# Off

#### Counterfactual Affs should be rejected ---

#### 1. Limits ---

#### A) They could choose to advocate the plan at *any point* in history --- every Aff becomes an infinite number of counterfactuals, exploding the topic

#### B) Counterfactuals double the topic by allowing both future-oriented and retrospective debates

Broda-Bahm 2 (Kenneth, Associate Professor of Communication Studies – Towson U., “A Counterfactual Theory of Fiat”, Perspectives in Controversy, Ed. Broda-Bahm, p. 193-194)

The applicability of counterfactual analysis to debate has been called into question (Berube & Pray; Voight; Voight & Stanfield) and defended (Broda-Bahm, “Counterfactual Possibilities”; Broda-Bahm, “Counterfactual Problems”; Roskoski), but it bears noting that most criticism has assumed that counterfactual arguments are solely retrospective arguments, such as “What if Kennedy had survived the assassination attempt?” While much discussion of counterfactuals in logic and philosophy literature does indeed focus on such retrospection, counterfactuals may refer to future conditions as well. In the words of Roese and Olson, the counterfactual is a way of expressing “what might have been and what may yet be” (2). Hoch, for example, discusses counterfactual reasoning as applicable to the prediction of a future outcome (721-22). Johnson and Sherman write, “Without considering alternatives to reality, we must accept the past as having been inevitable and must believe that the future will be no different from the past. The generation of counterfactuals gives us flexibility in thinking about possible futures and prepares us for those futures” (510).

#### 2. Ground --- the temporal context of the plan makes all the difference --- policies enacted 50 years ago are substantively different than those today. Combined with the strategic nature of Aff selection, this means the Neg is always starting a step behind.

#### 3. Not topical ---

#### A) ‘Should’ denotes future expectation

Websters 7 (Merriam-Websters Online Dictionary, http://www.m-w.com/dictionary/should)

Inflected Form(s): past should /sh&d, 'shud/; present singular & plural shall Etymology: Middle English shal (1st & 3d singular present indicative), from Old English sceal; akin to Old High German scal (1st & 3d singular present indicative) ought to, must, Lithuanian skola debt verbal auxiliary 1 archaic a : will have to : [MUST](http://www.m-w.com/dictionary/must) b : will be able to : [CAN](http://www.m-w.com/dictionary/can) 2 a -- used to express a command or exhortation <you shall go> b -- used in laws, regulations, or directives to express what is mandatory <it shall be unlawful to carry firearms> 3 a -- used to express what is inevitable or seems likely to happen in the **future** <we shall have to be ready> <we shall see> b -- used to express simple futurity <when shall we expect you>

#### B) Independent voting issue --- mooting any term justifies throwing out the resolution altogether, destroying all predictability and fairness.

#### A – Interpretation:

#### Topical affirmatives must affirm the resolution through instrumental defense of action by the United States Federal Government.

#### B – Definitions

#### Should denotes an expectation of enacting a plan

#### American Heritage Dictionary 2000 (Dictionary.com)

should. The will to do something or have something take place: I shall go out if I feel like it.

#### Federal government is the central government in Washington DC

Encarta Online 2005,

http://encarta.msn.com/encyclopedia\_1741500781\_6/United\_States\_(Government).html#howtocite

United States (Government), the combination of federal, state, and local laws, bodies, and agencies that is responsible for carrying out the operations of the United States. The federal government of the United States is centered in [Washington, D.C.](http://encarta.msn.com/encyclopedia_761576320/Washington_D_C.html)

#### Resolved implies a policy

Louisiana House 3-8-2005, <http://house.louisiana.gov/house-glossary.htm>

Resolution A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. ( Const. Art. III, §17(B) and House Rules 8.11 , 13.1 , 6.8 , and 7.4)

#### C – Vote neg – We have four net benefits

#### First is Decisionmaking

#### The primary purpose of debate should be to improve our skills as decision-makers. We are all individual policy-makers who make choices every day that affect us and those around us. We have an obligation to the people affected by our decisions to use debate as a method for honing these critical thinking and information processing abilities.

Austin J. Freeley and David L. Steinberg – John Carroll University / U Miami – 2009, Argumentation and Debate: Critical Thinking for Reasoned Decision Making, p. 1-4, googlebooks

After several days of intense debate, first the United States House of Representatives and then the U.S. Senate voted to authorize President George W. Bush to attack Iraq if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. Debate about a possible military\* action against Iraq continued in various governmental bodies and in the public for six months, until President Bush ordered an attack on Baghdad, beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition.¶ Meanwhile, and perhaps equally difficult for the parties involved, a young couple deliberated over whether they should purchase a large home to accommodate their growing family or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job. Each of these\* situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions.¶ Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making bodies from committees to juries to the U.S. Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations.¶ We all make many decisions every day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate to vote for, paper or plastic, all present us with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration?¶ Is the defendant guilty as accused? The Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, TIME magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople, academics, and publishers. We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs?¶ The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates.¶ Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized.¶ Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others.¶ Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate.

#### Additionally, The best route to improving decision-making is through discussion about public policy

#### Mutually accessible information – There is a wide swath of literature on governmental policy topics – that ensures there will be informed, predictable, and in-depth debate over the aff’s decision. Individual policymaking is highly variable depending on the person and inaccessible to outsiders.

#### Harder decisions make better decisionmakers – The problems facing public policymakers are a magnitude greater than private decisions. We all know plans don’t actually happen, but practicing imagining the consequences of our decisions in the high-stakes games of public policymaking makes other decisionmaking easier.

#### Second is Predictable Limits - The resolution proposes the question the negative is prepared to answer and creates a bounded list of potential affs for us to think about. Debate has unique potential to change attitudes and grow critical thinking skills because it forces pre-round internal deliberation on a of a focused, common ground of debate

Robert E. Goodin and Simon J. Niemeyer- Australian National University- 2003,

When Does Deliberation Begin? Internal Reflection versus Public Discussion in Deliberative Democracy, POLITICAL STUDIES: 2003 VOL 51, 627–649, http://onlinelibrary.wiley.com/doi/10.1111/j.0032-3217.2003.00450.x/pdf

What happened in this particular case, as in any particular case, was in some respects peculiar unto itself. The problem of the Bloomfield Track had been well known and much discussed in the local community for a long time. Exaggerated claims and counter-claims had become entrenched, and unreflective public opinion polarized around them. In this circumstance, the effect of the information phase of deliberative processes was to brush away those highly polarized attitudes, dispel the myths and symbolic posturing on both sides that had come to dominate the debate, and liberate people to act upon their attitudes toward the protection of rainforest itself. The key point, from the perspective of ‘democratic deliberation within’, is that that happened in the earlier stages of deliberation – before the formal discussions (‘deliberations’, in the discursive sense) of the jury process ever began. The simple process of jurors seeing the site for themselves, focusing their minds on the issues and listening to what experts had to say did virtually all the work in changing jurors’ attitudes. Talking among themselves, as a jury, did very little of it. However, the same might happen in cases very different from this one. Suppose that instead of highly polarized symbolic attitudes, what we have at the outset is mass ignorance or mass apathy or non-attitudes. There again, people’s engaging with the issue – focusing on it, acquiring information about it, thinking hard about it – would be something that is likely to occur earlier rather than later in the deliberative process. And more to our point, it is something that is most likely to occur within individuals themselves or in informal interactions, well in advance of any formal, organized group discussion. There is much in the large literature on attitudes and the mechanisms by which they change to support that speculation.31 Consider, for example, the literature on ‘central’ versus ‘peripheral’ routes to the formation of attitudes. Before deliberation, individuals may not have given the issue much thought or bothered to engage in an extensive process of reflection.32 In such cases, positions may be arrived at via peripheral routes, taking cognitive shortcuts or arriving at ‘top of the head’ conclusions or even simply following the lead of others believed to hold similar attitudes or values (Lupia, 1994). These shorthand approaches involve the use of available cues such as ‘expertness’ or ‘attractiveness’ (Petty and Cacioppo, 1986) – not deliberation in the internal-reflective sense we have described. Where peripheral shortcuts are employed, there may be inconsistencies in logic and the formation of positions, based on partial information or incomplete information processing. In contrast, ‘central’ routes to the development of attitudes involve the application of more deliberate effort to the matter at hand, in a way that is more akin to the internal-reflective deliberative ideal. Importantly for our thesis, there is nothing intrinsic to the ‘central’ route that requires group deliberation. Research in this area stresses instead the importance simply of ‘sufficient impetus’ for engaging in deliberation, such as when an individual is stimulated by personal involvement in the issue.33 The same is true of ‘on-line’ versus ‘memory-based’ processes of attitude change.34 The suggestion here is that we lead our ordinary lives largely on autopilot, doing routine things in routine ways without much thought or reflection. When we come across something ‘new’, we update our routines – our ‘running’ beliefs and pro cedures, attitudes and evaluations – accordingly. But having updated, we then drop the impetus for the update into deep-stored ‘memory’. A consequence of this procedure is that, when asked in the ordinary course of events ‘what we believe’ or ‘what attitude we take’ toward something, we easily retrieve what we think but we cannot so easily retrieve the reasons why. That more fully reasoned assessment – the sort of thing we have been calling internal-reflective deliberation – requires us to call up reasons from stored memory rather than just consulting our running on-line ‘summary judgments’. Crucially for our present discussion, once again, what prompts that shift from online to more deeply reflective deliberation is not necessarily interpersonal discussion. The impetus for fixing one’s attention on a topic, and retrieving reasons from stored memory, might come from any of a number sources: group discussion is only one. And again, even in the context of a group discussion, this shift from ‘online’ to ‘memory-based’ processing is likely to occur earlier rather than later in the process, often before the formal discussion ever begins. All this is simply to say that, on a great many models and in a great many different sorts of settings, it seems likely that elements of the pre-discursive process are likely to prove crucial to the shaping and reshaping of people’s attitudes in a citizens’ jury-style process. The initial processes of focusing attention on a topic, providing information about it and inviting people to think hard about it is likely to provide a strong impetus to internal-reflective deliberation, altering not just the information people have about the issue but also the way people process that information and hence (perhaps) what they think about the issue. What happens once people have shifted into this more internal-reflective mode is, obviously, an open question. Maybe people would then come to an easy consensus, as they did in their attitudes toward the Daintree rainforest.35 Or maybe people would come to divergent conclusions; and they then may (or may not) be open to argument and counter-argument, with talk actually changing minds. Our claim is not that group discussion will always matter as little as it did in our citizens’ jury.36 Our claim is instead merely that the earliest steps in the jury process – the sheer focusing of attention on the issue at hand and acquiring more information about it, and the internal-reflective deliberation that that prompts – will invariably matter more than deliberative democrats of a more discursive stripe would have us believe. However much or little difference formal group discussions might make, on any given occasion, the pre-discursive phases of the jury process will invariably have a considerable impact on changing the way jurors approach an issue. From Citizens’ Juries to Ordinary Mass Politics? In a citizens’ jury sort of setting, then, it seems that informal, pre-group deliberation – ‘deliberation within’ – will inevitably do much of the work that deliberative democrats ordinarily want to attribute to the more formal discursive processes. What are the preconditions for that happening? To what extent, in that sense, can findings about citizens’ juries be extended to other larger or less well-ordered deliberative settings? Even in citizens’ juries, deliberation will work only if people are attentive, open and willing to change their minds as appropriate. So, too, in mass politics. In citizens’ juries the need to participate (or **the anticipation of participating) in formally organized group discussions might be the ‘prompt’ that evokes those attributes**. But there might be many other possible ‘prompts’ that can be found in less formally structured mass-political settings. Here are a few ways citizens’ juries (and all cognate micro-deliberative processes)37 might be different from mass politics, and in which lessons drawn from that experience might not therefore carry over to ordinary politics: • A citizens’ jury concentrates people’s minds on a single issue. Ordinary politics involve many issues at once. • A citizens’ jury is often supplied a background briefing that has been agreed by all stakeholders (Smith and Wales, 2000, p. 58). In ordinary mass politics, there is rarely any equivalent common ground on which debates are conducted. • A citizens’ jury separates the process of acquiring information from that of discussing the issues. In ordinary mass politics, those processes are invariably intertwined. • A citizens’ jury is provided with a set of experts. They can be questioned, debated or discounted. But there is a strictly limited set of ‘competing experts’ on the same subject. In ordinary mass politics, claims and sources of expertise often seem virtually limitless, allowing for much greater ‘selective perception’. • Participating in something called a ‘citizens’ jury’ evokes certain very particular norms: norms concerning the ‘impartiality’ appropriate to jurors; norms concerning the ‘common good’ orientation appropriate to people in their capacity as citizens.38 There is a very different ethos at work in ordinary mass politics, which are typically driven by flagrantly partisan appeals to sectional interest (or utter disinterest and voter apathy). • In a citizens’ jury, **we think and listen in anticipation of the discussion phase, knowing that we soon will have to defend our views in a discursive setting where they will be probed intensively**.39 In ordinary mass-political settings, there is no such incentive for paying attention. It is perfectly true that citizens’ juries are ‘special’ in all those ways. But if being special in all those ways makes for a better – more ‘reflective’, more ‘deliberative’ – political process, then those are design features that we ought try to mimic as best we can in ordinary mass politics as well. There are various ways that that might be done. Briefing books might be prepared by sponsors of American presidential debates (the League of Women Voters, and such like) in consultation with the stakeholders involved. Agreed panels of experts might be questioned on prime-time television. Issues might be sequenced for debate and resolution, to avoid too much competition for people’s time and attention. Variations on the Ackerman and Fishkin (2002) proposal for a ‘deliberation day’ before every election might be generalized, with a day every few months being given over to small meetings in local schools to discuss public issues. All that is pretty visionary, perhaps. And (although it is clearly beyond the scope of the present paper to explore them in depth) there are doubtless many other more-or-less visionary ways of introducing into real-world politics analogues of the elements that induce citizens’ jurors to practice ‘democratic deliberation within’, even before the jury discussion gets underway. Here, we have to content ourselves with identifying those features that need to be replicated in real-world politics in order to achieve that goal – and with the ‘possibility theorem’ that is established by the fact that (as sketched immediately above) there is at least one possible way of doing that for each of those key features.

#### Third is Dogmatism – Most problems are not black and white but have complex, uncertain interactions. By declaring that whiteness is always bad, they prevent us from understanding the nuances of an incredibly important and complex issue. This is the epitome of dogmatism

Keller, et. al,– Asst. professor School of Social Service Administration U. of Chicago - 2001

(Thomas E., James K., and Tracly K., Asst. professor School of Social Service Administration U. of Chicago, professor of Social Work, and doctoral student School of Social Work, “Student debates in policy courses: promoting policy practice skills and knowledge through active learning,” Journal of Social Work Education, Spr/Summer 2001, EBSCOhost)

John Dewey, the philosopher and educational reformer, suggested that the initial advance in the development of reflective thought occurs in the transition from holding fixed, static ideas to an attitude of doubt and questioning engendered by exposure to alternative views in social discourse (Baker, 1955, pp. 36-40). Doubt, confusion, and conflict resulting from discussion of diverse perspectives "force comparison, selection, and reformulation of ideas and meanings" (Baker, 1955, p. 45). Subsequent educational theorists have contended that learning requires openness to divergent ideas in combination with the ability to synthesize disparate views into a purposeful resolution (Kolb, 1984; Perry, 1970). On the one hand, clinging to the certainty of one's beliefs risks dogmatism, rigidity, and the inability to learn from new experiences. On the other hand, if one's opinion is altered by every new experience, the result is insecurity, paralysis, and the inability to take effective action. The educator's role is to help students develop the capacity to incorporate new and sometimes conflicting ideas and experiences into a coherent cognitive framework. Kolb suggests that, "if the education process begins by bringing out the learner's beliefs and theories, examining and testing them, and then integrating the new, more refined ideas in the person's belief systems, the learning process will be facilitated" (p. 28).

The authors believe that involving students in substantive debates challenges them to learn and grow in the fashion described by Dewey and Kolb. Participation in a debate stimulates clarification and critical evaluation of the evidence, logic, and values underlying one's own policy position. In addition, to debate effectively students must understand and accurately evaluate the opposing perspective. The ensuing tension between two distinct but legitimate views is designed to yield a reevaluation and reconstruction of knowledge and beliefs pertaining to the issue.

#### Our method solves – Even if the resolution is wrong, having a devil’s advocate in deliberation is vitally important to critical thinking skills and avoiding groupthink

Hugo Mercier and Hélène Landemore- 2011

(Philosophy, Politics and Economics prof @ U of Penn, Poli Sci prof @ Yale), Reasoning is for arguing: Understanding the successes and failures of deliberation, Political Psychology, http://sites.google.com/site/hugomercier/publications

Reasoning can function outside of its normal conditions when it is used purely internally. But it is not enough for reasoning to be done in public to achieve good results. And indeed the problems of individual reasoning highlighted above, such as polarization and overconfidence, can also be found in group reasoning (Janis, 1982; Stasser & Titus, 1985; Sunstein, 2002). Polarization and overconfidence happen because not all group discussion is deliberative. According to some definitions of deliberation, including the one used in this paper, reasoning has to be applied to the same thread of argument *from different opinions* for deliberation to occur. As a consequence, “If the participants are mostly like-minded or hold the same views before they enter into the discussion, they are not situated in the circumstances of deliberation.” (Thompson, 2008: 502). We will presently review evidence showing that the absence or the silencing of dissent is a quasi-necessary condition for polarization or overconfidence to occur in groups. Group polarization has received substantial empirical support. 11 So much support in fact that Sunstein has granted group polarization the status of law (Sunstein, 2002). There is however an important caveat: group polarization will mostly happen when people share an opinion to begin with. In defense of his claim, Sunstein reviews an impressive number of empirical studies showing that many groups tend to form more extreme opinions following discussion. The examples he uses, however, offer as convincing an illustration of group polarization than of the necessity of having group members that share similar beliefs at the outset for polarization to happen (e.g. Sunstein, 2002: 178). Likewise, in his review of the group polarization literature, Baron notes that “The crucial antecedent condition for group polarization to occur is the presence of a likeminded group; i.e. individuals who share a preference for one side of the issue.” (Baron, 2005). Accordingly, when groups do not share an opinion, they tend to depolarize. This has been shown in several experiments in the laboratory (e.g. Kogan & Wallach, 1966; Vinokur & Burnstein, 1978). Likewise, studies of deliberation about political or legal issues report that many groups do not polarize (Kaplan & Miller, 1987; Luskin, Fishkin, & Hahn, 2007; Luskin et al., 2002; Luskin, Iyengar, & Fishkin, 2004; Mendelberg & Karpowitz, 2000). On the contrary, some groups show a homogenization of their attitude (they depolarize) (Luskin et al., 2007; Luskin et al., 2002). The contrasting effect of discussions with a supportive versus dissenting audience is transparent in the results reported by Hansen ( 2003 reported by Fishkin & Luskin, 2005). Participants had been exposed to new information about a political issue. When they discussed it with their family and friends, they learned more facts supporting their initial position. On the other hand, during the deliberative weekend—and the exposition to other opinions that took place—they learned more of the facts supporting the view they disagreed with. The present theory, far from being contradicted by the observation that groups of likeminded people reasoning together tend to polarize, can in fact account straightforwardly for this observation. When people are engaged in a genuine deliberation, the confirmation bias present in each individual’s reasoning is checked, compensated by the confirmation bias of individuals who defend another opinion. When no other opinion is present (or expressed, or listened to), people will be disinclined to use reasoning to critically examine the arguments put forward by other discussants, since they share their opinion. Instead, they will use reasoning to strengthen these arguments or find other arguments supporting the same opinion. In most cases the reasons each individual has for holding the same opinion will be partially non-overlapping. Each participant will then be exposed to new reasons supporting the common opinion, reasons that she is unlikely to criticize. It is then only to be expected that group members should strengthen their support for the common opinion in light of these new arguments. In fact, groups of like-minded people should have little endogenous motivation to start reasoning together: what is the point of arguing with people we agree with? In most cases, such groups are lead to argue because of some external constraint. These constraints can be more or less artificial—a psychologist telling participants to deliberate or a judge asking a jury for a well supported verdict—but they have to be factored in the explanation of the phenomenon. 4. Conclusion: a situational approach to improving reasoning We have argued that reasoning should not be evaluated primarily, if at all, as a device that helps us generate knowledge and make better decisions through private reflection. Reasoning, in fact, does not do those things very well. Instead, we rely on the hypothesis that the function of reasoning is to find and evaluate arguments in deliberative contexts. This evolutionary hypothesis explains why, when reasoning is used in its normal conditions—in a deliberation—it can be expected to lead to better outcomes, consistently allowing deliberating groups to reach epistemically superior outcomes and improve their epistemic status. Moreover, seeing reasoning as an argumentative device also provides a straightforward account of the otherwise puzzling confirmation bias—the tendency to search for arguments that favor our opinion. The confirmation bias, in turn, generates most of the problems people face when they reason in abnormal conditions— when they are not deliberating. This will happen to people who reason alone while failing to entertain other opinions in a private deliberation and to groups in which one opinion is so dominant as to make all others opinions—if they are even present—unable to voice arguments. In both cases, the confirmation bias will go unchecked and create polarization and overconfidence. We believe that the argumentative theory offers a good explanation of the most salient facts about private and public reasoning. This explanation is meant to supplement, rather than replace, existing psychological theories by providing both an answer to the why-questions and a coherent integrative framework for many previously disparate findings. The present article was mostly aimed at comparing deliberative vs. non-deliberative situations, but the theory could also be used to make finer grained predictions within deliberative situations. It is important to stress that the theory used as the backbone for the article is a theory of reasoning. The theory can only make predictions about reasoning, and not about the various other psychological mechanisms that impact the outcome of group discussion. We did not aim at providing a general theory of group processes that could account for all the results in this domain. But it is our contention that the best way to reach this end is by investigating the relevant psychological mechanisms and their interaction. For these reasons, the present article should only be considered a first step towards more fined grained predictions of when and why deliberation is efficient. Turning now to the consequences of the present theory, we can note first that our emphasis on the efficiency of diverse groups sits well with another recent a priori account of group competence. According to Hong and Page’s Diversity Trumps Ability Theorem for example, under certain plausible conditions, a diverse sample of moderately competent individuals will outperform a group of the most competent individuals (Hong & Page, 2004). Specifically, what explains the superiority of some groups of average people over smaller groups of experts is the fact that cognitive diversity (roughly, the ability to interpret the world differently) can be more crucial to group competence than individual ability (Page, 2007). That argument has been carried over from groups of problem-solvers in business and practical matters to democratically deliberating groups in politics (e.g., Anderson, 2006; Author, 2007, In press). At the practical level, the present theory potentially has important implications. Given that individual reasoning works best when confronted to different opinions, the present theory supports the improvement of the presence or expression of dissenting opinions in deliberative settings. Evidently, many people, in the field of deliberative democracy or elsewhere, are also advocating such changes. While these common sense suggestions have been made in the past (e.g., Bohman,

 2007; Sunstein, 2003, 2006), the present theory provides additional arguments for them. It also explains why approaches focusing on individual rather than collective reasoning are not likely to be successful. Specifically tailored practical suggestions can also be made by using departures from the normal conditions of reasoning as diagnostic tools. Thus, different departures will entail different solutions. Accountability—having to defends one’s opinion in front of an audience—can be used to bring individual reasoners closer to a situation of private deliberation. The use of different aggregation mechanisms could help identify the risk of deliberation among like-minded people. For example, before a group launches a discussion, a preliminary vote or poll could establish the extent to which different opinions are represented. If this procedure shows that people agree on the issue at hand, then skipping the discussion may save the group some efforts and reduce the risk of polarization. Alternatively, a **devil’s advocate** could be introduced in the group to defend an alternative opinion (e.g. Schweiger, Sandberg, & Ragan, 1986).

#### Fourth is Policy Education

#### A focus on policy is necessary to learn the pragmatic details of powerful institutions – acting without this knowledge is doomed to fail in the face of policy professionals who make the decisions that actually affect outcomes

McClean, Adjunct Professor of Philosophy at Molloy College in New York, 2001

(David E., “The Cultural Left and the Limits of Social Hope”, Conference of the Society for the Advancement of American Philosophy, http://www.americanphilosophy.org/archives/past\_conference\_programs/pc2001/)

Or we might take Foucault who, at best, has provided us with what may reasonably be described as a very long and eccentric footnote to Nietzsche (I have once been accused, by a Foucaltian true believer, of "gelding" Foucault with other similar remarks). Foucault, who has provided the Left of the late 1960s through the present with such notions as "governmentality," "Limit," "archeology," "discourse" "power" and "ethics," creating or redefining their meanings, has made it overabundantly clear that all of our moralities and practices are the successors of previous ones which derive from certain configurations of savoir and connaisance arising from or created by, respectively, the discourses of the various scientific schools. But I have not yet found in anything Foucault wrote or said how such observations may be translated into a political movement or hammered into a political document or theory (let alone public policies) that can be justified or founded on more than an arbitrary aesthetic experimentalism. In fact, Foucault would have shuddered if any one ever did, since he thought that anything as grand as a movement went far beyond what he thought appropriate. This leads me to mildly rehabilitate Habermas, for at least he has been useful in exposing Foucault's shortcomings in this regard, just as he has been useful in exposing the shortcomings of others enamored with the abstractions of various Marxian-Freudian social critiques. Yet for some reason, at least partially explicated in Richard Rorty's Achieving Our Country, a book that I think is long overdue, leftist critics continue to cite and refer to the eccentric and often a priori ruminations of people like those just mentioned, and a litany of others including Derrida, Deleuze, Lyotard, Jameson, and Lacan, who are to me hugely more irrelevant than Habermas in their narrative attempts to suggest policy prescriptions (when they actually do suggest them) aimed at curing the ills of homelessness, poverty, market greed, national belligerence and racism. I would like to suggest that it is time for American social critics who are enamored with this group, those who actually want to be relevant, to recognize that they have a disease, and a disease regarding which I myself must remember to stay faithful to my own twelve step program of recovery. The disease is the need for elaborate theoretical "remedies" wrapped in neological and multi-syllabic jargon. These elaborate theoretical remedies are more "interesting," to be sure, than the pragmatically settled questions about what shape democracy should take in various contexts, or whether private property should be protected by the state, or regarding our basic human nature (described, if not defined (heaven forbid!), in such statements as "We don't like to starve" and "We like to speak our minds without fear of death" and "We like to keep our children safe from poverty"). As Rorty puts it, "When one of today's academic leftists says that some topic has been 'inadequately theorized,' you can be pretty certain that he or she is going to drag in either philosophy of language, or Lacanian psychoanalysis, or some neo-Marxist version of economic determinism. . . . These futile attempts to philosophize one's way into political relevance are a symptom of what happens when a Left retreats from activism and adopts a spectatorial approach to the problems of its country. Disengagement from practice produces theoretical hallucinations"(italics mine).(1) Or as John Dewey put it in his The Need for a Recovery of Philosophy, "I believe that philosophy in America will be lost between chewing a historical cud long since reduced to woody fiber, or an apologetics for lost causes, . . . . or a scholastic, schematic formalism, unless it can somehow bring to consciousness America's own needs and its own implicit principle of successful action." Those who suffer or have suffered from this disease Rorty refers to as the Cultural Left, which left is juxtaposed to the Political Left that Rorty prefers and prefers for good reason. Another attribute of the Cultural Left is that its members fancy themselves pure culture critics who view the successes of America and the West, rather than some of the barbarous methods for achieving those successes, as mostly evil, and who view anything like national pride as equally evil even when that pride is tempered with the knowledge and admission of the nation's shortcomings. In other words, the Cultural Left, in this country, too often dismiss American society as beyond reform and redemption. And Rorty correctly argues that this is a disastrous conclusion, i.e. disastrous for the Cultural Left. I think it may also be disastrous for our social hopes, as I will explain. Leftist American culture critics might put their considerable talents to better use if they bury some of their cynicism about America's social and political prospects and help forge public and political possibilities in a spirit of determination to, indeed, achieve our country - the country of Jefferson and King; the country of John Dewey and Malcom X; the country of Franklin Roosevelt and Bayard Rustin, and of the later George Wallace and the later Barry Goldwater. To invoke the words of King, and with reference to the American society, the time is always ripe to seize the opportunity to help create the "beloved community," one woven with the thread of agape into a conceptually single yet diverse tapestry that shoots for nothing less than a true intra-American cosmopolitan ethos, one wherein both same sex unions and faith-based initiatives will be able to be part of the same social reality, one wherein business interests and the university are not seen as belonging to two separate galaxies but as part of the same answer to the threat of social and ethical nihilism. We who fancy ourselves philosophers would do well to create from within ourselves and from within our ranks a new kind of public intellectual who has both a hungry theoretical mind and who is yet capable of seeing the need to move past high theory to other important questions that are less bedazzling and "interesting" but more important to the prospect of our flourishing - questions such as "How is it possible to develop a citizenry that cherishes a certain hexis, one which prizes the character of the Samaritan on the road to Jericho almost more than any other?" or "How can we square the political dogma that undergirds the fantasy of a missile defense system with the need to treat America as but one member in a community of nations under a "law of peoples?" The new public philosopher might seek to understand labor law and military and trade theory and doctrine as much as theories of surplus value; the logic of international markets and trade agreements as much as critiques of commodification, and the politics of complexity as much as the politics of power (all of which can still be done from our arm chairs.) This means going down deep into the guts of our quotidian social institutions, into the grimy pragmatic details where intellectuals are loathe to dwell but where the officers and bureaucrats of those institutions take difficult and often unpleasant, imperfect decisions that affect other peoples' lives, and it means making honest attempts to truly understand how those institutions actually function in the actual world before howling for their overthrow commences. This might help keep us from being slapped down in debates by true policy pros who actually know what they are talking about but who lack awareness of the dogmatic assumptions from which they proceed, and who have not yet found a good reason to listen to jargon-riddled lectures from philosophers and culture critics with their snobish disrespect for the so-called "managerial class."

#### Forcing specific policy analysis is key – allows state institutions to be reclaimed and generates debater education necessary to create a left governmentality – necessary to create a public sphere

Ferguson, Professor of Anthropology at Stanford, 11

(The Uses of Neoliberalism, Antipode, Vol. 41, No. S1, pp 166–184)

If we are seeking, as this special issue of Antipode aspires to do, to link our critical analyses to the world of grounded political struggle—not only to interpret the world in various ways, but also to change it—then there is much to be said for focusing, as I have here, on mundane, real- world debates around policy and politics, even if doing so inevitably puts us on the compromised and reformist terrain of the possible, rather than the seductive high ground of revolutionary ideals and utopian desires. But I would also insist that there is more at stake in the examples I have discussed here than simply a slightly better way to ameliorate the miseries of the chronically poor, or a technically superior method for relieving the suffering of famine victims.¶ My point in discussing the South African BIG campaign, for instance, is not really to argue for its implementation. There is much in the campaign that is appealing, to be sure. But one can just as easily identify a series of worries that would bring the whole proposal into doubt. Does not, for instance, the decoupling of the question of assistance from the issue of labor, and the associated valorization of the “informal”, help provide a kind of alibi for the failures of the South African regime to pursue policies that would do more to create jobs? Would not the creation of a basic income benefit tied to national citizenship simply exacerbate the vicious xenophobia that already divides the South African poor,¶ in a context where many of the poorest are not citizens, and would thus not be eligible for the BIG? Perhaps even more fundamentally, is the idea of basic income really capable of commanding the mass support that alone could make it a central pillar of a new approach to distribution? The record to date gives powerful reasons to doubt it. So far, the technocrats’ dreams of relieving poverty through efficient cash transfers have attracted little support from actual poor people, who seem to find that vision a bit pale and washed out, compared with the vivid (if vague) populist promises of jobs and personalistic social inclusion long offered by the ANC patronage machine, and lately personified by Jacob Zuma (Ferguson forthcoming).¶ My real interest in the policy proposals discussed here, in fact, has little to do with the narrow policy questions to which they seek to provide answers. For what is most significant, for my purposes, is not whether or not these are good policies, but the way that they illustrate a process through which specific governmental devices and modes of reasoning that we have become used to associating with a very particular (and conservative) political agenda (“neoliberalism”) may be in the process of being peeled away from that agenda, and put to very different uses. Any progressive who takes seriously the challenge I pointed to at the start of this essay, the challenge of developing new progressive arts of government, ought to find this turn of events of considerable interest.¶ As Steven Collier (2005) has recently pointed out, it is important to question the assumption that there is, or must be, a neat or automatic fit between a hegemonic “neoliberal” political-economic project (however that might be characterized), on the one hand, and specific “neoliberal” techniques, on the other. Close attention to particular techniques (such as the use of quantitative calculation, free choice, and price driven by supply and demand) in particular settings (in Collier’s case, fiscal and budgetary reform in post-Soviet Russia) shows that the relationship between the technical and the political-economic “is much more polymorphous and unstable than is assumed in much critical geographical work”, and that neoliberal technical mechanisms are in fact “deployed in relation to diverse political projects and social norms” (2005:2).¶ As I suggested in referencing the role of statistics and techniques for pooling risk in the creation of social democratic welfare states, social technologies need not have any essential or eternal loyalty to the political formations within which they were first developed. Insurance rationality at the end of the nineteenth century had no essential vocation to provide security and solidarity to the working class; it was turned to that purpose (in some substantial measure) because it was available, in the right place at the right time, to be appropriated for that use. Specific ways of solving or posing governmental problems, specific institutional and intellectual mechanisms, can be combined in an almost infinite variety of ways, to accomplish different social ends. With social, as with any other sort of technology, it is not the machines or the mechanisms that decide what they will be used to do.¶ Foucault (2008:94) concluded his discussion of socialist government- ality by insisting that the answers to the Left’s governmental problems require not yet another search through our sacred texts, but a process of conceptual and institutional innovation. “[I]f there is a really socialist governmentality, then it is not hidden within socialism and its texts. It cannot be deduced from them. It must be invented”. But invention in the domain of governmental technique is rarely something worked up out of whole cloth. More often, it involves a kind of bricolage (Le ́vi- Strauss 1966), a piecing together of something new out of scavenged parts originally intended for some other purpose. As we pursue such a process of improvisatory invention, we might begin by making an inventory of the parts available for such tinkering, keeping all the while an open mind about how different mechanisms might be put to work, and what kinds of purposes they might serve. If we can go beyond seeing in “neoliberalism” an evil essence or an automatic unity, and instead learn to see a field of specific governmental techniques, we may be surprised to find that some of them can be repurposed, and put to work in the service of political projects very different from those usually associated with that word. If so, we may find that the cabinet of governmental arts available to us is a bit less bare than first appeared, and that some rather useful little mechanisms may be nearer to hand than we thought.

# Off

CP: Ben and I offer the following counterfactual affirmative: The Spanish Empire should ban Christopher Columbus from sailing.

# Off

#### The harms of the 1AC are merely subsets of an unawakened anxiety that exists at our core—panic over death prevents us from living

Loy, 3

(David Robert Loy is a professor, writer, and Zen teacher in the Sanbo Kyodan tradition of Japanese Zen Buddhism. “The Great Awakening” pg. 19-20) Henge

“Suffering,” the usual English translation for dukkha, is not very enlightening, especially today, when those of us who live in wealthy countries have many ways to entertain and distract ourselves. The point of the Buddhist term is that we nonetheless experience a basic dissatisfaction, a dis-ease, which continues to fester. That there is something inherently frustrating about our lives is not accidental or coincidental. It is the nature of an unawakened mind to be bothered about something. At the core of our being we feel a free-ﬂoating anxiety, which has no particular object but can plug into any problematic situation. We may try to evade this anxiety by dulling ourselves with alcohol, tobacco or other drugs, television, consumerism, sex, and so forth, or we may become preoccupied with various goals we pursue, but the anxiety is always there; and when we slow down enough to become sensitive to what is occurring in our minds, we become aware of it—which is one reason we do not like to slow down. This implies that everything we normally understand as suffering is only a subset—for some of us a relatively small subset—of dukkha. The Pali sutras distinguish dukkha into three different types.10 The ﬁrst, dukkha-dukkhata, includes everything that we usually think of as suffering: all physical, emotional, and mental pain or discomfort, including being separated from people we like to be with, and being stuck with those we do not. This also includes the types of social dukkha mentioned above. A second and different type is viparinama-dukkhata, the dukkha that arises from impermanence, from knowing that nothing lasts forever and most things do not last long. Even when we are thoroughly enjoying ourselves, we know the moment will not last, and there is something frustrating about that awareness. However delicious that ice cream may taste, we know the last bite is coming soon—and even if we buy another cone, it does not taste as good because we begin to feel sated. The most problematic dukkha of this type is, of course, death: not the physical pain of dying (that is included in the ﬁrst type of dukkha) but the awareness that I will die. This awareness of our inevitable end often pervades and colors everything we do—so thoroughly that it poisons life. Insofar as I am afraid to die, I also become unable to live. To live fully is not possible when we are hypersensitive to the fact that danger and maybe death lurk around every corner, because any little accident could be our last.

#### This anxious egoism makes violence inevitable

Ikeda 07 (Daisaku Ikeda President, Soka Gakkai International January 26, 2007 “Restoring the Human Connection: The First Step to Global Peace” http://www.sgi-usa.org/newsandevents/docs/peace2007.pdf) Dabo

The challenge of preventing any further proliferation of nuclear weapons is just such a trial in the quest for world peace, one that cannot be achieved if we are defeated by a sense of helplessness. The crucial element is to ensure that any struggle against evil is rooted firmly in a consciousness of the unity of the human family, something only gained through the mastery of our own inner contradictions. It is this kind of reconfiguration of our thinking that will make possible a skilled and restrained approach to the options of dialogue and pressure. The stronger our sense of connection as members of the human family, the more effectively we can reduce to an absolute minimum any application of the hard power of pressure, while making the greatest possible use of the soft power of dialogue. Tragically, the weighting in the case of Iraq has been exactly the reverse. The need for such a shift has been confirmed by many of the concerned thinkers I have met. Norman Cousins (1915–90), the writer known as the “conscience of America” with whom I published a dialogue, stated with dismay in his work Human Options: “The great failure of education—not just in the United States but throughout most of the world—is that it has made people tribe-conscious rather than species-conscious.” Similarly, when I met with Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA), in November of last year, he declared powerfully: “… we continue to emphasize our differences instead of what we have in common. We continue to talk about ‘us’ versus ‘them.’ Only when we can start to talk about ‘us’ as including all of humanity will we truly be at peace….” In our correspondence, Joseph Rotblat posed the question, “Can we master the necessary arts of global security and loyalty to the human race?”9 Three months after writing these words to me, Dr. Rotblat passed away. I believe his choice to leave this most crucial matter in the form of an open question was an expression of his optimism and his faith in humanity. When our thinking is reconfigured around loyalty to the human race—our sense of human solidarity—even the most implacable difficulties will not cause us to lapse into despair or condone the panicked use of force. It will be possible to escape the snares of such shortsighted thinking. We will be empowered to engage in the kind of persistent exertion that Max Weber viewed as the ideal of political action, and the door will be open to the formation of consensus and persuasion through dialogue. The function of anger When my mentor Josei Toda used the words “a devil incarnate, a fiend, a monster,” he was referring to a destructiveness inherent in human life. It is a function of this destructiveness to shred our sense of human solidarity, sowing the seeds of mistrust and suspicion, conflict and hatred. Those who would use nuclear weapons capable of instantaneously killing tens of millions of people exhibit the most desperate symptoms of this pathology. They have lost all sense of the dignity of life, having fallen prey to their own inner demons. Buddhism classifies the underlying destructive impulses that give rise to such behavior as “the three poisons” (Jpn: san-doku) of greed, anger and ignorance. “The world of anger” can be thought of as the state of life of those in whom these forces have been directed outward toward others. Buddhism analyzes the inner state of human life in terms of the following ten categories, or “worlds”: Hell, Hunger, Animality, Anger, Humanity, Rapture, Learning, Realization, Bodhisattva and Buddhahood. Together these worlds constitute an interpenetrating functional whole, referred to as the inherent ten worlds. It is the wisdom and compassion of the world of Buddhahood that bring out the most positive aspect of each of the other worlds. In the Buddhist scriptures we find the statement “anger can function for both good and evil,”10 indicating that just and righteous anger, the kind essential for countering evil, is the form of the world of anger that creates positive value. The anger that we must be on guard against is that which is undirected and unrestrained relative to the other nine worlds. In this case, anger is a rogue and renegade force, disrupting and destroying all in its path. In this form, the world of anger is a condition of “always seeking to surpass, unable to countenance inferiority, disparaging others and overvaluing oneself.” When in the world of anger, we are always engaged in invidious comparisons with others, always seeking to excel over them. The resulting distortions prevent us from perceiving the world accurately; we fall easily into conflict, locking horns with others at the slightest provocation. Under the sway of such anger, people can commit unimaginable acts of violence and bloodshed. Another Buddhist text portrays one in the world of anger as “84,000 yojanas tall, the waters of the four oceans coming only up to his knees.”12 A yojana was a measure of distance used in ancient India; there are various explanations as to what the specific distance may be, but “84,000 yojanas” represents an immeasurable enormity. This metaphor indicates how the self-perception of people in the life-state of anger expands and swells until the ocean deeps would only lap their knees. The inner distortions twisting the heart of someone in this state prevent them from seeing things in their true aspect or making correct judgments. Everything appears as a means or a tool to the fulfillment of egotistical desires and impulses. In inverse proportion to the scale of this inflated arrogance, the existence of others—people, cultures, nature—appears infinitely small and insignificant. It becomes a matter of no concern to harm or even kill others trivialized in this way. It is this state of mind that would countenance the use of nuclear weapons; it can equally be seen in the psychology of those who would advocate the use of such hideously cruel weapons as napalm, or, more recently, depleted uranium and cluster bombs. People in such a state of life are blinded, not only to the horrific suffering their actions wreak but also to the value of human life itself. For the sake of human dignity, we must never succumb to the numbing dehumanization of the rampant world of anger. When the atomic bomb was dropped on the city of Hiroshima, not only military personnel but also many scientists were thrilled by the “success” of this new weapon. However, the consciences of genuinely great scientists were filled with anguish. Einstein greeted this news with an agonized cry of woe, while Rotblat told me he was completely overcome with hopelessness. Their feelings were no doubt intensely resonant with the sentiments that motivated Josei Toda to denounce nuclear weapons. When Toda spoke of “declawing” the demonic nature of nuclear weapons, he had in mind the struggle to prevent the inner forces of anger from disrupting the ten worlds and going on an unrestrained rampage. He was calling for the steady and painstaking work of correctly repositioning and reconfiguring the function of anger in an inner world where wisdom and harmony prevail. This is the true meaning of “declawing.” For SGI members in particular it is thus vital we remember that not only our specific activities for peace and culture but the movement for “human revolution” based on the daily endeavor to transform our lives from within is a consistent and essential aspect of the historic challenge of nuclear disarmament and abolition. Unless we focus on this inner, personal dimension, we will find ourselves overwhelmed by the structural momentum of a technological civilization, which in a certain sense makes inevitable the birth of such demonic progeny as nuclear weapons.

#### Vote negative to shed the ego

#### This is a path of self-transformation that recognizes the interpermeation of all beings

Loy, 3

(David Robert Loy is a professor, writer, and Zen teacher in the Sanbo Kyodan tradition of Japanese Zen Buddhism. “The Great Awakening” pg. 4-6) Henge

In contrast, the early Buddhist teachings focus almost exclusively on the path of self-transformation, with a minimum of dogma or metaphysics—in other words, with a rather ﬂimsy canopy, at best, to shelter beneath. These original teachings not only deny a creator God and the salviﬁc value of rituals such as sacriﬁces, they also emphasize the constructed nature of both the self and the world. For Buddhism there are no self-existing things, since everything, including you and me, ~~interpenetrates~~ (interpermeates) everything else, arising and passing away according to causes and conditions. This interconnectedness—not just an intellectual insight but an experience—was an essential aspect of the Buddha’s awakening, and it is congruent with the essential postmodern realization. Even more radical then than now, the original Buddhist teachings, not surprisingly, eventually became elaborated into another sacred canopy, focused on a transcendental liberation from this world. What is more surprising is that early Buddhism should have had such deconstructive insights and that they have been preserved in recognizable form for two and a half millennia. This perspective on the Buddha’s awakening deserves our attention because no other religious tradition foregrounds so clearly this crucial insight into our constructedness. There are some parallels with the philosophical realization in ancient Greece that society is a construct that can and should be reconstructed (e.g., Plato’s Republic). The history of the West since then has incorporated and developed the Greek concern for social transformation. Yet none of the important Greek philosophers proposed what Shakyamuni Buddha taught— the deconstruction and reconstruction of the ﬁctive sense of self. These resonances between postmodern theory and Buddhist teachings provide the basis for a comparison that is more than merely interesting. Today the postmodern realization about the constructed nature of our canopies, sacred and otherwise, contributes to global crises that we are far from resolving. Indeed, Nietzsche’s prescient prediction of a coming age of nihilism suggests that the world’s destabilization may be far from over. Some people and perhaps a few institutions are beginning to assimilate the postmodern insight, but although we are becoming more aware of its implications and dangers, we do not yet have a good grasp of the possibilities it opens up. For the West, the postmodern perspective grows out of, and depends upon, a secular modernity that privileges empirical rationalism over religious superstition. In this regard, too, our attitude derives from the Greeks, whose philosophy originated as a critique of the Olympian deities and the rites associated with them. The Indian situation was quite different. According to one’s sympathies, one can see that Indian (including Buddhist) philosophy never quite escaped the orbit of religious concerns or, more sympathetically, that Indian thought never felt the Western need to differentiate between them.

# Off

#### CP Text: The 2013-2014 NDT/CEDA debate resolution is "Resolved: The United States Federal Government should change the definition of one or more of the following: Marriage, Person, Retirement age, Family, Poverty."

#### Observation 1: Perms don’t cut it; any perm would either

#### Sever “its” from the plan text, which moots negative ground and creates a moving target, this is a voter for competitive equity

#### Or, the perm would still link to the net benefit

#### Observation 2: Solvency and the Net Benefit

#### The plan establishes an I-it relationship to the world; this makes violence inevitable.

#### Cohen in 1957

(Arthur A., American Jewish scholar, theologian and author, “Martin Buber”, p. 47-53)

The opening paragraph establishes a tone and a mode of access. It is this tone and mode of access which one must grant. It is moreover a tone not easily comprehended. Where it is resisted with finality the views Buber develops are successfully resisted. Where it is successfully encountered and assumed, an initial premise is granted, from which all follows. To man the world is twofold, in accordance with his twofold attitude. The attitude of man is twofold, in accordance with the twofold nature of the primary words which he speaks. The preliminary words are not isolated words, but combined words. The one primary word is the combination I-Thou. The other primary word is the combination I-It; wherein, without a change in the primary word, one of the words He and She can replace It. Hence the I of man is also twofold. For the I of the primary word I-Thou is a different I from that of the primary word I-It.' Many senses and values are contained by this self-consciously ambiguous language; yet the ambiguity neither obscures thought nor distorts fundamental clarity. One may casually discard Buber's mode of expression as annoyingly metaphoric or even mystic, but such would be to miss the point. If we assume that what Buber seeks is a manner of expression which cuts beneath the separateness of the world—the discrimination of subject-knowers and objects-known which are presumably required by the empirical sciences—his language is eminently precise. The world is not an objectum to be seized and reduced to manipulable formula. Such may be necessary in disciplines where utility and application are central or, in speculative inquiries, where the knowledge derived will be converted by engineers or technicians into applicable formule (pure mathematics, astrophysics, or biochemistry). What Buber concerns himself with is the human consequence of knowledge—what does knowledge do to man? How does man's way of knowing the world (whether knowing be pursued through science, or art, through speculation, or the passions) affect his fundamental attitude towards the world? The German word Ha/lung, which is rendered as `attitude', has a number of clarifying echoes which we should note. What is really implied by it is the manner in which a man comports himself before the world, how he stands, fixes himself, presents himself to the world. `Attitude' yields, in our day, an ideological aroma which is somewhat inaccurate, for what is of moment is not how man, reflecting upon himself, determines his view of the world, but how man, in the wholeness of his being, places himself before the world. Similarly, the world is not specified or limited—it is the whole world in its panoply and display, the world that is usually perceived, experienced, loved, manipulated, and destroyed. Buber, in this statement an ontologist, wishes to find man and reunite him to the world. He seeks to locate man as he is in his wholeness, prior to the moment when each man puts on his private mask and departs his separate way. In the process of defining, it becomes clear that Buber must pass along a via negativa (reminiscent of the mystic's preparatory evacuation of consciousness) denying the conventional understanding of activity, experience, knowing. All such descriptive terms serve only to describe the constant conversion of the world into the realm of objects, the pervasive It. What the world of It, whether humanized transiently as He or She, involves is a fundamental using of the world, a draining of the world, a manipulation of the world. The world surrenders itself as a slave before its potent master. The irony which Buber is at pains to emphasize is that the slave is in effect the master and the master the ultimate slave —for the man who seizes the world, experiences it, acts upon it, turns it to his uses, wins from it only its superficial secrets—its inner meaning is never disclosed nor revealed. The world will not surrender its truth to violence, but only to the asking in which Thou is spoken. The world is formed out of myriad lines of relation, objects are surrounded, human beings are enmeshed in multiple dependencies and situations. When one wishes to single out an object, give it special love and affection, draw it forth from the welter of its involvement, one cannot command it forth. One must address it differently (whether it be the love which one shows an animal, so beautifully described in Buber's Dialogue, or an inanimate object, say a precious porcelain or Eskimo whale-bone mask, with which one stands in intimate relation). The Thou is spoken only in meeting. The Thou, let us be clear, is not a state (which can be frozen and preserved); it is not a synonym for Love (the Provencal troubadours and romantic poets have no place here, for the Thou is not a grammatical device for expressing love, though it is true that the Thou cannot be spoken where there is no love); the Thou is not a spoken word (in the sense in which words are uttered and exchanged in normal discourse, for, although the Thou is spoken, it may be spoken without sound and, if spoken only with sound, a true Thou has not been spoken, for only with the whole being can a man address his Thou). The Thou is spoken out over being and, as such, serves to draw being together. It arises only in relation. As the I of man is formed through taking a stand in the Thou of another, the world of It wanes and the Thou emerges ever more clearly. Buber makes quite clear the analogy of movement in the speaking of Thou to the activity of grace. Grace, a term constricted and frayed by theological usage, describes spontaneity and undetermined choice. The I not only encounters its Thou but is discovered by it. Recall the manner in which Buber has described his conversion—'He had come to me, he had come in this hpur'—and note that the Thou is not foreordained or prescribed. It comes and passes, addresses and is gone, discovers and vanishes. Each man, each single I, comes before the moment in which the Thou is present and encounters it in a twofold manner: he either ignores the challenge of grace and the Thou dissolves into an object of time and space, or the I is filled and transformed, relation is achieved, and the I-Thou, the nexus I-Thou, is realized. As Buber comments, `all real living is meeting', so the Thou both forms the I and enables it to address the world (as grace) and the I speaks to the Thou (as meeting). It is not difficult to see the consequences which Buber will derive from this fundamental insight—the world of freedom, destiny, grace are affirmed. Freedom, for no Thou is spoken in coercion; destiny, for freedom faces an open future in which time and space vanish before the Thou. Buber is no fantast, nor is I and Thou a useless mystique. It is a useless mystique if one chooses to view the world under the continuing hegemony of tired distinctions. As Buber assesses the situation of man (and it should not be forgotten that Buber is an acute historian of Western culture), what defeats him repeatedly is his refusal to trust the world and to give the world, in reciprocity, the occasion to trust him. The world is a place of violence, for man has set the world over and against him. Indeed, violence cannot be avoided if all the instruments of human life are devised to effect distinction rather than union.

**Status quo legal practices is marred in the rejection of newcoming forms of knowledge. Your political framing entrenches systems of oppression and the exclusion of those who would challenge the system.**

Delgado 92 (Richard, professor at the Seattle University School of Law, “The Imperial Scholar Revisited: How to Marginalize Outsider Writing, Ten Years Later,” University of Pennsylvania Law Review 140(92), April , 1992)IAA

Since I began writing The Imperial Scholar ten years ago, however**, newcomers have arrived on the scene**. Many of these are white; most are males; some have brought reputations achieved in other areas of the law. This Part examines these new writers and their citation practices. As with the old-line group, I find that a few of the new scholars are relatively egalitarian in their scholarship, citing Critical Race Theorists and radical feminists about as frequently as one might fairly expect.45 Some new scholars, however, steadfastly rely on Frank Michelman, Owen Fiss, and other familiar stalwarts.46 A third group is for my purposes the most fascinating. T**his group, the neo-imperialist scholars, has deployed an almost baroque variety of ways to minimize, marginalize, co-opt, soften, miss the point of, selectively ignore, or generally devalue the new insurgent writers.**¶ Mechanisms four and five: The hero, the zero. As with the original inner-circle scholars, the new majority-race writers have their heroes and zeroes. Duncan Kennedy, Alan Freeman, Alex Aleinikoff, and Gary Peller cite the new voices appropriately, sometimes agreeing and sometimes taking issue with them.47 Other **new entrants, however, either ignore the insurgent scholars or treat their work diffidently**. One dynamic young, majority-race writer, for example, in a long, heavily footnoted article refers to dozens of white male writers, but collects works by women and minority authors in a single footnote, making little effort to distinguish, quote, or refer to particular passages from them.48 ¶ Another author offers two "special interest" references, one for feminists and one for Critical Race Theorists.49 In an article on slavery and slave law, a third entrant only once cites to Bell's Race, Racism and American Law, a standard work50-she cites Sunstein, Tushnet, Tribe, and Bickel more-and at no time mentions Leon Higginbotham's well-regarded history, In the Matter of Color.51 A fourth wrote a stinging footnote chastising a number of the new-voice authors for dangerous reliance on notions of class-based harm and redress.52 Unlike some, this author at least cited oppositional scholars for a proposition, if only to attack it.¶ ¶ Mechanism six: "Yeah,yeah ..,. No need to tell me more. **Many of the new writers in the field of civil rights cite work by women and minorities as perfunctorily as the old-timers do,**5!1 but with a difference. That difference consists of citing an early page of an article or book-for example, page three, not 403. When an author • does this regularly, it raises the suspicion that he has not bothered to read the entire article or book, but has merely leafed through the article's preface or introduction in search of a general proposition he can cite with a minimum of effort.54 **The author discharges his obligation to refer to the new voices but avoids the hard work of reading the entire piece and dealing with it seriously.** The number of references to the middle or latter pages of Catharine MacKin­ non 's writing on pornography is much smaller than the number of references to its opening pages, a treatment some other radical feminists receive as well.55 Women will recognize this treatment as a conversational gambit many men use-interruption. The male listens to a woman's opening words, then bursts in to finish her sentence, saying "Yeah, yeah. I get it; no need to go on . . . now, what do you think about my idea?"56 Derrick Bell also garners references of this sort.57¶ Mechanism seven: "I know": Thefacile (and safe) translation. **This mechanism translates a novel, hard-edged, and discomfiting thesis by an outside writer so that it becomes familiar, safe, and tame.** Often the translation forces the thesis into liberal-legalist terms that were intended to be avoided. For example, some scholars translate MacKinnon's work on pornography into an intriguing First Amendment question.58 MacKinnon does not consider pornogra­ phy a First Amendment question, but a near-crime, a civil rights offense against women.59 Once translated into a First Amendment framework her proposal loses much of its urgency and original character.60¶ Mechanism eight: "I loved Dan's idea. " A number of the new writers show familiarity with ideas feminists and Critical Race Theory scholars have been proposing, but either forget where they heard them, 61 or cite a derivative source-a critic, or a majority­ race commentator- to summarize outsider views. For example, some scholars rely on Randall Kennedy, a critic of Critical Race Theory, for a summary of Critical Race Theory positions; 62 others cite men such as Cass Sunstein for radical feminist views developed by Catharine MacKinnon and others.63 One writer cited Deborah Rhode for "reasoning from the bottom, "64 a view associated at least as much with Mari Matsuda. 65\\¶ **This approach corresponds to another experience familiar to most women: co-optation. A woman proposes an idea; no one in the group reacts**. **Twenty minutes later, a male restates and puts forward the same suggestion, which immediately wins widespread praise and thereafter becomes "Dan's idea."66**¶ Mechanism nine: "I know just how you must have felt": Co-optation of others' experience. Some of the new writers, and a few of the original ones, make an effort to identify with the stories and accounts the outsider narrativists are offering, but in a way that co­ opts or minimizes these stories.67 The majority-race author draws a parallel between something in the experience of the outsider author and something that happened to him.68 **There is nothing wrong with using analogies and metaphors to deal with the experience of others for that is how we extend our sympathies.** **If,** however, **we analogize to refocus a conversation or an article towards ourselves exclusively, something is wrong,** **especially if the experience to which we liken another's is manifestly less serious**. For example, the author of one article on campus racial harassment observes that everyone experiences "insulting" or "upsetting" speech at one time or another, so what is so special about the racist version?69¶ Mechanism ten: "Pure poetry": How poignant, touching, or moving­ Placing outsider writing on a pedestal **. Some writers of majority race praise the new writing for its passionate or emotional quality**. The writing is so personal, so colorful, so poetic, so "moving."70 **This approach can marginalize outsider writing by placing it in a category of its own.** Women and minority writers feel more deeply than we; they have "soul."71 The writing is evaluated as a journal of the author's individual thoughts and feelings, not as an article that delivers uncomfortable insights and truths about society and injustice.72¶ Mechanism eleven**: Assimilation/ co-optation- "We have been saying this all along. " This mechanism dismisses the feminists and Critical Race Theorists as saying little new; we have been making the same points about brotherhood, equality, and civility for hundreds, if not thousands, of years**. Plato, Aquinas, Austin, Unger, and any favorite male author urged that society be arranged justly and that all should be treated with respect.73 On some level, every truth is foreshad­ owed by or included in every other. Yet one might argue that earlier authorities wrote inadequately and spoke poorly to our condition because that condition persists today. **If outsider voices are addressing new or old grievances in new ways, one ought not dismiss what they are saying merely because someone else previous­ ly said something remotely similar.74**¶ Mechanism twelve: "She wrote just one" (And I'll cite it, too). Some of the mainstream authors treat the new voices as though each of them had written exactly one article or book.**7**5 Susan Estrich is¶ cited for her book on rape, 76 Mari Matsuda for Looking to the Bottom,71 Derrick Bell for And We Are Not Saved ,18 me for The Imperial Scholar.79 Each of these writers has written many works, arguably of comparable merit to the one cited .80 Routinized, stereotypical citation to one work gives the impression the author wrote only the one. It also conveys the message that insurgent writers can only write one work, probably an anomaly, the result of a gigantic effort or internal convulsion that they are capable of producing only once in a lifetime.81¶ Mechanism thirteen: The all-purpose citation. The author has a¶ flash of insight, into the way constitutional equality works, for example. Midway through the article it dawns on the author that he had better cite a minority. What better place to do so than for the proposition that ( I) racism is terrible, (2) discrimination still exists, or (3) we all must work really hard at dealing with it. Most authors of color surely say these things somewhere, so the author chooses one-how about Crenshaw?82¶ III. "AT THE MARGIN": WHY WE ALWAYS FAIL To RECOGNIZE NEW STORIES¶ **Even though the new voices are finding their way into the pages of the top reviews and journals, they are not being quickly and easily integrated into the conversations and dialogues of traditional legal scholarship.** Some of the resistance may be intentional and mean-spirited- why should Icite that outsider, after the nasty things she said about me or my friends?**85 Resistance may also be the product of inflexibility and an unwillingness to entertain new positions-I'm forty-five years old;** why do I have to read all these new authors anyway?84¶ But most mainstream legal writers are neither mean-spirited nor lazy. I think the most likely explanation for most of the mechanisms I have detailed lies elsewhere. Legal scholarship is currently radically transforming itself.85 Formalism and case-crunching notes and articles running 100 pages or more, littered with hundreds of footnotes, are passing into history.86 **Even legal process and interdisciplinary "law and" scholarship have lost much of their momentum.** In their places a subtler yet audacious form of legal writing has appeared, with roots in postmodernism, critical thought, and narrative theory.87 The authors, format, and authori­ ties cited are radically different from those that came before. **If not a full-fledged paradigm shift, something similar seems to be happening. As sociologists of knowledge have pointed out, such shifts are at first resisted by those steeped in the old regime; the paradigm changes only when the costs of resisting it become unacceptable compared to the gains of adopting the new one.88**¶ **Resistance to the new voices, then, may be as natural as that which the Langdellians and "mechanical jurisprudes" raised to legal realism early in this century. All change is costly**. What more natural reaction than postponing dealing with it as long as possi­ ble?89¶ A second, related explanation applies insights from narrative theory.90 **As many have pointed out, reality comes to us not as a given but in terms of narratives, mindsets, or stories-interpretive structures by which we construct and come to terms with the world of reality.**91 Each of us is the product of a large number of such understandings, or "stories," by which we reduce the diversity of daily life to manageable proportions. In a sense, we are our stock of stories and they us.92¶ **When a feminist or Critical Race Theorist offers a radically new story, we evaluate it in terms of the one we currently hold. If it seems too different, we are apt to reject it as extreme, coercive, political, harsh, or untrue**.93 Imagine, for example, the reaction¶ of most liberal law students on hearing Derrick Bell's interest­ convergence hypothesis for the first time.94 The fi**rst response to Bell's hypothesis is re-interpretation- softening or qualifying it¶ because Bell could not have intended to interpret the search for racial justice in such a scathing way.** Yet for many radical race reformers, the hypothesis seems commonplace and true.¶ Both mechanisms lead to a melancholy truth. We postpone confronting novelty and change until they acquire enough momen­ tum that we are swept forward. **We take seriously new social thought only after hearing it so often that its tenets and themes begin to seem familiar, inevitable, and true.**95 **We then adopt the new paradigm, and the process repeats itself. We escape from one mental and intellectual prison only into a larger slightly more expansive one. Each jail-break is seen as illegitimate. We reject new thought until, eventually, its hard edges soften, its suggestions seem tame and manageable, and its proponents are "elder states­ persons," to be feared no longer.96 By then, of course, the new thought has lost its radically transformative character. We reject the medicine that could save us until, essentially, it is too late.97**

#### The law itself is a rhetorical activity-the way they choose to engage its discussion actually shapes the legal systems function and who is allowed to participate

White 85

(James Boyd. Professor of Law and Professor of English Language and Literature, University of Michigan. “Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life” The University of Chicago Law Review, Vol. 52, No. 3 (Summer, 1985), Pg. 688-692 <http://www.jstor.org/stable/1599632>. –Veeder)

I shall sketch out a somewhat different way of conceiving of law, and indeed of governmental processes generally: not as a bu- reaucratic but as a rhetorical process. In doing this, I shall also be suggesting a way to think about rhetoric, especially that kind of rhetoric-I call it "constitutive rhetoric"-of which law can I think be seen as a species. I want to start by thinking of law not as an objective reality in an imagined social world, not as a part of a constructed cosmology, but from the point of view of those who actually engage in its processes, as something we do and something we teach. This is a way of looking at law as an activity, and in particular as a rhetori- cal activity. I want to direct attention to three related aspects of the law- yer's work. The first is the fact that the lawyer, like any rhetori- cian, must always start by speaking the language of his or her audi- ence, whatever it may be. This is just a version of the general truth that to persuade anybody you must in the first instance speak a language that he or she regards as valid and intelligible. If you are a lawyer, this means that you must speak either the technicalan- guage of the law-the rules, cases, statutes, maxims, and so forth, that constitute the domain of your professional talk-or, if you are speaking to jurors or clients or the public at large, some version of the ordinary English of your time and place. Law is in this sense always culture-specific. It always starts with an external, empiri- cally discoverable set of cultural resources into which it is an intervention. This suggests that one (somewhat circular) definition of the law might be the particular set of resources made available by a culture for speech and argument on those occasions, and by those speakers, we think of as legal. These resources include rules, stat- utes, and judicial opinions, of course, but much more as well: max- ims, general understandings, conventional wisdom, and all the other resources, technical and nontechnical, that a lawyer might use in defining his or her position and urging another to accept it.4 To define "the law" in this way, as a set of resources for thought and argument, is an application of Aristotle's traditional definition of rhetoric, for the law in this sense is one set of those "means of persuasion" that he said it is the art of rhetoric to discover.5 In the law (and I believe elsewhere as well), these means of persuasion can be described with some degree of accuracy and completeness, so that most lawyers would agree that such-and- such a case or statute or principle is relevant, and another is not. But the agreement is always imperfect: one lawyer will see an anal- ogy that another will deny, for example. And when attention shifts to the value or weight that different parts of the material should have, disagreement becomes widespread and deep. Ultimately, then, the identity, the meaning, and the authority of the materials are always arguable, always uncertain. There is a sense in which the materials can be regarded in the first instance as objective, ex- ternal to the self; but they are always remade in argument. Their discovery is, in a sense, an empirical process, their reformulation and use an inventive or creative one. This suggests that the lawyer's work has a second essential el- ement, the creative process to which I have just alluded. For in speaking the language of the law, the lawyer must always be ready to try to change it: to add or to drop a distinction, to admit a new voice, to claim a new source of authority, and so on. One's perform- ance is in this sense always argumentative, not only about the re- sult one seeks to obtain but also about the version of the legal dis- course that one uses-that one creates-in one's speech and writing. That is, the lawyer is always saying not only, "Here is how this case should be decided," but also, "Here-in this language-is the way this case and similar cases should be talked about. The language I am speaking is the proper language of justice in our culture." The legal speaker always acts upon the language that he or she uses, to modify or rearrange it; in this sense legal rhetoric is always argumentatively constitutive of the language it employs. The third aspect of legal rhetoric is what might be called its ethical or communal character, or its socially constitutive nature. Every time one speaks as a lawyer, one establishes for the moment a character-an ethical identity, or what the Greeks called an ethos-for oneself, for one's audience, and for those one talks about, and in addition one proposes a relation among the charac- ters one defines. One creates, or proposes to create, a community of people, talking to and about each other. The lawyer's speech is thus always implicitly argumentative not only about the re- sult-how should the case be decided?-and about the lan- guage-in what terms should it be defined and talked about?-but also about the rhetorical community of which one is at that mo- ment a part. The lawyer is always establishing in performance a response to the questions, "What kind of community should we, who are talking the language of the law, establish with each other, with our clients, and with the rest of the world? What kind of con- versation should the law constitute, should constitute the law?" Each of the three aspects of the lawyer's rhetorical life can be analyzed and criticized: the discourse one is given by one's culture to speak; the argumentative reconstitution of it; and the argumen- tative constitution of a rhetorical community in one's speech or writing. The study of this process-of constitutive rhetoric-is the study of the ways we constitute ourselves as individuals, as com- munities, and as cultures, whenever we speak. To put this another way, the fact that the law can be understood as a comprehensibly organized method of argument, or what I call a rhetoric, means that it is at once a social activity-a way of acting with others-and a cultural activity-a way of acting with a certain set of materials found in the culture. It is always communal, both in the sense that it always takes place in a social context and in the sense that it is always constitutive of the community by which it works. Both the lawyer and the lawyer's audience live in a world in which their language and community are not fixed and certain but fluid, constantly remade, as their possibilities and limits are tested. The law is an art of persuasion that creates the objects of its per- suasion, for it constitutes both the community and the culture it commends. This means that the process of law is at once creative and edu- cative. Those who use this language are perpetually learning what can and cannot be done with it as they try-and fail or suc- ceed-to reach new formulations of their positions. It also means that both the identity of the speakers and their wants are in per- petual transformation. If this is right, the law cannot be a tech- nique, as the bureaucratic model assumes, by which "we" get what we "want," for both "'we" and our "wants" are constantly remade in the rhetorical process. The idea of the legal actor as one who is either making policy choices himself (or herself) or obeying the choices made by others is inadequate, for he is a participant in the perpetual remaking of the language and culture that determines who he is and who we are. The law is not merely a bureaucracy or a set of rules, but a community of speakers of a certain kind: a culture of argument, perpetually remade by its participants. All three of these aspects of the lawyer's work flow from the fact that the law is what I have called culture-specific, that is, that it always takes place in a cultural context into which it is always an intervention. But it is in a similar way socially specific: it always takes place in a particular social context, into which it is also an intervention. By this I mean nothing grand but simply that the lawyer responds to the felt needs of others, who come to him or her for assistance with an actual difficulty or problem. (These felt needs may of course be partly the product of the law itself, and the very "intervention" of the law can create new possibilities for meaning, for motive, and for aspiration.) From this point of view, the law can be seen, as it is experienced, not as a wholly indepen- dent system of meaning, but as a way of talking about real events and actual people in the world. It is a way of telling a story about what has happened in the world and claiming a meaning for it by writing an ending to it. The lawyer is repeatedly saying, or imagin- ing himself or herself saying: "Here is 'what happened,' here is 'what it means,' and here is 'why it means what I claim.'" The process is at heart a narrative one because there cannot be a legal case without a real story about real people actually located in time and space and culture. Some actual person must go to a lawyer with an account of the experience upon which he or she wants the law to act, and that account will always be a narrative. The client's narrative is not simply accepted by the lawyer but subjected to questioning and elaboration, as the lawyer sees first one set of legal relevances, then another. In the formal legal process, that story is then retold, over and over, by the lawyer and by the client and by others, in developing and competing versions, until by judgment or agreement an authoritative version is achieved. This story will in the first instance be told in the language of its actors. That is where the law begins; in a sense that is also where it ends, for its object is to provide an ending to that story that will work in the world. And since the story both begins and ends in ordinary lan- guage and experience, the heart of the law is the process of transla- tion by which it must work, from ordinary language to legal lan- guage and back again. The language that the lawyer uses and remakes is a language of meaning in the fullest sense. It is a language in which our per- ceptions of the natural universe are constructed and related, in which our values and motives are defined, and in which our meth- ods of reasoning are elaborated and enacted. By defining roles and actors, and by establishing expectations as to the propriety of speech and conduct, it gives us the terms for constructing a social universe. Law always operates through speakers located in particu- lar times and places speaking to actual audiences about real peo- ple; its language is continuous with ordinary language; it always operates by narrative; it is not conceptual in its structure; it is per- petually reaffirmed or rejected in a social process; and it contains a system of internal translation by which it can reach a range of hearers. All these things mark it as a rhetorical system

#### When discussing oppression, there can be no compromise-reject the aff at an a priori level because of the way the entire aff theorizes its relationship with the law

Olson & Charles 10 (Joel, in an interview with Charles. “Radically Democratic Extremism: An Interview with Joel Olson”, <http://www.revolutionbythebook.akpress.org/radically-democratic-extremism-an-interview-with-joel-olson/>, May 26th, 2010)IAA

JO: Moderation (not tolerance or reason) is the true antithesis of fanaticism. While the essence of the fanatical approach to politics is a) the refusal to compromise, b) the desire to mobilize others based on that refusal, and c) the use of extraordinary means to mobilize them, moderation is an approach that regards compromise as the essence of political engagement. A moderate approach to politics seeks to negotiate a “common ground” that all parties can agree on. The fanatic divides the world into friends (those who are with you), enemies (those who are against you), and moderates in between (those who need to get off the fence); the moderate believes that with a little bargaining, we can all be friends. **Extremism seeks combat, moderation seeks consensus**.¶ Now, I don’t believe that extremism is always the better approach. If there is a potential to find common ground between you and your adversary, then you should seek it. But **when compromise would violate your most closely held principles, or when your opponent refuses to compromise, or when your opponent claims to be helping you but really is oppressing you, then it makes sense to consider an extremist approach to politics rather than moderation.**¶ Slavery is a good example of this. Phillips argued that any compromise with the slave masters perpetuated slavery, since any such compromise would have to acknowledge the master’s right to own slaves—precisely the principle that the abolitionists rejected. Thus any “moderate” position regarding slavery, Phillips argued, was objectively proslavery. **The master must either free his slaves immediately and unconditionally, without asking for compensation, or abolitionists must fight against the slaveholders.** ¶ Anti-abortion militants use the same logic: you cannot compromise with baby-killers, they say. In fact, the right uses this logic all the time, and it’s one of the reasons why they win so often. I think the left would do well to consider this logic sometimes, too. Why should we compromise over the destruction of our environment? Why should we compromise over the exploitation that is inherent to capitalism? Why should we compromise over people’s right to live, love, and work wherever they please?AK: Could we say that left-wing fanaticism is an attack on what would normally be seen as liberal “allies” (in the same way that right-wing fanaticism is an attack on moderate conservatives)?JO: Not necessarily. The goal is to push the liberals to your side, not to push them away. But sometimes the way to do that is to yank them off the fence rather than gently invite them down. The anti-abortion movement, for example, doesn’t focus its energy on the pro-choice movement so much as it does on the “moderate” pro-lifers, i.e. those who believe that abortion is murder but won’t act like it. They use guilt, argumentation, pleading, scolding, and all sorts of other tactics to push the moderate middle to act as if abortion really is murder.¶ Left extremists could learn from this approach. Let’s take immigration and the debate over the recently passed Arizona law SB 1070, for example. (I’m a member of the Repeal Coalition, an organization that seeks to repeal all anti-immigrant laws in Arizona.) The current debate is between nativism (“Kick them all out and militarize the border”) or reform (“Let a few of them stay, kick the rest out, and militarize the border”). You can see that despite all the huffing and puffing in the media, it’s actually a very narrow debate. An extremist approach would create a third pole: the only moral option in a global economy is to let all human beings live, love, and work wherever they please, and let all humans participate in those affairs that affect their daily life. This approach places reform uncomfortably between nativism and open borders. Then, the extremist needs to relentlessly attack reform, showing how its “moderate” approach is objectively the same as nativism: it breaks up families, weakens workers’ power, and threatens the liberty of all people (for example, liberal New York Senator Charles Schumer’s plan for a biometric national identity card in his immigration reform bill). The extremist wants to show that there are really only two options in this struggle: nativism or freedom, “baby-killing” or “life,” slavery or abolition.