the development of refrigerated railroad cars and improved methods of food preservation fueled the expansion of Western agriculture. The demand for manual labor increased as irrigation expanded the amount of land available for cultivation (Reisler, 1976). This increased demand came mainly from that sector of capital which was tied closely to the market or had need of large amounts of manual labor. That is, from the earliest periods Mexican labor was involved in only a fragmented part of the total accumulation process. The demand for Mexican labor developed out of an expressed need for a particular type of worker; one that would work for low wages and did not make competitive demands on precious agricultural land (Clark, 1908). Japanese laborers were employed extensively throughout this period but their attempted organization and land settlement challenged the monopoly of the growers. Consequently, the growers' associations turned to the available Mexican Labor. It did not take long for the employers to recognize the importance of the ease at which Mexican labor could be deported or made to 'voluntarily' leave the area of employment (Department of Commerce and Labor, 1909). That is, the structural nature of the powerlessness of the Mexican laborer, based on the original exclusion at the border, was quickly realized. The growing demand for Mexican labor by commercial agriculture and competitive manufacturers first encountered problems with national reforms when the 1917 Immigration Act placed restrictions on the character of legal entries. The growers, of course, responded with outcries about the danger to continued agricultural production if the Mexican labor was not made available. The state intervened to facilitate accumulation as the Secretary of Labor issued a departmental order waiving the literacy test, head tax and contract labor clause. However, even though this state action served the direct interests of a particular sector of capital, the state was acting well within the framework of its liberal tendencies. The departmental order from the Labor Secretary invoked a clause of the national act that gave him the power to "issue rules and prescribe conditions ... to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission". The emerging liberal state continued to promote accumulation through greater regulation during World War I. The War gave the progressives an opportunity to intervene and regulate markets, including the labor market, within a framework of relative acquiescence from trade unions. In the Southwest, President Wilson authorized the Food Administration and the U.S. Employment Service to act as employers and contractors with Mexican workers as they crossed the border (Reisler, 1976). However, direct attempts by Southwest growers to have the immigration restrictions repealed were defeated. While the trade unions had accepted the temporary admissions during the war, they clearly opposed extensions after the War (American Federation of Labor, 1920)

#### Capitalism results in incalculable atrocities - this structural violence outweighs.

Herod 7 (James, Columbia U graduate and political activist, “Getting Free” Pg. 22-23 JF)

We must never forget that we are at war, however, and that we have been for five hundred years. We are involved in class warfare. This defines our situation historically and sets limits to what we can do. It would be nice to think of peace, for example, but this is out of the question. It is excluded as an option by historical conditions. Peace can be achieved only by destroying capitalism. The casualties from this war, on our side, long ago reached astronomical sums. It is estimated that thirty million people perished during the first century of the capitalist invasion of the Americas, including millions of Africans who were worked to death as slaves. Thousands of peasants died in the great revolts in France and Germany in the sixteenth and seventeenth centuries. During the enclosures movement in England and the first wave of industrialization, hundreds of thousands of people died needlessly. African slaves died by the millions (an estimated fifteen million) during the Atlantic crossing. Hundreds of poor people were hanged in London in the early nineteenth century to enforce the new property laws. During the Paris uprising of 1871, thirty thousand communards were slaughtered. Twenty million were lost in Joseph Stalin’s gulag, and millions more perished during the 1930s when the Soviet state expropriated the land and forced the collectivization of agriculture an event historically comparable to the enclosures in England (and thus the Bolsheviks destroyed one of the greatest peasant revolutions of all time). Thousands of militants were murdered by the German police during the near revolution in Germany and Austria in 1919. Thousands of workers and peasants were killed during the Spanish Civil War. Adolf Hitler killed ten million people in concentration camps (including six million Jews in the gas chambers**).** An estimated two hundred thousand labor leaders, activists, and citizens have been murdered in Guatemala since the coup engineered by the Central Intelligence Agency (CIA) in 1954. Thousands were lost in the Hungarian Revolution of 1956. Half a million communists were massacred in Indonesia in 1975. Millions of Vietnamese were killed by French and U.S. capitalists during decades of colonialism and war. And how many were killed during British capital’s subjugation of India, and during capitalist Europe’s colonization of Asia and Africa? A major weapon of capitalists has always been to simply murder those who are threatening their rule. Thousands were killed by the contras and death squads in Nicaragua and El Salvador. Thousands were murdered in Chile by Augusto Pinochet during his counterrevolution, after the assassination of Salvador Allende. Speaking of assassinations, there is a long list: Patrice Lumumba, Rosa Luxemburg, Antonio Gramsci (died in prison), Ricardo Flores Magon (died in prison), Che Guevara, Gustav Landauer, Malcolm X, Martin Luther King Jr., Fred Hampton, George Jackson, the Haymarket anarchists, Amilcar Cabral, Steve Biko, Karl Liebnicht, Nat Turner, and thousands more. Thousands are being murdered every year now in Colombia. Thousands die every year in the workplace in the United States alone. Eighty thousand die needlessly in hospitals annually in the United States due to malpractice and negligence. Fifty thousand die each year in automobile accidents in the United States, deaths directly due to intentional capitalist decisions to scuttle mass transit in favor of an economy based on oil, roads, and cars (and unsafe cars to boot). Thousands have died in mines since capitalism began. Millions of people are dying right now, every year, from famines directly attributable to capitalists and from diseases easily prevented but for capitalists. Nearly all poverty-related deaths are because of capitalists. We cannot begin to estimate the stunted, wasted, and shortened lives caused by capitalists, not to mention the millions who have died fighting their stupid little world wars and equally stupid colonial wars. (This enumeration is very far from complete.) Capitalists (generically speaking) are not merely thieves; they are murderers. Their theft and murder is on a scale never seen before in history a scale so vast it boggles the mind. Capitalists make Alexander the Great, Julius Caesar, Genghis Khan, and Attila the Hun look like boy scouts. This is a terrible enemy we face.

#### Instead of critiquing borders, we must create borders of our own - voting negative endorses the political project of the commons: this is a space which renders law inoperable and challenges the ability for the state to conduct the tactics of policing the 1ac outlines. The commons borders are static because they refuse to be subverted by Capitalism, but they are open to the weary - means we solve the aff.

De Lucia 13 - Doctoral Research Fellow at the Faculty of Law, University of Tromsø, Norway. (Vito, 5th August 2013, http://criticallegalthinking.com/2013/08/05/law-as-insurgent-critique-the-perspective-of-the-commons-in-italy/)

The financial crisis and the subsequent series of austerity measures have prompted fierce resistance in the streets and squares across Southern Europe. As the crisis exploded, shattering the illusion of a social Europe, a veil was lifted, fully uncovering Europe’s neoliberal face: downsizing, lay-​offs, skyrocketing unemployment, erosion of an already ailing welfare system, the pushing of millions into poverty — all while protecting the interests of European financial capitalism. The crisis however is not only economic. It is also political and legal, as is clear from the deep legitimacy crisis of representative democracy, and the expulsion of politics from both governments (with so-​called “technical governments”) and parliaments (with both ordinary and constitutional rule-​making delegated to national and supranational technical bureaucracies). In this state of exception and of suspension of the most basic democratic and institutional mechanics, law presents itself as a form of domination. By renouncing any pretense of legitimation grounded in social and political dynamics and by breaking any link to any form of popular mandate or public interest, law increasingly appears as pure command and as a form of violence. However, or perhaps because of this situation, law is also re-​emerging as a form of critique and as plural insurgent practices. An important example of this is the movement for the beni comuni (the commons) in Italy. Both in theory and through practices the commons is being articulated as a counter-​hegemonic framework and as a philosophical, social and juridical critique of property, sovereignty, representative democracy and the monopoly of power on the production of law. Ambiguously and strategically oscillating between legal and (formally) illegal practices and spaces (yet within the broader space of the juridical as jus, in opposition to the legal as lex), the commons re-​grounds law in the actions and practices of bodies and communities. Law itself is re-​organized conceptually and practically around the concept and practices of the commons, which im/​poses itself as a deconstructive force against the hegemonic architecture of legal modernity, premised on the mutually re-​enforcing binary private/​public. Such archetypes of legal modernity, which take the form of private property and the State — and refer respectively to the individual owner and the public Sovereign — are frequently presented as radically conflicting; instead they stand in a relationship that is symbiotic. Their mutual opposition is “fabricated” and is a “precise ideological choice of the individualistic tradition as both are inserted into a fundamental structure: the rule of a subject (an individual, a company, the government) over an object (a private good, an organization, a territory)”. (Mattei 2011) In this sense, the perspective of the commons is incommensurable with the modern articulation of property in terms of the artificial dialectic between private and public, as the commons are of necessity — investing things and processes functionally destined to the satisfaction of basic and fundamental needs — excluded from the processes of circulation of commodities. Furthermore, the commons is a “qualitative category based on inclusion and access, whereas property and State sovereignty are rather economical-​quantitative categories based on exclusion (produced scarcity) and violent concentration of power”. (Mattei 2011) In this light, the perspective of the commons represents an insurrection in the Foucauldian sense — of knowledges, practices and juridical forms — insofar as it has always been present in the reality of social practices and social and juridical relations, albeit compressed and delegitimized. The insurrections are most importantly insurrections against the centralization effects which follow the processes of institutionalization that organize knowledge, including law, as both a form of power and as a form of technical knowledge (Foucault 2003). The commons further implies a radical reclamation of the constituent power of embodied communities, capable and legitimated to produce living law, and to resist the hegemonic configuration of law as the most classic of the instrumenta regni. Locating the commons As legal scholar Ugo Mattei — one of the crucial actors in the Italian commons movement — emphasizes, the commons rejects any essentialism and it cannot be framed as something already there. In this sense, the commons cannot be then reduced only to the traditional “natural commons”, which is only one of its dimensions (albeit an important one, genealogically and legally!). It is, instead, an open category: the commons is discovered, affirmed and re/​produced through social practices and struggles, and is contingent upon the continued practices which affirm and re-​claim it. Moreover, the commons is radically social, but not identitarian, as it is organized around common projects, with collective subjectivities being formed through their practices rather than being already there. The commons is furthermore organized along the functional category of use, rather than in accordance with the formal category of title. This is because its central feature is the linkage established between utilities and basic needs and fundamental rights. Its mode of governance is necessarily participative, as already anticipated in the etymology of the word “common” (cum + munis), where participation in the formation of and care for the commons is required to guarantee access to the utilities generated by the commons. Participation is, in other words, an intrinsic aspect of the practices of “commoning”, which identify, assert, re-​claim, and govern the commons. Law as insurgent practice The practices of the commons, as noted, oscillate between a) legal and institutional practices and b) illegal forms of reclamations. a) Critical legal scholars are retrieving the category of the commons and re-​deploying it in such a way as to reclaim the principles enshrined in the Constitution. A central element of this process has been the work of a commission of jurists chaired by Stefano Rodotà established in 2007 to formulate a legislative proposal for the amendment of the Civil Code. The commission, which was to reform the category of “public goods”, proposed introducing the commons as a separate and distinct category. In this vision, the commons is an expression of social and economic utilities directly functional to the exercise and realization of fundamental rights and is framed within an intergenerational perspective. The category of the commons thus inverts the relationship between formal title and legal régime: it is the objective qualities of a thing as a source of constitutionally relevant collective utilities (its function) which decide the applicable legal régime. This proposal remained unheard by Parliament, but it has recently acquired a new life in the form of an ambulant commission called the “Constituent for the Commons”, which aims at discussing with citizens and communities a number of social and legal issues in the loci of struggle shaping the practices of the commons. This is an innovative encounter between jurists and social movements, equally participating in the formation of “living law” through itinerant public debates held in the very commons that citizens and communities are occupying and reclaiming on the ground, be it theatres (http://​www​.teatro​valleoc​cu​p​ato​.it/), cinemas (http://​www​.nuo​vo​cinemap​alazzo​.it/) or industrial sites (http://​www​.rebel​dia​.net/). b) The legal system is also being challenged through formally illegal practices, such as the aforementioned occupations and through the reclamation of formally public or private properties in the name of the commons and their social function. The experience of the roman theatre Teatro Valle is perhaps the most emblematic. Teatro Valle has been occupied since 2011 by a group of artists and cultural workers with the aim of preventing its alienation and in order to provide the community with access to culture, understood as a fundamental right. This participatory and self-​organized experience has, over time, become both a symbol and a catalyst for the commons movement. Its Statute is being developed through participatory mechanisms — a draft-​comment-​and-​discuss process modulated through its website, public assemblies and working groups. In its current draft, the Statute frames the constitution of the Foundation as an autonomous and direct implementation of the Constitution, hence legitimating the constituent power of its underlying collective practices. By challenging the legal system (occupations of immovable property are sanctioned, for example, by article 633 of the criminal code) while at the same time claiming to manifest a wider legality directly linked to fundamental constitutional rights and to the articulation of the commons by critical legal scholarship and other institutional legal practices (notably, a decision of the Supreme Court – Corte di Cassazione — recognizing the category of the commons, with implicit reference to the definition offered by the mentioned Rodotà commission), occupiers are in fact “performing law” as an embodied insurgent practice. The occupation of the theatre is a manifestation of the “constituent power” of collective social practices, whose aim is the re-​injection into the community of those commons which the public institutions are unable to protect. In this manner, such practices are framed as safeguards of public interests and as instruments for the realization of the fundamental rights of a community against both public neglect and private profiteering. Law, through the participatory practices of the commons and its articulations in legal language, becomes insurrection, and operates as both theoretical and embodied critique.

### Case

#### Aff engages in a strategy of preemption - This state of living in fear results in massive violence against others, and reproduces the aff's impacts.

Massumi 7 (Brian, Communication Department of the Université de Montréal , “Potential Politics and the Primacy of Preemption”) The word paralysis was removed

Fear is always a good reason to go politically conditional. Fear is the palpable action in the present of a threatening future cause. It acts just as palpably whether the threat is determinate or not. It weakens your resolve, creates stress, lowers consumer confidence, and may ultimately lead to individual and/or economic paralysis. To avoid the [incapacity], which would make yourself even more of a target and carry the fear to even higher level, you must simply act. In Bush administration parlance, you "go kinetic."6 You leap into action on a level with the potential that frightens you. You do that, once again, by inciting the potential to take an actual shape you can respond to. You trigger a production of what you fear. You turn the objectively indeterminate cause into an actual effect so you can actually deal with it in some way. Any time you feel the need to act, then all you have to do is actuate a fear. The production of the effect follows as smoothly as a reflex. This affective dynamic is still very much in place, independent of Rumsfeld's individual fate. It will remain in place as long as fear and remains politically actuatable. The logic of preemption operates on this affective plane, in this proliferative or ontogenetic way: in a way that contributes to the reflex production of the specific being of the threat. You're afraid Iraq is a breeding ground for terrorists? It could have been. If it could have been, it would have been. So go ahead, make it one. "Bring 'em on," the President said, following Hollywood-trained reflex. He knew it in his "guts." He couldn't have gone wrong. His reflex was right. Because "now we can all agree" that Iraq is in actual fact a breeding ground for "terrrorists". That just goes to prove that the potential was always there. Before, there was doubt in some quarters that Saddam had to be removed from power. Some agreed he had to go, some didn't. Now we can all agree. It was right to remove him because doing so made Iraq become what it always could have been. And that's the truth. Truth, in this new world order, is by nature retroactive. Fact grows conditionally in the affective soil of an indeterminately present futurity. It becomes objective as that present reflexively plays out, as a effect of the preemptive action taken. The reality-based community wastes time studying empirical reality, the Bushites said: "we create it." And because of that, "we" the preemptors will always be right. We always will have been right to preempt, because we have objectively produced a recursive truth-effect for your judicious study. And while you are looking back studying the truth of it, we will have acted with reflex speed again, effecting a new reality. 7 We will always have had no choice but to prosecute the "war on terror," ever more vigilantly and ever more intensely on every potential front. We, preemptors, are the producers of your world. Get used to it. The War in Iraq is a success to the extent that it made the productivity of the preemptive "war on terror" a self-perpetuating movement. Even if the US were to withdraw from Iraq tomorrow, the war would have to continue on other fronts no matter who controls Congress or who is in the White House. It would have to continue in Afghanistan, for example, where the assymetrical tactics perfected in Iraq are now being applied to renew the conflict there. Or in Iran, which also always could have/would have been a terrorist breeding ground. Or it could morph and move to the Mexican-US border, itself morphed into a distributed frontline proliferating throughout the territory in the moving form of "illegal immigration". On the indefinite Homeland Security front of a protieform war, who knows what threats may be spinelessly incubating where, abetted by those who lack the "backbone" to go kinetic. Preemption is like deterrence in that it combines a proprietary epistemology with a unique ontology in such a way as to make present a future cause that sets a self-perpetuating movement into operation. Its differences from deterrence hinge on its taking objectively indeterminate or potential threat as its self-constitutive cause rather than fully formed and specified threat. It situates itself on the ground of ontogenetic potential. There, rather than deterring the feared effect, it actualizes the potential in a shape to which it hopes it can respond. It assumes a proliferation of potential threats, and mirrors that capacity in its own operation. It becomes proliferative. It assumes the objective imbalance of a far-from-equilibrium state as a permanent condition. Rather than trying to right the imbalance, it seizes it as an opportunity for itself. Preemption also sets a race in motion. But this is a race run on the edge of chaos. It is a race of movement-flushing, detection, perception, and affective actuation, run in irreparably chaotic or quasi-chaotic conditions. The race of preemption has any number of laps, each ending in the actual effecting of a threat. Each actualization of a threat triggers the next lap, as a continuation of the first in the same direction, or in another way in a different field. Deterrence revolved around an objective cause. Preemption revolves around a proliferative effect. Both are operative logics. The operative logic of deterrence, however, remained causal even as it displaced its cause's effect. Preemption is an effective operative logic rather than a causal operative logic. Since its ground is potential, there is no actual cause for it to organize itself around. It compensates for the absence of an actual cause by producing an actual effect in its place. This it makes the motor of its movement: it converts an absent or virtual cause really, directly into a taking-actual-effect. It does this affectively. It uses affect to effectively trigger a virtual causality.8 Preemption is when the futurity of unspecified threat is affectively held in the present in a perpetual state of potential emergence(y) so that a movement of actualization may be triggered that is not only self-propelling but also effectively, indefinitely, ontologically productive, because it works from a virtual cause whose potential no single actualization exhausts. Preemption's operational parameters mean that is never univocal. It operates in the element of vagueness and objective uncertainty. Due to its proliferative nature, it cannot be monolithic. Its logic cannot close in around its self-causing as the logic deterrence does. It includes an essential openness in its productive logic.9 It incites its adversary to take emergent form. It then strives to become as proteiform as its ever-emergent adversary can be. It is as shape-shifting as it is self-driving. It infiltrates across boundaries, sweeping up existing formations in its own transversal movement. Faced with gravity-bound formations too inertial for it to sweep up and carry off with its own operative logic, it contents itself with opening windows of opportunity to pass through. This is the case with the domestic legal and juridical structure in the US. It can't sweep that away. But it can build into that structure escape holes for itself. These take the form of formal provisions vastly expanding the power of the executive, in the person of the president in his role as commander-in-chief, to declare states of exception which suspend the normal legal course in order to enable a continued flow of preemptive action.10 Preemption stands for conflict unlimited: the potential for peace amended to become a perpetual state of undeclared war. This is the "permanent state of emergency" so presciently described by Walter Benjamin. In current Bush administration parlance, it has come to be called "Long War" replacing the Cold War: a preemptive war with an in-built tendency to be never-ending. Deterrence produced asymmetrical conflict as a by-product. The MADly balanced East-West bipolarity spun off a North-South sub-polarity. This was less a polarity than an axis of imbalance. The "South" was neither a second Western First nor another Eastern Second. It was an anomalous Third. In this chaotic " Third World ," local conflicts prefiguring the present "imbalance of terror" proliferated. The phrase "the war on terror" was in fact first popularized by Richard Nixon in 1972 in response to the attack at the Munich Olympics when the Israeli-Palestinian conflict spectacularly overspilled northward. Asymmetrical conflicts, however, were perceivable by the reigning logic of deterrence only as a reflection of itself. The dynamic of deterrence were overlaid upon them. Their heterogeneity was overcoded by the familiar US-Soviet duality. Globally such conflicts figured only as opportunities to reproduce the worldwide balance of terror on a reduced scale. The strategy of "containment" adopted toward them was for the two sides in the dominant dyad to operate in each local theater through proxies in such a way that their influence, on the whole, balanced out. "I decided," Nixon said after Munich , "that we must maintain a balance."11 He did not, as Bush did after 9-11, decide to skew things by going unilaterally "kinetic." The rhetoric of the "war on terror" fell into abeyance during the remainder of the 1970s, as Southern asymmetries tended to be overcoded as global rebalancings, and going kinetic was "contained" to the status of local anomaly.

#### Border metaphor undermines the value of your aff

Vila, associate professor of sociology @ UTSA, 2003

(Pablo, Ethnography at the border, p. 307-8)

Fifth, border studies have recently moved front the study of issues related to the U.S.-Mexico border in particular to broader themes, in which the metaphor of borders is used to represent any situation where limits are involved. Border studies thus takes as its own object of inquiry any physical or psychic space about which it is possible to address problems of boundaries: borders among different countries, borders among ethnicities within the United States, borders between genders, borders among disciplines, and the like. Borderlands and border crossings seem to have become ubiquitous terms to represent the experience of (some) people in a postmodern world described as fragmemed and continually producing new borders that must again and again be crossed. And if current border studies and theory propose that borders are everywhere, the border-crossing experience is in some instances assumed to be similar: that is, it seems that for the "border crosser" or the "hybrid," the experience of moving among different disciplines, different ethnicities, and different countries and cultures is not dissimilar in character (Grossberg 1996). This approach not only homogenizes distinctive experiences but also homogenizes borders.

#### Reliance on colonial borders turns the aff—increases the risk of war, precludes democracy and perpetuates colonial violence

Alkadry, ‘2 [Mohamad G. Alkadry, West Virginia University, Reciting colonial scripts: Colonialism, globalization and democracy in the decolonized Middle East, Administrative Theory & Praxis, Vol. 24, No. 4, 2002: 741]

Colonial powers, by delineating arbitrary borders to arbitrary states, affected the notion of civil society and solidarity, which are very important to the Islamic tradition (Abadi, 1983; Antonios, 1969; Mansfield, 1973). They created states with conflicting ethnicities and they divided some ethnic communities among several states. European colonial forces changed the geo- political and social landscape of the Middle East by creating these artificial states. The division of India into Pakistan, India and Bangladesh and the British decision to deny Kashmiris self determination is behind much grief and bloodshed that has lasted since the days of colonialism. Since 1922, every Iraqi regime called for correcting the colonial delineation of the Kuwaiti-Iraqi borders after centuries of control of Kuwait by the rulers in Baghdad (Ali, 2002). The Yemenis and the Saudis have engaged in fighting and tensions for over sixty years over border delineation. Another example of colonial arbitrary assignment of borders is the denial of the Kurdish right to self- determination and the carve-up of Kurdistan among Iraq, Iran and Turkey—three countries with three different languages and heritage. The French colonials added the Bekaa valley to Beirut and Mount Lebanon to create “grand-Liban”—what we know today as Lebanon. The creation of Lebanon with deep religious differences and a French constitution that deepened these differences led to problems that drove the country in a twenty- year civil war (Deegan, 1994). Perhaps the grand-finale of all colonial tampering is the creation of the State of Israel—essentially a colonial settler community that acted to expunge Palestinian natives and to instigate a struggle in the Middle East that has lasted and will last for decades to come (Said, 1981). The creation of Israel and the subsequent forced exodus of Palestinian nationals into neighboring Arab states also caused demographic disruption, and ultimately civil wars, in Lebanon and Jordan (Deegan, 1994). Similar examples of arbitrary geo-political border delineation could be said of all the countries of the modern Middle East. Clapham (1985) notes “European colonial rule has a major global impact in that it created political territories which were artificial, in the sense that they did not arise from societies which they governed but were instead imposed on them” (p.4). This arbitrary delineation of borders is at worst an attempt to fragment the ideas of civil society and citizenship consistent with the divide-and-conquer colonial philosophy, and at best a disregard and dismissal of these two concepts by the colonial powers consistent with colonial dismissal of natives’ rights to things that are civilized. Sayegh (1958) notes that the delineation of borders is tantamount to the colonial expectation that peoples of the Middle East—“the natives”—would “[recite] a script written by someone else” (pp. xiv-xv). There were no national identities associated with the newly created states, and the common historical, cultural and political experiences of most of these countries was a yearning for Arab or Islamic unity (Abu Jaber, 1969). In summary, the colonial forces carved up the Middle East, installed non-democratic and traditionally-alien regimes in the newly created states, and expected the peoples of the Middle East to dance to the new tunes.

#### Their language is one of BEING instead of WANTING - the impact is resentiment and a wounded attachment to suffering itself.

Brown 93—prof at UC Berkeley (Wendy, Wounded Attachments, Political Theory, Vol. 21, No. 3 (Aug., 1993), pp. 390-410)

What might be entailed in transforming these investments in an effort to fashion a more radically democratic and emancipatory political culture? One avenue of exploration may lie in Nietzsche's counsel on the virtues of "forgetting," for if identity structured in part by ressentiment resubjugates itself through its investment in its own pain, through its refusal to make itself in the present, memory is the house of this activity and this refusal. Yet erased histories and historical invisibility are themselves such integral elements of the pain inscribed in most subjugated identities that the counsel of forgetting, at least in its unreconstructed Nietzschean form, seems inappropriate, if not cruel.33 Indeed, it is also possible that we have reached a pass where we ought to part with Nietzsche, whose skills as diagnostician usually reach the limits of their political efficacy in his privileging of individual character and capacity over the transformative possibilities of collective political inven- tion, in his remove from the refigurative possibilities of political conversation or transformative cultural practices. For if I am right about the problematic of pain installed at the heart of many contemporary contradictory demands for political recognition, all that such pain may long for more than revenge is the chance to be heard into a certain reprieve, recognized into self-overcoming, incited into possibilities for triumphing over, and hence losing, itself. Our challenge, then, would be to configure a radically democratic political culture that can sustain such a project in its midst without being overtaken by it, a challenge that includes guarding against abetting the steady slide of political into therapeutic discourse, even as we acknowledge the elements of suffering and healing we might be negotiating. What if it were possible to incite a slight shift in the character of political expression and political claims common to much politicized identity? What if we sought to supplant the language of "I am"-with its defensive closure on identity, its insistence on the fixity of position, and its equation of social with moral positioning-with the language of reflexive "wanting"? What if it were possible to rehabilitate the memory of desire within identificatory processes, the moment in desire-either "to have" or "to be"-prior to its wounding and thus prior to the formation of identity at the site of the wound? What if "wanting to be" or "wanting to have" were taken up as modes of political speech that could destabilize the formulation of identity as fixed position, as entrenchment by history, and as having necessary moral entail- ments, even as they affirm "position" and "history"

 as that which makes the speaking subject intelligible and locatable, as that which contributes to a hermeneutics for adjudicating desires? If every "I am" is something of a resolution of desire into fixed and sovereign identity, then this project might involve not only learning to speak but to read "I am" this way, as in motion, as temporal, as not-I,as deconstructable according to a genealogy of want rather than as fixed interests or experiences. The subject understood as an effect of a (ongoing) genealogy of desire, including the social processes constitutive of, fulfilling, or frustrating desire, is in this way revealed as neither sovereign nor conclusive even as it is affirmed as an "I." In short, this partial dissolution of sovereignty into desire could be that which reopens a desire for futurity where Nietzsche saw it sealed shut by festering wounds expressed as rancor and ressentiment. 'This instinct for freedom pushed back and repressed . . . incarcerated within."' Such a slight shift in the character of the political discourse of identity eschews the kinds of ahistorical or utopian turns against identity politics made bya nostalgic and broken humanist Left as well as the reactionary and disingenuous assaults on politicized identity tendered by the Right. Rather than opposing or seeking to transcend identity investments, the replacement- even the complex admixture-of the language of "being" with "wanting"would seek to exploit politically a recovery of the more expansive moments in the genealogy of identity formation. It would seek to reopen the moment prior to its own foreclosure against its want, prior to the point at which its sovereign subjectivity is established through such foreclosure and through eternal repetition of its pain. How might democratic discourse itself be invigorated by such a shift from ontological claims to these kinds of more expressly political ones, claims which, rather than dispensing blame for an unlivable present, inhabited the necessarily agonistic theater of discursively forging an alternative future.

#### The affirmative uses democratic multiculturalism utilizes violently imposed identities to establish human rights

Slavoj Zizek, professor of philosophy at the university of Ljubljana, The Ticklish Subject: The Absent Centre of Political Ontology, 1999, pg. 213-214

However, there is another tension, the tension between the two modes of ‘concrete universality’ itself, which seems more crucial today. That is to say, the ‘real’ universality of today’s globalization through the market involves its own hegemonic fiction (or even ideal) of multiculturalist tolerance, respect for and protection of human rights and democracy, and so on; it involves its own pseudo-Hegelian ‘concrete universality’ of a world order whose universal features of market, human rights and demo­cracy allow each specific lifestyle’ to flourish in its particularity. So a tension inevitably emerges between this postmodern, post-nation-state, concrete universality’, and the earlier concrete universality’ of the nation-state. The story of the emergence of the nation-state is the story of the (often extremely violent) ‘transubstantiation’ of local communities and their traditions into the modern nation qua ‘imagined community’; this process involved the repression of authentic local ways of life and/or their reinscription into the new encompassing ‘invented tradition’. In other words, ‘national tradition’ is a screen that conceals not the process of modernization but the true ethnic tradition itself in its unbearable factualityi2What comes after is the (apparently) opposite ‘postmodern’ process of returning to more local, subnational modes of identification; however, these new modes of identification are no longer experienced as directly substantial — they are already a matter of the free choice of one’s life­style’. None the less, it is not enough to oppose the previous authentic ethnic identification to the postmodern arbitrary choice of ‘lifestyles’: this opposition fails to acknowledge the extent to which that very previous ‘authentic’ national identification was an ‘artificial’~ violently imposed phenomenon, based on the repression of previous local traditions.

### 2NC

Cannot compete with transnational corporations. This is a very real arguement that letting the United States go into every other is what we want, this is why US polcy makers decry the protectionist policies of countries and demand we get "free trade".

#### Sparke 2k - (Matthew, Universiry of Washington, https://depts.washington.edu/gcp/pdf/Passportsintocreditcards.pdf, Passports into credit cards: On the borders and spaces of neoliberal citizenship)

With the increasing dominance of laissez-faire, market-based models of governance it seems we are witnessing the progressive erosion of national citizenship rights and the wholesale transformation of the constitutional qualities of social, political, and even, in some ways, civil citizenship. In this respect it must be recalled that Ronald Reagan, the grandfather of neoliberal economic policy, described the expansion of market based governance as having a constitutional impact. In announcing the Canadian US Free Trade Agreement, for example, Reagan described the neoliberal trade and investment charter as “a new economic constitution for North America."8 This was no verbal slip. As Stephen Clarkson and many other critics have since noted, the constitutionalism of the free trade agreement amounted to a bill of rights for continental businesses, giving them expansive movement rights and enabling them to relocate production sites or threaten to do so thereby winning tax and other regulatory concessions from local governments. In this context, citizens have been left able to vote in formal elections, but their elected governments have been straight-jacketed by trade law and obliged to curtail certain social programs and environmental protections. As a result, the meaning and quality of political and social citizenship has been eroded.

Subjects and Objects are qualitatively different. A focus on Objects obscures the Subject's role in commodity construction - this makes challenging Capitalism impossible.

Wolfe 11 - Writer focusing on Marxism, critical theory, avant-garde architecture (Ross, June 19th 2011, http://rosswolfe.wordpress.com/2011/06/19/on-commodities-and-the-false-liberation-of-the-object/, On Commodities and the False Liberation of the Object)

In other words, if I may draw some conceptual distinctions of my own, Object-Oriented Ontology does emphatically deny that the existence of objects is dependent on their relation to human cognition, to their mental representation by a subject. However, it would be preposterous to assert that objects exist independently of the objective forces of the social relations of production. An object that has been subsumed beneath the commodity-form could not appear in such a form were it not for these shadowy relations 0f production that take place “behind the backs” of these objects, to paraphrase Hegel. Even in precapitalist modes of production, when the preponderance of the commodity-form was not as yet total, the appearance of objects that were the products of human labor would clearly be the result of relations of production specific to that social formation. The mark of their artifice would be inscribed in their objectivity. And so again, the existence of certain objects could not appear external to the productive relations that gave them their shape and constitution. This point does not seem to be controversial, and I believe that most Object-Oriented Ontologists would gladly concede it. However, I should like to make the further claim commodities do not exist independently of their relation to cognition, either. In fact, it is only through their social recognition as commodities that they can function as such, as essentially fungible and equivalent to one another. This recognition alone provides the key to how commodities can function as fetishes, how they are able to reify the conditions of the present into the seemingly timeless conditions that obtain in all societies, past and present. For it is only through their transfiguration into objects of ideology that qualitatively multiform objects, each unique in the aspect of their utility, can be reduced to quantitatively uniform equivalencies. The overarching thought-forms of society, the ruling ideologies, allow (among other things) objects to be represented t0 the social subject as commodities available in their quantifiable immediacy. Of course, it is through the general social acceptance of this representation as empirically valid that allows capitalist society to sustain itself, not as some sort of illusory veil pulled over the eyes of the masses, but as an historically specific reality. In his dialectical unmasking of this ideological fetishization, Marx notes that [t]he categories of bourgeois economics consist precisely of forms of this [relative] kind. They are forms of thought which are socially valid, and therefore objective, for the relations of production belonging to this historically determined mode of social production, i.e., commodity production. The whole mystery of commodities, all the magic and necromancy that surrounds the products of labour on the basis of commodity production, vanishes therefore as soon as we come to other forms of production. And it is precisely this “representationalist” aspect of commodity fetishism that so constantly eludes the grasp of Object-Oriented Ontology. Vigorously denying the legitimacy of “correlationist” philosophies, which hold that the objects of experience arrive to the subject only in the form of “representation,” Object-Oriented Ontology is unable to make sense of how the phenomenon of reification or commodity fetishism takes place. Their realism is such that it simply tries to bypass the eidetic apprehension of reality. This allows for their unfettered speculation into the constitution of the real, without having to bother with troublesome socio-epistemological questions of how subjects perceive and misperceive the world. In fact, it is unclear whether or not the contemplative subject of post-Cartesian philosophy vanishes entirely. This point is brought up in a brilliant comment by the poster Utisz, who highlights not only the methodological quandaries involved when Object-Oriented Ontology is forced to deal a counter-intuitive concept like commodity fetishism, but also the superficial way in which Marxist theory has been appropriated by members of the OOO movement. His comment, which seems otherwise to have been ignored, runs as follows: I think this would hold water if any of those who actually put forward OOO were that interested in Marx and showed any desire to acquaint themselves with debates within Marxism 1850-2011 or were by any stretch of the imagination political activists. They seem more interested in fighting ‘anthropocentrism’ and riffing on a strange combination of Leibniz, Whitehead and Arne Naess. I’d recommend reading a figure like Naess – this is the sort of thing we’re really dealing with here. Of course there’s an ‘orientation’ to things in Marx (critically not speculatively so, there’s the rub) as there was to objects in Hegel (critically and speculatively). But no analysis of things in today’s world can with any responsibility ignore or downplay their relation to labour or to the subject respectively. A better approach would be: no object-orientation without equal subject-orientation (the subject, yes, scandalously different from rocks and flowers and bacteria), no speculation without critical self-reflection, awareness of contradiction, paralogism, etc. Object-orientation is forever caught in a dualism flailing around trying to battle a supposed privelege of subject over object by merely plumping enthusiasticaly for the other. Abstrakte Negation. No Glasnost for me, I’m afraid. Utisz hits the nail on the head when he mentions Object-Oriented Ontology’s obsessive mania to avoid anything that even remotely resembles “anthropocentrism.” For the movement’s adherents, human beings are just one kind of object leading an unprivileged existence within a more inclusive “democracy of objects,” to use Bryant’s terminology (though I’m not quite sure how inhuman objects can constitute a demos). So while Object-Oriented Ontology is quick to attribute the category of “agency,” a faculty usually reserved solely for human subjects, to non-human objects (Latour’s “actants”), it is slower to admit the qualitative difference of human agents from the rest of nature. A microcosm of this tendency appears in Levi Bryant’s post concerning his rather opaque concept of “wilderness ontology,” in which he collapses the distinction between human and non-human architectural enterprises. ”[T]here is, in a wilderness ontology, no categorical distinction between the natural and the cultural, the human and the natural,” asserts Bryant. ”There is just a flat field where, occasionally, human creations happen to populate this field in much the same way that we occasionally come across the marvelous architectural feats of termites on the African and Australian plains.” The astounding difference between anthills or termite mounds, which are the blind product of natural social instinct, and a modern skyscraper, a profoundly unnatural, geometricized conglomeration of synthetic materials like ferro-concrete and glass, designed by an architect or team of architects — all traces of this qualitative difference disappear within a shapeless mass of equivocation. And this is what returns us, circuitously, to the problem of commodity fetishism in the first place. For one of the most pernicious features of the commodity is its tendency to naturalize its own existence within the collective consciousness of society. The existing social relations it engenders are reified into a bizarre sort of “second nature,” wity its own set of seemingly immutable laws and forces. Or, as Lukács explained it: [people] are constantly smashing, replacing, and leaving behind the “natural,” irrational, and actually existing bonds, while, on the other hand, they erect around themselves in the reality that they have created and “made,” a kind of second nature which evolves with exactly the same inexorable necessity as was the case earlier with irrational forces of nature (more exactly: the social relations which appear in this form). And this is what separates the speculative realist approach of Object-Oriented Ontology from the critical realist approach of Marxism. There is nothing in the positive constitution of the commodity would suggest that there is anything peculiar about it; in enumerating its objective qualities, the social matrix that engendered it is nowhere to be found. The analysis thus undertaken rises no higher than the level of the empirical, extracting only the metaphysical properties from the datum of immediate experience. By contrast, the ruthlessly critical essence of Marxism presumes a radically anti-empirical approach to the study of reality. Nothing is as it immediately seems. For only through a rigorous dialectical investigation is one able to discover the quasi-theological roots of the commodity’s existence. Through this method the underlying category of socially congealed labor-time is exposed, which allows for the possibility of exchange and a potential equivalence between otherwise fundamentally different objects of use. The physical immediacy of the commodified object conceals its dark origins in the web of social relations, contained within its value-dimension. In the case of commodity fetishism, a social relation between people becomes objectified as a permanent state of affairs that exists independent of their own activity, as “just the way things are.” Or, as Lukács put it, “a relation between people takes on the character of a thing and thus acquires a ‘phantom objectivity,’ an autonomy that seems so strictly rational and all-embracing as to conceal every trace of its fundamental nature: the relation between people.” Bryant thus rightly quotes a passage from Adorno that confirms this totalizing logic of homogeneity within capital and in the commodity fetish in particular: The barter principle, the reduction of human labor to the abstract universal concept of average working hours, is fundamentally akin to the principle of identification. Barter is the social model of the principle, and without the principle there would be no barter; it is through barter that non-identical individuals and performances become commensurable and identical. The spread of the principle imposes on the whole world an obligation to become identical, to become total. This passage simultaneously also demonstrates how Bryant misconceives Adorno’s critique of “identitarian thinking” in Negative Dialectics. For Adorno is only trying to save that dialectical principle of non-identity, of the inadequacy of the concept to its logic. He acknowledges that the logic of identity that dominates late capitalist society (“administered” society) is real, it is simply Adorno’s concern that theory does not become complicit with it. It is only through the resolute apprehension of reality as dialectical, contradictory, and antagonistic that one’s thought avoids becoming a mere symptom of that reality. But as Adorno would be the first to point out, facile emancipatory gestures toward the utopia that does not yet exist, impotent performances that simulate resistance or difference, are just as assimilable to the capitalist totality as those behaviors that are straightforwardly conformist. And this is precisely why the “identity politics” of recent times falls prey to the homogenizing logic of our present social formation. Clinging to instantiations of difference, performances that “defy” the normative or “challenge” the status quo become integral to the maintenance of the present order. Or as Adorno’s true successor in critical theory, Moishe Postone, points out, [T]he contemporary hypostatization of difference, heterogeneity, and hybridity, doesn’t necessarily point beyond capitalism, but can serve to veil and legitimate a new global form that combines decentralization and heterogeneity of production and consumption with increasing centralization of control and underlying homogeneity. But to return to the original premise of the “liberation” of objects, a few words might be said. The “liberation” of anything non-human is a decidedly abstract notion. Unlike their non-human animal counterparts, humans are able to sublimate their primordial drives and urges in order to pursue rational action. As Freud famously pointed out, this formed the entire basis for any further possibility of “civilization.” For despite his animal origins, the first seeds of self-consciousness and free will were gradually awakened in the mind of man. The natural instincts that drove him mindlessly toward the satisfaction of this or that primitive desire were gradually suppressed, and sacrificed so that man might cultivate the earth and himself along with it. This is taught not only by Hegel in his dialectic of the master and the slave, but also (as mentioned) by Freud, who saw that the redirection or sublimation of these natural instincts toward conscious ends was a prerequisite for society. “Sublimation of instinct is an especially conspicuous feature of cultural development; it is what makes it possible for higher psychical activities, scientific, artistic, or ideological, to play such an important part in civilized life,” wrote Freud. “If one were to yield to a first impression, one would say that sublimation is a vicissitude which has been forced upon the instincts entirely by civilization. But it would be wiser to reflect upon this a little longer. In the third place, finally, and this seems the most important of all, it is impossible to overlook the extent to which civilization is built up upon a renunciation of instinct, how much it presupposes precisely the non-satisfaction (by suppression, repression, or some other means?) of powerful instincts.” Humans, who can approximate or aspire toward the ideal of Kantian freedom, self-governing rational autonomy, apart from pathological drives, instincts, and inclinations, are therefore uniquely poised to take hold of the emancipatory opportunities offered by society. Human liberty is thus a concrete, real thing, easily intelligible to anyone. By contrast, concepts such as “animal liberation” or (in the present case) the “liberation of objects” are hopelessly abstract. For what sort of rights or freedoms might an animal possess, slavishly following its most base instincts? Even more difficult to grasp is how objects might ever be “liberated” from their commodity form. This liberation, should it be called such at all, would not be a liberation for the objects themselves, but for the society that utilizes them.

It is not national boundries which define modernity but boundries constructed by corporations - the aff is fighting old news.

Sparke 2k - (Matthew, Universiry of Washington, https://depts.washington.edu/gcp/pdf/Passportsintocreditcards.pdf, Passports into credit cards: On the borders and spaces of neoliberal citizenship)

These plans for a new kind of passport using credit card and biometric technology are not the plans of a banker, a commercial web systems designer, or some other corporate planner. They are plans developed by a Seattle-based Immigration and Naturalization Service officer in the United States Department of Justice. Specifically, the plans are for a card that can be used by frequent cross-border travelers in order to secure for themselves fast track border-crossings based upon pre-clearance. The cards will, in this vision, contain biometric information such as digitized hand print data that will allow machinery installed at border checkpoints to ascertain whether the cardholder is in fact the person with the pre-cleared record. Coordinating with selected foreign partners as well as collaborating with business, the plans for the card anticipate a remarkable future where borders are effectively to be policed by credit card machines owned by private companies. It is a world in which pre-cleared cardholders come and go as they please across multiple borders irrespective of their nationality (so long as they are from a country that has joined the system) and dependent only on whether they are carrying their card. The various insignia of national identity that are today inscribed on specific national passport covers would in this world be replaced by the corporate logos of transnational corporations. And, the class-organized, transnational world of credit card transactions, along with all their liberating and constraining market-mediated contradictions, would seem to come to eclipse the more equalized world of belonging regulated in the second half of twentieth century by the serial sameness of national passports.2 This is a view of the future, then, where the ambiguities of state control and state protection associated with passports would appear to be transcended by the ambiguities of corporate control and free market flexibility afforded by credit cards.3 As These plans for a new kind of passport using credit card and biometric technology are not the plans of a banker, a commercial web systems designer, or some other corporate planner. They are plans developed by a Seattle-based Immigration and Naturalization Service officer in the United States Department of Justice. Specifically, the plans are for a card that can be used by frequent cross-border travelers in order to secure for themselves fast track border-crossings based upon pre-clearance. The cards will, in this vision, contain biometric information such as digitized hand print data that will allow machinery installed at border checkpoints to ascertain whether the cardholder is in fact the person with the pre-cleared record. Coordinating with selected foreign partners as well as collaborating with business, the plans for the card anticipate a remarkable future where borders are effectively to be policed by credit card machines owned by private companies. It is a world in which pre-cleared cardholders come and go as they please across multiple borders irrespective of their nationality (so long as they are from a country that has joined the system) and dependent only on whether they are carrying their card. The various insignia of national identity that are today inscribed on specific national passport covers would in this world be replaced by the corporate logos of transnational corporations. And, the class-organized, transnational world of credit card transactions, along with all their liberating and constraining market-mediated contradictions, would seem to come to eclipse the more equalized world of belonging regulated in the second half of twentieth century by the serial sameness of national passports.2 This is a view of the future, then, where the ambiguities of state control and state protection associated with passports would appear to be transcended by the ambiguities of corporate control and free market flexibility afforded by credit cards.3 As and 'NEXUS'. These border re-regulation innovations need in turn to be examined in the light of specific border region redevelopment patterns. The aim in this chapter is to flesh out some of these broader trends, thereby exploring more concretely the re-making of citizenship portended in the vision articulated by Hays. While the episodic story of border re-regulation has to attend to the tidal changes in federal legislation in Washington, D.C., the account of border region redevelopment plans has to be more localized, and, in this respect it is the regional developments on the Pacific coast between the US and Canada - the district for which Hays has been an INS commissioner - that will be the main focus. After 9/11, it may seem anachronistic to be discussing North American efforts to soften borders and speed-up border-crossing. It may also seem a strange stretch to connect such border re-regulation to the more geographical issue of border region spaces and their redevelopment. Both of these concerns can be answered together because they both centrally relate to the ways in which the emerging neoliberal norms of citizenship appear to depend on new forms of class-based inclusion and exclusion that have actually been intensified, at least in terms of border practices, since the crisis in confidence in US 'homeland' security. Long before the attacks on the World Trade Center and the Pentagon, the concept of facilitating fast-border crossing for business traffic on the west coast was always twinned with security concerns about catching criminals and potential terrorists. In turn, this bifurcated vision of border re-regulation also always went hand in hand with the new regional redevelopment ideas for the region. These ideas will be examined at length later, save it to note here that they have been organized around the international promotion of a post-national cross-border regional concept that the local and 'NEXUS'. 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These ideas will be examined at length later, save it to note here that they have been organized around the international promotion of a post-national cross-border regional concept that the local politicians, planners and think-tanks like to call 'Cascadia'. As a cross-border region, Cascadia is imagined politically, economically and culturally as a kind of neoliberal utopia destined for growth and prosperity as a gateway of global-local commerce and as a homeland for managerial class elites. It is the exclusivism of this vision that explains why it is necessary to consider the wider geographical issues surrounding cross-border regional redevelopment in conjunction with the re-regulation of the border. 9/11 has simply intesnfied this exclusivism along the attendent patterns of re-coding and re-imagining citizenship. The resulting reimagination of the border and cross-border regionpresents us with a space where distinctions are made between travelers less on the basis of their nationality and more on the basis of whether they appear to be good for 'economic security' or whether they can be deemed a threat to 'political security'. As a consequence of 9/11, then, the impetus to increase security has come together with the enduring planning vision of a business friendly cross-border region. The result, as we shall see, involves increased plans and practices of re-regulating the border that aim simultaneously at easing obstacles for business traffic while strictly securitizing everybody and everything else.

### 1NR

#### Impact is that it silences voices and replicates 1AC harms

Vila, associate professor of sociology @ UTSA, 2003¶ (Pablo, Ethnography at the border, p. 327-329)

Where in this portrayal of "ugly" "chauvinistic" campaigns is there any acknowledgment of the important role that Mexican Americans play in supporting those initiatives? Where is there mention that while the California deputies who clubbed undocumented immigrants were Anglos, the marine who killed a young Mexican American goatherd in Texas was a Hispanic, and in El Paso, most Border Patrol agents are Mexican Americans? It follows that, in current mainstream border studies and theory, one major problem is the way that a narrow version of hybridity lies behind the guarantee of a "good" vision. At some point in their writings, it seems that it is Gloria Anzaldua in particular, and Chicanos in general, who are historical hybrids and border crossers (between nationalities, cultures, ethnicities, and the like) and thus possess the possibility of intellectual creativity and morality—but when it comes to the borderite or Fronterizo in general, none of these possibilities exist. When one reads the border literature, one sometimes feels that Chicanos are the only people capable of taking full advantage of the border and its opportunities, leaving out not only Anglos, blacks, American Indians, and Asians who also "experience" the border,10 but also Mexicans who arc not Chicanos and therefore cannot fully be "border crossers" or "hybrids." 11 The problem with this stance is the complex relationship between identity and difference in which, according to Stuart Hall (1991b, 48), the self is always inscribed in the gaze of the other. If identity is always a sort of representation from the point of view of those with the power to represent the other, the self can be spoken only by silencing the myriad voices that have not been, or cannot yet be, heard. In the case of the privileged subject of current mainstream border studies and theory, those voices belong to blacks, Anglos, and Mexicans who also inhabit the border but, supposedly, are not truly "hybrids." If this is so. the most extreme versions of border studies and theory risk doing something similar to what Anglos previously did with Chicanos: telling a story in which some groups occupy the silences, the unspoken position. In Anglo narratives, Chicanos, blacks, and Mexican nationals occupied that place. In many border studies narratives of the hybrid, the silenced position is now occupied by poor Anglos, blacks, Native Americans, Asians, Mexican nationals, and Mexican Americans (those not identifying themselves as "Chicanos") who, for a variety of reasons, do not seem to cross borders. The stories these border scholars write about the border crossers, the hybrids, are thus by definition incomplete. As Stuart Hall points out: "The unspoken silence in between that which can be spoken is the only way to reach for the whole history. There is no other history except to take the absences and the silences along with what can be spoken. Everything that can he spoken is on the ground of the enormous voices that have not, or cannot yet be heard" (1991b, 48). Thus, just as Chicano identity was once at the cutting edge of a politics vis-à-vis one kind of enemy, it could also, if not problematized properly, provide a kind of silencing in relation to other possible identities. These are the costs of trying to think of the notion of the border crosser or hybrid as an essential identity. It seems to me that Anzaldua, Rosaldo, Saldivar, and other border scholars have had problems doing what Stuart Hall proposes blacks do in the United Kingdom when he asks, "What is it like to live, by attempting to valorize and defeat the marginalization of the variety of Black subjects and to really begin to recover the lost histories of a variety of Black experiences, while at the same time recognizing the end of any essential Black subject?" (1991b, 57). As presented by many current mainstream border studies and theories, the Chicano border crosser or hybrid as the new essential, privileged subject not only silences the experience of other border inhabitants but also claims for itself the monopoly of virtue. In many cases, it does so through the construction of an idyllic image of itself. When one reads some mainstream border narratives, it seems as if the narrator becomes what Stuart Hall calls the "writer as a Public Relations Officer." Talking about an ambiguous movie portrayal of blacks in the United Kingdom (Hanif Kureishi's My Beautiful Laundrette), the Jamaican author points out: This is a text that nobody likes. Everybody hates it. You go to it looking for what are called "positive images" and there arc none. There aren't any positive images like that with whom one can, in a simple way, identify ... I will read you something which Hanif Kureishi said about the question of responding to his critics who said, "Why don't you tell us good stories about ourselves, as well as good/had stories? Why arc your stories mixed about ourselves?" ... "There is sometimes," he said, "too simple a demand for positive images. Positive images sometimes require cheering fictions—the writer as Public Relations Officer" ... If there is to be a serious attempt to understand present-day Britain with its mix of races and colors, its hysteria and despair, then writing about it has to be complex. It can't apologize, or idealize. It can't sentimentalize. It can't attempt to represent any one group as having the total, exclusive. essential monopoly on virtue. A jejune protest or parochial literature, be it black, gay or feminist, is in the long run no more politically effective than works which are merely public relations. (1991b, 60-6,) The future of border studies is in danger if the field does not move from its current "public relations" character to a more complex portrayal of the reality of the U.S.–Mexico border.

#### The impact is Epistemic ethnocentrism of Western democracy renders others invisible and inferior –makes epistemic violence possible

Conway & Singh, ’11 –Brock University Sociologist and U of Toronto Political Scientist [Janet Conway and Jakeet Singh, Radical Democracy in Global Perspective: notes from the pluriverse, Third World Quarterly, 32:4, 2011, 698-706]

Our project is theoretically informed by the Latin American ‘modernity/coloniality’ perspective,3 which holds that coloniality has been constitutive of the modern world system from its inception in 16th century European conquest of the Americas into the present. Coloniality is the constitutive underside of modernity and is a condition of it possibility; there is no modernity without coloniality. ‘Colonial difference’ is that which has been invalidated, shunned, suppressed, and thus been ‘disappeared’ from world history through the global hegemony of discourses centred on Western civilization; it is, in other words, that which has been rendered inferior or invisible through the coloniality of power. Western-centric forms of knowledge have silenced the colonial through their peculiar claims to universality, their systematic rejection of their own historical-geographical particularity, their discrediting of other knowledges as unscientific, and their narratives of the emergence of modernity as a process internal to Europe. This ‘epistemic ethnocentric’, including of the left, makes inclusive political philosophies grounded solely in Western traditions virtually impossible.4 Those working within this framework contend that solutions to the problems created by the modern/colonial world system cannot be generated strictly from within the traditions of Western knowledge nor, indeed, from within modernity.

#### Identity-for-itself is a trump card that renders coalitional politics and democracy inoperable - our habitat for politics must be bounded by questions of how we OUGHT to live as opposed to the ways we should be perceived - this sticks the aff's politics in a framework of resistance - the impact is slave ontology which guts the 1ac's solvency

Brown 95—prof at UC Berkeley (Wendy, States of Injury, 47-51)

The postmodern exposure of the imposed and created rather than dis- covered character of all knowledges—of the power-surtuscd, struggle-¶48¶produced quality of all truths, including reigning political and scientific ones—simultaneously exposes the groundlessness of discovered norms or visions. It also reveals the exclusionary and regulatory function of these norms: white women who cannot locate themselves in Nancy Hartsock’s account of women’s experience or women s desires, African American women who do not identify with Patricia Hill Collinss account of black women’s ways of knowing, are once again excluded from the Party of Humanism—this time in its feminist variant. ¶Our alternative to reliance upon such normative claims would seem to be engagement in political struggles in which there are no trump cards such as “morality” or “truth."Our alternative, in other words, is to struggle within an amoral political habitat for temporally bound and fully contestable visions of who we are and how we ought to live. Put still another way, postmodernity unnerves feminist theory not merely because it deprives us of uncomplicated subject standing, as Christine Di Stefano suggests, or of settled ground for knowledge and norms, as Nancy Hartsock argues, or of "centered selves and “emancipatory knowledge," as Seyla Bcnhabib avers. Postmodernity unsettles feminism because it erodes the moral ground that the subject, truth, and nor- mativity coproduce in modernity. When contemporary feminist political theorists or analysts complain about the antipolitical or unpolitical nature of postmodern thought—thought that apprehends and responds to this erosion—they arc protesting, inter' aha, a Nictzschcan analysis of truth and morality as fully implicated in and by power, and thereby dplegiti- mated qua Truth and Morality Politics, including politics with passion- ate purpose and vision, can thrive without a strong theory of the subject, without Truth, and without scientifically derived norms—one only need reread Machiavelli, Gramsci, or Emma Goldman to see such a politics flourish without these things. The question is whether fnninist politics can prosper without a moral apparatus, whether feminist theorists and activists will give up substituting Truth and Morality for politics. Are we willing to engage in struggle rather than recrimination, to develop our faculties rather than avenge our subordination with moral and epistemological gestures, to fight for a world rather than conduct process on the existing one? Nictzschc insisted that extraordinary strengths of character and mind would be necessary to operate in thce domain of epistemological and religious nakedness he heralded. But in this heexcessively individualized a challenge that more importantly requires the deliberate development of postmoral and antirelativist political spaces, practices of deliberation, and modes of adjudication.¶49¶The only way through a crisis of space is to invent a new space —Fredric Jameson. “Postmodernism"¶Precisely because of its incessant revelation of settled practices and identi- ties as contingent, its acceleration of the tendency to melt all that is solid into air. what is called postmodernity poses the opportunity to radically sever the problem of the good from the problem of the true, to decide “what we want” rather than derive it from assumptions or arguments about “who we are.” Our capacity to exploit this opportunity positively will be hinged to our success in developing new modes and criteria for political judgment. It will also depend upon our willingness to break certain modernist radical attachments, particularly to Marxism’s promise (however failed) of meticulously articulated connections betwreen a com- prehensive critique of the present and norms for a transformed future—a science of revolution rather than a politics of oneResistance, the practice most widely associated with postmodern polit- ical discourse, responds to without fully meeting the normativity chal- lenge of postmodernity. A vital tactic in much political w’ork as wrcll as for mere survival, resistance by itself does not contain a critique, a vision, or grounds for organized collective efforts to enact either. Contemporary affection for the politics of resistance issues from postmodern criticism’s perennial authority problem: our heightened consciousncss of the will to power in all political “positions” and our wrariness about totalizing an- alyses and visions. Insofar as it eschew’s rather than revisesthese problematic practices, resistance-as-politics does not raise the dilemmas of responsibility and justification entailed in “affirming” political projects and norms. In this respect, like identity politics, and indeed sharing with identity politics an excessively local viewpoint and tendency toward positioning without mapping, the contemporary vogue of resistance is more a symptom of postmodernity’s crisis of political space than a coherent response to it. Resistance goes nowhere in particular, has no inherent attachments, and hails no particular vision; as Foucault makes clear, resistance is an effect of and reaction to power, not an arrogation of it.¶What postmodernity disperses and postmodern feminist politics requires are cultivated political spaces for posing and questioning feminist political norms, for discussing the nature of “the good” for women. Democratic political space is quite undcrtheonzed in contemporary femi- nist thinking, as it is everywhere in latc-twentieth-ccntury political the- ory, primarily bccausc it is so little in evidence. Dissipated by the increasing tcchnologizing of would-be political conversations and pro- cesses, by the erosion of boundaries around specifically political domains¶50¶and activities, and by the decline of movement politics, political spaces are scarcer and thinner today than even in most immediately prior epochs of Western history. In this regard, their condition mirrors the splayed and centrifuged characteristics of postmodern political power. Yet precisely because of postmodernity’s disarming tendencies toward political disori- entation, fragmentation, and technologizing, the creation of spaces where political analyses and norms can be proffered and contested is su- premely important.¶Political space is an old theme in Western political theory, incarnated by the polis practices of Socrates, harshly opposed by Plato in the Repub- lic, redeemed and elaborated as metaphysics by Aristotle, resuscitated as salvation for modernity by Hannah Arendt. jnd given contemporary spin in Jurgen Habermas's theories of ideal speech situations and com- municative rationality. The project of developing feminist postmodern political spaces, while enriched by pieces of this tradition, necessarily also departs from it. In contrast with Aristotle’s formulation, feminist politi- cal spaces cannot define themselves against the private sphere, bodies, reproduction and production, mortality, and all the populations and is- sues implicated in these categories. Unlike Arendt’s, these spaces cannot be pristine, ratified, and policed at their boundaries but are necessarily cluttered, attuned to earthly concerns and visions, incessantly disrupted, invaded, and reconfigured. Unlike Habermas, wc can harbor no dreams of nondistorted communication unsullied by power, or even of a ‘com- mon language,’\* but wc recognize as a permanent political condition par- tiality of understanding and expression, cultural chasms whose nature may be vigilantly identified but rarely “resolved,” and the powers of words and images that evoke, suggest, and connote rather than transmit meanings.42 Our spaces, while requiring some definition and protection, cannot be clean, sharply bounded, disembodied, or permanent: to engage postmodern modes of power and honor specifically feminist knowledges, they must be heterogenous, roving, relatively noninstitutionalized, and democratic to the point of exhaustion.¶Such spaces are crucial for developing the skills and practices of post- modern judgment, addressing the problem of “how to produce a discourse on justicc . . . when one no longer relies on ontology or epistemology.”43 Postmodemity’s dismantling of metaphysical foundations for justice renders us quite vulnerable to domination by technical reason ¶51¶unless we seize the opportunity this erosion also creates to develop democratic processes for formulating postepistemelogical and postontological judgments. Such judgements require learning how to have public conversations with each other,

arguing from a vision about the common (“what I want for us") rather than from identity (“who I am”), and from explicitly postulated norms and potential common values rather than false essentialism or unreconstructed private interest.44 Paradoxically, such public and comparatively impersonal arguments carry potential for greater accountability than arguments from identity or interest. While the former may be interrogated to the ground by others, the latter are insulated from such inquiry with the mantle of truth worn by identity-based speech. Moreover, post identity political positions and conversations potentially replace a politics of difference with a politics of diversity—differences grasped from a perspective larger than simply one point in an ensemble. Postidentity public positioning requires an outlook that discerns structures of dominance within diffused and disorienting orders of power, thereby stretching toward a more politically potent analysis than that which our individuated and fragmented existences can generate. In contrast to Di Stefano's claim that 'shared identity” may constitute a more psychologically and politically reliable basis for “attachment and motivation on the part of potential activists,” I am suggesting that political conversation oriented toward diversity and the common, toward world rather than self, and involving a conversion of ones knowledge of the world from a situated (subject) position into a public idiom, offers us the greatest possibility of countering postmodern social fragmentations and political disintegrations.¶Feminists have learned well to identify and articulate our "subject positions —we have become experts at politicizing the “I”that is produced through multiple sites ofpower and subordination. But the very practice so crucial to making these elements of power visible and subjectivity political may be partly at odds with the requisites for developing political conversation among a complex and diverse “we.” We may need to learn public speaking and the pleasures of public argument not to overcome our situatedness, but in order to assume responsibility for our situations and to mobilize a collective discourse that will expand them. For the political making of a feminist future that does not reproach the history on which it is borne, we may need to loosen our attachments to subjectivity, identity, and morality and to redress our underdeveloped taste for political argument.