### 1nc – warrants cp

#### We advocate blowing up the model minority to resist domestic surveillance except when an individualized warrant based on definitive proof of involvement in terrorism is attained by federal and state law enforcement OR when law enforcement has reasonable suspicion that right-wing extremist groups are going to engage in acts of terrorism

#### The counterplan effectively curtails surveillance but allows the use of targeted warrants to solve terrorism

Wyden ’14 (et al; This amicus brief issued by three US Senators - Ron Wyden, Mark Udall and Martin Heinrich. Wyden and Udall sat on the Senate Select Committee on Intelligence and had access to the meta-data program. “BRIEF FOR AMICI CURIAE SENATOR RON WYDEN, SENATOR MARK UDALL, AND SENATOR MARTIN HEINRICH IN SUPPORT OF PLAINTIFF-APPELLANT, URGING REVERSAL OF THE DISTRICT COURT” – Amicus Brief for Smith v. Obama – before the United States Ninth Circuit Court of Appeals - Appeal from the United States District Court District of Idaho The Honorable B. Lynn Winmill, Chief District Judge, Presiding Case No. 2:13-cv-00257-BLW – Sept 9th, 2014 – This Amicus Brief was prepared by CHARLES S. SIMS from the law firm PROSKAUER ROSE LLP. Amici” means “friend of the court” and – in this context - is legal reference to Wyden, Udall, etc. This pdf can be obtained at: https://www.eff.org/document/wyden-udall-heinrich-smith-amicus)

As members of the Senate Select Committee on Intelligence, amici Senators Wyden and Udall have for years participated in the oversight of government surveillance conducted under the Patriot Act that they knew would astonish most Americans. They sought to warn the public about those activities as best they could without disclosing classified information. They also co-sponsored an amendment to the Patriot Act’s reauthorization that sought to address the problem of government officials “secretly reinterpret[ing] public laws and statutes” and “describ[ing] the execution of these laws in a way that misinforms or misleads the public.” See 157 Cong. Rec. S3360 (daily ed. May 25, 2011) (introducing SA 384 to S. 990, 112th Cong. § 3 (2011)); see also 157 Cong. Rec. S3386 (daily ed. May 26, 2011) (statement of Sen. Wyden) (“The fact is anyone can read the plain text of the PATRIOT Act. Yet many Members of Congress have no idea how the law is being secretly interpreted by the executive branch.”); 157 Cong. Rec. S3258 (daily ed. May 24, 2011) (statement of Sen. Udall) (“Congress is granting powers to the executive branch that lead to abuse, and, frankly, shield the executive branch from accountability”). Now that the government’s bulk call-records program has been documented and exposed, the executive branch has retreated from frequently repeated claims about its necessity and expressed an intent to end government bulk collection under section 215. Press Release, FACT SHEET: The Administration’s Proposal for Ending the Section 215 Bulk Telephony Metadata Program (Mar. 27, 2014), http://www.whitehouse.gov/the-press-office/2014/03/27/fact-sheet-administration-s-proposal-ending-section-215-bulk-telephony-m (“White House Press Release”). While Senators Udall, Heinrich and Wyden broadly support a policy aimed at ending the government’s indiscriminate collection of telephony metadata, they share a concern that there is no plan to suspend the bulk collection of Americans’ phone records in the absence of new legislation, which is not necessarily imminent. Meanwhile, the government continues to defend its bulk call-record collection program vigorously against statutory and constitutional challenges in the courts. Amici submit this brief to respond to the government’s argument that its collection of bulk call records is necessary to defend the nation against terrorist attacks. Amici make one central point: as members of the committee charged with overseeing the National Security Agency’s surveillance, amici have reviewed this surveillance extensively and have seen no evidence that the bulk collection of Americans’ phone records has provided any intelligence of value that could not have been gathered through means that caused far less harm to the privacy interests of millions of Americans. The government has at its disposal a number of authorities that allow it to obtain the call records of suspected terrorists and those in contact with suspected terrorists. It appears to amici that these more targeted authorities could have been used to obtain the information that the government has publicly claimed was crucial in a few important

### 1nc – white terror da

#### Surveillance is key to stop white terror

Brown 15 — Tony Brown, Associate Professor of Sociology at Vanderbilt University, Associate Director of the Center for Research on Health Disparities and Health Policy Associate in the Center for Health Policy at Meharry Medical College, holds a Ph.D. in Sociology from the University of Michigan, 2015 (“Racism, white privilege still exist, and riots prove it,” *The Tennessean*, April 30th, Available Online at <http://www.tennessean.com/story/opinion/contributors/2015/04/28/capturing-racism-high-definition/26515991/>, Accessed 07-16-2015)

Evidence proving that race and racism are meaningful is increasingly easy to find. We see it right here and right now. There is no need to recall Whites Only signage or sheet-clad KKK members. The facts show white people acting routinely to harm, demean, and damage black and brown people. The facts explain the lofty levels of frustration and despair among black and brown youth. Evidence consists of protests and riots, such as what happened last night in Baltimore in response to the mysterious death of Freddie Gray while he was in police custody. Something is awry—people of color don't protest and riot out of boredom. Martin Luther King, Jr. said that "a riot is the language of the unheard." Evidence consists of Oklahoma University fraternity and sorority members singing joyfully about the exclusion and lynching of black bodies. Supposedly, the song was taught to them and may connect back to the Confederate-identified white men who founded the fraternity. Evidence consists of text and email messages exchanged between corporate executives, among police officers sworn to serve and protect the public, and by public servants and elected officials. Evidence consists of graphic videos showing the willful killings (assassinations?) of unarmed black men in non-felonious interactions with police officers. Litigation and Intent Considering the white Oklahoma University fraternity and sorority members, the accused have retained an attorney. They are upset about being labeled racists. I imagine the defense's arguments will mirror comments made by the youth's parents (to paraphrase): Johnny is a good boy. There is no hate in his heart. He made a horrible (but not that horrible) mistake. He is young and didn't know any better. To those specific parents and others like them, consider the following a public service announcement: Your child's behavior is racist and it's your fault (mostly). You never intentionally read children's books with main characters of color, but you raised Sarah to appreciate diversity. You lived in a residentially segregated neighborhood, and thought that fact sent no implicit messages to Evan. You chose to worship in a church or synagogue where Katey was surrounded by white people, and she understood that way of life to be normal. You choose the best schools for Chase, but never considered the fact that those schools were racially homogenous. You talked to Isabelle about poverty but implied that all poor people are black and it's their own fault. You let grandma say n\*\*\*\*\* at Thanksgiving in front of Elizabeth because grandma is old and doesn't know any better. You told a racially insensitive joke in front of Liam, condoning symbolic violence. The take-home message here applies to every person exposed to the disturbing videos, and text and emails showing the significance of race and racism. The issue is not about any white person's heart or motivations or intent. Those things are hidden from sight. It's about their actions—which let me remind you—speak louder than their words. The bottom line is that it's everyday whites making everyday choices that lock in and protect white privilege [https://www.isr.umich.edu/home/diversity/resources/white-privilege.pdf ]. The New Paparazzi This piece should be read as a call to action. Black and brown (and empathetic or doubting) whites—grab your cell phones. Turn on the video camera. Or grab your GoPro. For people of color, record the discourteous way co-workers or service industry workers or police officers treat you. Record your friends talking about the indignities and micro-aggressions you as a person of color, for example, face in all- or mostly-white spaces. If you happen to identify as white, then record Uncle Roy talking at a private family gathering about the good old days when blacks knew their place (what sociologists call backstage racism). Record how pleasant your interactions are with police officers doing routine traffic stops. Record whether and how the conversation changes when people of color enter the room. Then let's all post our videos. We can add our videos to the growing archive. Posting our videos, among other things, will confirm that race and racism still matter. It will demonstrate that white privilege is real (and real in its consequences). It will provide evidence that black and brown people do not experience the everyday world in ways similar to whites. Revelation Despite stories that people of color tell repeatedly about institutional inequality, recent evidence of police brutality shocked many people. Those shocked individuals had minimized the contemporary significance of race and racism in U.S. society. Just imagine if the only evidence of race and racism's impact was the stories that people of color tell—few whites would be moved to action. But we can now capture racist behavior and its impact on society in high definition. As such, it's been a revelation to many whites. And that is a good thing because there can be no revolution without revelation. We must document the significance of race and racism before we can address it. Make it routine to collect evidence that allows us to address it. Otherwise, we are bound to run in circles debating whether a problem exists, while things get worse.

#### The plan increases terror risk

Lewis ’14 (James Andrew Lewis is a senior fellow and director of the Strategic Technologies Program at the Center for Strategic and International Studies in Washington, D.C., where he writes on technology, security, and the international economy. Before joining CSIS, he worked at the US Departments of State and Commerce as a Foreign Service officer and as a member of the Senior Executive Service. His diplomatic experience included negotiations on military basing in Asia, the Cambodia peace process, and the five-power talks on arms transfer restraint. Lewis received his Ph.D. from the University of Chicago. “Underestimating Risk in the Surveillance Debate” - CENTER FOR STRATEGIC & INTERNATIONAL STUDIES - STRATEGIC TECHNOLOGIES PROGRAM – December - http://csis.org/publication/underestimating-risk-surveillance-debate)

Americans are reluctant to accept terrorism is part of their daily lives, but attacks have been planned or attempted against American targets (usually airliners or urban areas) almost every year since 9/11. Europe faces even greater risk, given the thousands of European Union citizens who will return hardened and radicalized from fighting in Syria and Iraq. The threat of attack is easy to exaggerate, but that does not mean it is nonexistent. Australia’s then-attorney general said in August 2013 that communications surveillance had stopped four “mass casualty events” since 2008. The constant planning and preparation for attack by terrorist groups is not apparent to the public. The dilemma in assessing risk is that it is discontinuous. There can be long periods with no noticeable activity, only to have the apparent calm explode. The debate over how to reform communications surveillance has discounted this risk. Communications surveillance is an essential law enforcement and intelligence tool. There is no replacement for it. Some suggestions for alternative approaches to surveillance, such as the idea that the National Security Agency (NSA) only track known or suspected terrorists, reflect wishful thinking, as it is the unknown terrorist who will inflict the greatest harm.

#### white terrorism is ubiquitous. White supremacy is maintained through a campaign of terror. Future attacks are inevitable

Higgins 15 — Eoin Higgins, Reporter for the *Berkshire Courier*, Contributor to *The Huffington Post* and *Counterpunch*, holds an M.A. in History from Fordham University, 2015 (“White Terrorism in Charleston,” *Counterpunch*, June 19th, Available Online at <http://www.counterpunch.org/2015/06/19/white-terrorism-in-charleston/>, Accessed 07-16-2015)

A white man guns down nine black people in a church in South Carolina. The state’s Confederate battle flag stays waving in the wind the next day. The white man is arrested. He is given a Kevlar jacket. Welcome to the United States of America in 2015. The atrocity in Charleston on June 17, 2015, exemplifies the value of black life in America today. Dylann Roof’s crime was an abomination. He slaughtered nine people in cold blood. But in the broader context of the American reality of black people and black lives, Roof’s attack is just another instance of white terrorism. Even in light of the violence black Americans experience daily, the attack in South Carolina was shocking. Gunning down nine innocent people in a church is beyond the pale. It’s important to remember, though, that although this crime is notable for the callousness and coldness of the perpetrator—leaving people alive for the express purpose of sharing the story is some wannabe supervillain shit—the taking of black life by a white man in America is not an aberration. The Black Lives Matter movement is a direct response to the carelessness with which white America treats the mortality of citizens of African descent. The name of the movement is a reaction to the reality. Black Americans are treated as if their lives were disposable. It is necessary to have a movement calling for the recognition that the America’s black population’s lives matter because at every turn we are shown they don’t. Blacks are criminalized in the news media, treated as less desirable than whites in the popular culture, and presented overwhelmingly as threatening criminal elements in film and television. Americans of all colors are inculcated to see blacks as threatening, alien, dangerous. This is terrorism. Black Americans are killed for eating skittles. Playing with toy guns as children. Listening to loud music. Selling cigarettes on the street. Running away from police officers. Hanging out at a pool party. Attending prayer meetings. There doesn’t seem to be a way for black Americans to just be that doesn’t involve the threat of death or violence at the hands of whites. This is terrorism. White Americans can drive without fear of being pulled over for the color of their skin and walk down the street without fear of being stopped and frisked. Black Americans cannot. White Americans can walk up to a police officer looking for help or directions. Black Americans face the chance of death if they do the same. This is terrorism. Terrorism is political and social violence and coercion that has the effect of changing the standard operating procedure of the societies it affects and striking fear into the communities it assaults. Bla

cks in America have no static standard operating procedure. Their behavior has to change constantly to reflect the threats and intimidation. For the black community in America, even the church is a place where one cannot feel safe. Not in 1963, not in the 90s, not in 2015. The reason for white terrorism has one simple underlying explanation. There is a sociopathic part of the national white American subconscious that refuses to allow the black community to ever rise to an equal footing, and will use whatever means necessary to maintain white supremacy. In the wake of the conclusion of the Civil War, the KKK was formed in reaction to the freeing of the slaves. The terrorizing of blacks that began after the end of slavery has continued to today. Whether we acknowledge it or not, the position of the white American must be maintained through terror. Thus the spectacle of Dylann Roof, sociopathic mass murderer of innocent black Americans, steered gently to a waiting police car, wearing a Kevlar vest. His crime has shocked the country, but only because of its flamboyancy. After the news cycle has run through, the nation will again ignore the Black Lives Matter movement, the issue of race relations in America, and white terrorism. Until, of course, it inevitably happens again.

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#### The aff represents a politics of indeterminacy and inevitable difference – this prevents a materialist approach

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(Peter and Valerie, “Class Dismissed? Historical materialism and the politics of ‘difference’,” Educational Philosophy and Theory Vol. 36, Issue 2, p. 183-199)

Eager to take a wide detour around political economy, post-Marxists tend to assume that the principal political points of departure in the current ‘postmodern’ world must necessarily be ‘cultural.’ As such, most, but not all post-Marxists have gravitated towards a politics of ‘difference’ which is largely premised on uncovering relations of power that reside in the arrangement and deployment of subjectivity in cultural and ideological practices (cf. Jordan & Weedon, 1995). Advocates of ‘difference’ politics therefore posit their ideas as bold steps forward in advancing the interests of those historically marginalized by ‘dominant’ social and cultural narratives. There is no doubt that post-Marxism has advanced our knowledge of the hidden trajectories of power within the processes of representation and that it remains useful in adumbrating the formation of subjectivity and its expressive dimensions as well as complementing our understandings of the relationships between ‘difference,’ language, and cultural configurations. However, post-Marxists have been woefully remiss in addressing the constitution of class formations and the machinations of capitalist social organization. In some instances, capitalism and class relations have been thoroughly ‘otherized;**’** in others, class is summoned only as part of the triumvirate of ‘race, class, and gender’ in which class is reduced to merely another form of ‘difference.’ Enamored with the ‘cultural’ and seemingly blind to the ‘economic,’ the rhetorical excesses of post-Marxists have also prevented them from considering the stark reality of contemporary class conditions under global capitalism. As we hope to show, the radical displacement of class analysis in contemporary theoretical narratives and the concomitant decentering of capitalism, the anointing of ‘difference’ as a primary explanatory construct, and the ‘culturalization’ of politics, have had detrimental effects on ‘left’ theory and practice. Reconceptualizing ‘Difference’ The manner in which ‘difference’ has been taken up within ‘post-al’ frameworks has tended to stress its cultural dimensions while marginalizing and, in some cases, completely ignoring the economic and material dimensions of difference. This posturing has been quite evident in many ‘post-al’ theories of ‘race’ and in the realm of ‘ludic’1 cultural studies that have valorized an account of difference—particularly ‘racial difference’—in almost exclusively ‘superstructuralist’ terms (Sahay, 1998). But this treatment of ‘difference’ and claims about ‘the “relative autonomy” of “race”’ have been ‘enabled by a reduction and distortion of Marxian class analysis’ which ‘involves equating class analysis with some version of economic determinism.’ The key move in this distorting gesture depends on the ‘view that the economic is the base, the cultural/political/ideological the superstructure.’ It is then ‘relatively easy to show that the (presumably non-political) economic base does not cause the political/cultural/ideological superstructure, that the latter is/are not epiphenomenal but relatively autonomous or autonomous causal categories’ (Meyerson, 2000, p. 2). In such formulations the ‘cultural’ is treated as a separate and autonomous sphere, severed from its embeddedness within sociopolitical and economic arrangements. As a result, many of these ‘culturalist’ narratives have produced autonomist and reified conceptualizations of difference which ‘far from enabling those subjects most marginalized by racial difference’ have, in effect, reduced ‘difference to a question of knowledge/power relations’ that can presumably be ‘dealt with (negotiated) on a discursive level without a fundamental change in the relations of production’ (Sahay, 1998). At this juncture, it is necessary to point out that arguing that ‘culture’ is generally conditioned/shaped by material forces does not reinscribe the simplistic and presumably ‘deterministic’ base/superstructure metaphor which has plagued some strands of Marxist theory. Rather, we invoke Marx's own writings from both the Grundrisse and Capital in which he contends that there is a consolidating logic in the relations of production that permeates society in the complex variety of its ‘empirical’ reality. This emphasizes Marx's understanding of capitalism and capital as a ‘social’ relation—one which stresses the interpenetration of these categories, the realities which they reflect, and one which therefore offers a unified and dialectical analysis of history, ideology, culture, politics, economics and society (see also Marx, 1972, 1976, 1977).2 Foregrounding the limitations of ‘difference’ and ‘representational’ politics does not suggest a disavowal of the importance of cultural and/or discursive arena(s) as sites of contestation and struggle. We readily acknowledge the significance of contemporary theorizations that have sought to valorize precisely those forms of ‘difference’ that have historically been denigrated. This has undoubtedly been an important development since they have enabled subordinated groups to reconstruct their own histories and give voice to their individual and collective identities. However, they have also tended to redefine politics as a signifying activity generally confined to the realm of ‘representation’ while displacing a politics grounded in the mobilization of forces against the material sources of political and economic marginalization. In their rush to avoid the ‘capital’ sin of ‘economism,’ many post-Marxists (who often ignore their own class privilege) have fallen prey to an ahistorical form of culturalism which holds, among other things, that cultural struggles external to class organizing provide the cutting edge of emancipatory politics.3 In many respects, this posturing, has yielded an ‘intellectual pseudopolitics’ that has served to empower ‘the theorist while explicitly disempowering’ real citizens (Turner, 1994, p. 410). We do not discount concerns over representation; rather our point is that progressive educators and theorists should not be straightjacketed by struggles that fail to move beyond the politics of difference and representation in the cultural realm. While space limitations prevent us from elaborating this point, we contend that culturalist arguments are deeply problematic both in terms of their penchant for de-emphasizing the totalizing (yes totalizing!) power and function of capital and for their attempts to employ culture as a construct that would diminish the centrality of class. In a proper historical materialist account, ‘culture’ is not the ‘other’ of class but, rather, constitutes part of a more comprehensive theorization of class rule in different contexts.4 ‘Post-al’ theorizations of ‘difference’ circumvent and undermine any systematic knowledge of the material dimensions of difference and tend to segregate questions of ‘difference’ from class formation and capitalist social relations. We therefore believe that it is necessary to (re)conceptualize ‘difference’ by drawing upon Marx's materialist and historical formulations. ‘Difference’ needs to be understood as the product of social contradictions and in relation to political and economic organization. We need to acknowledge that ‘otherness’ and/or difference is not something that passively happens, but, rather, is actively produced. In other words, since systems of differences almost always involve relations of domination and oppression, we must concern ourselves with the economies of relations of difference that exist in specific contexts. Drawing upon the Marxist concept of mediation enables us to unsettle our categorical approaches to both class and difference, for it was Marx himself who warned against creating false dichotomies in the situation of our politics—that it was absurd to ‘choose between consciousness and the world, subjectivity and social organization, personal or collective will and historical or structural determination.’ In a similar vein, it is equally absurd to see ‘difference as a historical form of consciousness unconnected to class formation, development of capital and class politics’ (Bannerji, 1995, p. 30). Bannerji points to the need to historicize ‘difference’ in relation to the history and social organization of capital and class (inclusive of imperialist and colonialist legacies). Apprehending the meaning and function of difference in this manner necessarily highlights the importance of exploring (1) the institutional and structural aspects of difference; (2) the meanings that get attached to categories of difference; and (3) how differences are produced out of, and lived within specific historical formations.5

#### Capitalism causes inevitable crises, inequality, and dehumanization—the alternative is a class-based critique of the system—pedagogical spaces are the crucial staging ground for keeping socialism on the horizon

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(Peter and Valerie, “Class Dismissed? Historical materialism and the politics of ‘difference’,” Educational Philosophy and Theory Vol. 36, Issue 2, p. 183-199)

For well over two decades we have witnessed the jubilant liberal and conservative pronouncements of the demise of socialism. Concomitantly, history's presumed failure to defang existing capitalist relations has been read by many self-identified ‘radicals’ as an advertisement for capitalism's inevitability. As a result, the chorus refrain ‘There Is No Alternative’, sung by liberals and conservatives, has been buttressed by the symphony of post-Marxist voices recommending that we give socialism a decent burial and move on. Within this context, to speak of the promise of Marx and socialism may appear anachronistic, even naïve, especially since the post-al intellectual vanguard has presumably demonstrated the folly of doing so. Yet we stubbornly believe that the chants of T.I.N.A. must be combated for they offer as a fait accompli, something which progressive Leftists should refuse to accept—namely the triumph of capitalism and its political bedfellow neo-liberalism, which have worked together to naturalize suffering, undermine collective struggle, and obliterate hope. We concur with Amin (1998), who claims that such chants must be defied and revealed as absurd and criminal, and who puts the challenge we face in no uncertain terms: humanity may let itself be led by capitalism's logic to a fate of collective suicide or it may pave the way for an alternative humanist project of global socialism. The grosteque conditions that inspired Marx to pen his original critique of capitalism are present and flourishing. The inequalities of wealth and the gross imbalances of power that exist today are leading to abuses that exceed those encountered in Marx's day (Greider, 1998, p. 39). Global capitalism has paved the way for the obscene concentration of wealth in fewer and fewer hands and created a world increasingly divided between those who enjoy opulent affluence and those who languish in dehumanizing conditions and economic misery. In every corner of the globe, we are witnessing social disintegration as revealed by a rise in abject poverty and inequality. At the current historical juncture, the combined assets of the 225 richest people is roughly equal to the annual income of the poorest 47 percent of the world's population, while the combined assets of the three richest people exceed the combined GDP of the 48 poorest nations (CCPA, 2002, p. 3). Approximately 2.8 billion people—almost half of the world's population—struggle in desperation to live on less than two dollars a day (McQuaig, 2001, p. 27). As many as 250 million children are wage slaves and there are over a billion workers who are either un- or under-employed. These are the concrete realities of our time—realities that require a vigorous class analysis, an unrelenting critique of capitalism and an oppositional politics capable of confronting what Ahmad (1998, p. 2) refers to as ‘capitalist universality.’ They are realities that require something more than that which is offered by the prophets of ‘difference’ and post-Marxists who would have us relegate socialism to the scrapheap of history and mummify Marxism along with Lenin's corpse. Never before has a Marxian analysis of capitalism and class rule been so desperately needed. That is not to say that everything Marx said or anticipated has come true, for that is clearly not the case. Many critiques of Marx focus on his strategy for moving toward socialism, and with ample justification; nonetheless Marx did provide us with fundamental insights into class society that have held true to this day. Marx's enduring relevance lies in his indictment of capitalism which continues to wreak havoc in the lives of most. While capitalism's cheerleaders have attempted to hide its sordid underbelly, Marx's description of capitalism as the sorcerer's dark power is even more apt in light of contemporary historical and economic conditions. Rather than jettisoning Marx, decentering the role of capitalism, and discrediting class analysis, radical educators must continue to engage Marx's oeuvre and extrapolate from it that which is useful pedagogically, theoretically, and, most importantly, politically in light of the challenges that confront us. The urgency which animates Amin's call for a collective socialist vision necessitates, as we have argued, moving beyond the particularism and liberal pluralism that informs the ‘politics of difference.’ It also requires challenging the questionable assumptions that have come to constitute the core of contemporary ‘radical’ theory, pedagogy and politics. In terms of effecting change, what is needed is a cogent understanding of the systemic nature of exploitation and oppression based on the precepts of a radical political economy approach (outlined above) and one that incorporates Marx's notion of ‘unity in difference’ in which people share widely common material interests. Such an understanding extends far beyond the realm of theory, for the manner in which we choose to interpret and explore the social world, the concepts and frameworks we use to express our sociopolitical understandings, are more than just abstract categories. They imply intentions, organizational practices, and political agendas. Identifying class analysis as the basis for our understandings and class struggle as the basis for political transformation implies something quite different than constructing a sense of political agency around issues of race, ethnicity, gender, etc. Contrary to ‘Shakespeare's assertion that a rose by any other name would smell as sweet,’ it should be clear that this is not the case in political matters. Rather, in politics ‘the essence of the flower lies in the name by which it is called’ (Bannerji, 2000, p. 41). The task for progressives today is to seize the moment and plant the seeds for a political agenda that is grounded in historical possibilities and informed by a vision committed to overcoming exploitative conditions. These seeds, we would argue, must be derived from the tree of radical political economy. For the vast majority of people today—people of all ‘racial classifications or identities, all genders and sexual orientations’—the common frame of reference arcing across ‘difference’, the ‘concerns and aspirations that are most widely shared are those that are rooted in the common experience of everyday life shaped and constrained by political economy’ (Reed, 2000, p. xxvii). While post-Marxist advocates of the politics of ‘difference’ suggest that such a stance is outdated, we would argue that the categories which they have employed to analyze ‘the social’ are now losing their usefulness, particularly in light of actual contemporary ‘social movements.’ All over the globe, there are large anti-capitalist movements afoot. In February 2002, chants of ‘Another World Is Possible’ became the theme of protests in Porto Allegre. It seems that those people struggling in the streets haven’t read about T.I.N.A., the end of grand narratives of emancipation, or the decentering of capitalism. It seems as though the struggle for basic survival and some semblance of human dignity in the mean streets of the dystopian metropoles doesn’t permit much time or opportunity to read the heady proclamations emanating from seminar rooms. As E. P. Thompson (1978, p. 11) once remarked, sometimes ‘experience walks in without knocking at the door, and announces deaths, crises of subsistence, trench warfare, unemployment, inflation, genocide.’ This, of course, does not mean that socialism will inevitably come about, yet a sense of its nascent promise animates current social movements. Indeed, noted historian Howard Zinn (2000, p. 20) recently pointed out that after years of single-issue organizing (i.e. the politics of difference), the WTO and other anti-corporate capitalist protests signaled a turning point in the ‘history of movements of recent decades,’ for it was the issue of ‘class’ that more than anything ‘bound everyone together.’ History, to paraphrase Thompson (1978, p. 25) doesn’t seem to be following Theory's script. Our vision is informed by Marx's historical materialism and his revolutionary socialist humanism, which must not be conflated with liberal humanism. For left politics and pedagogy, a socialist humanist vision remains crucial, whose fundamental features include the creative potential of people to challenge collectively the circumstances that they inherit. This variant of humanism seeks to give expression to the pain, sorrow and degradation of the oppressed, those who labor under the ominous and ghastly cloak of ‘globalized’ capital. It calls for the transformation of those conditions that have prevented the bulk of humankind from fulfilling its potential. It vests its hope for change in the development of critical consciousness and social agents who make history, although not always in conditions of their choosing. The political goal of socialist humanism is, however, ‘not a resting in difference’ but rather ‘the emancipation of difference at the level of human mutuality and reciprocity.’ This would be a step forward for the ‘discovery or creation of our real differences which can only in the end be explored in reciprocal ways’ (Eagleton, 1996, p. 120). Above all else, the enduring relevance of a radical socialist pedagogy and politics is the centrality it accords to the interrogation of capitalism. We can no longer afford to remain indifferent to the horror and savagery committed by capitalist's barbaric machinations. We need to recognize that capitalist democracy is unrescuably contradictory in its own self-constitution. Capitalism and democracy cannot be translated into one another without profound efforts at manufacturing empty idealism. Committed Leftists must unrelentingly cultivate a democratic socialist vision that refuses to forget the ‘wretched of the earth,’ the children of the damned and the victims of the culture of silence—a task which requires more than abstruse convolutions and striking ironic poses in the agnostic arena of signifying practices. Leftists must illuminate the little shops of horror that lurk beneath ‘globalization’s’ shiny façade; they must challenge the true ‘evils’ that are manifest in the tentacles of global capitalism's reach. And, more than this, Leftists must search for the cracks in the edifice of globalized capitalism and shine light on those fissures that give birth to alternatives. Socialism today, undoubtedly, runs against the grain of received wisdom, but its vision of a vastly improved and freer arrangement of social relations beckons on the horizon. Its unwritten text is nascent in the present even as it exists among the fragments of history and the shards of distant memories. Its potential remains untapped and its promise needs to be redeemed.

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#### Interpretations –

#### A) Curtail – It means to restrict

Webster’s 15 – Webster's New World College Dictionary, 4th Ed., “curtail”, http://www.yourdictionary.com/curtail

verb To curtail is defined as to restrict something, stop something or deprive of something. An example of curtail is when a town wants to stop drunk driving.

#### B) That refers only to outright prohibitions, not any action that has the consequence of decreasing surveillance

Caiaccio 94 (Kevin T., “Are Noncompetition Covenants Among Law Partners Against Public Policy?”, Georgia Law Review, Spring, 28 Ga. L. Rev. 807, Lexis)

The Howard court began its analysis by examining the California Business and Professions Code, which expressly permits reasonable restrictive covenants among business partners. [139](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&_m=2f902ef509c60febb5baa821f74f591c&docnum=69&_fmtstr=FULL&_startdoc=51&wchp=dGLzVzz-zSkAb&_md5=13c4fa4ea4799356b6831f265d253078&focBudTerms=the+word+restrict+or+the+term+restrict+or+the+phrase+restrict+&focBudSel=all" \l "n139" \t "_self) The court noted that this provision had long applied to doctors and accountants and concluded that the general language of the statute provided no indication of an exception for lawyers. [140](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&_m=2f902ef509c60febb5baa821f74f591c&docnum=69&_fmtstr=FULL&_startdoc=51&wchp=dGLzVzz-zSkAb&_md5=13c4fa4ea4799356b6831f265d253078&focBudTerms=the+word+restrict+or+the+term+restrict+or+the+phrase+restrict+&focBudSel=all" \l "n140" \t "_self) After reaching this conclusion, however, the court noted that, since it had the authority to promulgate a higher standard for lawyers, the statute alone did not necessarily control, [141](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&_m=2f902ef509c60febb5baa821f74f591c&docnum=69&_fmtstr=FULL&_startdoc=51&wchp=dGLzVzz-zSkAb&_md5=13c4fa4ea4799356b6831f265d253078&focBudTerms=the+word+restrict+or+the+term+restrict+or+the+phrase+restrict+&focBudSel=all" \l "n141" \t "_self) and the court therefore proceeded to examine the California Rules of Professional Conduct. [142](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&_m=2f902ef509c60febb5baa821f74f591c&docnum=69&_fmtstr=FULL&_startdoc=51&wchp=dGLzVzz-zSkAb&_md5=13c4fa4ea4799356b6831f265d253078&focBudTerms=the+word+restrict+or+the+term+restrict+or+the+phrase+restrict+&focBudSel=all" \l "n142" \t "_self) The court avoided the apparent conflict between the business statute and the ethics rule by undertaking a strained reading of the rule. In essence, the court held that the word "restrict" referred only to outright prohibitions, and that a mere "economic consequence" does not equal a prohibition. [143](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&_m=2f902ef509c60febb5baa821f74f591c&docnum=69&_fmtstr=FULL&_startdoc=51&wchp=dGLzVzz-zSkAb&_md5=13c4fa4ea4799356b6831f265d253078&focBudTerms=the+word+restrict+or+the+term+restrict+or+the+phrase+restrict+&focBudSel=all" \l "n143" \t "_self)

C) “USFG should” proscribes both a stable agent and mechanism

Ericson ‘03

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

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

Two impacts – First is fairness

1. Side bias – Not defending the clear actor and mechanism makes deploying other strategies against them inordinately Aff tilted. They have the ability to radically recontextualize link arguments, empathize different proscriptive claims of the 1AC while using traditional competition standards like perms to make being impossible inordinately difficult.

#### Limits -- Stable resolution shapes links to disadvantages, counter-advocacies and ANY answer to the affirmative. Trashes clash, which is central to advocacy and education – also incentivizes debates about truisms affs on top of the negotiated topic which explodes limits and leads to worse debates

Second is Mechanism Education

The Aff’s failure to ID a clear mechanism of change has the most devastating effects on the quality of debates. It makes link comparisons vacuous and means that detailed and well prepared PICs about substance impossible

#### Our *Nexus Test:* Neg should get to impact turn that federal restrictions are surveillance are bad – mechanism education is key to effective resistance and turns the case

Chandler – quoting Dean – ’10 (David Chandler is Professor of International Relations at the Department of Politics and International Relations, University of Westminster – This card internally quotes Jodi Dean, Professor of Political Science at Hobart and William Smith Colleges, 'No Communicating Left' (review article), Radical Philosophy, No. 160 (March/April 2010), pp.53-55. ISSN 0300 211X)

Dean pulls few punches in her devastating critique of the American left for its complacency, its limited capacity, and even its lack of awareness of the need to offer a stand of political resistance to power. This is how she concludes her book: The eight years of the Bush administration were a diversion. Intoxicated with a sense of purpose, we could oppose war, torture, indefinite detention, warrantless wiretapping, a seemingly endless series of real crimes… such opposition keeps us feeling like we matter… We have an ethical sense. But we lack a coherent politics. (p.175) Dean highlights clearly the disintegration of the collective left and its simulacra in the individuated life-style politics of today’s depoliticized radicalism, where it appears that particular individual demands and identities are to be respected but there is no possibility of universalising them into a collective challenge to the system: no possibility of a left which stands for something beyond itself. She argues that, rather than confront this problem, the left take refuge in the fantasy that technology will overcome their inability to engage and that the circulation of ideas and information on the internet will construct the collectivities and communities of interest, which are lacking in reality. For Dean, this ‘technology fetishism’ marks the left’s failure: its ‘abandonment of workers and the poor; its retreat from the state and repudiation of collective action; and its acceptance of the neoliberal economy as the “only game in town”’ (p.33). In fact, she uncovers the gaping hole at the heart of the left, highlighting that radicalism appears to be based less on changing the world than on the articulation of an alternative oppositionalist identity: a non-strategic, non-instrumental, articulation of a protest against power. In a nutshell, the left are too busy providing alternative voices, spaces and forums to think about engaging with mass society in an organised, collective, attempt to achieve societal transformation. For Dean, this is fake or hollow political activity, pursued more for its own sake than for future political ends. This is a politics of ethical distancing, of self-flattery and narcissism, which excuses or even celebrates the self-marginalization of the left: as either the result of the overwhelming capacity of neoliberal power to act, to control, and to regulate; or as the result of the apathy, stupidity, or laziness of the masses - or the ‘sheeple’ (p.171) - for their failure to join the radical cause. Dean suggests that the left needs to rethink its values and approaches and her book is intended to be a wake-up call to abandon narcissistic complacency. In doing this, she highlights a range of problems connected around the thematic of the left’s defence of democracy in an age of communicative capitalism. She argues that the left’s focus on extending or defending democracy by asserting their role in giving voice and creating spaces merely reproduces the domination of communicative capitalism, where there is no shared space of debate and disagreement but the proliferation of mediums and messages without the responsibility to develop and defend positions or to engage and no external measure of accountability. Communicative capitalism is held to thrive on this fragmented, atomizing, and individuated, framework of communication, which gives the impression of a shared discourse, community, or movement but leaves reality just as it is, with neoliberal frameworks of domination, inequality, and destruction continuing unopposed (pp.162-75).

#### Switch-side debate best teaches BOTH TEAMS how to counter oppression in immediate AND long-term contexts. Our offense is NOT solely procedural.

Inoue ‘5

ASAO B. INOUE – at the time of this writing, Asao held an MA in Rhetoric and Communication from Oregon State. He is currently an Associate Professor of Rhetoric and Composition at Fresno State, focusing on writing assessment and race studies. This dissertation was approved by Dissertation Chair: Victor Villanueva. Dr. Victor Villanueva received his PhD in English from the University of Washington in 1986. Since then, he has worked not only as a professor of rhetoric and writing, but as an Equal Opportunity Program Director, Writing Project Director, a Director of Composition, twice as Department Chair (at Washington State University and at Auburn University), and Interim Associate Dean – “THE EPISTEMOLOGY OF RACISM AND COMMUNITY-BASED ASSESSMENT PRACTICE” –submitted in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY WASHINGTON STATE UNIVERSITY Department of English May 2005 – obtainable via google search… This link should work: https://research.wsulibs.wsu.edu/xmlui/.../2376/.../a\_inoue\_012205.pdf?

Sophistic antilogic and a slightly altered version of dialectic, as heuristics, can be quite beneficial to the writing classroom. Originally, these methods were meant for education, and for the sophists, a way to invent arguments, not in an Aristotelian sense (i.e. to discover the available means of persuasion), but in an explorative sense. It’s this second sense I hold up as more profitable contemporary classrooms. As a set of heuristics, sophistic pedagogy, particularly antilogic and dialectic method, asks students to play with ideas and language in order to come closest to acceptable truth for a given context, purpose, audience, and their currently understood ethical limits. The practice of antilogic when married to a dialectical forum (as a community of rhetors who vie for understanding) can also provide for ways in which students can see past the god-trick in their own dispositions and the common sense. However, for it to work as a critical pedagogy, the epistemology of racism should be incorporated in order for students to see dispositions as a part of habitus and common sense in discourse as rhetorical and social structures that structure their very ways of seeing and believing. Additionally, it can move away from discussions of relativism that many students will resist, discussions that seem purely opinion-based that antilogic might seem to encourage. Instead dialectic and antilogic can help students position themselves at other locations in a network of ideas and subjectivies, and thus see how consent and SR are structured into our lives, daily activities, and discourse, even when good intentions suggest otherwise. To openly explore opposing positions pushes us to reconsider our own vantage points in the network, and thus they can work to help students better use the epistemology of racism as a framework to see structurally. Antilogic and dialectic also highlight a crucial aspect of the writing class: that it’s not only about grammar, linguistic precision, correctness, or rules to learn, it’s also about learning to be citizens, about the limits and horizons to our knowledge and ways of coming to that knowledge, about revising our initial perspectives and allowing for potential adjustments to them later on, and about finding a critical space in which to make good decisions that work for the present and future. In short, as I’ll discuss in chapter 4, the writing class is about assessing our positions and ideas, as well as those of others, in critical ways that look for structuring structures and address power relationships. A writing pedagogy that uses both antilogic and dialectic as heuristics would also have to incorporate what I’ve only hedged on to this point, Protagoras’ man-measure doctrine and the question of the teachability of virtue (arête). This is the second important issue that contemporary writing students need to be able to address since it historically and contemporaneously attached to notions of citizenship as well as educational access. And again, the sophists offer ample ways to think about virtue, citizenship, and education. In fact, questions in the writing classroom around language and literacy can deepen discussions around the social structuring of knowledge and the purpose and nature of literacy as a citizen-building endeavor that is critical. Important to these kinds of discussions is a full understanding of the man-measure doctrine since it informs social constructionist pedagogy and composition theory. Man-measure is not a doctrine of simple relativism, nor carte blanche to make any claim in which one can offer support, then call it true (for that lone perspective), effective, or persuasive. It is, at its base, a doctrine about community judgment as a collective, or more precisely, it reveals a society’s structured hermeneutical practices (our ways of judging) when we put language to our views, ideas, decisions, positions, and visions of the world.

#### Independently –

#### Domestic surveillance must target US persons

Donohue 6 – Laura K. Donohue, Fellow, Center for International Security and Cooperation, Stanford University, “ANGLO-AMERICAN PRIVACY AND SURVEILLANCE”, Journal of Criminal Law & Criminology, Spring, 96 J. Crim. L. & Criminology 1059, Lexis

5. The Foreign Intelligence Surveillance Act

As the extent of the domestic surveillance operations emerged, Congress attempted to scale back the Executive's power while leaving some flexibility to address national security threats. n183 The legislature focused on the targets of surveillance, limiting a new law to foreign powers, and agents of foreign powers - which included groups "engaged in international terrorism or activities in preparation therefor." n184 Congress distinguished between U.S. and non-U.S. persons, creating tougher standards for the former. n185 [FOOTNOTE] n185. The former included citizens and resident aliens, as well incorporated entities and unincorporated associations with a substantial number of U.S. persons. Non-U.S. persons qualified as an "agent of a foreign power" by virtue of membership - e.g., if they were an officer or employee of a foreign power, or if they participated in an international terrorist organization. Id. 1801(i). U.S. persons had to engage knowingly in the collection of intelligence contrary to U.S. interests, the assumption of false identity for the benefit of a foreign power, and aiding or abetting others to the same. Id. 1801(b). [END FOOTNOTE] The Foreign Intelligence Surveillance Act ("FISA") considered any "acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire or radio communication," as well as other means of surveillance, such as video, to fall under the new restrictions. n186 Central to the statute's understanding of surveillance was that, by definition, consent had not been given by the target. Otherwise, the individual would have a reasonable expectation of privacy and, under ordinary circumstances, the Fourth Amendment would require a warrant. n187

#### They curtail foreign, not domestic, surveillance – vote neg – limits – they explode the topic to include all foreign spying and espionage. There are hundreds of military and specific country Affs, each with distinct lit bases and advantages – makes in-depth preparation impossible

### 1nc – case

#### You can’t and shouldn’t decide the debate on who feels pain – it shuts down debate

Subotnik 98 (Professor of Law, Touro College, Jacob D. Fuchsberg Law Center. 7 Cornell J. L. & Pub. Pol'y 681)

Having traced a major strand in the development of CRT, we turn now to the strands' effect on the relationships of CRATs with each other and with outsiders. As the foregoing material suggests, **the central** CRT **message is not simply that minorities are being treated unfairly**, or even that individuals out there are in pain - assertions for which there are data to serve as grist for the academic mill - **but that the minority scholar himself or herself hurts and hurts badly**. An important problem that concerns the very definition of the scholarly enterprise now comes into focus. **What can an academic** trained to [\*694] question and to doubt n72 **possibly say to Patricia Williams when effectively she announces, "I hurt bad"?** n73 **"No, you don't hurt"? "You shouldn't hurt"?** "Other people hurt too"? Or, most dangerously - and perhaps most tellingly - "What do you expect when you keep shooting yourself in the foot?" If the majority were perceived as having the well- being of minority groups in mind, these responses might be acceptable, even welcomed. And they might lead to real conversation. But, **writes Williams, the failure by those "cushioned within the invisible privileges of race and power**... to incorporate a sense of precarious connection as a part of our **lives is... ultimately obliterating**." n74 "Precarious." "Obliterating." **These words will clearly invite responses only from fools and sociopaths; they will, by effectively precluding objection, disconcert and disunite others**. **"I hurt," in academic discourse, has three broad though interrelated effects**. First, **it demands priority from the reader's conscience. It is for this reason that law review editors, waiving usual standards, have privileged a long trail of undisciplined - even silly** n75 **- destructive and, above all, self-destructive arti cles.** n76 **Second, by emphasizing the emotional bond between those who hurt in a similar way, "I hurt" discourages fellow sufferers from abstracting themselves from their pain in order to gain perspective on their condition**. n77 [\*696] **Last, as we have seen,** it precludes the possibility of open and structured conversation with others. n78 [\*697] **It is because of this conversation-stopping effect** of what they insensitively call "first-person agony stories" **that Farber and Sherry deplore their use.** "The norms of academic civility hamper readers from challenging the accuracy of the researcher's account; it would be rather difficult, for example, to criticize a law review article by questioning the author's emotional stability or veracity." n79 Perhaps, a better practice would be to put the scholar's experience on the table, along with other relevant material, but to subject that experience to the same level of scrutiny. If **through the foregoing rhetorical strategies CRATs succeeded in limiting academic debate**, why do they not have greater influence on public policy? **Discouraging white legal scholars from entering the national conversation about race**, n80 I suggest, **has generated a kind of cynicism in white audiences** which, in turn, has had precisely the reverse effect of that ostensibly desired by CRATs. **It drives the American public to the right and ensures that anything CRT offers is reflexively rejected.** In the absence of scholarly work by white males in the area of race, of course, it is difficult to be sure what reasons they would give for not having rallied behind CRT. Two things, however, are certain. First, **the kinds of issues** raised by Williams **are too important** in their implications [\*698] for American life **to be confined to communities of color.** If the lives of minorities are heavily constrained, if not fully defined, by the thoughts and actions of the majority elements in society, **it would seem to be of great importance that white thinkers and doers participate in open discourse** to bring about change. Second, given the lack of engagement of CRT by the community of legal scholars as a whole, the discourse that should be taking place at the highest scholarly levels has, by default, been displaced to faculty offices and, more generally, the streets and the airwaves.

#### Here’s an answer to their “can’t interact with the gov” args – India Lobby is extremely powerful and has empirically demanded action from the USFG which have been met favorably—many of these demands have centered around demands of non-Indian identifying politicians to change their rhetoric and dangerous racial social constructions

Mira **Kamdar**, 9/30/**07**, “Forget the Israel Lobby. The Hill's Next Big Player Is Made in India.,” Washington Post, http://www.washingtonpost.com/wp-dyn/content/article/2007/09/28/AR2007092801350.html

With growing numbers, clout and self-confidence, the Indian American community is turning its admiration for the Israel lobby and its respect for high-achieving Jewish Americans into a powerful new force of its own. Following consciously in AIPAC's footsteps, the India lobby is getting results in Washington -- and having a profound impact on U.S. policy, with important consequences for the future of Asia and the world. "This is huge," enthused Ron Somers, the president of the U.S.-India Business Council, from a posh hotel lobby in Philadelphia. "It's the Berlin Wall coming down. It's Nixon in China." What has Somers so energized is a landmark nuclear cooperation deal between India and the United States, which would give India access to U.S. nuclear technology and deliver fuel supplies to India's civilian power plants in return for placing them under permanent international safeguards. Under the deal's terms, the Nuclear Nonproliferation Treaty -- for decades the cornerstone of efforts to limit the spread of nuclear weapons -- will in effect be waived for India, just nine years after the Clinton administration slapped sanctions on New Delhi for its 1998 nuclear tests. But the Bush administration, eager to check the rise of China by tilting toward its massive neighbor, has sought to forge a new strategic alliance with India, cemented by the civil nuclear deal. On the U.S. side, the pact awaits nothing more than one final up-or-down vote in Congress. (In India, the situation is far more complicated; India's left-wing parties, sensitive to any whiff of imperialism, have accused Prime Minister Manmohan Singh of surrendering the country's sovereignty -- a broadside that may yet scuttle the deal.) On Capitol Hill, despite deep divisions over Iraq, immigration and the outsourcing of American jobs to India, Democrats and Republicans quickly fell into line on the nuclear deal, voting for it last December by overwhelming bipartisan majorities. Even lawmakers who had made nuclear nonproliferation a core issue over their long careers, such as Sen. Richard Lugar (R-Ind.), quickly came around to President Bush's point of view. Why? The answer is that the India lobby is now officially a powerful presence on the Hill. The nuclear pact brought together an Indian government that is savvier than ever about playing the Washington game, an Indian American community that is just coming into its own and powerful business interests that see India as perhaps the single biggest money-making opportunity of the 21st century. The nuclear deal has been pushed aggressively by well-funded groups representing industry in both countries. At the center of the lobbying effort has been Robert D. Blackwill, a former U.S. ambassador to India and deputy national security adviser who's now with a well-connected Republican lobbying firm, Barbour, Griffith & Rogers LLC. The firm's Web site touts Blackwill as a pillar of its "India Practice," along with a more recent hire, Philip D. Zelikow, a former top adviser to Secretary of State Condoleezza Rice who was also one of the architects of the Bush administration's tilt toward India. The Confederation of Indian Industry paid Blackwill to lobby various U.S. government entities, according to the Boston Globe. And India is also paying a major Beltway law firm, Venable LLP. The U.S.-India Business Council has lavished big money on lobbyists, too. With India slated to spend perhaps $60 billion over the next few years to boost its military capabilities, major U.S. corporations are hoping that the nuclear agreement will open the door to some extremely lucrative opportunities, including military contracts and deals to help build nuclear power plants. According to a recent MIT study, Lockheed Martin is pushing to land a $4 billion to $9 billion contract for more than 120 fighter planes that India plans to buy. "The bounty is enormous," gushed Somers, the business council's president. So enormous, in fact, that Bonner & Associates created an India lobbying group last year to make sure that U.S. companies reap a major chunk of it. Dubbed the Indian American Security Leadership Council, the group was underwritten by Ramesh Kapur, a former trustee of the Democratic National Committee, and Krishna Srinivasa, who has been backing GOP causes since his 1984 stint as co-chair of Asian Americans for Reagan-Bush. The council has, oddly, "recruited groups representing thousands of American veterans" to urge Congress to pass the nuclear deal. The India lobby is also eager to use Indian Americans to put a human face -- not to mention a voter's face and a campaign contributor's face -- on its agenda. "Industry would make its business case," Somers explained, "and Indian Americans would make the emotional case." There are now some 2.2 million Americans of Indian origin -- a number that's growing rapidly. First-generation immigrants keenly recall the humiliating days when India was dismissed as an overpopulated, socialist haven of poverty and disease. They are thrilled by the new respect India is getting. Meanwhile, a second, American-born generation of Indian Americans who feel comfortable with activism and publicity is just beginning to hit its political stride. As a group, Indian Americans have higher levels of education and income than the national average, making them a natural for political mobilization. One standout member of the first generation is Sanjay Puri, who founded the U.S. India Political Action Committee in 2002. (Its acronym, USINPAC, even sounds a bit like AIPAC.) He came to the United States in 1985 to get an MBA at George Washington University, staying on to found an information-technology company. A man of modest demeanor who wears a lapel pin that joins the Indian and American flags, Puri grew tired of watching successful Indian Americans pony up money just so they could get their picture taken with a politician. "I thought, 'What are we getting out of this?', " he explains. In just five years, USINPAC has become the most visible face of Indian American lobbying. Its Web site boasts photos of its leaders with President Bush, Senate Majority Leader Harry Reid, and presidential candidates from Fred Thompson to Barack Obama. The group pointedly sports a New Hampshire branch. It can also take some credit for ending the Senate career of Virginia Republican George Allen, whose notorious taunt of "macaca" to a young Indian American outraged the community. Less publicly, USINPAC claims to have brought a lot of lawmakers around. "You haven't heard a lot from Dan Burton lately, right?" Puri asked, referring to a Republican congressman from Indiana who has long been perceived as an India basher. USINPAC is capable of pouncing; witness the incident last June when Obama's campaign issued a memo excoriating Hillary Rodham Clinton for her close ties to wealthy Indian Americans and her alleged support for outsourcing, listing the New York senator's affiliation as "D-Punjab." Puri personally protested in a widely circulated open letter, and Obama quickly issued an apology. "Did you see? That letter was addressed directly to Sanjay," Varun Mehta, a senior at Boston University and USINPAC volunteer, told me with evident admiration. "That's the kind of clout Sanjay has." Like many politically engaged Indian Americans, Puri has a deep regard for the Israel lobby -- particularly in a country where Jews make up just a small minority of the population. "A lot of Jewish people tell me maybe I was Jewish in my past life," he jokes. The respect runs both ways. The American Jewish Committee, for instance, recently sent letters to members of Congress supporting the U.S.-India nuclear deal. "We model ourselves on the Jewish people in the United States," explains Mital Gandhi of USINPAC's new offshoot, the U.S.-India Business Alliance. "We're not quite there yet. But we're getting there."

#### Resistance via the ballot can only instill an adaptive politics of being and effaces the institutional constraints that reproduce structural violence

Brown 95—prof at UC Berkeley (Wendy, States of Injury, 21-3)

For some, fueled by opprobrium toward regulatory norms or other mo- dalities of domination, the language of "resistance" has taken up the ground vacated by a more expansive practice of freedom. For others, it is the discourse of “empowerment” that carries the ghost of freedom's valence ¶ 22¶. Yet as many have noted, insofar as resistance is an effect of the regime it opposes on the one hand, and insofar as its practitioners often seek to void it of normativity to differentiate it from the (regulatory) nature of what it opposes on the other, it is at best politically rebellious; at worst, politically amorphous. Resistance stands against, not for; it is re-action to domination, rarely willing to admit to a desire for it, and it is neutral with regard to possible political direction. Resistance is in no way constrained to a radical or emancipatory aim. a fact that emerges clearly as soon as one analogizes Foucault's notion of resistance to its companion terms in Freud or Nietzsche. Yet in some ways this point is less a critique of Foucault, who especially in his later years made clear that his political commitments were not identical with his theoretical ones (and un- apologetically revised the latter), than a sign of his misappropriation. For Foucault, resistance marks the presence of power and expands our under- standing of its mechanics, but it is in this regard an analytical strategy rather than an expressly political one. "Where there is power, there is resistance, and yet. or rather consequently, this resistance is never in a position of exteriority to power. . . . (T]he strictly relational character of power relationships . . . depends upon a multiplicity of points of resis- tance: these play the role of adversary, target, support, or handle in power relations.\*39 This appreciation of the extent to which resistance is by no means inherently subversive of power also reminds us that it is only by recourse to a very non-Foucaultian moral evaluation of power as bad or that which is to be overcome that it is possible to equate resistance with that which is good, progressive, or seeking an end to domination. ¶ If popular and academic notions of resistance attach, however weakly at times, to a tradition of protest, the other contemporary substitute for a discourse of freedom—“empowerment”—would seem to correspond more closely to a tradition of idealist reconciliation. The language of resistance implicitly acknowledges the extent to which protest always transpires inside the regime; “empowerment,” in contrast, registers the possibility of generating one’s capacities, one’s “self-esteem,” one’s life course, without capitulating to constraints by particular regimes of power. But in so doing, contemporary discourses of empowerment too often signal an oddly adaptive and harmonious relationship with domination insofar as they locate an individual’s sense of worth and capacity in the register of individual feelings, a register implicitly located on some- thing of an other worldly plane vis-a-vis social and political power. In this regard, despite its apparent locution of resistance to subjection, contem- porary discourses of empowerment partake strongly of liberal solipsism—the radical decontextualization of the subject characteristic of¶ 23¶ liberal discourse that is key to the fictional sovereign individualism of liberalism. Moreover, in its almost exclusive focus on subjects’ emotionalbearing and self-regard, empowerment is a formulation that converges with a regime’s own legitimacy needs in masking the power of the regime.¶ This is not to suggest that talk of empowerment is always only illusion or delusion. It is to argue, rather, that while the notion of empowerment articulates that feature of freedom concerned with action, with being more than the consumer subject figured in discourses of rights and eco- nomic democracy, contemporary deployments of that notion also draw so heavily on an undeconstructed subjectivity that they risk establishing a wide chasm between the (experience of) empowerment and an actual capacity to shape the terms of political, social, or economic life. Indeed, the possibility that one can “feel empowered” without being so forms an important element of legitimacy for the antidemocratic dimensions of liberalism.

#### new DOJ guidelines solve the whole aff

Barrett 14 (Devlin, Staff reporter, The Wall Street Journal, “Justice Department Issues New Guidelines Barring Racial Profiling by Federal Agents”, http://www.wsj.com/articles/justice-department-to-issue-new-guidelines-barring-racial-profiling-by-federal-agents-1418036401)

WASHINGTON—Attorney General Eric Holder on Monday laid out new guidelines against racial and other types of profiling, citing law-enforcement cases that have sparked protests even as the new federal policy wouldn’t affect local police. The federal government since 2003 has banned profiling on the basis of race or ethnicity, though it has made an exception for national-security investigations. The new policy also will bar profiling on the basis of religion, gender, national origin, sexual orientation or gender identity, according to officials.

#### Alt cause — local cops – nypd proves

AP 12 — Samantha Henry, Matt Appuzzo, Wayne Perry, reporters for the Associated Press, American multinational nonprofit news agency, 2012 (“New Jersey Muslims Angry Over NYPD Surveillance Findings,” *The Huffington Post*, May 25, Available online at <http://www.huffingtonpost.com/2012/05/25/new-jersey-muslims-cangry-nypd-surveillance_n_1545319.html>, Accessed on 6/14/15)

TRENTON, N.J. -- Muslim leaders in New Jersey say they are angry but uncertain what their next step will be after the state's attorney general found that New York City police did not violate any laws in its surveillance of Muslim businesses, mosques and student groups in New Jersey. Several mosque leaders who attended a meeting Thursday with Attorney General Jeffrey S. Chiesa said they were shocked he found no violation of state criminal or civil laws by the NYPD in operations that many Muslims considered unjustified surveillance based solely on religion. "This is a big violation of our civil rights, and we need to go to our communities and explain it?" Imam Mohammad Qatanani, the spiritual leader of the Islamic Center of Passaic County said Thursday as he left the meeting. Qatanani said he would not tell his congregants to stop collaborating with law enforcement, but added, "We need from them to show us the same seriousness and honesty in building bridges with the Muslim community." Chiesa had been asked by Gov. Chris Christie, who appointed him, to look into operations in New Jersey that were part of a widespread NYPD program to collect intelligence on Muslim communities both inside New York and beyond. Undercover officers and informants eavesdropped in Muslim cafes and monitored sermons, even when there was no evidence of a crime. They infiltrated Muslim student groups, videotaped mosque-goers or collected their license plate numbers as they prayed. The result was that many innocent business owners, students and others were cataloged in police files. The interstate surveillance efforts, revealed by The Associated Press earlier this year, angered many Muslims and New Jersey officials. Some, like Newark Mayor Cory Booker and the state's top FBI official, criticized the tactics. Others, like Christie, focused more on the fact that the NYPD didn't tell New Jersey exactly what it was up to. In response, Chiesa launched what he described as a fact-finding review. Further, authorities found that New Jersey has no laws barring outside law enforcement agencies from secretly conducting operations in the state, representatives of the attorney general's office told the AP. However, New York police have agreed to meet with New Jersey law enforcement regularly to discuss counterterrorism intelligence and operations, the attorney general said.

#### Their victimization rhetoric turns the case

Chow ‘93**.** Rey Chow, Professor of English and Comp Lit, Writing Diaspora: tactics of intervention in contemporary cultural studies, pg. 17

While the struggle for hegemony remains necessary for many reasons – especially in cases where underprivileged groups seek privilege – I remain skeptical of the validity of hegemony over time, especially if it is hegemony formed through intellectual power. The question for me is not how intellectuals can obtain hegemony (a question that positions them in an oppositional light against dominant power and neglects their share of that power through literacy, through the culture of words), but how they can resist, as Michel Foucault said, the forms of power that transform them into its objects and instrument in the sphere of knowledge, truth, consciousness and discourse. Putting it another way, how do intellectuals struggle against a hegemony which already includes them and which can no longer be divided into the state and civil society in Gramsci‘s terms, nor be clearly demarcated into national and transnational space? Because borders have so clearly meandered into so many intellectual issues that the more stable and conventional relation between borders and the field no longer holds, intervention cannot simply be thought as the creation of new fields. Instead, it is necessary to think primarily in terms of borders – of borders, that is, as para-sites that never take over a field in its entirety but erode it slowly and tactically. The work of Michel de Certeau is a helpful for the formulation of this parasitical intervention.De Certeau distinguished between strategy and another practice – tactic – in the following terms. A strategy has the ability to transform the uncertainties of history into readable spaces. . Strategy therefore belongs to an economy of the proper place and to those who are committed to the building, growth,, and fortification of a field. A text, for instance, would become in this economy ?a cultural weapon, a private hunting preserve,? or ?a means of social stratification? in the order of the Great Wall of China (de Certeau, p. 171). A tactic, by contrast, is a calculated action determined by the absence of a proper locus (de Certeau, p. 37). Betting on time instead of space, a tactic concerns an operational logic whose models may go as far back as the age-old rules of fishes and insects that disguise or transform themselves in order to survive, and which has in any case ben concealed by the form of rationality currently dominant in Western culture (de Certeau. P. xi). Why are tactics useful at this moment? As discussions about multiculturalism, interdisiplinarity, the third world intellectual, and other companion issue develop in the American academy and society today, and as rhetorical claims to political change and difference are being put forth, many deep-rooted, politically reactionary forces return to haunt us. Essentialist notions of culture and history; conservative notions of territorial and linguistic propriety, and the otherness ensuring from them; unattested claims of oppression and victimization that are used merely to guilt-trip and to control; sexist and racist reaffirmations of sexual and racial diversities that are made merely in the name of righteousness – all these forces creates new solidarities whose ideological premises remain unquestioned. These new solidarities are often informed by a strategic attitude which repeats what they seek to overthrow. The weight of old ideologies being reinforced over and over again is immense. We need to remember as intellectuals that the battles we fight are battles of words. Those who argue the oppositional standpoint are not doing anything different from their enemies and are most certainly not directly changing the downtrodden lives of those who seek their survival in metropolitan and nonmetropolitan space alike. What academic intellectuals must confront is thus not their victimization by society at large (or their victimization-in-solidarity-with-the-oppressed), but the power, wealth, and privilege that ironically accumulate from their oppositional viewpoint,and the widening gap between the professed contents of their words and the upward mobility they gain from such words. (When Foucault saidintellectuals need to struggle against becoming the object and instrument of power, he spoke precisely to this kind of situation.) The predicament we face in the West, where intellectual freedom shares a history with economic enterprise, is that if a professor wishes to denounce aspects of big business,. . . he will be wise to locate in a school whose trustees are big businessmen.28 Why should we believe in those who continue to speak a language of alterity-as-lack while their salaries and honoraria keep rising?How do we resist the turning-into-propriety of oppositional discourses, when the intention of such discourses has been that of displacing and disowning the proper? How do we prevent what begin as tactics – that which is without any base where it could stockpile its winnings? (deCerteau, p.37)–from turning into a solidly fenced-off field, in the military no less than in the academic sense?