# R3 Neg vs Vermont

## 1NC

### 1NC

#### Our interpretation is that the aff must defend an advocacy in the direction of the topic, which is an increase in statutory and/or judicial restrictions on the war powers authority of the President.

#### Increase means to make greater

Dictionary.com No Date Given <http://dictionary.reference.com/browse/increase?s=ts> increase - Show IPA verb, in·creased, in·creas·ing, noun verb (used with object)

to make greater, as in number, size, strength, or quality; augment; add to: “to increase taxes.”

#### Restriction on war power authority must be a limit that controls the president

Fisher, 97 **–** (Louis, Senior Specialist in Separation of Powers, Congressional Research Service, The Library of Congress, “Presidential Independence and the Power of the Purse,” U.C. Davis J. Int'l L. & Pol'y 107, Lexis)

A legal analysis by Walter Dellinger, at that time Assistant Attorney General for the Office of Legal Counsel, draws a bold definition of presidential war power but appears to concede that if Congress gets its act together to enact a statutory restriction, the legislative limit controls the President: "By establishing and funding a military force capable of being sent around the globe, and declining in the War Powers Resolution or elsewhere to forbid the President's use of his statutory and constitutional powers to deploy troops into situations of risk such as Haiti, Congress left the President both the authority and the means to take such initiatives." n131

#### First is limits – limited topics encourage aff innovation, predictive research, and clash—a precursor to productive education. The inherent value of arguments within limits is greater, which link turns education arguments

#### Second is Fair ground – the resolution is the only neutral site of stasis for controversy – changing this allows them to define the debate in ways that make it impossible for us to compete and really easy for them to win

#### Third is decision-making – only maintaining a limited topic of discussion and a clear stasis for both teams provides the necessary and requisite foundation for decision-making and advocacy skills – even if they are contestable, that is different from being valuably debatable

Steinberg & Freeley ‘8\*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

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

#### Effective decision-making is the lynchpin to solve all social and political problems --- this is an impact to limits, role-playing and decision-making that turns case

Lundberg ‘10 **–** (Christian Lundberg, Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311)

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity forcritical thinking, analysis of public claims, informeddecision making, and better public judgment. If the picture ofmodem political life that underwrites this critique of debateis a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution**,** at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenryto research and be informed about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them. The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources: To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144) Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials. There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong supportfor expanding debate practice in the classroom as a technology for enhancing democratic deliberativecapacities. The unique combination of critical thinking skills**,** researchand information processingskills, oral communicationskills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of **meaningful political engagement** and new articulations of democratic life**.** Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to **produce** revisions **of** democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class**,** gender**, and** racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; andincreasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenrythat deliberateswith greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

#### Discussions of specific policy-questions is crucial for skills development – we control uniqueness: students already have dogmatic notions about the world – government policy discussions is vital to force engagement with competing perspective to improve social outcomes and break down pre-conceived barriers of what is right – this turns case

Esberg & Sagan ‘12 **–** \*Jane Esberg is special assistant to the director at New York University's Center on. International Cooperation. She was the winner of 2009 Firestone Medal, AND \*\*Scott Sagan is a professor of political science and director of Stanford's Center for International Security and Cooperation “NEGOTIATING NONPROLIFERATION: Scholarship, Pedagogy, and Nuclear Weapons Policy,” 2/17 The Nonproliferation Review, 19:1, 95-108

These government or quasi-government think tank simulations often provide very similar lessons for high-level players as are learned by students in educational simulations. Government participants learn about the importance of understanding foreign perspectives, the need to practice internal coordination, and the necessity to compromise and coordinate with other governments in negotiations and crises. During the Cold War, political scientist Robert Mandel noted how crisis exercises and war games forced government officials to overcome ‘‘bureaucratic myopia,’’ moving beyond their normal organizational roles and thinking more creatively about how others might react in a crisis or conflict.6 The skills of imagination and the subsequent ability topredict foreign interests and reactions remain critical for real-world foreign policy makers. For example,simulations of the Iranian nuclear crisis \*held in 2009 and 2010 at the Brookings Institution’s Saban Center and at Harvard University’s Belfer Center, and involving former US senior officials and regional experts\*highlighted the dangers of misunderstanding foreign governments’ preferences and misinterpreting their subsequent behavior. In both simulations, the primary criticism of the US negotiating team lay in a failure to predict accurately how other states, both allies and adversaries, would behave in response to US policy initiatives.7 By university age, students often have a pre-defined view of international affairs, and the literature on simulations in education has long emphasized how such exercises force students to challenge their assumptions about how other governments behave and how their*own*government works.8 Since simulations became more common as a teaching tool in the late 1950s, educational literature has expounded on their benefits, from encouraging engagement by breaking from the typical lecture format, to improving communication skills, to promoting teamwork.9 More broadly, simulations can deepen understanding by asking students to link fact and theory, providing a context for facts while *bringing theory into the realm of practice*.10 These exercises are particularly valuable in teaching international affairs for many of the same reasons they are useful for policy makers: they force participants to ‘‘grapple with the issues arising from a world in flux.’’11 Simulations have been used successfully to teach students about such disparate topics as European politics, the Kashmir crisis, and US response to the mass killings in Darfur.12 Role-playing exercises certainly encourage students to learn political and technical facts\* but they learn them in a more active style. Rather than sitting in a classroom and merely receiving knowledge, students actively research*‘‘*their’’government’s positions and actively argue, brief, and negotiate with others.13 Facts can change quickly; simulations teach students how to contextualize and act on information.14

#### Topic discussions are good---they create an actively engage citizenry that can check the executive---these decisions affect our everyday lives

Young, 13 **–** (9/4, “Why Should We Debate About Restriction of Presidential War Powers,” <http://public.cedadebate.org/node/13>)

Lastly, debating presidential war powers is important because we the people have an important role in affecting the use of presidential war powers. As many legal scholars contend, regardless of the status of legal structures to check the presidency, an important political restrain on presidential war powers is the presence of a well-informed and educated public. As Justice Potter Stewart explains, “the only effective restraint upon executive policy and power…may lie in an enlightened citizenry – in an informed and critical public opinion which alone can protect the values of a democratic government” (http://www.law.cornell.edu/supct/html/historics/USSC\_CR\_0403\_0713\_ZC3.html). As a result, this is not simply an academic debate about institutions and powers that that do not affect us. As the numerous recent foreign policy scandals make clear, anyone who uses a cell-phone or the internet is potential affected by unchecked presidential war powers. Even if we agree that these powers are justified, it is important that today’s college students understand and appreciate the scope and consequences of presidential war powers, as these students’ opinions will stand as an important potential check on the presidency.

#### Student debate about internment is critical to actual political development---influences the durable shifts in checks and balances

Dominguez and Thoren 10 Casey BK, Department of Political Science and IR at the University of San Diego and Kim, University of San Diego, Paper prepared for the Annual Meeting of the Western Political Science Association, San Francisco, California, April 1-3, 2010, “The Evolution of Presidential Authority in War Powers”, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1580395

Students of American institutions should naturally be interested in the relationships between the president and Congress. However, the evolution of war powers falls into a category of inquiry that is important not just to studies of the presidency or to students of history, but also to the field of American Political Development. Among Orren and Skowronek’s recommendations for future work in American Political Development, they argue that “shifts in governing authority,” including and especially shifts in the system of checks and balances, “are important in historical inquiry, because they are a constant object of political conflict and they set the conditions for subsequent politics, especially when shifts are durable” (Orren and Skowronek 2004, 139). How an essential constitutional power, that of deploying military force, changed hands from one institution to another over time, would certainly seem to qualify as a durable shift in governing authority. Cooper and Brady (1981) also recommend that researchers study change over time in Congress’ relations to the other branches of government.

#### Prefer our evidence because it is more specific to the debate context. Game spaces like debate are distinct from other forms of education and public speaking. There has to be a balance of ground or else one side claims the moral high ground and creates a de facto monologue

Hanghoj ‘8 2008 – PhD, assistant professor, School of Education, University of Aarhus, also affiliated with the Danish Research Centre on Education and Advanced Media Materials, located at the Institute of Literature, Media and Cultural Studies at the University of Southern Denmark (Thorkild, http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf)

Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which the teacher never learns anything new from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth instructs someone who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

### 1NC Galloway

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

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

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

### 1NC Hoppe

#### Only our framework teaches debaters how to speak in the language of experts---that solves cession of science and politics to ideological elites who dominate the argumentative frame

Hoppe 99 Robert Hoppe is Professor of Policy and knowledge in the Faculty of Management and Governance at Twente University, the Netherlands. "Argumentative Turn" Science and Public Policy, volume 26, number 3, June 1999, pages 201–210 works.bepress.com

ACCORDING TO LASSWELL (1971), policy science is about the production and application of knowledge of and in policy. Policy-makers who desire to tackle problems on the political agenda successfully, should be able to mobilise the best available knowledge. This requires high-quality knowledge in policy. Policy-makers and, in a democracy, citizens, also need to know how policy processes really evolve. This demands precise knowledge of policy. There is an obvious link between the two: the more and better the knowledge of policy, the easier it is to mobilise knowledge in policy. Lasswell expresses this interdependence by defining the policy scientist's operational task as eliciting the maximum rational judgement of all those involved in policy-making. For the applied policy scientist or policy analyst this implies the development of two skills. First, for the sake of mobilising the best available knowledge in policy, he/she should be able to mediate between different scientific disciplines. Second, to optimise the interdependence between science in and of policy, she/he should be able to mediate between science and politics. Hence Dunn's (1994, page 84) formal definition of policy analysis as an applied social science discipline that uses multiple research methods in a context of argumentation, public debate [and political struggle] to create, evaluate critically, and communicate policy-relevant knowledge. Historically, the differentiation and successful institutionalisation of policy science can be interpreted as the spread of the functions of knowledge organisation, storage, dissemination and application in the knowledge system (Dunn and Holzner, 1988; van de Graaf and Hoppe, 1989, page 29). Moreover, this scientification of hitherto 'unscientised' functions, by including science of policy explicitly, aimed to gear them to the political system. In that sense, Lerner and Lasswell's (1951) call for policy sciences anticipated, and probably helped bring about, the scientification of politics. Peter Weingart (1999) sees the development of the science-policy nexus as a dialectical process of the scientification of politics/policy and the politicisation of science. Numerous studies of political controversies indeed show that science advisors behave like any other self-interested actor (Nelkin, 1995). Yet science somehow managed to maintain its functional cognitive authority in politics. This may be because of its changing shape, which has been characterised as the emergence of a post-parliamentary and post-national network democracy (Andersen and Burns, 1996, pages 227-251). National political developments are put in the background by ideas about uncontrollable, but apparently inevitable, international developments; in Europe, national state authority and power in public policy-making is leaking away to a new political and administrative elite, situated in the institutional ensemble of the European Union. National representation is in the hands of political parties which no longer control ideological debate. The authority and policy-making power of national governments is also leaking away towards increasingly powerful policy-issue networks, dominated by functional representation by interest groups and practical experts. In this situation, public debate has become even more fragile than it was. It has become diluted by the predominance of purely pragmatic, managerial and administrative argument, and under-articulated as a result of an explosion of new political schemata that crowd out the more conventional ideologies. The new schemata do feed on the ideologies; but in larger part they consist of a random and unarticulated 'mish-mash' of attitudes and images derived from ethnic, local-cultural, professional, religious, social movement and personal political experiences. The market-place of political ideas and arguments is thriving; but on the other hand, politicians and citizens are at a loss to judge its nature and quality. Neither political parties, nor public officials, interest groups, nor social movements and citizen groups, nor even the public media show any inclination, let alone competency, in ordering this inchoate field. In such conditions, scientific debate provides a much needed minimal amount of order and articulation of concepts, arguments and ideas. Although frequently more in rhetoric than substance, reference to scientific 'validation' does provide politicians, public officials and citizens alike with some sort of compass in an ideological universe in disarray. For policy analysis to have any political impact under such conditions, it should be able somehow to continue 'speaking truth' to political elites who are ideologically uprooted, but cling to power; to the elites of administrators, managers, professionals and experts who vie for power in the jungle of organisations populating the functional policy domains of post-parliamentary democracy; and to a broader audience of an ideologically disoriented and politically disenchanted citizenry.

### 1NC Welsh

#### **Our goal as rhetorical scholars should be the exploration and production of inventional resources suitable for the larger public,** otherwise we get lost in too-easy assurances that what we are doing here in the debate space is necessary and sufficient

Welsh 12 Scott Department of Communication Appalachian State University (“Coming to Terms with the Antagonism between Rhetorical Reflection and Political Agency”, *Philosophy and Rhetoric,* Vol. 45, No. 1, 2012, Jstor)

The challenge is to resist synthetically resolving these antagonisms, whether in confirming or disconfirming ways. Rather, as Žižek might suggest, the aim should be to “come to terms” with these antagonisms by articulating academic identities less invested in reparative fantasies that imagine a material resolution of them (1989, 3, 5, 133; 2005, 242–43). Accounts that fail to come to terms with the impossibility of closure and continue to invest in such fantasies yield either indignant calls for activism or too-easy assurance of the potential consequence of one’s work, neither of which is well suited to scholar-citizen engagement. Coming to terms with these antagonisms, I ultimately argue, is aided by a reconsideration of a number of Jürgen Habermas’s (1973, 1970) early works on the relationship between theory and practice and C. Wright Mills’s (2000) account of the relationship between scholarly reflection and political agency in The Sociological Imagination. Turning to Giambattista Vico, Habermas shows us how to keep the antagonisms clearly in view, even though he does not suggest a vision of scholarship that might allow academics to deliberately respond to the antagonism between scholarship and political agency. It is Mills, rather, through his concept of academics working in support of the sociological imagination, who suggests how academics might do just that. Directly and indirectly returning, in a sense, to classical rhetorical roots, each challenges rhetoric scholars to emphasize, as the aim of rhetoric scholarship, the exploration and production of inventional resources suitable for appropriation by citizen-actors. Such a construction of the relationship between academics and politics locates political agency and the situated pursuit of practical wisdom in democratic publics without absolving scholars of responsibility to them.

### Case

#### We shouldn’t pre-judge the state. We should be forced to defend it to learn how to refute it. Absolute negation the state produces cynicism – which doesn’t allow us to test the state, critical to generating evidence necessary to sustain anti-statist concerns.

Connolly 12 William E. Krieger-Eisenhower Professor at Johns Hopkins University where he teaches political theory. Political Philosophy > Theory & Event > Volume 15, Issue 1,

I am sure that the forgoing comments will appear to some as “optimistic” or “utopian”. But optimism and pessimism are both primarily spectatorial views. Neither seems sufficient to the contemporary condition. Indeed, pessimism, if you dwell on it long, easily slides into cynicism; and cynicism often plays into the hands of a right wing that applies it exclusively to every set of state activities not designed to coddle the corporate estate. That is one reason that “dysfunctional politics” redounds so readily to the advantage of cynics on the right who work to promote it. They want to promote cynicism with respect to the state and innocence with respect to the market. Pure critique, as already suggested, does not suffice either. Negative critique alone too often carries the critic to the edge of cynicism. Hence those sudden shifts from left to right that we have witnessed too many times. Given the urgency of the time, the need is to advance counter-interpretations as we activate the most promising political strategies to the contemporary condition out of a bad set. On top of assessing probabilities and predicting them with secret relish or despair—activities I myself pursue during the election season, we must define the urgent needs of the day in relation to a set of interim possibilities worthy of pursuit. We then test ourselves and those possibilities by trying to enact this or that aspect of them at multiple sites, turning back to reconsider their efficacy and side effects as circumstances shift and results accrue. In so doing we may appreciate how apparently closed and ossified structures are sometimes pocked with seams and fractures best pried open through a mix of public contestation of established interpretations, experimental shifts in multiple role performances, micropolitics in churches, universities, unions, the media and corporations, electoral politics, and cross-state citizen actions.

#### The belief that the government can only do wrong only feeds the privatization of social life

Eisenstein ‘98**,** Professor and Chair of Politics at Ithaca College,(Zillah R., Global Obscenities: Patriarchy, Capitalism, and the Lure of Cyberfantasy, http://search.barnesandnoble.com/booksearch/isbninquiry.asp?ean=9780814722053&displayonly=CHP)

A full democratization of public life means envisioning the needs of all people—especially girls and women across the color divide—while displacing the logic of consumer capital. This demands an assault against the racialized patriarchal discourses and practices of global capital and its privatized notion of the transnational state. New ways of thinking and imagining are needed to reclaim the idea of publicness. How does one establish trust and concerns across time and space? According to Anthony Giddens, this will require a "transformation of intimacy." After all, the nuclear plant disaster at Chernobyl demonstrated just how small the globe is. Women from across the globe meeting in Beijing began to draw these new lines: of a public of women and girls across and through different cultures and values speaking against global poverty, sexual violence, and discrimination of all kinds. This new notion of citizenship does not use the borders of nation/family, public/private, or government/economy. As long as we are able to creatively imagine a community at odds with capital's use of racialized patriarchy, the very idea of publicness can be used as a start to discipline transnational capital. This process of `imagining' requires an assault on mediated, antigovernment imaginaries. The rhetoric of privatization—that government can do no right—distorts the possibilities available for creating democratic publics by assuming that all government, not just bad government, is the problem**.**

#### **Our goal as rhetorical scholars should be the exploration and production of inventional resources suitable for the larger public,** otherwise we get lost in TOO-EASY ASSURANCES that what we are doing here – in the debate space – is necessary and sufficient

Welsh 12 Scott Department of Communication Appalachian State University (“Coming to Terms with the Antagonism between Rhetorical Reflection and Political Agency”, *Philosophy and Rhetoric,* Vol. 45, No. 1, 2012, Jstor)

The challenge is to resist synthetically resolving these antagonisms, whether in confirming or disconfirming ways. Rather, as Žižek might suggest, the aim should be to “come to terms” with these antagonisms by articulating academic identities less invested in reparative fantasies that imagine a material resolution of them (1989, 3, 5, 133; 2005, 242–43). Accounts that fail to come to terms with the impossibility of closure and continue to invest in such fantasies yield either indignant calls for activism or too-easy assurance of the potential consequence of one’s work, neither of which is well suited to scholar-citizen engagement. Coming to terms with these antagonisms, I ultimately argue, is aided by a reconsideration of a number of Jürgen Habermas’s (1973, 1970) early works on the relationship between theory and practice and C. Wright Mills’s (2000) account of the relationship between scholarly reflection and political agency in The Sociological Imagination. Turning to Giambattista Vico, Habermas shows us how to keep the antagonisms clearly in view, even though he does not suggest a vision of scholarship that might allow academics to deliberately respond to the antagonism between scholarship and political agency. It is Mills, rather, through his concept of academics working in support of the sociological imagination, who suggests how academics might do just that. Directly and indirectly returning, in a sense, to classical rhetorical roots, each challenges rhetoric scholars to emphasize, as the aim of rhetoric scholarship, the exploration and production of inventional resources suitable for appropriation by citizen-actors. Such a construction of the relationship between academics and politics locates political agency and the situated pursuit of practical wisdom in democratic publics without absolving scholars of responsibility to them.

#### OPPRESSION IS LARGER THAN BODY POLITICS, your focus on the body becomes insular, crowding out understanding other influences

Ebert 95, Pf Critical and Cultural Theory, University at Albany, **95**

(Teresa, (Untimely) Critiques for a Red Feminism, Post-Ality, Marxism and Postmodernism, edited by Mas'ud Zavarzadeh)

For a red feminism this means that issues about the "nature of individuals" — gender, sexuality, pleasure, desire, needs — cannot be separated from the conditions producing individuals: not just the discursive and ideological conditions but most important the material conditions, the relations of production, which shape discourses and ideologies. Thus the struggle to end the exploitation and oppression of all women, and in particular of people of colour, lesbians and gays, within the metropole as well as the periphery, is not simply a matter ofdiscursive or semiotic liberation or a question of the resisting "matter of the body," but a global social relation: it thus requires the transformation of the material conditions — the relations of production — producing these forms of oppression.

#### Your focus on body politics is easily co-opted by the right.

Bojadžijev AND Karakayalı 10 (Manuela, Professor at the Institute for European Ethnology at the Humboldt University of Berlin; Serhat, teaches at the University of Halle, *e- flux* 06/10)

When, in our paper, we criticized the phantasma of “freely accessible identity positions,” it was directed at a concept of hybridity claiming to foreclose the identity with which it is coupled. In particular, we argued that radicalized identities are not essential; they are, rather, the modes of processing social contradictions. In order to reject any core essentialist conception of hybridity conceivable only as a potentized or mixed identity, we prioritized the “wager” through which one could access a “temporary departure” from identitarian interpellation. What we implied with the expression “temporary” deserves closer examination. “Hybrid” identities, in large parts of the Western world, are not only less problematic today than they were twenty, thirty, or forty years ago (as only temporary sites of “political deployment,” which they remain to a lesser extent today); they have also become a trademark of a reflexive modernity that has taken up the cause of its own heterogeneity and tolerance—and is sometimes prepared to fight for it with bombs and threats. This assumed discrepancy between a liberal, cosmopolitan, and capitalist modernity on the one hand, and a fundamentalist Other that refuses intermixing on the other, is itself a hegemonic gesture that must be rejected. Emancipatory language moves from Left to Right and back again, and finds its application in the governance of populations. In this respect, the current uncertainty in designating the political is connected historically to those movements that have opposed their exclusion and insisted upon their rights; or rather, their representation. Numerous examples demonstrate that the language of rights developed in Black, women’s, and migrants’ movements, and in the queer movement, have now entered a right-wing, chauvinistic discourse and are used for the sealing of borders. This language has developed into a military-imperial and anti-migration project. For instance, the discourse legitimizing the Iraq War articulated the need to bomb because of a lack of democracy; in the case of Afghanistan, the lack of women’s rights, among other things, were used as justification. Anti-racist discourses have begun to enter the policies of migration controls (for instance, in the campaigns of the International Organization for Migration). Arguments against immigration to Europe are decorated with the pretention of tolerance for “cultural difference.” Migrants today are no longer attacked in the name of unifying culture and nation, but rather of emancipation and democracy.

#### WE’RE NOT RESPONSIBLE FOR DEBATE’S PAST - The idea that we are all complicit in whiteness IS OVER-SIMPLIFED AND LACKS NUANCE. Certain practices – NOT PEOPLE – are more complicit in whiteness than others.

**Litowitz**, Assistant Professor, Chicago-Kent College of Law. B.A., Oberlin College, **97**

(Douglas E. University of Notre Dame, 72 Notre Dame L. Rev. 503)

It simply will not do to say that all whites are equally complicitous in this country's legacy of racism and that all blacks are innocent victims; what results is a somewhat **simplistic universe of oppressors and oppressed,** sketched in black and white. What is missing here, I [\*528] think, is what is missing in much of CRT work: balance, **nuance, and a weighing of insider and outsider perspectives**.

#### Your link arguments produce a simplistic conception of whiteness. The debate community become homogenized as white. Policy debate is all white. Belief in fiat, all white. CPs, white. Concerns for fairness, just more whiteness. A concern for anything other than whiteness, white. This turns their form of anti-racism into an oppressive understanding of reality

**Adeleke**, Pf African American Studies, The University of Montana-Missoula, **02**

(Tunde, Globalization And the Challenges of Race-based Pedagogy, http://globalization.icaap.org/content/v2.2/adeleke.html)

The need for a distinct black pedagogy and epistemology seems justifiable within American society and polity, given historical and persistent distrust of mainstream education, and onslaughts on affirmative action, and the conviction of many that mainstream education does not adequately and accurately reflect and represent the experience of blacks. In the global context, however, such race-based pedagogy **becomes constricting, limiting, and extremely problematic**. If indeed, globalization is effecting de-territorialization, shrinkage and circumscription of the political authority of the nation state, if national boundaries are becoming almost superfluous, as humans grow closer and are compelled to confront commonality and convergence, as opposed to distinctiveness and separatism, then the adoption of race-based pedagogy itself becomes problematic. What the adoption of race-based pedagogy does is **replicate exactly the hegemonic model that blacks are criticizing and challenging;** one historically and traditionally based on race, and skewed culturally in favor of the white dominant class. Many critiques of Afrocentricity see it as the extreme opposite of the Eurocentric pedagogy that it purports to reject. Paulo Freire describes a situation where those struggling against oppression often end up adapting values and strategies of their oppressor, becoming themselves oppressors or sub-oppressors. Though they may be aware of being dominated, yet “their perception of themselves as opposites of their oppressor does not yet signify engagement in a struggle to overcome the contradiction; the one pole aspires not to liberation, but to identification with its opposite pole.” (Freire, 1992: 30). In the case of black America, there was a strong move to reject the epistemic logic of the oppressor. However, the paradigm that evolves **bears strong resemblance to the culturally and racially skewed epistemology of the oppressor** (Ibid). This identification is a kind of curious and problematic one in that it is unintended and born of alienation from, and an attempt to disown, the hegemonic ethos of the dominant academic system. Consequently, what emerges is a paradigm based on race, just as the dominant pedagogy of the oppressor was heavily dependent on race. That is, there emerges **an equally hegemonic pedagogy**; one that asserts and affirms or **essentializes particularistic ethos and culture**, that are deemed in conflict with those of the dominant group; and one which is often **conferred superiority through claims of originality and preeminence.** Instead of developing a transcendence of the existentialist contradiction at which, “the reality of oppression has already been transformed,” resulting in a pedagogy that “ceases to belong to the oppressed and becomes a pedagogy for all men in the process of permanent liberation” (Ibid. 40). the oppressed (in this case blacks) seek still a culturally skewed and equally hegemonic paradigm. Instead of what Paulo Freire envisages, that is, the possibility of a pedagogy of liberation that **unites both oppressor and oppressed on the basis of consensus** on these ethos that are not racially and culturally skewed and hegemonic, **what emerges is a segregationist paradigm** that recreates and repackages the myths “created and developed in the old order.” Advocates of race-based pedagogy believe that the ole myths have not been adequately expelled, but rather have somehow been dispersed under different code words and euphemisms. This is what legitimizes a race-based pedagogy, hence the increasing ascendance of Afrocentricity. The fundamental problem is that Afrocentricity, based on race (an artificial sociological construct), and ethnicity (which sustains an ill-defined and imprecise construction of identity), **renders the issue of the cultural base of the Afrocentric education even more problematic** as it is **based on an oversimplification of an otherwise complex African culture and ethnicity**. In other words, a major problem of Afrocentric education and pedagogy becomes its very lack of depth in ‘African’ cosmology, for what is represented as ‘African’ is often a narrow and poor replica of the original.

#### The alt is a snake eating its own tail – ontologically opposing Blackness to Whiteness makes Black struggle STRUCTURALLY dependent on the existence of White Racism and wounded attachments to suffering

Pinn 2004 (Anthony, Anthony B. Pinn is an American professor and writer whose work focuses on liberation theology, Black religion, and Black humanism. Pinn is the Agnes Cullen Arnold Professor of Humanities and Professor of Religious Studies at Rice University, “‘‘Black Is, Black Ain’t’’: Victor Anderson, African American Theological Thought, and Identity,” Dialog: A Journal of Theology, Volume 43, Number 1 . Spring 2004)

This connection between ontological blackness and religion is natural because: ‘‘ontological blackness signifies the totality of black existence, a binding together of black life and experience. In its root, religio, religion denotes tying together, fastening behind, and binding together. Ontological blackness renders black life and experience a totality.’’13 According to Anderson, Black theological discussions are entangled in ontological blackness. And accordingly, discussions of black life revolve around a theological understanding of Black experience limited to suffering and survival in a racist system. The goal of this theology is to find the ‘‘meaning of black faith’’ in the merger of black cultural consciousness, icons of genius, and post-World War II Black defiance. An admirable goal to be sure, but here is the rub: Black theologians speak, according to Anderson, in opposition to ontological whiteness when they are actually dependent upon whiteness for the legitimacy of their agenda. Furthermore, onto- logical blackness’s strong ties to suffering and survival result in blackness being dependent on suffering, and as a result social transformation brings into question what it means to be black and religious. Liberative outcomes ultimately force an identity crisis, a crisis of legitimation and utility. In Anderson’s words:¶ Talk about liberation becomes hard to justify where freedom appears as nothing more than defiant self-assertion of a revolutionary racial consciousness that requires for its legitimacy the opposition of white racism. Where there exists no possibility of transcending the black- ness that whiteness created, African American theologies of liberation must be seen not only as crisis theologies; they remain theologies in a crisis of legitimation.14¶ This conversation becomes more ‘‘refined’’ as new cultural resources are unpacked and various religious alternatives acknowledged. Yet the bottom line remains racialization of issues and agendas, life and love. Falsehood is perpetuated through the ‘‘hermeneutic of return,’’ by which ontological blackness is the paradigm of Black existence and thereby sets the agenda of Black liberation within the ‘‘postrevolutionary context’’ of present day USA. One ever finds the traces of the Black aesthetic which pushes for a dwarfed understanding of Black life and a sacrifice of individuality for the sake of a unified Black ‘faith’. Yet differing experiences of racial oppression (the stuff of ontological blackness) combined with varying experiences of class, gender and sexual oppression call into question the value of their racialized formulations. Implicit in all of this is a crisis of faith, an unwillingness to address both the glory and guts of Black existence—nihilistic tendencies that, unless held in tension with claims of transcendence, have the potential to overwhelm and to suffocate.¶ At the heart of this dilemma is friction between ontological blackness and ‘‘contemporary postmodern black life’’—issues, for example related to ‘‘selecting marriage partners, exercising freedom of movement, acting on gay and lesbian preferences, or choosing political parties.’’15 How does one foster balance while embracing difference as positive? Anderson looks to Nietzsche.¶ European genius, complete with its heroic epic, met its match in the aesthetic categories of tragedy and the grotesque genius revived and espoused by Friedreich Nietzsche. The grotesque genius served as an effective counter-discourse by embracing both the ‘light’ and ‘dark’ aspects of life, and holding in tension oppositional sensations—pleasure and pain, freedom and oppression.16 Utilizing Nietzsche’s work, Anderson ask: ‘‘what should African Ameri- can cultural and religious criticism look like when they are no longer romantic in inspiration and the cult of heroic genius is displaced by the grotesquery—full range of expression, actions, atti- tudes, behaviors everything found in African American life—of contemporary black expressive culture and public life?’’17¶ Applied to African Americans, the grotesque embodies the full range of African American life—all expressions, actions, attitudes, and behavior. With a hermeneutic of the grotesque as the foci, religiocultural criticism is free from the totalizing nature of racial apologetics and the classical Black aesthetic. By extension, Black theology is able to address both issues of survival (Anderson sees their importance.) and the larger goal of cultural fulfillment, Anderson’s version of liberation. That is to say, placing ‘‘blackness’’ along side other indicators of identity allows African Americans to define themselves in a plethora of ways while maintaining their community status. This encourages African Americans to see themselves as they are— complex and diversified—no longer needing to surrender personal interests for the sake of monolithic collective status

## 2NC

No cards – extended T

## 1NR

### 1NR

#### \*The ESSENTIALIZATION OF THE GOVERNMENT gets it wrong. It pre-decides what all governments can do and it becomes a way to ignore radical shifts in governing

Triantafillou 2K, Dept of Intercultural Communication & Management @ Copenhagen,

(Peter, Work and subjectivity – A review of psychological, sociological and

post-structuralist approaches, IKL Working Paper, no 39, Feb)

From this perspective, government may change its forms but it essentially remains the same, namely the attempt by one group to govern others. Governmentality is thereby reduced to a transcendental and essentially undifferentiated (Same) activity. However, as shown not only by Foucault but also by numerous political historians and philosophers, such as Quentin Skinner and James Tully, the problematizations, techniques, and knowledges informing the attempts to govern in Western Europe has undergone several radical shifts just within the last four or five centuries. Moreover, as noted by several authors - such as Nikolas Rose, Peter Miller, Jacques Donzelot, and Mitchell Dean - government has undergone a crucial mutation after WWII with the emergence of neo-liberal rationalities of government in the industrialized countries. In fact, du Gay’s own analysis of the emergence of the entrepreneurial self as a model for government, is an excellent demonstration of the transformation of the rationalities and practices of government in the UK during the 1980s. Thus rather than travelling through history in an empty sameness characterized by some abstract will to govern, the notion of governmentality – conceived in terms of rationalities and practices of government – may be more adequately understood as designating a historically specific phenomenon.

#### \*Hostility to the government feeds the neoliberal racism of the Tea Party. Their ‘demands on the state’ create an anti-racist praxis easily absorbed by neoliberalism

Espositoi 11 Associate Professor of Sociology and Criminology at Barry University in Miami Shores, FL, Luigi, Theory in Action, White Fear and US Racism in the Era of Obama: The Relevance of Neoliberalism, Vol. 4, No.3, July

For example, much has been written and said about the increased popularity of White supremacist groups since Obama’s presidential election (e.g., Saslow, 2008), the blatant racism discernible among radical segments of the so-called Tea Party Movement (e.g., King, 2010), and the recent passing of laws in Arizona that encourages racial profiling and bans ethnic studies in public schools (Santa Cruz, 2010). Certainly, these trends deserve media attention and should concern anyone committed to racial/ethnic equity and social justice. Much less talked/written about, however, is how the current state of White fear/anxiety in the United States, and the racism promoted by this condition, is inextricably tied to recent shifts in the larger political economy—particularly the shift away from neoliberalism. As is well known, neoliberalism is a free market ideology that has dominated economic and socio-political policy for the past three decades (e.g., Harvey, 2005). Based on the idea that the free market is infallible and should thus be “the organizing principle for all social, political, and economic decisions,” neoliberalism continues to hold significant sway in the US public imagination (Giroux, 2008, p. 2). Since 2008, however, there seems to have been a shift away from neoliberalism in the US, particularly within the realm of economic policy. Thus, for example, rather than blindly relying on “free market” procedures (e.g., de-regulation) to correct the current economic crisis, the Obama administration has adopted Keynesian style policies that call for a more regulated economy (e.g., Harris and Davidson, 2009). This, in turn, has created an anti-statist and pro-capitalist backlash that, to a large extent, has become racialized (Burns, 2010). Specifically, current efforts to denounce and challenge the rise of “big government” and the presumed decline of personal liberty and free enterprise are also, to a large extent, protests against the perceived “decline of White America.” In light of these developments, I address the relevance of neoliberalism within the current movement against “big government” and proceed to make three general points with respect to the link between free market ideology, White fear/anxiety, and contemporary racism/racial inequity. First, I argue that Obama’s presidency, along with a perceived attack on revered neoliberal/free market principles associated with laissez faire and meritocracy, have reinforced assumptions about White victimhood in the United States. In effect, while not everyone who opposes the president and his policies is driven by racial bigotry, the argument can be made that Obama’s “big government” is condemned by millions of mostly White Americans not only as a threat to freedom and free enterprise, but a deviation from the “real” (i.e., White) America and a means towards ensuring preferential treatment for racial minorities. Particular attention is given to the Tea Party Movement, which many claim is at the forefront of the recent growth in anti-statist/right wing populism. Second, while much of the media has focused on the most blatant manifestations of racism among those associated with the far right, I argue that the greater racial challenge in the US today is predicated on a type of color blind ideology that favors White privilege and cuts across the conservative/liberal divide. Although this argument is not new (e.g., Bonilla-Silva, 2006; Wise, 2010), the growing belief that Whites are now a disadvantaged group, combined with an African-American president and a perceived attack on the free market during the past two years, has further solidified a post-racial discourse that draws from free market/neoliberal assumptions about self-reliance, the structural irrelevance of race, and the need to treat everyone as an individual. Barack Obama has himself emphasized this post-racial discourse throughout his political career. In doing so, current structures of racial inequality are sustained and, to a large extent, normalized. Lastly, I argue that serious efforts to challenge post-civil rights racism/racial inequity in the United States ought to critically engage neoliberalism not merely at the level of economic policy, but as a set of “public values, modes of rationality, and common sense assumptions” that legitimize color-blindness, reduce racism to a privatized discourse, and continue to support a system of White privilege in the United States (Giroux, 2004). Rather than post-racialism, what are needed are antiracist solutions that are incompatible with the neoliberal paradigm.

#### \*A. If we win a link, they are net worse: The absolute negation of the state is a form of falling asleep

Falk 11 Richard, American professor emeritus of international law at Princeton University, Is The State a Monster? Pro and Contra Nietzsche , June, http://richardfalk.wordpress.com/2011/06/

We need protection to live moderate and satisfying lives, to avoid crippling feuds. Nietzsche, shouting to be heard, exaggerated in some ways that are not instructive. We must not deify the state, or renounce our responsibilities as citizens to speak truthfully, or free the government from its obligations at home and abroad to act within the law, but even most of those among us who try to be citizens in the proper sense would still not opt for the chaos of an ungoverned social order if given a free choice. Our task is to build a just and ethically accountable state, not to abandon the enterprise as futile. It is not a middle ground that we seek that is content with more moderate forms of secular forms of idolatry. The struggle I support is what the French philosopher, Jacques Derrida, called for, I believe, when speaking of ‘the democracy to come.’ We need to listen carefully to the words of Nietzsche, but not be seduced by them to indulge idolatry in its negative form. To remove the blindfold, and see the state as the coldest of monsters is a necessary wakeup call for which we should thank Nietzsche for, even now, 140 years after Zarathustra was published. And yet we also need to resist the temptation to fall into a deeper sleep by adopting a posture of unrealizable and unacceptable negation of this strange political creature called the state. In the end, the state is not a monster, but a work in progress.

#### \*A. It allows people to see social activism as unitary

LOBEL 7, Assistant Professor of Law, University of San Diego,

(Orly, Harvard Law Review, 120 Harv. L. Rev. 937)

At first glance, the idea of opting out of the legal sphere and moving to an extralegal space using alternative modes of social activism may seem attractive to new social movements. We are used to thinking in binary categories, constantly carving out different aspects of life as belonging to different spatial and temporal spheres. Moreover, we are attracted to declarations about newness - new paradigms, new spheres of action, and new strategies that are seemingly untainted by prior failures. [186](http://www.lexis.com/research/retrieve?_m=b7d531dcca7209b987833602ed6fbb4e&docnum=23&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzb-zSkAt&_md5=3f8bfd4662cb01d0d1bf9f28a63e1155&focBudTerms=lobel%20and%20harvard&focBudSel=all#n186) However, the critical insights about law's reach must not be abandoned in the process of critical analysis. Just as advocates of a laissez-faire market are incorrect in imagining a purely private space free of regulation, and just as the "state" is not a single organism but a multiplicity of legislative, administrative, and judicial organs, "nonstate arenas" are dispersed, multiple, and constructed. The focus on action in a separate sphere broadly defined as civil society can be self-defeating precisely because it conceals the many ways in which law continues to play a crucial role in all spheres of life. Today, the lines between private and public functions are increasingly blurred, forming what Professor Gunther Teubner terms "polycorporatist regimes," a symbiosis between private and public sectors. [187](http://www.lexis.com/research/retrieve?_m=b7d531dcca7209b987833602ed6fbb4e&docnum=23&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzb-zSkAt&_md5=3f8bfd4662cb01d0d1bf9f28a63e1155&focBudTerms=lobel%20and%20harvard&focBudSel=all#n187) Similarly, new economic partnerships and structures blur the lines between for-profit and nonprofit entities. [188](http://www.lexis.com/research/retrieve?_m=b7d531dcca7209b987833602ed6fbb4e&docnum=23&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzb-zSkAt&_md5=3f8bfd4662cb01d0d1bf9f28a63e1155&focBudTerms=lobel%20and%20harvard&focBudSel=all#n188) Yet much of the current literature on the limits of legal reform and the crisis of government action is built upon a privatization/regulation binary, particularly with regard  [\*979]  to social commitments, paying little attention to how the background conditions of a privatized market can sustain or curtail new conceptions of the public good. [189](http://www.lexis.com/research/retrieve?_m=b7d531dcca7209b987833602ed6fbb4e&docnum=23&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzb-zSkAt&_md5=3f8bfd4662cb01d0d1bf9f28a63e1155&focBudTerms=lobel%20and%20harvard&focBudSel=all#n189) In the same way, legal scholars often emphasize sharp shifts between regulation and deregulation, overlooking the continuing presence of legal norms that shape and inform these shifts. [190](http://www.lexis.com/research/retrieve?_m=b7d531dcca7209b987833602ed6fbb4e&docnum=23&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzb-zSkAt&_md5=3f8bfd4662cb01d0d1bf9f28a63e1155&focBudTerms=lobel%20and%20harvard&focBudSel=all#n190) These false dichotomies should resonate well with classic cooptation analysis, which shows how social reformers overestimate the possibilities of one channel for reform while crowding out other paths and more complex alternatives.

#### \*ALLIES ARE NECESSARY. In order to truly dislodge security, we must take the personal and transform it into a SHARED outrage against unaccountable power.

Osborn 8 Timothy Kaufman is the Baker Ferguson Professor of Politics and Leadership at Whitman College; from 2002-06 as president of the American Civil Liberties of Washington; and he recently completed a term on the Executive Council of the American Political Science Association. Theory & Event > Volume 11, Issue 2

To see why that is so, the conventional mechanisms of liberal legal liability need to be supplemented by a specifically political understanding of accountability; and, if that understanding is not to bolster the regime it seeks to contest, it must cut itself loose from key premises of the social contractarianism implicit in Danner's remarks. To hint at the contours of such an account, in this context, I will confine myself to two of the departures it requires. First, such an understanding cannot be predicated on the autonomous agents that classical social contract theory imagines as denizens of the state of nature. Nor can it be predicated on the conception of consent that derives from that hypothetical, which, in turn, sustains an anachronistic understanding of popular sovereignty. To facilitate these presuppositional shifts, borrowing a phrase from Christopher Kutz, I suggest that we adopt the terminology of "complicitous accountability."47 This phrase is not to be confused with the liberal legal doctrine of complicity, which holds that an individual can be held culpable for another's crime if he or she intentionally encourages or aids the second in the commission of that crime, and, in consequence, can be charged with "derivative" or "accomplice" liability. True, the idea of complicitous accountability bears connotations of abetment and even collusion in wrong-doing. But it is not meant to imply that the intent of the complier is identical to either that of the wrong-doers in question (e.g., Charles Graner), or to those officials who arguably authorized its performance (e.g., Rumsfeld). Nor is it intended to imply that the accountability of those who engaged in such deeds, or those who authorized them, is co-extensive with those who have but a modest capacity to re-shape the existing regime. Instead, and appropriating a central notion advanced by much feminist theory, complicitous accountability is predicated on a relational understanding of conduct, one that reminds us that human action is always implicated with as well as conditioned by the actions of others. This understanding invokes the etymology of this term (com = with + plico = to fold), which suggests that actions are invariably enfolded together, spatially and temporally, in ways that are beyond anyone's full comprehension and control. Accountability predicated on an acknowledgment of complicity is not assumed as a result of voluntary choice or deliberate endorsement. Instead, as a consequence of joint enmeshment in complex and historically-specific constellations of power relations, such co-implication is for the most part a fruit of habitual submission to the current order of things. In the security state, as Young reminds us, that submission is often rooted in fear and, more specifically, a desire to be shielded from harm. No matter how understandable, though, such acquiescence reproduces the current order of things, and so it is not entirely without reason that we sometimes feel ashamed by the conduct of those who have acted "in our name." Yet that shame will prove of little moment unless it advances from the personal to the political and, more specifically, unless it gives rise to shared outrage at institutions and exercises of unaccountable power that implicate everyday conduct in profoundly anti-democratic policies and practices. This brings me to the second point of departure from social contractarianism. A key element of the transition from personal to political involves recognizing that just as the notion of complicitous accountability calls into question the sovereign individual presupposed by liberal legalism, so too does it call into question the sovereign state that is its counterpart.