## 1AC Extra Cards

#### All procedural solutions backfire, meaning they teach unrealistic forms of advocacy.

Rana, ’11 [Aziz Rana received his A.B. summa cum laude from Harvard College and his J.D. from Yale Law School. He also earned a Ph.D. in political science at Harvard, where his dissertation was awarded the university's Charles Sumner Prize. He was an Oscar M. Ruebhausen Fellow in Law at Yale; “Who Decides on Security?”; 8/11/11; Cornell Law Library; <http://scholarship.law.cornell.edu/clsops_papers/87/>]

Widespread concerns with the government’s security infrastructure are by no means a new phenomenon. In fact, such voices are part of a sixty-year history of reform aimed at limiting state (particularly presidential) discretion and preventing likely abuses. What is remarkable about these reform efforts is that, every generation, critics articulate the same basic anxieties and present virtually identical procedural solutions. These procedural solutions focus on enhancing the institutional strength of both Congress and the courts to rein in the unitary executive. They either promote new statutory schemes that codify legislative responsibilities or call for greater court activism. As early as the 1940s, Clinton Rossiter argued that only a clearly established legal framework in which Congress enjoyed the power to declare and terminate states of emergency would prevent executive tyranny and rights violations in times of crisis. After the Iran-Contra scandal, Harold Koh, now State Department Legal Adviser, once more raised this approach, calling for passage of a National Security Charter that explicitly enumerated the powers of both the executive and the legislature, promoting greater balance between the branches and explicit constraints on government action. More recently, Bruce Ackerman has defended the need for an “emergency constitution” premised on congressional oversight and procedurally specified practices. As for increased judicial vigilance, Arthur Schlesinger argued nearly forty years ago, in his seminal book The Imperial Presidency (1973), that the courts “had to reclaim their own dignity and meet their own responsibilities” by abandoning deference and by offering a meaningful check to the political branches. Today, Lawrence Tribe and Patrick Gudridge once more imagine that, by providing a powerful voice of dissent, the courts can play a critical role in balancing the branches. They write that adjudication can “generate[]—even if largely (or, at times, only) in eloquent and cogently reasoned dissent—an apt language for potent criticism.” The hope – returned to by constitutional scholars for decades – has been that by creating clear legal guidelines for security matters and by increasing the role of the legislative and judicial branches, government abuse can be stemmed. Yet despite this reformist belief, presidential and military prerogatives continue to expand even when the courts or Congress intervene. Indeed, the ultimate result has primarily been to entrench further the system of discretion and centralization. In the case of congressional legislation (from the 200 standby statutes on the books to the post September 11 and Iraq War Authorizations for the Use of Military Force to the Detainee Treatment Act and the Military Commissions Acts), this has often entailed Congress self-consciously playing the role of junior partner – buttressing executive practices by providing its own constitutional imprimatur to them. Thus, rather than rolling back security practices, greater congressional involvement has tended to further strengthen and internalize emergency norms within the ordinary operation of politics. As just one example, the USA PATRIOT Act, while no doubt controversial, has been renewed by Congress a remarkable ten consecutive times without any meaningful curtailments. Such realities underscore the dominant drift of security arrangements, a drift unhindered by scholarly suggestions and reform initiatives. Indeed, if anything, today’s scholarship finds itself mired in an argumentative loop, re-presenting inadequate remedies and seemingly incapable of recognizing past failures. What explains both the persistent expansion of the federal government’s security framework as well as the inability of civil libertarian solutions to curb this expansion? In this article I argue that the current reform debate ignores the broader ideological context that shapes how the balance between liberty and security is struck. In particular, the very meaning of security has not remained static but rather has changed dramatically since World War II and the beginning of the Cold War. This shift has principally concerned the basic question of who decides on issues of war and emergency. And as the following pages explore, at the center of this shift has been a transformation in legal and political judgments about the capacity of citizens to make informed and knowledgeable decisions in security domains. Yet, while underlying assumptions about popular knowledge – its strengths and limitations – have played a key role in shaping security practices in each era of American constitutional history, this role has not been explored in any sustained way in the scholarly literature.

Legal debates about targeted killing are impossible – the justification for their secrecy is secret –debating about the logic of secrecy is the key starting point.

McMahon, ’13 [J. McMahon; UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK; “AMERICAN CIVIL LIBERTIES UNION and THE AMERICAN CIVIL LIBERTIES UNION FOUNDATION, Plaintiffs, -against- U.S. DEPARTMENT OF JUSTICE, including its component the Office of Legal Counsel, U.S. DEPARTMENT OF DEFENSE, including its Component U.S. Special Operations Command, and CENTRAL INTELLIGENCE AGENCY”; filed 1/3/13 ;http://s3.documentcloud.org/documents/550558/updated-drone-decision.pdf]

Plaintiffs in these consolidated actions have filed Freedom of Information Act ("FOIA") requests with the federal Government in order to obtain disclosure of information relating to a particular tactic that is admittedly being employed in the so-called "War on Terror" – the targeted killing of persons deemed to have tics to terrorism, some of whom may be American citizens. Most of what is sought in the facially overbroad request filed by the American Civil Liberties Union ("ACLU") was properly withheld pursuant to one or more properly-invoked exemptions that Congress wrote into the FOIA statute to guard against the disclosure of highly confidential and operational information - if, indeed, the Government has acknowledged that any such documents exist. Thornier issues are raised by two much narrower requests, filed by reporters from The New York Times. Broadly speaking, they seek disclosure of the precise legal justification for the Administration's conclusion that it is lawful for employees or contractors of the United States Government to target for killing persons, including specifically United States citizens, who are suspected of ties to Al-Qaeda or other terrorist groups. Documents responsive to these requests would also be responsive to portions of the ACLU's request. The FOIA requests here in issue implicate serious issues about the limits on the power of the Executive Branch under the Constitution and laws of the United States, and about whether we are indeed a nation of laws, not of men. The Administration has engaged in public discussion of the legality of targeted killing, even of citizens, but in cryptic and imprecise ways, generally without citing to any statute or court decision that justifies its conclusions. More fulsome disclosure of the legal reasoning on which the Administration relies to justify the targeted killing of individuals, including United States citizens, far from any recognizable "hot"' field of battle, would allow for intelligent discussion and assessment of a tactic that (like torture before it) remains hotly debated. It might also help the public understand the scope of the ill-defined yet vast and seemingly ever-growing exercise in which we have been engaged for well over a decade, at great cost in lives, treasure, and (at least in the minds of some) personal liberty. However, this Court is constrained by law, and under the law, I can only conclude that the Government has not violated FOIA by refusing to turn over the documents sought in the FOIA requests, and so cannot be compelled by this court of law to explain in detail the reasons why its actions do not violate the Constitution and laws of the United States. The Alice-in- Wonderland nature of this pronouncement is not lost on me; but after careful and extensive consideration, I find myself stuck in a paradoxical situation in which I cannot solve a problem because of contradictory constralints and rules - a veritable Catch-22. I can find no way around the thicket of laws and precedents that effectively allow the Executive Branch of our Government to proclaim as perfectly lawful certain actions that seem on their face incompatible with our Constitution and laws, while keeping the reasons for their conclusion a secret. But under the law as I understand it to have developed, the Government's motion for summary judgment must be granted, and the cross-motions by the ACLU and the Times denied, except in one limited respect. Final rulings on that discrete issue must abide further information from the Government.

## 2AC

### Case

Utilitarianism’s attempt at neutrality tramples over efforts toward individual equality.

Byrnes, ’99 [Erin E. Byrnes, Arizona Law Review, Summer, 1999, 41 Ariz. L. Rev. 535, We don’t endorse this article’s employment of ableist language]

A functionalist critique of utilitarianism could also be employed in this context to advocate the acceptance of moral rights and the theory of correlativity. Functionalism points up the problems with the alleged egalitarian underpinnings of utilitarianism by making clear the fallacy of alleged neutrality in the calculation of individual preferences. 271 By employing a functionalist critique of utilitarianism, affirmative action proponents can advocate the adoption of Ronald Dworkin's "model two" conception of rights. 272 Dworkin claims that all rights inherently carry moral force. 273 Recognition of the moral element of rights enables them to trump certain societal decisions regarding utility, which, in turn, strengthens the overall worth of rights. 274 Thus, adoption of a functionalist critique of utilitarianism may facilitate a wider acceptance of those affirmative action policies currently deemed offensive to our political regime. The belief of many is that utilitarianism "can...provide a conception of how government treats people as equals, or...[at least] how government respects the fundamental requirement that it must treat people as equals." 275 This notion dovetails perfectly with the utilitarian rejection of those affirmative action policies that go beyond the colorblind vision because such policies would violate the deeply held conviction that all people are to be treated as equals. Allowing for preferences or redistribution would be a clear violation of this principle. "Utilitarianism claims that people are treated as equals when the preferences of each, weighted only for intensity, are balanced in the same scales, with no distinctions for persons or merit." 276 However, this egalitarian justification of utilitarianism is selfundermining because of the critical significance utilitarianism delegates to the views of those who hold profoundly non-neutral positions. 277 The undermining impact becomes particularly apparent when viewed in light of the notion that the preferences of some should count for more than those of others. 278 [\*567] A proposed solution to the problem of specious neutrality is elucidated in Ronald Dworkin's concept of individual rights as trumps. 279 Dworkin argues that "rights are best understood as trumps over...political decisions that state[] a goal for the community as a whole." 280 In other words, individual rights are at their strongest when they act as a trump on societal notions of utility. Under the trump theory, individual rights are only strong enough to act as trumps on the societal will when they carry moral force. 281 Without the trump capacity, the commitment to individual rights that the liberal tradition professes is imperfect. A political system organized according to utilitarianism sets up a situation primed for the political majority to capture the means of process. Allowing for the trump capacity of individual rights to exist ensures that the political minority will be protected from the preferences of the majority, who often completely disregard equality or egalitarianism. 282 This is precisely what is behind the current drive to dismantle existing affirmative action policies. As Dworkin points out, when society allows the utilitarian predilection for majority will to go unchecked, individual rights get trampled in the process. The capture problem is particularly egregious when the preference involved deals with the behavior of others. 283 The reasons for this are two-fold. First, it can be said that preferences regarding the behavior of others generally involve moral preferences. 284 When moral preferences regarding how others should behave are counted in the political process, the so-called neutrality of utilitarianism is called into serious question. 285 Utilitarianism's purported egalitarianism is challenged even when the preference operating is one which deals with the kind of experience which the individual wishes to personally experience. The problem endemic to this kind of preference is that it necessarily devalues the motives and preferences of others, while simultaneously recognizing and affirming certain other types of individual preferences. 286 In the United States, white society's preferences are affirmed while those of societal minorities are disregarded. Utilitarianism becomes "unnecessarily inhospitable to the special and important ambitions of those who then lose control of a crucial aspect of their own self development." 287 This loss is the direct result of the inability of certain members of society to value and respect motives, other than their own, regarding proper means of self-development. [\*568] One way to ameliorate these concerns is found in a strong conception of rights. If rights cannot act as trumps on utility, then the guarantee of any one individual right becomes an empty set. 288 Such a conception requires that where rights exist, they not be abridged simply in the name of utilitarian good. The functionalist conception of rights rejects the idea that "government is entitled to act on no more than a judgment that its act is likely to produce, overall, a benefit to the community. That admission would make the claim of a right pointless...." 289 Dworkin argues that individual rights carry no weight when they can be overriden solely for the sake of utility. 290 The worse case scenario is the instance in which individual rights are abridged because their maintenance has become "inconvenient." 291 This is precisely what has happened in the instance of affirmative action. While initially, there was societal support for equality in the abstract, when affirmative action advocates started to argue for the redistribution of societal goods and the use of preferences, support dwindled. 292 In a regime honoring the capacity of rights to act as trumps, a viable claim for the violation of individual rights in the name of societal utility can legitimately be made only when there is a stronger competing interest. 293 What commonly occurs under a utilitarian government is that the societal interest in the maintenance of order and security is seen as a valid competing interest in the weighing of individual rights, the outcome generally being that the societal interest wins out. 294 Maintenance of status quo power relationships is made easy precisely because societal interests are treated as valid competitors with individual interests. Dworkin claimy s it is necessary to "distinguish the 'rights' of the majority as such, which cannot count as a justification for overruling individual rights, and the personal rights of members of the majority, which might well count." 295 When society has a right to pursue any goal so long as it is in furtherance of the general good, it renders impossible a sincere valuation of any minorityheld preferences. It is clear that when individual rights are put in direct competition with societal goals, individual rights will be annihilated every time. 296

#### Their reps of savage terrorists cannot be separated by historical racism.

Sharp, ‘7 [2007, Patrick B. Sharp, Chair, Department of Liberal Studies California State University, Los Angeles, Ph. D. in English University of California, Santa Barbara, M.A. in English University of California, Santa Barbara, B.A. in English (High Honors) University of California, Santa Barbara, American Association of Colleges and Universities Institute on High-Impact Practices and Student Success, University of Vermont, University of Oklahoma Press : Norman, “Savage Perils: Racial Frontiers and Nuclear Apocalypse in American Culture” pdf]

This history provides the necessary context for understanding President Bush’s rhetoric about the “war on terror.” Bush did not create the image of the terrorist: in the 1970s, the concept of the terrorist emerged as the modern manifestation of the savage in American political rhetoric. Like savages, terrorists were described as cruel, irrational, darkskinned primitives bent on destroying the “civilized world.” Since the Iran hostage crisis of 1979–1980, the U.S. government has used a parade of nonwhite terrorists and dictators to whip up support for its policies. It has used the images of Ayatollah Khomeini, Muammar Khadafi, Saddam Hussein, Osama Bin Laden, and Kim Jong Il to reinforce the sense that white American civilization is under siege by nonwhite savages. As President Bush’s repeated comments underscore, the threat that terrorists will get control of high technology remains the biggest fear in the “war on terror.” According to the U.S. government, only increased military expenditures and continuous warfare can contain the terrorist threat to American civilization. President Bush’s “war on terror” is only the latest installment in an ongoing fictional saga that has been at the heart of American identity since the beginning of the republic. Understanding this saga is essential if we want to eliminate such racist mythologies from American life.

### K

#### Criticizing security is a prerequisite to capitalism.

Neocleous, ‘8 [Mark Neocleous is a Professor of the critique of Political Economy at Brunel University, UK and a member of the Editorial Collective of “Radical Philosophy”. Critique of Security. 31]

Marx spotted that as the concept of bourgeois society, security plays a double role. Here is Marx on Henri Storch's Cours d'economie politique (1815): 'The progress of social wealth,' says Storch 'begets this useful class of society. which performs the most wearisome, the vilest, the most disgusting functions, which, in a word, takes on its shoulders all that is disagreeable and servile in life, and procures thus for other classes leisure, serenity of mind and conventional' (c'est bon, (a) 'dignity of character'. Storch then asks himself what the actual advantage is of this capitalist civilization, with its misery and its degradation of the masses, as compared with barbarism. He can find only one answer: security!" One side of this double role, then, is that security is the ideological justification for 'civilization' (that is, capitalism) as opposed to 'barbarism' (that is, non-capitalist modes of production); hence Locke's need to move from the 'state of nature' to the state of civil society. The other side is that security is what the bourgeois class demand once it has exploited, demoralized and degraded the bulk of humanity. For all the talk of 'laissez faire'. The 'natural' phenomena of labor, wages and profit have to be policed and secured. Thus security entails the concept of police, guaranteeing as well as presupposing that society exists to secure the conservation of a particular kind of subjectivity (known as 'persons') and the rights and property associated with this subjectivity." The non-liberal and non-capitalist may be 'tolerated' – that other classically liberal concept which also functions as a regulatory power - but they will also be heavily policed ... for 'security reasons'." The new form of economic reason to which liberalism gave birth also gave new content to the idea of reason of state and thus a new rationale for state action: the 'free economy'.

#### Perm solves – must experiment to find methods of subversion – totalizing conceptions of the “global capitalist system” doom alt solvency.

Connolly, ‘11 [William Connolly, 2011, review quotes of his book “a world of becoming”, <http://obsoletematter.wordpress.com/2011/07/06/william-connolly-a-world-of-becoming/>]

Specific cultural priorities, habits of family life, religious belief and ritual, underground markets, new social movements, tax evasion,cross-state political formations, military reticence or adventurism, media humor and drama, scientific research and teaching all posses partial and shifting degrees of autonomy from system governance. To insist that every practice, once capitalism expands its reach, is entirely absorbed into its orbit is to translate the idea of a world-capitalist system into that of a totality. Such an image exaggerates the absorptive power of one system, and discourages exploration of ways to stretch and challenge global capitalism in creative ways. It promotes either a response of managing the system without modifying its trajectory, or of preparing a revolutionary movement, or of waiting passively for it to burst into flames of its own accord. That is, to translate a world-capitalist system into a totality is to misread what is outside it, to miss those things imperfectly incorporated into it, and to present an apolitical orientation to it.

#### Marxism doesn’t consider the historical and social significance of Africa – their falsely objective evaluation of history utilizes the same epistemic ignorance that justified enslavement and the formation of modern capitalism, turns their impacts.

Harris ‘5 [2005, DARYL B., Howard University POSTMODERNIST DIVERSIONS IN AFRICAN AMERICAN THOUGHT, pg. 208-209]

Jean’s discourse, we should add, is not concerned with rhythm only, nor primarily. In Behind the Eurocentric Veils, Jean illuminates the flaws and shortcomings of the two dominant European systems of thought— liberalism and Marxism—in comprehending Africa before presenting the “real Africa—its culture, its past, its contribution to human experience” (p. 101). Both liberalism and Marxism ideologies have been found wanting (and hegemonic as opposed to liberatory) because of their inability to see Africa and her progeny in their own historical and cultural light. The misconstruing of Africa is an insidious flaw that cannot be easily glossed over with assessments, accurate though they are, of other societal contradictions revolving around issues such as class and gender. Woefully remiss in reflecting on the organicity of Africa, each system of thought forthright appends and subordinates Africa so as to make her appear agreeable to its axiomatic and erroneous Hegelian (Hegel, 1956) assumption of African nonexistence and nonbeing in historical and social terms. A discomforting irony for both of these externally devised constructs is that they deride Africa even as they offer themselves as Africa’s (even more, the whole of humanity’s) redeemer. On this count, the axiomatic and erroneous negation of Africa has been sufficient for liberalism theorists to strike up a triumphalism chord exclaiming that the spark of Western modernity (postmodernity, too) and Western-style enlightenment shall lift up and invigorate “beknighted Africa.” For its part, the Marxian historical theory of dialectical materialism objectifies human experience. But, in this objectified equation, benighted Africa is mercifully rescued from her prehistory stagnation and her tight embrace of ethnic and cultural consciousness so that she can come into a substantive objective being and existence, first through the forbearing indecencies of enslavement and colonization and then through capitalist-driven class formations (Jean, 1991; Mills, 1997). The obvious cannot escape us here: ideologies and theories that vilify Africa with one hand cannot with the other bear gifts of salvation and renewal. This contradiction has not inhibited some Black intellectuals from adopting variants of liberalism and Marxism ideas of freedom without appropriate cultural and historical correctives to their silencing of Africa. Unless silenced by the forces of assimilation or domination, a group (racial, ethnic, and cultural) can be expected to retain its vitality and thus partake, certainly unconsciously but also self-consciously, in the world’s multicultural renewal. Indeed, without acceptance of and respect for the panoply of ethnic and cultural diversity, there can be no authentic multicultural renaissance but what usually ends up being a monocultural insistence on uniformity.

#### Alt fails to build coalitions and leads to racial suppression.

Ross Assc. Director of the Center for AfroAmerican and African Studies @ U Mich 2000

Marlon-Professor of English; Pleasuring Identity, or the Delicious Politics of Belonging; NEW LITERARY HISTORY, Vol. 31, No. 4, Is There Life after Identity Politics?; Autumn, 2000; pp.827-850.

Although in his contribution Eric Lott targets Professor Michaels's comments and his own recent feud with Timothy Brennan (who unfortunately is not included in this volume) rather than Ken's argument, what Eric says about "left and liberal fundamentalists" who "simply and somewhat penitently" urge us to "'go back to class'" could also be directed at Ken's conclusion. Ken writes, "Crafting a political left that does not merely reflect existing racial divisions starts with the relatively mundane proposition that it is possible to make a persuasive appeal to the given interests of working and unemployed women and men, regardless of race, in support of a program for economic justice." On this one, I side with Eric, rather than Tim and Ken. Standing on the left depends on whose left side we're talking about. My left might be your right and vice versa, because it depends on what direction we're facing, and what direction depends on which identities we're assuming and affirming. Eric adds, "Even in less dismissive [than Tim's] accounts of new social movements based not on class but on identities formed by histories of injustice, there is a striking a priori sense of voluntarism about the investment in this cause or that movement or the other issue--as though determining the most fundamental issue were a matter of the writer's strength of feeling rather than a studied or analytical sense of the ever-unstable balance of forces in a hegemonic bloc at a given moment." I agree, but I'll risk mangling what Eric says by putting it more crassly. Touting class or "economic justice" as the fundamental stance for left identity is just another way of telling everybody else to shut up so I can be heard above the fray. Because of the force of "identity politics," a leftist white person would be leery of claiming to lead Blacks toward the promised land, a leftist straight man leery of claiming to lead women or queers, but, for a number of complex rationalizations, we in the middle class (where all of us writing here currently reside) still have few qualms about volunteering to lead, at least theoretically, the working class toward "economic justice." What Eric calls here "left fundamentalism," I'd call, at the risk of sounding harsh, left paternalism. Of the big identity groups articulated through "identity politics," economic class [End Page 840] remains the only identity where a straight white middle-class man can still feel comfortable claiming himself a leading political voice, and thus he may sometimes overcompensate by screaming that this is the only identity that really matters--which is the same as claiming that class is beyond identity. Partly this is because Marxist theory and Marx himself (a bourgeois intellectual creating the theoretical practice for the workers' revolution) stage the model for working-class identity as a sort of trans-identification, a magical identity that is transferable to those outside the group who commit themselves to it wholeheartedly enough. If we look back, we realize even this magical quality is not special to a history of class struggle, as whites during the New Negro movements of the early twentieth century felt that they were vanguard race leaders because they had putatively imbibed some essential qualities of Negroness by cross-identifying with the folk and their culture. Ironically, Ken's conclusion is full of the very identity concepts that he hopes to transcend by an appeal to a broadly conceived "political left." As I have already suggested, "the left" is an identity formation no less than race or gender or sexuality. Consider the other key terms of Ken's manifesto: "working and unemployed," "men and women," "given interests." As Professor Michaels indicates, "interests" are always implicated in identity because they concern the negotiation of subject positions. Ken's recourse to "men and women," instead of simply "people" or some other less gendered term, indicates to what extent what he's referring to is an alliance or coalition. Rather than ushering in a post-identity world of pure common interests, Ken's manifesto looks back to the prehistory of "identity politics," that Edenic moment before we fell into proliferating identities on the left. What is it that we bring together in coalitions if not "men" and "women," with the identifiable interests that generally bring them to a common place across their differing identity circumstances? What are the "working" and "unemployed" if not class-based identity formations?

#### White debaters must find ways to SPEAK ABOUT RACE or else they REPRODUCE OPPRESSION.

Dr. Crenshaw ‘97 Prof of Speech Comm @ Univ. Ala. Carrie-PhD. USC; former director of debate @ Univ. of Ala.; WESTERN JOURNAL OF COMMUNICATION; Resisting Whiteness’ Rhetorical Silence; 61(3), Summer; pp. 253-278.

Another difficulty related to talking about race is what Alcoff has called "the problem of speaking for others." White people's voices have always been privileged, even if they are attempting to resist racism. If one pretends one's own privileged social location has no impact on her ability to make epistemic claims, the result may very well be the continuation or (re)production of oppression. Indeed, one part of the experience of oppression is to be (mis)representecl by others who enjoy the power to speak and to be heard by virtue of their social location. Another is to go unheard in an overwhelming cacophony of privileged voices (Alcoff 6-7). On the other hand, a retreat from argument may constitute a kind of privileged narcissism that abdicates political responsibility and social interconnectedness in favor of political apathy. It is safer for a white privileged person to walk away from these issues or to refuse the discussion of racialized personal experience in abstract conversation about racism. Even if the choice to be silent is principled, it can often lead to political inefficacy. Refusing to talk about white privilege will not make it go away. Worse still, a retreat may only serve to "conceal the actual authorizing power of the retreating intellectual" (Alcoff 22), and thus, constitute nothing less than complicity with whiteness' rhetorical silence. The question we must answer, then, is this: can white scholars speak to the issue of racism without speaking for or crowding out the voices of people of color? It is important to find a way to answer this question affirmatively because otherwise, in the wake of white critics' retreat into political apathy and social disconnectedness, all the moral and political work of resisting racism is left solely to people of color.

### 2AC FW

#### Resolved is to reduce to mental analysis.

Random House Unabridged Dictionary 2006 (<http://dictionary.reference.com/browse/resolved>)

Resolve: 1.To come to a definite or earnest decision about; determine (to do something): I have resolved that I shall live to the full. 2. to separate into constituent or elementary parts; break up; cause or disintegrate (usually fol. by into). 3.to reduce or convert by, or as by, breaking up or disintegration (usually fol. by to or into). 4.to convert or transform by any process (often used reflexively). 5.to reduce by mental analysis (often fol. by into).

#### The context of the resolution is determined before the colon.

Peck 96 (U of Ottawa; <http://www.uottawa.ca/academic/arts/writcent/hypergrammar/colon.html>)

The colon focuses the reader’s attention on what to follow, and as a result, you should use it to introduce an idea that somehow completes the introductory idea.

#### Government is the people -- it’s in the context of resolved.

Abraham Lincoln 1864, Gettysberg Address

It is rather for us, the living, we here be dedicated to the great task remaining before us —that, from these honored dead we take increased devotion to that cause for which they here, gave the last full measure of devotion—that we here highly resolve these dead shall not have died in vain; that the nation, shall have a new birth of freedom, and that government of the people by the people for the people, shall not perish from the earth.

#### “Should” means desirable and not a mandate

AC 99 (Atlas Collaboration, “Use of Shall, Should, May Can,” http://rd13doc.cern.ch/Atlas/DaqSoft/sde/inspect/shall.html)

shall 'shall' describes something that is mandatory. If a requirement uses 'shall', then that requirement \_will\_ be satisfied without fail. Noncompliance is not allowed. Failure to comply with one single 'shall' is sufficient reason to reject the entire product. Indeed, it must be rejected under these circumstances. Examples: # "Requirements shall make use of the word 'shall' only where compliance is mandatory." This is a good example. # "C++ code shall have comments every 5th line." This is a bad example. Using 'shall' here is too strong. should 'should' is weaker. It describes something that might not be satisfied in the final product, but that is desirable enough that any noncompliance shall be explicitly justified. Any use of 'should' should be examined carefully, as it probably means that something is not being stated clearly. If a 'should' can be replaced by a 'shall', or can be discarded entirely, so much the better. Examples: # "C++ code should be ANSI compliant." A good example. It may not be possible to be ANSI compliant on all platforms, but we should try. # "Code should be tested thoroughly." Bad example. This 'should' shall be replaced with 'shall' if this requirement is to be stated anywhere (to say nothing of defining what 'thoroughly' means).

Plan focus promotes scriptocentrism – pure textualism discourages active politics and promotes Western knowledge systems by erasing the experiences of those unable or unwilling to comply.

Conquergood ‘02  
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In even stronger terms, Raymond Williams challenged the class-based arrogance of scriptocentrism, pointing to the “error” and “delusion” of “highly educated” people who are “so driven in on their reading” that “they fail to notice that there are other forms of skilled, intelligent, creative activity” such as “theatre” and “active politics.” This error “resembles that of the narrow reformer who supposes that farm labourers and village craftsmen were once uneducated, merely because they could not read.” He argued that “the contempt” for performance and practical activity, “which is always latent in the highly literate, is a mark of the observer’s limits, not those of the activities themselves” ([1958] 1983:309).Williams critiqued scholars for limiting their sources to written materials; I agree with Burke that scholarship is so skewed toward texts that even when researchers do attend to extralinguistic human action and embodied events they construe them as texts to be read. According to de Certeau, this scriptocentrism is a hallmark of Western imperialism. Posted above the gates of modernity, this sign: “‘Here only what is written is understood.’ Such is the internal law of that which has constituted itself as ‘Western’ [and ‘white’]” Only middle-class academics could blithely assume that all the world is a text because reading and writing are central to their everyday lives and occupational security. For many people throughout the world, however, particularly subaltern groups, texts are often inaccessible, or threatening, charged with the regulator)' powers of the state. More often than not, subordinate people experience texts and the bureaucracy of literacy as instruments of control and displacement, e.g., green cards, passports, arrest warrants, deportation orders—what de Certeau calls "intextuation": "Ever)' power, including the power of law, is written first of all on the backs of its subjects" (1984:140). Among the most oppressed people in the United States today are the "undocumented" immigrants, the so-called "il- legal aliens," known in the vernacular as the people "sin papeles," the people without papers, indocitmentado/as. They are illegal because they are not legible, they trouble "the writing machine of the law" (de Certeau 1984:141). The hegemony of textualism needs to be exposed and undermined. Transcrip- tion is not a transparent or politically innocent model for conceptualizing or engaging the world. The root metaphor of the text underpins the supremacy of Western knowledge systems by erasing the vast realm of human knowledge and meaningful action that is unlettered, "a history of the tacit and the habitual" (Jackson 2000:29). In their multivolume historical ethnography of colonialism/ evangelism in South Africa, John and Jean ComarofFpay careful attention to the way Tswana people argued with their white interlocutors "both verbally and nonverbally" (1997:47; see also 1991). They excavate spaces of agency and strug- gle from everyday performance practices—clothing, gardening, healing, trading, worshipping, architecture, and homemaking—to reveal an impressive repertoire of conscious, creative, critical, contrapuntal responses to the imperialist project that exceeded the verbal. The Comarofis intervene in an academically fashionable textual fundamentalism and fetish of the (verbal) archive where "text—a sad proxy for life—becomes all" (1992:26). "In this day and age," they ask, "do we still have to remind ourselves that many of the players on any historical stage cannot speak at all? Or, under greater or lesser duress, opt not to do so" (1997:48; see also Scott 1990)?

#### They make dogmatism worse – Southern literary societies prove that switch side debate reinforces dominant power structures.

Westbrook, ‘2 [B. Evelyn Westbrook- PhD Rhetoric University of Texas Debating Both Sides: What Nineteenth-Century College Literary Societies Can Teach Us about Critical Pedagogies, Rhetoric Review, 21:4, 339-356 Taylor Francis]

If societies like the Athenian and Clariosophic did, in fact, train students for public office, how did they influence students to think about the issues they debated? Did students regard debates as contests to be won, diversions from otherwise banal studies, or sincere inquiries into issues of public consequences? Asking these questions of South Carolina College’s Clariosophic Society, which like most other antebellum societies was at its peak before the Civil War, gives us the chance to see members debate particularly passionate political issues at a critical moment in American history (Harding 179). Furthermore, these questions are worth asking of nineteenth-century literary societies like South Carolina’s Clariosophic Society not only because they can provide us with a more complete picture of nineteenth-century rhetorical education but also because they allow us through historical analogy to look critically at today’s writing pedagogies that similarly foreground agonistic debate. The Radical Potential of the Clariosophic Society As war clouds gathered before the Civil War, literary societies all over the United States, but especially in the stronghold of the Confederate South, grappled with serious public questions. South Carolina College’s Clariosophic Society was no exception. Like other southern societies (and like most of their northern and western counterparts), members of the Clariosophic Society vigorously debated contemporary social and political questions, including slavery and secession (Harding 193). In fact, Clariosophics debated so many political questions that one member, Maxcy Gregg, complained in his 1835 valedictory speech of the society’s preoccupation with “politics of the day.” Indeed, of the 135 questions debated between 1842 and 1847, 53 dealt explicitly with contemporary local, national, or international politics.5 Because societies were forums wherein students debated issues of the day, it is tempting to characterize them as instruments of change in a reform era. Indeed, some scholars have (Frederick Rudolph; Richard Hofstadter). However, Rita Saslaw reminds us that college literary societies were extensions of conservatie and elite institutions of higher education and therefore assumed the role of preserving the values of society for future generations. Furthermore, except at progressive schools like Oberlin, antebellum literary societies were open only to the most privileged white males. And even at Oberlin, Saslaw argues, societies “did not fill the role of a forum for social activism” but “merely succeeded in providing a protected arena for the discussion of political, philosophical, religious, and historical topics” (200, 201). If debating divisive political and social issues in the composition classroom fosters social critique, as some contend, then we might expect members of the Clariosophic Society to occasionally challenge conventional wisdom and hegemonic ideologies. Because Clariosophics’ votes indicated “their own private feelings as to the question discussed,” society minutes, which record the decisions reached on questions debated, can serve as a barometer of student opinion (Hollis 235). Thomas Harding explains that “as most questions [for debate] were settled by popular vote and the votes recorded, the decisions furnish a first-hand account of what Southern college boys were thinking about in the years that witnessed the disruption of the Union” (193). Furthermore, Harding observes that in the decades immediately preceding the Civil War, “the decisions of the Southern college societies were generally in line with the prevailing attitude toward slavery in the South” (Harding 194).6 Clariosophics’ votes on questions debated between 1842 and 1847 suggest, indeed, that even though societies encouraged discussions of contemporary questions, members consistently reaffirmed dominant Carolinian ideologies and political sentiments rather than critiquing them.7 As historians like Robert Forbes have noted, South Carolinians were “the Americans most dedicated to preserving [slavery]” (81), and South Carolina was what historian Manisha Sinha calls “the secessionist state par excellence” (187). It’s no surprise, then, that in their debates Clariosophic members doggedly upheld Confederate positions regarding slavery and secession: • Is the spirit of liberty higher in countries where there are slaves or where there are none? (debated March 12, 1842, and decided affirmatively8) • Situated as we are should our slaves be debased the means of knowledge? (debated January 7, 1843, and decided affirmatively) • Has a state the right to secede from the Union? (argued on October 31, 1846, and decided affirmatively) • Is it likely that slavery will be eventually abolished? (argued on February 19, v1848, and decided negatively) The Clariosophics’ proslavery and secessionist positions reflect how deeply embedded racial slavery was in Carolinian ideology and politics: In their disapproval of providing slaves “the means of knowledge,” Clariosophics sided with Carolina’s planter politicians, who, fearing insurrection, were reluctant to permit Methodist ministers or missionaries to instruct or preach to their slaves (Ambrose 56). Furthermore, the society’s affirmative decision on the question, “Is the spirit of liberty higher in countries where there are slaves or where there are none?” reflects a characteristic Confederate defense of slavery: Historian Robert Forbes claims that Southern supporters of slavery often stigmatized challenges to slavery as threats to liberty, especially the right to property (81). The liberties and rights of white, propertied men were not surprisingly upheld by members of the Clariosophic Society who debated such questions as: • Is it not an infringement upon the inalienable rights of man for government to prohibit expatriation? (argued on February 7, 1846, and decided affirmatively) • Is our right to property natural or the gift of Government? (argued March 20, 1847, and decided affirmatively) • Is the right of making wills a natural right? (argued March 27, 1847, and decided affirmatively) • Is the free agency of man compatible with the necessary order of things? (argued on November 7, 1846, and decided affirmatively) Clariosophics routinely defend the white man’s “inalienable” rights to property and citizenship. Although championing freedoms and securing individuals’ rights may seem inconsistent with proslavery positions, these sentiments also acted, as Forbes explains, as “safeguards to slavery” (70): Man’s “natural right” to property implied that slavery was the white man’s natural right. Despite Clariosophics’ staunch defense of the white man’s right to property, Clariosophics paradoxically denied a father the right to will his estate to his daughter: On the question “Ought a man to have the right of entailing all his property on his daughter?” (argued on February 5, 1842), Clariosophics decided negatively. In fact, between 1842 and 1847, members upheld sexist ideologies in all four questions (including the one listed above) that considered women’s rights and liberties: • Have the sexes naturally equal minds? (debated on May 2, 1846, and decided negatively) • Do the duties of women in Society demand for her a college Education? (argued April 3, 1847, and decided negatively) • Is the female mind naturally inferior to that of man? (considered on December 4, 1847, and decided affirmatively) Time and again, society members denied women’s rights to property and education and defended a patriarchal social order. Furthermore, despite growing awareness of the masterful female orators of the day—like South Carolina’s own Grimké sisters—Clariosophics insisted on women’s intellectual inferiority. Racism and sexism in South Carolina were, Sinha posits, two sides of the same coin: “Just as belief in race and class inequality complemented each other in Carolinian proslavery discourse, the justification of racial slavery led slavery ideologues to champion gender inequality” (90). Sinha contends, in fact, that racial, gender, and class inequality formed the ideological foundation of antebellum South Carolina’s peculiarly antidemocratic political structure. Their vindication of slavery, argues Sinha, caused Carolinian planter politicians to question the democratic ideals of universal liberty and equality, a challenge to the Declaration of Independence and to natural-rights theory that Sinha calls “counterrevolutionary.” For instance, proslavery theorists like Alfred Huger, David Gavin, and Albert Taylor Bledsoe blamed democracy and “the cult of egalitarianism” for slaveholders’ troubles (Sinha 225). And some Carolina planter politicians like James Henry Hammond went so far as to describe South Carolina’s government as an aristocracy (Sinha 226). The antidemocratic, counterrevolutionary rhetoric that Sinha documents is also reflected in many of the Clariosophics’ decisions: • Had the National Convention of France the right to depose Louis XVI? (debated on January 1, 1843, and decided negatively) • Ought the terms of Judgeship to be limited to a certainage? (argued on January 8, 1843, and decided negatively) • Was Cromwell an honest politician? (argued on November 22, 1845, and decided negatively) • Was the execution of Charles I justifiable? (argued January 17, 1846, and decided negatively) • Is an elective or hereditary monarchy better calculated to advance national prosperity? (argued on March 21, 1846, and decided negatively) • Was Brutus justified in assassinating Caesar? (argued on May 15, 1846, and decided negatively) • Is the primogeniture system a beneficial one to a nation? (argued on May 23, 1846, and decided negatively) • Should the Governor of our State be elected by the Legislature or the people? (argued on May 30, 1846, and decided affirmatively) • Should our Congressmen be governed by their own sentiments or by those of their constituents? (argued on November 2, 1846, and decided affirmatively) • Are the people more easily corrupted than the Legislature? (argued on January 9, 1847, and decided negatively) • Was the administration of Cromwell beneficial to liberty? (argued on January 15, 1847, and decided negatively) Debating Both Sides 347 Downloaded by Clariosophics favored laws that would extend public figures’ terms in office. They also preferred rule by an elite rather than by the people, even though they felt that the public was less vulnerable to corruption. And although they voted against the primogeniture system, members preferred a hereditary monarchy to elected representatives. What’s more, they defended monarchs like Louis XVI and Charles I and emperors like Julius Caesar while criticizing Brutus and Cromwell. In short, then, even though society debates provided a forum for airing divisive political and social issues, members of the Clariosophic Society consistently voted to uphold Carolinian proslavery, antidemocratic, and separatist positions. Furthermore, though these debates were politically charged, they may have been regarded as purely academic exercises that were ultimately irrelevant in political spheres. Indeed, this is what Charleston planter Hugh Legare implied when he dismissed the question of whether to justify or condemn slavery on principles of natural law, calling it “a very good thesis for young casuists to discuss in the college moot-club,” but one that he and his fellow politicians would not undertake “for we have no taste for abstractions” (qtd. in Forbes 93). Another reason that societies may have failed to operate as forums for cultural and political critique is their emphasis on competition over inquiry. As Clariosophic Maxcy Gregg put it, students may have been “arguing for victory, instead of inquiring for truth.” Without much at stake in questioning the status quo, members could dramatize radical ideas while keeping a safe distance from the subversive politics they advocated. And after it all, they could slide back into their comfortable positions and even pat themselves on the back for having argued “the other side.” In today’s universities, where “diversity” is the watchword, few students could get away with the kind of blatant sexism and racism that the Clariosophics flaunted. Nevertheless, students today can still assume subversive positions for the sake of a grade, earn their mark, and then retreat to their former ideologies, feeling liberalized by the process. In fact, in “Community Service and Critical Teaching,” Bruce Herzberg shares his colleague’s experience of overhearing students admit to feigning exactly this kind of enlightenment in order to earn an “easy A” in a service-learning course (309). The critical question, then, is how to convince students—especially privileged ones—that more than their grades are at stake in classroom exercises that ask them to put their ideas and ideologies on the line.

### DA

**Their narratives of U.S. hegemony rely on images of anarchy and racial inferiority that colonize knowledge production and lead to perpetual intervention**

Kaplan, humanities prof, ‘4—President of the American Studies Association as well as a professor of English and the Edmund J. and Louise W. Kahn Endowed Term Professor in the Humanities at the University of Pennsylvania (Amy, American Quarterly 56.1 (2004) 1-18, “Violent Belongings and the Question of Empire Today Presidential Address to the American Studies Association, October 17, 2003,” Project MUSE)

This coming-out narrative, associated primarily with neoconservatives, aggressively celebrates the United States as finally revealing its true essence—its manifest destiny—on a global stage. We won the Cold War, so the story goes, and as the only superpower, we will maintain global supremacy primarily by military means, by preemptive strikes against any potential rivals, and by a perpetual war against terror, defined primarily as the Muslim world. We need to remain vigilant against those rogue states and terrorists who resist not our power but the universal human values that we embody. This narrative is about time as well as space. It imagines an empire in perpetuity, one that beats back the question haunting all empires in J. M. Coetzee's Waiting for the Barbarians: "One thought alone preoccupies the submerged mind of Empire: how not to end, how not to die, how to prolong its era." 9 In this hypermasculine narrative there's a paradoxical sense of invincibility and unparalleled power and at the same time utter and incomprehensible vulnerability—a lethal combination, which reminds us that the word vulnerable once also referred to the capacity to harm. Another dominant narrative about empire today, told by liberal interventionists, is that of the "reluctant imperialist." 10 In this version, the United States never sought an empire and may even be constitutionally unsuited to rule one, but it had the burden thrust upon it by the fall of earlier empires and the failures of modern states, which abuse the human rights of their own people and spawn terrorism. The United States is the only power in the world with the capacity and the moral authority to act as military policeman and economic manager to bring order to the world. Benevolence and self-interest merge in this narrative; backed by unparalleled force, the United States can save the people of the world from their own anarchy, their descent into an [End Page 4] uncivilized state. As Robert Kaplan writes—not reluctantly at all—in "Supremacy by Stealth: Ten Rules for Managing the World": "The purpose of power is not power itself; it is a fundamentally liberal purpose of sustaining the key characteristics of an orderly world. Those characteristics include basic political stability, the idea of liberty, pragmatically conceived; respect for property; economic freedom; and representative government, culturally understood. At this moment in time it is American power, and American power only, that can serve as an organizing principle for the worldwide expansion of liberal civil society." 11 This narrative does imagine limits to empire, yet primarily in the selfish refusal of U.S. citizens to sacrifice and shoulder the burden for others, as though sacrifices have not already been imposed on them by the state. The temporal dimension of this narrative entails the aborted effort of other nations and peoples to enter modernity, and its view of the future projects the end of empire only when the world is remade in our image. This is also a narrative about race. The images of an unruly world, of anarchy and chaos, of failed modernity, recycle stereotypes of racial inferiority from earlier colonial discourses about races who are incapable of governing themselves, Kipling's "lesser breeds without the law," or Roosevelt's "loosening ties of civilized society," in his corollary to the Monroe Doctrine. In his much-noted article in the New York Times Magazine entitled "The American Empire," Michael Ignatieff appended the subtitle "The Burden" but insisted that "America's empire is not like empires of times past, built on colonies, conquest and the white man's burden." 12 Denial and exceptionalism are apparently alive and well. In American studies we need to go beyond simply exposing the racism of empire and examine the dynamics by which Arabs and the religion of Islam are becoming racialized through the interplay of templates of U.S. racial codes and colonial Orientalism. These narratives of the origins of the current empire—that is, the neoconservative and the liberal interventionist—have much in common. They take American exceptionalism to new heights: its paradoxical claim to uniqueness and universality at the same time. They share a teleological narrative of inevitability, that America is the apotheosis of history, the embodiment of universal values of human rights, liberalism, and democracy, the "indispensable nation," in Madeleine Albright's words. In this logic, the United States claims the authority to "make sovereign judgments on what is right and what is wrong" for everyone [End Page 5] else and "to exempt itself with an absolutely clear conscience from all the rules that it proclaims and applies to others." 13 Absolutely protective of its own sovereignty, it upholds a doctrine of limited sovereignty for others and thus deems the entire world a potential site of intervention. Universalism thus can be made manifest only through the threat and use of violence. If in these narratives imperial power is deemed the solution to a broken world, then they preempt any counternarratives that claim U.S. imperial actions, past and present, may have something to do with the world's problems. According to this logic, resistance to empire can never be opposition to the imposition of foreign rule; rather, resistance means irrational opposition to modernity and universal human values.