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#### **The 1AC is a fetish of so-called ‘successful’ movements of the past. Their attempt at academic change sustains the power’s ability to constrain dissent and suppress the victims of power into a ghostly remnant. The proposition that a ballot in this debate round can actually change anything ignores the coordinates of power and knowledge at play in academia – the only thing they do is feed more ammo to the machine**

Occupied UC Berkeley 09, 11/19/09, (“The Necrosocial: Civic Life, Social Death, and the UC”, <http://anticapitalprojects.wordpress.com/2009/11/19/the-necrosocial/>, AW)

--- We don’t endorse the language in this card ---

Yes, very much a cemetery. Only here there are no dirges, no prayers, only the repeated testing of our threshold for anxiety, humiliation, and debt. The classroom just like the workplace just like the university just like the state just like the economy manages our social death, translating what we once knew from high school, from work, from our family life into academic parlance, into acceptable forms of social conflict.

Who knew that behind so much civic life (electoral campaigns, student body representatives, bureaucratic administrators, public relations officials, Peace and Conflict Studies, ad nauseam) was so much social death? What postures we maintain to claim representation, what limits we assume, what desires we dismiss?

And in this moment of crisis they ask us to twist ourselves in a way that they can hear. Petitions to Sacramento, phone calls to Congressmen—even the chancellor patronizingly congratulates our September 24th student strike, shaping the meaning and the force of the movement as a movement against the policies of Sacramento. He expands his institutional authority to encompass the movement. When students begin to hold libraries over night, beginning to take our first baby step as an autonomous movement he reins us in by serendipitously announcing library money. He manages movement, he kills movement by funneling it into the electoral process. He manages our social death. He looks forward to these battles on his terrain, to eulogize a proposition, to win this or that—he and his look forward to exhausting us.

He and his look forward to a reproduction of the logic of representative governance, the release valve of the university plunges us into an abyss where ideas are wisps of ether—that is, meaning is ripped from action. Let’s talk about the fight endlessly, but always only in their managed form: to perpetually deliberate, the endless fleshing-out-of—when we push the boundaries of this form they are quick to reconfigure themselves to contain us: the chancellor’s congratulations, the reopening of the libraries, the managed general assembly—there is no fight against the administration here, only its own extension.

Each day passes in this way, the administration on the look out to shape student discourse—it happens without pause, we don’t notice nor do we care to. It becomes banal, thoughtless. So much so that we see we are accumulating days: one semester, two, how close to being this or that, how far? This accumulation is our shared history. This accumulation—every once in a while interrupted, violated by a riot, a wild protest, unforgettable fucking, the overwhelming joy of love, life shattering heartbreak—is a muted, but desirous life. A dead but restless and desirous life.

The university steals and homogenizes our time yes, our bank accounts also, but it also steals and homogenizes meaning. As much as capital is invested in building a killing apparatus abroad, an incarceration apparatus in California, it is equally invested here in an apparatus for managing social death. Social death is, of course, simply the power source, the generator, of civic life with its talk of reform, responsibility, unity. A ‘life,’ then, which serves merely as the public relations mechanism for death: its garrulous slogans of freedom and democracy designed to obscure the shit and decay in which our feet are planted. Yes, the university is a graveyard, but it is also a factory: a factory of meaning which produces civic life and at the same time produces social death. A factory which produces the illusion that meaning and reality can be separated; which everywhere reproduces the empty reactionary behavior of students based on the values of life (identity), liberty (electoral politics), and happiness (private property). Everywhere the same whimsical ideas of the future. Everywhere democracy. Everywhere discourse to shape our desires and distress in a way acceptable to the electoral state, discourse designed to make our very moments here together into a set of legible and fruitless demands.

Totally managed death. A machine for administering death, for the proliferation of technologies of death. As elsewhere, things rule. Dead objects rule. In this sense, it matters little what face one puts on the university—whether Yudof or some other lackey. These are merely the personifications of the rule of the dead, the pools of investments, the buildings, the flows of materials into and out of the physical space of the university—each one the product of some exploitation—which seek to absorb more of our work, more tuition, more energy. The university is a machine which wants to grow, to accumulate, to expand, to absorb more and more of the living into its peculiar and perverse machinery: high-tech research centers, new stadiums and office complexes. And at this critical juncture the only way it can continue to grow is by more intense exploitation, higher tuition, austerity measures for the departments that fail to pass the test of ‘relevancy.’

But the ‘irrelevant’ departments also have their place. With their ‘pure’ motives of knowledge for its own sake, they perpetuate the blind inertia of meaning ostensibly detached from its social context. As the university cultivates its cozy relationship with capital, war and power, these discourses and research programs play their own role, co-opting and containing radical potential. And so we attend lecture after lecture about how ‘discourse’ produces ‘subjects,’ ignoring the most obvious fact that we ourselves are produced by this discourse about discourse which leaves us believing that it is only words which matter, words about words which matter. The university gladly permits the precautionary lectures on biopower; on the production of race and gender; on the reification and the fetishization of commodities. A taste of the poison serves well to inoculate us against any confrontational radicalism. And all the while power weaves the invisible nets which contain and neutralize all thought and action, that bind revolution inside books, lecture halls.

There is no need to speak truth to power when power already speaks the truth. The university is a graveyard– así es. The graveyard of liberal good intentions, of meritocracy, opportunity, equality, democracy. Here the tradition of all dead generations weighs like a nightmare on the brain of the living. We graft our flesh, our labor, our debt to the skeletons of this or that social cliché. In seminars and lectures and essays, we pay tribute to the university’s ghosts, the ghosts of all those it has excluded—the immiserated, the incarcerated, the just-plain-fucked. They are summoned forth and banished by a few well-meaning phrases and research programs, given their book titles, their citations. This is our gothic—we are so morbidly aware, we are so practiced at stomaching horror that the horror is thoughtless.

In this graveyard our actions will never touch, will never become the conduits of a movement, if we remain permanently barricaded within prescribed identity categories—our force will be dependent on the limited spaces of recognition built between us. Here we are at odds with one another socially, each of us: students, faculty, staff, homebums, activists, police, chancellors, administrators, bureaucrats, investors, politicians, faculty/ staff/ homebums/ activists/ police/ chancellors/ administrators/ bureaucrats/ investors/ politicians-to-be. That is, we are students, or students of color, or queer students of color, or faculty, or Philosophy Faculty, or Gender and Women Studies faculty, or we are custodians, or we are shift leaders—each with our own office, place, time, and given meaning. We form teams, clubs, fraternities, majors, departments, schools, unions, ideologies, identities, and subcultures—and thankfully each group gets its own designated burial plot. Who doesn’t participate in this graveyard?

In the university we prostrate ourselves before a value of separation, which in reality translates to a value of domination. We spend money and energy trying to convince ourselves we’re brighter than everyone else. Somehow, we think, we possess some trait that means we deserve more than everyone else. We have measured ourselves and we have measured others. It should never feel terrible ordering others around, right? It should never feel terrible to diagnose people as an expert, manage them as a bureaucrat, test them as a professor, extract value from their capital as a businessman. It should feel good, gratifying, completing. It is our private wet dream for the future; everywhere, in everyone this same dream of domination. After all, we are intelligent, studious, young. We worked hard to be here, we deserve this.

We are convinced, owned, broken. We know their values better than they do: life, liberty, the pursuit of happiness. This triumvirate of sacred values are ours of course, and in this moment of practiced theater—the fight between the university and its own students—we have used their words on their stages: Save public education!

When those values are violated by the very institutions which are created to protect them, the veneer fades, the tired set collapses: and we call it injustice, we get indignant. We demand justice from them, for them to adhere to their values. What many have learned again and again is that these institutions don’t care for those values, not at all, not for all. And we are only beginning to understand that those values are not even our own.

The values create popular images and ideals (healthcare, democracy, equality, happiness, individuality, pulling yourself up by your bootstraps, public education) while they mean in practice the selling of commodified identities, the state’s monopoly on violence, the expansion of markets and capital accumulation, the rule of property, the rule of exclusions based on race, gender, class, and domination and humiliation in general. They sell the practice through the image. We’re taught we’ll live the images once we accept the practice.

In this crisis the Chancellors and Presidents, the Regents and the British Petroleums, the politicians and the managers, they all intend to be true to their values and capitalize on the university economically and socially—which is to say, nothing has changed, it is only an escalation, a provocation. Their most recent attempt to reorganize wealth and capital is called a crisis so that we are more willing to accept their new terms as well as what was always dead in the university, to see just how dead we are willing to play, how non-existent, how compliant, how desirous.

#### Their “try or die” framing re-inscribes the status quo’s limited scope of politics by maintaining the duality of forced choices as EITHER the aff OR the status quo – Refuse the choices as offered, demand a third option ­– embrace an imperceptible politics of the present

Stephenson et al 8, Dimitris Papadopoulos, PhD in Social Sciences from the Free University of Berlin, Niamh Stephenson, Senior Lecturer in Social Science the School of Public Health and Community Medicine, Vassils Tsianos, PhD Sociology Department of Social Sciences from the University of Hamburg, 2008, (“Escape Routes Control and Subversion in the Twenty-first Century”, <http://www.elimeyerhoff.com/books/Escape_routes.pdf>, AW)

Imperceptible politics is driven by imagination and fictionality – the imagination required to address an absence, as Santos (2003) describes it. As discussed above, representation diminishes the senses. Not only does representation dictate the terms of inclusion in political disputes of a certain field, it blunts our capacities even to perceive the multiple realities of bodies, people, desires – inappropriate/d forms of life (Trinh T. Minh-ha, 1987). These inappropriate/d modes of existence, this excess of social relations, remain after the existing regime of control has dissected and transformed subjectivities into controllable objects of discourse: bodies become identities, people become demos, desires become demands. Imperceptible politics starts from this excess of inappropriate/d modes of existence which from the perspective of the regime of control constitutes a void (Badiou, 2005a), a void residing in the political system of representation. As Badiou (2001, p. 68) says about the void, it is the very heart of a particular situation around which ‘the plenitude’ of social and material relations making up this specific situation is organised. This plenitude is mirrored, managed and regulated through procedures of representation (it is policed, as we said with Rancière in the previous chapter). Consider, for example, the surveillance and control of highly patrolled passages of migrational flows through the porous borders of Global North Atlantic countries. There is a plenitude of laws, practices, institutions, customs, migration police and border patrols, rituals, detention centres, informal migrant networks, knowledges, life projects and much more, which makes up this situation. This abundance is structured around an absence: the embodied and unrep- resentable desire which people follow as they cross borders despite the regime of control which tries to close them off or to constrain and control them. When they enter into the language of the plenitude, these people are called illegal migrants. They are treated as a problem, an economic, social or humanitarian problem, which has to be solved through deportation, revisiting legislation or negotiations with other states. What is absent is their actual movement, what people become as they navigate the fissures of nation states and borders. The absences of the inappropriate/d migrants and their desire constitute a void, a void around which this situation is organised. When all these inappropriate/d modes of existence beyond identity and passports become represented, it is only to be measured, policed, and finally, controlled. But they do not always become represented: when the void becomes an action, it does so as a force which challenges the existing organisation of plenitude in a certain field. Because it cannot be accommodated in the current situation within existing conditions of control, it is a constituent force pushing for a radical change. The imperceptible politics emanating from the void cannot be ignored. The millions of inappropriate/d bodies render borders permeable de facto, throw the current regime of control into disarray, force sovereignty to reassemble itself – everyday imperceptible politics becomes escape from a regime of control. Imperceptible politics is the moment when the void of mobility (or labour or life, as we show in the next sections) becomes subversive. Some may want to use the word resistance instead. But here we understand subversion (or resistance if you prefer) in a positive way: as the desire to depart from the plenitude which organises control in a certain field. Or better, as the trust in something which is absent and unrepresentable, and yet operative and constitutive of a specific field. This desire comes from the very heart of the situation, but leads directly and unconditionally beyond it. Desire. Trust. Escape! This is the only understanding of resistance which is relevant for imperceptible politics, and it is indeed the only understanding of resistance which escapes the melancholic uptake of Foucault’s work in neoliberal times. This is the reason why we prefer to talk of subversion instead of resistance in this book. Drawing on Johannes Agnoli’s (1996) intriguing exploration of the historical metamorphoses of this concept, we understand subversion as the process of reclaiming a form of praxis which is there but is forgotten, suppressed and rendered seemingly absent. It is an act which cannot be understood as critique, or as a form of dialectical negation of negation, or even resistance but it stands there as ‘negation sans phrase’ (Agnoli, 1996, p. 16), that is conceptual and theoretical work which obtains its efficacy only through ‘laborious mole-work’ (Agnoli, 1996, p. 226). Subversion is that which is banished and eradicated through political representation, yet never completely. As an act of reclaiming, the subversion entailed in imperceptible politics is located in the everyday and precedes and prepares the practice of escape itself. Subversion remains imperceptible to the representational policing of a field and works with an excess of social relations which spring from the ‘absent centre’ of this particular field. This is the fictional and imaginary character of imperceptible politics. It is only by conjuring up the speculative and fictional qualities (see previous chapter and Haraway, 1992, 2004) of a situation that it is possible to address something which is absent and yet there, something arising from the core of the situation but which is yet to emerge. Imperceptible politics is here, always present within a regime of control, cultivating trust in speculative figurations of a radically different future in the present. Imperceptible politics is here.

#### to tell me that my self reflective CHOICE to not perform a narrative of my personal experience is whiteness --- I didn’t want to be visible to avoid surveillance, voyeurism and attempts at imperial possession and incorporation.

Peggy PHELAN Chair NYU Performance Studies Dept. 93 [*Unmarked* p. 7-8]

The current contradiction between “identity politics” with its accent on visibility, and the psychoanalytic/ldeconstructionist mistrust (if visibility as she source of unity or wholeness needs to he refigured, if not resolved. As the left dedicates ever more energy to visibility politics, I am increasingly troubled by the forgetting of the problems of visibility so successfully articulated by feminist film theorists in I he 1970s and 1980s. I am not suggesting that continued invisibility is the “proper” political agenda for the disenfranchised, but. rather that. the binary between the power of visibility and the impotency of invisibility is falsifying. There is real power in remaining unmarked; and there are serious limitations to visual representation as a political goal. Visibility is a trap (“In this matter oft he visible, everything is a trap”: (Lacan *Four Fundamental Concepts*: 93); it summons surveillance and the law; it provokes voyeurism, fetishism, the colonialist/imperial appetite for possession. Yet it retains a certain political appeal. Visibility politics have practical consequences: a line can be drawn between a practice (getting someone seen or read) and a theory (if you are seen it. is harder for “them” to ignore you, to construct a punitive canon); the two can be reproductive. While there is a deeply ethical appeal in the desire for a more inclusive representational landscape and certainly under-represented communities can be empowered by an enhanced visibility, the terms of this visibility often enervate the putative power of these identities. A much more nuanced relationship to the power of visibility needs to be pursued than the Left currently engages.” Arguing that communities of the hitherto under-represented will be made stronger if representational economies reflect and see them, progressive cultural activists have staked a huge amount on increasing and expanding the visibility of racial, ethnic, and sexual “others.” It is assumed that disenfranchised communities who see their members within the representational field will feel great or pride in being Part, of such a community and those who are not in such a community will increase their understanding of the diversity and strength of such communities. Implicit within this argument. are several presumptions which bear further scrutiny: 1) Identities are visibly marked so the resemblance between the African-American on the television and the African-American on the street helps the observer see they are members of the same community. Reading physical resemblance is a way of' identifying community. 2 The relationship between representation and idenity is linear and smoothly mimetic, What one sees is who one is. 3 If one's mimetic likeness is not represented. one is not addressed. 4. Increased visibility equals increased power. Each presumption reflects the ideology of the visible, an ideology which erases the power of the unmarked, unspoken, and unseen.

#### Narratives of suffering recreate violence

COLVIN 2006 (Chris Colvin, medical anthropologist and works as Senior Research Officer in Social Sciences and HIV/AIDS, TB and STIs with the Infectious Disease Epidemiology Unit in the School of Public Health and Family Medicine at the University of Cape Town, PhD Candidate at UVA dept of Anthro, Trafficking trauma: Intellectual property rights and the political economy of traumatic storytelling, SSN 0256 004 Online 1992-6049 pp. 171–182)

One effect of this market for narratives of suffering is that traumatic storytelling has become the major way in which many victims negotiate relationships with Christopher J. Colvin 176 others. Their position in a field of relations between the international community, their national government, civil society, the media and the academy increasingly depends on their ability to produce and circulate engaging stories of suffering and recovery. In the process, victims’ stories become commodified objects that move out into the wider world and structure an entire network of subjects, objects, meanings and relationships. Some other effects include 1 the regulation of the narrative content and structure of stories wherein what sells and what does not become part of shaping the stories people tell 2 the shortening of stories into easily consumable packages that fit within the lines of a membership form, pension application, television interview or case history 3 the evolution of the idea that victims have a single story, ‘my story,’ a unitary, bounded and unchanging narrative that incorporates all that is essential in the ‘story of a victim’ 4 an anxiety over alienation from their story, once commodified.

## Case

#### Competition kills coalitions

ATCHISON AND PANETTA 2009 (Jarrod Atchison, Director of Debate @ Trinity University, and Edward Panetta, Director of Debate @ the University of Georgia, Intercollegiate Debate and Speech Communication: Issues for the Future, p. 317-34)

The larger problem with locating the “debate as activism” perspective within the competitive framework is that it overlooks the communal nature of the community problem. If each individual debate is a decision about how the debate community should approach a problem, then the losing debaters become collateral damage in the activist strategy dedicated toward creating community change. One frustrating example of this type of argument might include a judge voting for an activist team in an effort to help them reach elimination rounds to generate a community discussion about the problem. Under this scenario, the losing team serves as a sacrificial lamb on the altar of community change. Downplaying the important role of competition and treating opponents as scapegoats for the failures of the community may increase the profile of the winning team and the community problem, but **it does little to generate the critical coalitions necessary to address the** community **problem, because the competitive focus encourages teams to concentrate on how to beat the strategy with little regard for addressing the** community **problem.** There is no role for competition when a judge decides that it is important to accentuate the publicity of a community problem. An extreme example might include a team arguing that their opponents’ academic institution had a legacy of civil rights abuses and that the judge should not vote for them because that would be a community endorsement of a problematic institution. This scenario is a bit more outlandish but not unreasonable if one assumes that each debate should be about what is best for promoting solutions to diversity problems in the debate community. If the debate community is serious about generating community change, then it is more likely to occur outside a traditional competitive debate. When a team loses a debate because the judge decides that it is better for the community for the other team to win, then they have sacrificed two potential advocates for change within the community. **Creating change through wins generates backlash through losses.** Some proponents are comfortable with generating backlash and argue that the reaction is evidence that the issue is being discussed. From our perspective, the discussion that results from these hostile situations is not a productive one where participants seek to work together for a common goal. Instead of giving up on hope for change and agitating for wins regardless of who is left behind, it seems more reasonable that the debate community should try the method of public argument that we teach in an effort to generate a discussion of necessary community changes. Simply put, debate competitions do not represent the best environment for community change because it is a competition for a win and only one team can win any given debate, whereas addressing systemic century-long community problems requires a tremendous effort by a great number of people.

#### Voting aff is ultimately a simulation of real change --- it produces change no more than voting negative for the same justifications does but their claim that it creates some sort of tangible difference positions the judge as an agent of counterfeit reform and pseudo-progress

**WILLIAMS 2k** (Christopher R. Williams, PhD, forensic psychology, professor and chairman of the Department of Criminal Justice Studies at Bradley University, Bruce A. Arrigo, PhD, administration of justice, professor of criminology, law, and society, Department of Criminal Justice and Criminology at the University of North Carolina, Faculty Associate in the Center for Professional and Applied Ethics, “The (Im)Possibility of Democratic Justice and the ‘Gift’ of the Majority,” Journal of Contemporary Criminal Justice, Vol. 16, No. 3, August 2000, pgs. 321-343)

The impediments to establishing democratic justice in contemporary American society have caused a national paralysis; one that has recklessly spawned an aporetic1 existence for minorities. The entrenched ideological complexities afflicting under- and nonrepresented groups (e.g., poverty, unemployment, illiteracy, crime) at the hands of political, legal, cultural, and economic power elites have produced counterfeit, perhaps even fraudulent, efforts at reform: Discrimination and inequality in opportunity prevail (e.g., Lynch & Patterson, 1996). The misguided and futile initiatives of the state, in pursuit of transcending this public affairs crisis, have fostered a reification, that is, a reinforcement of divisiveness. This time, however, minority groups compete with one another for recognition, affirmation, and identity in the national collective psyche (Rosenfeld, 1993). What ensues by way of state effort, though, is a contemporaneous sense of equality for all and a near imperceptible endorsement of inequality; a silent conviction that the majority still retains power. The “gift” of equality, procured through state legislative enactments as an emblem of democratic justice, embodies true (legitimated) power that remains nervously secure in the hands of the majority. The ostensible empowerment of minority groups is a facade; it is the ruse of the majority gift. **What exists,** in fact, **is a simulacrum** (Baudrillard, 1981, 1983) **of equality** (and by extension, democratic justice): a pseudo-sign image (a hypertext or simulation) of real sociopolitical progress.

#### This proscription to the economy of the ballot initiates a form of charity that indebts the aff team to the judge and is the same system that reinforces the empowerment of those within hegemonic roles of power

**WILLIAMS 2k** (Christopher R. Williams, PhD, forensic psychology, professor and chairman of the Department of Criminal Justice Studies at Bradley University, Bruce A. Arrigo, PhD, administration of justice, professor of criminology, law, and society, Department of Criminal Justice and Criminology at the University of North Carolina, Faculty Associate in the Center for Professional and Applied Ethics, “The (Im)Possibility of Democratic Justice and the ‘Gift’ of the Majority,” Journal of Contemporary Criminal Justice, Vol. 16, No. 3, August 2000, pgs. 321-343)

Reciprocation on your part is impossible. Even if one day you are able to return our monetary favor twofold, we will always know that it was us who first hosted you; extended to and entrusted in you an opportunity given your time of need. As the initiators of such a charity, we are always in a position of power, and you are always indebted to us. This is where the notion of egoism or conceit assumes a hegemonic role. By giving to you, a supposed act of generosity in the name of furthering your cause, we have not empowered you. Rather, we have empowered ourselves. We have less than subtlely let you know that we have more than you. We have so much more, in fact, that we can afford to give you some. Our giving becomes, not an act of beneficence, but a show of power, that is, narcissistic hegemony! Thus, we see that the majority gift is a ruse: a simulacrum of movement toward aporetic equality and a simulation of democratic justice. By relying on the legislature (representing the majority) when economic and social opportunities are availed to minority or underrepresented collectives, the process takes on exactly the form of Derrida’s gift. The majority controls the political, economic, legal, and social arenas; that is, it is (and always has been) in control of such communities as the employment sector and the educational system. The mandated opportunities that under- or nonrepresented citizens receive as a result of this falsely eudemonic endeavor are gifts and, thus, ultimately constitute an effort to make minority populations feel better. There is a sense of movement toward equality in the name of democratic justice, albeit falsely manufactured. 18 In return for this effort, the majority shows off its long-standing authority (this provides a stark realization to minority groups that power elites are the forces that critically form society as a community), forever indebts under- and nonrepresented classes to the generosity of the majority (after all, minorities groups now have, presumably, a real chance to attain happiness), and, in a more general sense, furthers the narcissism of the majority (its representatives have displayed power and have been generous). Thus, **the ruse** of the majority gift assumes the form and **has the** hegemonical **effect of empowering the empowered,** relegitimating the privileged, **and fueling the voracious conceit of the advantaged.**

#### This demand for the ballot, is thus, ultimately trapped within web of scheming despite the emancipatory nature of the 1AC --- this poisons their call for change and is the morality of calculation, not emancipation --- the coalitions of the 1AC are used as means to ends rather and are thus commodified

**MCGOWAN 2009** (Todd McGowan, Associate Professor, film theory, University of Vermont, PhD, Ohio State University, studies the intersection of Hegel, psychoanalysis, and existentialism and cinema, “The Exceptional Darkness of The Dark Knight,” Jump Cut, No. 51, Spring 2009, http://www.ejumpcut.org/archive/jc51.2009/darkKnightKant/text.html)

According to Kant, when we emerge as subjects, we do so as beings of radical evil, that is, beings who do good for evil reasons. We help our neighbor for the recognition we gain; we volunteer to help with the school dance in order to spend time with a potential romantic interest; we give money for disaster relief in order to feel comfortable about our level of material comfort; and so on. For Kant, this is the fundamental problem that morality confronts and the most difficult type of evil to extirpate. He explains, “The human being (even the best) is evil only because he reverses the moral order of his incentives in incorporating them into his maxims. He indeed incorporates the moral law into those maxims, together with the law of self-love; since, however, he realizes that the two cannot stand on an equal footing, but one must be subordinated to the other as its supreme condition, he makes the incentives of self-love and their inclinations the condition of compliance with the moral law — whereas it is this latter that, as the supreme condition of the satisfaction of the former, should have been incorporated into the universal maxim of the power of choice as the sole incentive.”[12] Though Kant believes that we have the capacity to turn from beings of radical evil to moral beings, we cannot escape a certain originary radical evil that leads us to place our incentives of self-love above the law and that prevents us from adhering to the law for its own sake.[13] Our first inclination always involves the thought of what we will gain from not lying rather than the importance of telling the truth. Even when we do tell the truth, we do so out of prudence or convenience rather than out of duty. This is why Kant contends that most **obedience to** the **moral law is** in fact **radical evil — obedience for the wrong reasons.** The presence of radical evil at the heart of obedience to the law taints this obedience and gives criminality the upper hand over the law. There is always a fundamental imbalance between law and criminality. Criminality is inscribed into the law itself in the form of misdirected obedience, and no law can free itself from its reliance on the evil of such obedience. A consequentialist ethics develops as a compromise with this radical evil at the heart of the law. Consequentialism is an ethics that sees value only in the end — obedience — and it disregards whatever evil means that the subject uses to arrive at that obedience. If people obey the law, the consequentialist thinks, it doesn’t matter why they do so. Those who take up this or some other compromise with radical evil predominate within society, and they constitute the behavioral norm. They obey the law when necessary, but they do so in order to satisfy some incentive of self-love. Theirs is a morality of calculation in which acts have value in terms of the ultimate good that they produce or the interest that they serve. Anyone who obeys the law for its own sake becomes exceptional. Both Batman and the Joker exist outside the calculating morality that predominates among the police, the law-abiding citizens, and the criminal underworld in Gotham. Both have the status of an exception because they adhere to a code that cuts against their incentives for self-love and violates any consequentialist morality or morality concerned solely with results. Though Batman tries to save Gotham and the Joker tries to destroy it, though Batman commits himself to justice and the Joker commits himself to injustice, they share a position that transcends the inadequate and calculated ethics authorized by the law itself. Their differences mask a similar relationship to Kantian morality. Through the parallel between them, Christopher Nolan makes clear the role that evil must play in authentic heroism. It is the Joker, not Batman, who gives the most eloquent account of the ethical position that they occupy together. He sets himself up against the consequentialist and utilitarian ethic that rules Gotham, and he tries to analyze this ethic in order to understand what motivates it. As the Joker sees it, despite their apparent differences, all of the different groups in Gotham indulge in **an ethics of** what he calls **scheming**. That **is** to say, they **act not on the basis of the rightness or wrongness of the act itself but in order to achieve some ultimate object.** In doing so, they inherently degrade their acts and deprive them of their basis in freedom. **Scheming enslaves one to the object of one’s scheme.**

#### This explicitly undermines the coalitions they seek to create

**THE DSRB** 20**08** [Dr. Shanara Reid-Brinkley, "THE HARSH REALITIES OF “ACTING BLACK”: HOW AFRICAN-AMERICAN POLICY DEBATERS NEGOTIATE REPRESENTATION THROUGH RACIAL PERFORMANCE AND STYLE" 145-6)

Loribeth Blair argues further, that it is the space of competition, the confrontational and dialectical nature of debate competition that hurts attempts to build coalitions between the Louisville Project and others in the debate community: I personally think that debate should be more diverse, there need(s) to be more of all minorities. Has anyone even mentioned Hispanics and people whose first language isn’t English. I just think it makes coalition building problematic when you put these arguments into a competitive framework where someone has to lose and someone has to win. The point is that if meaningful black participation is increased then everyone wins. What we need to do is have a discussion about the strategies and tactics that need to be employed to make this happen. I honestly think that there would be more support for your project if people didn’t have to place themselves in a role that is oppositional to you (i.e. as they are forced to in the debate round). I honestly believe that if you asked publicly for support for your project people in the debate community would respond. **Tell us how to increase meaningful black participation in debate, instead of telling us that we should lose because you have and we haven’t**.”32

#### Additionally, the plea for change through winning the ballot not only fails to inculcate communal response but also re-entrenches the very evil they criticize by reproducing antagonism rather than coalitions

ATCHISON AND PANETTA 2009 (Jarrod Atchison, Director of Debate @ Trinity University, and Edward Panetta, Director of Debate @ the University of Georgia, Intercollegiate Debate and Speech Communication: Issues for the Future, p. 317-34)

The larger problem with locating the “debate as activism” perspective within the competitive framework is that it overlooks the communal nature of the community problem. If each individual debate is a decision about how the debate community should approach a problem, then the losing debaters become collateral damage in the activist strategy dedicated toward creating community change. One frustrating example of this type of argument might include a judge voting for an activist team in an effort to help them reach elimination rounds to generate a community discussion about the problem. Under this scenario, the losing team serves as a sacrificial lamb on the altar of community change. Downplaying the important role of competition and treating opponents as scapegoats for the failures of the community may increase the profile of the winning team and the community problem, but **it does little to generate the critical coalitions necessary to address the** community **problem, because the competitive focus encourages teams to concentrate on how to beat the strategy with little regard for addressing the** community **problem.** There is no role for competition when a judge decides that it is important to accentuate the publicity of a community problem. An extreme example might include a team arguing that their opponents’ academic institution had a legacy of civil rights abuses and that the judge should not vote for them because that would be a community endorsement of a problematic institution. This scenario is a bit more outlandish but not unreasonable if one assumes that each debate should be about what is best for promoting solutions to diversity problems in the debate community. If the debate community is serious about generating community change, then it is more likely to occur outside a traditional competitive debate. When a team loses a debate because the judge decides that it is better for the community for the other team to win, then they have sacrificed two potential advocates for change within the community. **Creating change through wins generates backlash through losses.** Some proponents are comfortable with generating backlash and argue that the reaction is evidence that the issue is being discussed. From our perspective, the discussion that results from these hostile situations is not a productive one where participants seek to work together for a common goal. Instead of giving up on hope for change and agitating for wins regardless of who is left behind, it seems more reasonable that the debate community should try the method of public argument that we teach in an effort to generate a discussion of necessary community changes. Simply put, debate competitions do not represent the best environment for community change because it is a competition for a win and only one team can win any given debate, whereas addressing systemic century-long community problems requires a tremendous effort by a great number of people.

#### Trading autobiographical narrative for the ballot commodifies one’s identity and has limited impact on the culture that one attempt’s to reform – when autobiographical narrative “wins,” it subverts its own most radical intentions by becoming an exemplar of the very culture under indictment

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

Although Williams is quick to detect insensitivity and bigotry in remarks made by strangers, colleagues, and friends, her taste for irony fails her when it comes to reflection on her relationship with her readers and the material benefits that her autobiographical performances have earned for her. n196 Perhaps Williams should be more inclined to thank, rather than reprimand, her editors for behaving as readers of autobiography invariably do. When we examine this literary faux pas - the incongruity between Williams's condemnation of her editors and the professional benefits their publication secured her - we detect yet another contradiction between the outsiders' use of autobiography and their desire to transform culture radically. Lejeune's characterization of autobiography as a "contract" reminds us that autobiography is a lucrative commodity. In our culture, members of the reading public avidly consume personal stories, n197 which surely explains why first-rate law journals and academic presses have been eager to market outsider narratives. No matter how unruly the self that it records, an autobiographical performance transforms that self into a form of "property in a moneyed economy" n198 and into a valuable intellectual [\*1283] asset in an academy that requires its members to publish. n199 Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor. n200

Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown. n201 As one critic of autobiography puts it, "failures do not get published." n202 While writing a successful autobiography may be momentous for the individual author, this success has a limited impact on culture. Indeed, the transformation of outsider authors into "success stories" subverts outsiders' radical intentions by constituting them as exemplary participants within contemporary culture, willing to market even themselves to literary and academic consumers. n203 What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors? n204 Although they style themselves cultural critics, the [\*1284] storytellers generally do not reflect on the meaning of their own commercial success, nor ponder its entanglement with the cultural values they claim to resist. Rather, for the most part, they seem content simply to take advantage of the peculiarly American license, identified by Professor Sacvan Bercovitch, "to have your dissent and make it too." n205

#### Even if their best intention is to resist the liberal subject, autobiography is understood by its consuming audience as the assertion of the classic autonomous subject – this subverts the political potential of performance by rendering one’s experience legible to the terms of liberalism. This recreates the violence of liberalism that is the root of Western conquest

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

The outsider narratives do not reflect on another feature of autobiographical discourse that is perhaps the most significant obstacle to their goal to bring to law an understanding of the human self that will supersede the liberal individual. Contrary to the outsiders' claim that their personalized discourse infuses law with their distinctive experiences and political perspectives, numerous historians and critics of autobiography have insisted that those who participate in autobiographical discourse speak not in a different voice, but in a common voice that reflects their membership in a culture devoted to liberal values. n206 As Sacvan Bercovitch puts it, American cultural ideals, including specifically the mythic connection between the "heroic individual ... [and] the values of free enterprise," are "epitomized in autobiography." n207 In his seminal essay on the subject, Professor Georges Gusdorf makes an observation that seems like a prescient warning to outsiders who would appropriate autobiography as their voice. He remarks that the practice of writing about one's own self reflects a belief in the autonomous individual, which is "peculiar to Western man, a concern that has been of good use in his systematic conquest of the [\*1285] universe and that he has communicated to men of other cultures; but those men will thereby have been annexed by a sort of intellectual colonizing to a mentality that was not their own." n208 Similarly, Albert Stone, a critic of American autobiography, argues that autobiographical performances celebrate the Western ideal of individualism, "which places the self at the center of its world." n209 Stone begins to elucidate the prescriptive character of autobiographical discourse as he notes with wonder "the tenacious social ideal whose persistence is all the more significant when found repeated in personal histories of Afro-Americans, immigrants, penitentiary prisoners, and others whose claims to full individuality have often been denied by our society." n210¶ Precisely because it appeals to readers' fascination with the self-sufficiency, resiliency and uniqueness of the totemic individual privileged by liberal political theory, there is a risk that autobiographical discourse is a fallible, even co-opted, instrument for the social reforms envisioned by the outsiders. By affirming the myths of individual success in our culture, autobiography reproduces the [\*1286] political, economic, social and psychological structures that attend such success. n211 In this light, the outsider autobiographies unwittingly deflect attention from collective social responsibility and thwart the development of collective solutions for the eradication of racist and sexist harms. Although we may suspect in some cases that the author's own sense of self was shaped by a community whose values oppose those of liberal individualism, her decision to register her experience in autobiographical discourse will have a significant effect on the self she reproduces. n212 Her story will solicit the public's attention to the life of one individual, and it will privilege her individual desires and rights above the needs and obligations of a collectivity.¶ Moreover, literary theorists have remarked the tendency of autobiographical discourse to override radical authorial intention. Even where the autobiographer self-consciously determines to resist liberal ideology and represents her life story as the occasion to announce an alternative political theory, "the relentless individualism of the genre subordinates" her political critique. n213 Inevitably, at least within American culture, the personal narrative engrosses the readers' imagination. Fascinated by the travails and triumphs of the developing autobiographical self, readers tend to construe the text's political and social observations only as another aspect of the author's personality.¶ Paradoxically, although autobiography is the product of a culture that cultivates human individuality, the genre seems to make available only a limited number of autobiographical protagonists. n214 Many theorists have noticed that when an author assumes the task of defining her own, unique subjectivity, she invariably reproduces herself as a character with whom culture already is well-acquainted. n215 While a variety of forces coerce the autobiographer [\*1287] to conform to culturally sanctioned human models, n216 the pressures exerted by the literary market surely play a significant role. The autobiographer who desires a material benefit from her performance must adopt a persona that is intelligible, if not enticing, to her audience. n217 As I will illustrate in the sections that follow, the outsider narratives capitalize on, rather than subvert, autobiographical protagonists that serve the values of liberalism.

#### Performance is not a mode of resistance – it gives too much power to the audience because the performer is structurally blocked from controlling the (re)presentation of their representations. Appealing to the ballot is a way of turning over one’s identity to the same reproductive economy that underwrites liberalism

Phelan 96—chair of New York University's Department of Performance Studies (Peggy, Unmarked: the politics of performance, ed published in the Taylor & Francis e-Library, 2005, 146-9)

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Performance’s only life is in the present. Performance cannot be saved, recorded, documented, or otherwise participate in the circulation of representations of representations: once it does so, it becomes something other than performance. To the degree that performance attempts to enter the economy of reproduction it betrays and lessens the promise of its own ontology. Performance’s being, like the ontology of subjectivityproposed here, becomes itself through disappearance. The pressures brought to bear on performance to succumb to thelaws of the reproductive economy are enormous. For only rarely in this culture is the “now” to which performance addresses its deepest questions valued. (This is why the now is supplemented and buttressedby the documenting camera, the video archive.) Performance occursover a time which will not be repeated. It can be performed again, butthis repetition itself marks it as “different.” The document of a performance then is only a spur to memory, an encouragement of memory to become present. The other arts, especially painting and photography, are drawnincreasingly toward performance. The French-born artist Sophie Calle,for example, has photographed the galleries of the Isabella StewartGardner Museum in Boston. Several valuable paintings were stolen fromthe museum in 1990. Calle interviewed various visitors and membersof the muse um staff, asking them to describe the stolen paintings. She then transcribed these texts and placed them next to the photographs of the galleries. Her work suggests that the descriptions and memories of the paintings constitute their continuing “presence,” despite the absence of the paintings themselves. Calle gestures toward a notion of the interactive exchange between the art object and the viewer. While such exchanges are often recorded as the stated goals of museums and galleries, the institutional effect of the gallery often seems to put the masterpiece under house arrest, controlling all conflicting and unprofessional commentary about it. The speech act of memory and description (Austin’s constative utterance) becomes a performative expression when Calle places these commentaries within the 147 representation of the museum. The descriptions fill in, and thus supplement (add to, defer, and displace) the stolen paintings. The factthat these descriptions vary considerably—even at times wildly—onlylends credence to the fact that the interaction between the art objectand the spectator is, essentially, performative—and therefore resistantto the claims of validity and accuracy endemic to the discourse of reproduction. While the art historian of painting must ask if thereproduction is accurate and clear, Calle asks where seeing and memoryforget the object itself and enter the subject’s own set of personalmeanings and associations. Further her work suggests that the forgetting(or stealing) of the object is a fundamental energy of its descriptiverecovering. The description itself does not reproduce the object, it ratherhelps us to restage and restate the effort to remember what is lost. Thedescriptions remind us how loss acquires meaning and generatesrecovery—not only of and for the object, but for the one who remembers.The disappearance of the object is fundamental to performance; itrehearses and repeats the disappearance of the subject who longs alwaysto be remembered. For her contribution to the Dislocations show at the Museum of Modern Art in New York in 1991, Calle used the same idea but this time she asked curators, guards, and restorers to describe paintings that were on loan from the permanent collection. She also asked them to draw small pictures of their memories of the paintings. She then arranged the texts and pictures according to the exact dimensions of the circulating paintings and placed them on the wall where the actual paintings usually hang. Calle calls her piece Ghosts, and as the visitor discovers Calle’s work spread throughout the museum, it is as if Calle’s own eye is following and tracking the viewer as she makes her way through the museum.1 Moreover, Calle’s work seems to disappear because it is dispersed throughout the “permanent collection”—a collection which circulates despite its “permanence.” Calle’s artistic contribution is a kind of self-concealment in which she offers the words of others about other works of art under her own artistic signature. By making visible her attempt to offer what she does not have, what cannot be seen, Calle subverts the goal of museum display. She exposes what the museum does not have and cannot offer and uses that absence to generate her own work. By placing memories in the place of paintings, Calle asks that the ghosts of memory be seen as equivalent to “the permanent collection” of “great works.” One senses that if she asked the same people over and over about the same paintings, each time they would describe a slightly different painting. In this sense, Calle demonstrates the performative quality of all seeing. 148 I Performance in a strict ontological sense is nonreproductive. It is this quality which makes performance the runt of the litter of contemporary art. Performance clogs the smooth machinery of reproductive representation necessary to the circulation of capital. Perhaps nowhere was the affinity between the ideology of capitalism and art made more manifest than in the debates about the funding policies for the National Endowment for the Arts (NEA).2 Targeting both photography and performance art, conservative politicians sought to prevent endorsing the “real” bodies implicated and made visible by these art forms. Performance implicates the real through the presence of living bodies. In performance art spectatorship there is an element of consumption: there are no left-overs, the gazing spectator must try to take everything in. Without a copy, live performance plunges into visibility—in a maniacally charged present—and disappears into memory, into the realm of invisibility and the unconscious where it eludes regulation and control. Performance resists the balanced circulations of finance. It saves nothing; it only spends. While photography is vulnerable to charges of counterfeiting and copying, performance art is vulnerable to charges of valuelessness and emptiness. Performance indicates the possibility of revaluing that emptiness; this potential revaluation gives performance art its distinctive oppositional edge.3 To attempt to write about the undocumentable event of performance is to invoke the rules of the written document and thereby alter the event itself. Just as quantum physics discovered that macro-instruments cannot measure microscopic particles without transforming those particles, so too must performance critics realize that the labor to write about performance (and thus to “preserve” it) is also a labor that fundamentally alters the event. It does no good, however, to simply refuse to write about performance because of this inescapable transformation. The challenge raised by the ontological claims of performance for writing is to re-mark again the performative possibilities of writing itself. The act of writing toward disappearance, rather than the act of writing toward preservation, must remember that the after-effect of disappearance is the experience of subjectivity itself. This is the project of Roland Barthes in both Camera Lucida and Roland Barthes by Roland Barthes. It is also his project in Empire of Signs, but in this book he takes the memory of a city in which he no longer is, a city from which he disappears, as the motivation for the search for a disappearing performative writing. The trace left by that script is the meeting-point of a mutual disappearance; shared subjectivity is possible for Barthes because two people can recognize the same Impossible. To live for a love whose goal is to share the Impossible is both a humbling project and an exceedingly ambitious one, for it seeks to find connection only in that which is no longer there. Memory. Sight. Love. It must involve a full seeing of the Other’s absence (the ambitious part), a seeing which also entails the acknowledgment of the Other’s presence (the humbling part). For to acknowledge the Other’s (always partial) presence is to acknowledge one’s own (always partial) absence. In the field of linguistics, the performative speech act shares with the ontology of performance the inability to be reproduced or repeated. “Being an individual and historical act, a performative utterance cannot be repeated. Each reproduction is a new act performed by someone who is qualified. Otherwise, the reproduction of the performative utterance by someone else necessarily transforms it into a constative utterance.”4 149 Writing, an activity which relies on the reproduction of the Same(the three letters cat will repeatedly signify the four-legged furry animalwith whiskers) for the production of meaning, can broach the frame of performance but cannot mimic an art that is nonreproductive. Themimicry of speech and writing, the strange process by which we put words in each other’s mouths and others’ words in our own, relies on a substitutional economy in which equivalencies are assumed and re-established. Performance refuses this system of exchange and resists the circulatory economy fundamental to it. Performance honors the idea that a limited number of people in a specific time/space frame can have an experience of value which leaves no visible trace afterward. Writing about it necessarily cancels the “tracelessness” inaugurated within this performative promise. Performance’s independence from mass reproduction, technologically, economically, and linguistically, is its greatest strength. But buffeted by the encroaching ideologies of capitaland reproduction, it frequently devalues this strength. Writing aboutperformance often, unwittingly, encourages this weakness and falls inbehind the drive of the document/ary. Performance’s challenge to writingis to discover a way for repeated words to become performative utterances, rather than, as Benveniste warned, constative utterances.

#### The judge cannot escape their own privilege, assuming that you can to objectively evaluate their argument reifies the myth of the rational subject

Elizabeth Ellsworth**,** University of Wisconsin—Madison, 1989

“Why Doesn’t This Feel Empowering? Working Through the Repressive Myths of Critical Pedagogy,” Harvard Educational Review 59:3

When educational researchers writing about critical pedagogy fail to examine the implications of the gendered, raced, and classed teacher and student for the theory of critical pedagogy, they reproduce, by default, the category of generic "critical teacher"—a specific form of the generic human that underlies classical liberal thought. Like the generic human, the generic critical teacher is not, of course, generic at all. Rather, the term defines a discursive category predicated on the current mythical norm, namely: young. White. Christian, middle-class, heterosexual, able-bodied, thin, rational man. Gender, race, class, and other differences become only variations on or additions to the generic human —"underneath, we are all the same."\*' But voices of students and professors of difference solicited by critical pedagogy are not additions to that norm, but oppositional challenges that require a dismantling of the mythical norm and its uses as well as alternatives to it. There has been no consideration of how voices of, for example. White women, students of color, disabled students. White men against masculinist culture, and fat students will necessarily be constructed in opposition to the teacher/ institution when they try to change the power imbalances they inhabit in their daily lives, including their lives in schools. Critical pedagogues speak of student voices as "sharing" their experiences and understandings of oppression with other students and with the teacher in the interest of "expanding the possibilities of what it is to be human."\*' Yet White women, women of color, men of color, White men against masculinist culture, fat people, gay men and lesbians, people with disabilities, and Jews do not speak of the oppressive formations that condition their lives in the spirit of "sharing." Rather, the speech of oppositional groups is a "talking back." a "defiant speech" that is constructed within communities of resistant and is a condition of survival

#### Any argument that says they’re not mutually exclusive with a policy prescription isn’t substantiated with any evidence – they just say we should speak out as a coping mechanism without any evidence and their methodology assures they only gain rights to become what is currently the white upper class straight able bodied male---the critique alone is necessary to solve

Davis 1 (Lennard, is an internationally known specialist in disability studies, Distinguished Professor of English at the University of Illinois, “Identity Politics, Disability, and Culture,” Handbook of Disability Studies, Sage Publications. http://isc.temple.edu/neighbor/ds/read/identitypolitics.pdf)

While identity politics is generally subsumed to a more material analysis in England and Europe, in the United States, identity politics is linked to a larger array of political movements, sometimes referred to as the Rainbow Coalition, to use Jesse Jackson's term for the coalition that supported his presidential bid. However, in reality, that coalition in the United States has been one in name only with the different identity groups clashing on tactics and agendas, offering a fantasy of cohesion without actually creating one. The one thing these groups have in common is the wish to have the full rights of any citizen. Indeed, in a bourgeois democracy, the issue of rights is often regarded as paramount. Yet a rights-based approach, connected with empowerment, will necessarily lead to quite a limited and conservative goal of making sure that each disenfranchised group has the rights of white middle-class males. This goal, according to Brown (1995), "only preserves capitalism from critique ... [and] sustains the invisibility and in- articulateness of class" (p. 61). Although a truly just government should establish a parity of interests for all identity groups, the larger goal would be to place the bar rather higher than set for the projected fantasy of the "middle class" in bourgeois democracies. Indeed, one can argue that, historically, the emphasis on rights, as opposed to economic inequalities, was ideologically coterminous with the foundation of Western democracy.'

The aff is a façade --- a pseudo-sign image of real progress

WILLIAMS 2k (Christopher R. Williams, PhD, forensic psychology, professor and chairman of the Department of Criminal Justice Studies at Bradley University, Bruce A. Arrigo, PhD, administration of justice, professor of criminology, law, and society, Department of Criminal Justice and Criminology at the University of North Carolina, Faculty Associate in the Center for Professional and Applied Ethics, “The (Im)Possibility of Democratic Justice and the ‘Gift’ of the Majority,” Journal of Contemporary Criminal Justice, Vol. 16, No. 3, August 2000, pgs. 321-343)

The impediments to establishing democratic justice in contemporary American society have caused a national paralysis; one that has recklessly spawned an aporetic1 existence for minorities. The entrenched ideological complexities afflicting under- and nonrepresented groups (e.g., poverty, unemployment, illiteracy, crime) at the hands of political, legal, cultural, and economic power elites have produced counterfeit, perhaps even fraudulent, efforts at reform: Discrimination and inequality in opportunity prevail (e.g., Lynch & Patterson, 1996). The misguided and futile initiatives of the state, in pursuit of transcending this public affairs crisis, have fostered a reification, that is, a reinforcement of divisiveness. This time, however, minority groups compete with one another for recognition, affirmation, and identity in the national collective psyche (Rosenfeld, 1993). What ensues by way of state effort, though, is a contemporaneous sense of equality for all and a near imperceptible endorsement of inequality; a silent conviction that the majority still retains power. The “gift” of equality, procured through state legislative enactments as an emblem of democratic justice, embodies true (legitimated) power that remains nervously secure in the hands of the majority. The ostensible empowerment of minority groups is a facade; it is the ruse of the majority gift. **What exists,** in fact, **is a simulacrum** (Baudrillard, 1981, 1983) **of equality** (and by extension, democratic justice): a pseudo-sign image (a hypertext or simulation) of real sociopolitical progress.

This narcissistic reinforcement of power turns the case

WILLIAMS 2k (Christopher R. Williams, PhD, forensic psychology, professor and chairman of the Department of Criminal Justice Studies at Bradley University, Bruce A. Arrigo, PhD, administration of justice, professor of criminology, law, and society, Department of Criminal Justice and Criminology at the University of North Carolina, Faculty Associate in the Center for Professional and Applied Ethics, “The (Im)Possibility of Democratic Justice and the ‘Gift’ of the Majority,” Journal of Contemporary Criminal Justice, Vol. 16, No. 3, August 2000, pgs. 321-343)

Reciprocation on your part is impossible. Even if one day you are able to return our monetary favor twofold, we will always know that it was us who first hosted you; extended to and entrusted in you an opportunity given your time of need. As the initiators of such a charity, we are always in a position of power, and you are always indebted to us. This is where the notion of egoism or conceit assumes a hegemonic role. By giving to you, a supposed act of generosity in the name of furthering your cause, we have not empowered you. Rather, we have empowered ourselves. We have less than subtlely let you know that we have more than you. We have so much more, in fact, that we can afford to give you some. Our giving becomes, not an act of beneficence, but a show of power, that is, narcissistic hegemony! Thus, we see that the majority gift is a ruse: a simulacrum of movement toward aporetic equality and a simulation of democratic justice. By relying on the legislature (representing the majority) when economic and social opportunities are availed to minority or underrepresented collectives, the process takes on exactly the form of Derrida’s gift. The majority controls the political, economic, legal, and social arenas; that is, it is (and always has been) in control of such communities as the employment sector and the educational system. The mandated opportunities that under- or nonrepresented citizens receive as a result of this falsely eudemonic endeavor are gifts and, thus, ultimately constitute an effort to make minority populations feel better. There is a sense of movement toward equality in the name of democratic justice, albeit falsely manufactured. 18 In return for this effort, the majority shows off its long-standing authority (this provides a stark realization to minority groups that power elites are the forces that critically form society as a community), forever indebts under- and nonrepresented classes to the generosity of the majority (after all, minorities groups now have, presumably, a real chance to attain happiness), and, in a more general sense, furthers the narcissism of the majority (its representatives have displayed power and have been generous). Thus, **the ruse** of the majority gift assumes the form and **has the** hegemonical **effect of empowering the empowered,** relegitimating the privileged, **and fueling the voracious conceit of the advantaged.**

Their demand for the ballot is trapped in a web of scheming --- this poisons their call for change

MCGOWAN 2009(Todd McGowan, Associate Professor, film theory, University of Vermont, PhD, Ohio State University, studies the intersection of Hegel, psychoanalysis, and existentialism and cinema, “The Exceptional Darkness of The Dark Knight,” Jump Cut, No. 51, Spring 2009, http://www.ejumpcut.org/archive/jc51.2009/darkKnightKant/text.html)

According to Kant, when we emerge as subjects, we do so as beings of radical evil, that is, beings who do good for evil reasons. We help our neighbor for the recognition we gain; we volunteer to help with the school dance in order to spend time with a potential romantic interest; we give money for disaster relief in order to feel comfortable about our level of material comfort; and so on. For Kant, this is the fundamental problem that morality confronts and the most difficult type of evil to extirpate. He explains,

“The human being (even the best) is evil only because he reverses the moral order of his incentives in incorporating them into his maxims. He indeed incorporates the moral law into those maxims, together with the law of self-love; since, however, he realizes that the two cannot stand on an equal footing, but one must be subordinated to the other as its supreme condition, he makes the incentives of self-love and their inclinations the condition of compliance with the moral law — whereas it is this latter that, as the supreme condition of the satisfaction of the former, should have been incorporated into the universal maxim of the power of choice as the sole incentive.”[12]

Though Kant believes that we have the capacity to turn from beings of radical evil to moral beings, we cannot escape a certain originary radical evil that leads us to place our incentives of self-love above the law and that prevents us from adhering to the law for its own sake.[13]

Our first inclination always involves the thought of what we will gain from not lying rather than the importance of telling the truth. Even when we do tell the truth, we do so out of prudence or convenience rather than out of duty. This is why Kant contends that most obedience to the moral law is in fact radical evil — obedience for the wrong reasons. The presence of radical evil at the heart of obedience to the law taints this obedience and gives criminality the upper hand over the law.

There is always a fundamental imbalance between law and criminality. Criminality is inscribed into the law itself in the form of misdirected obedience, and no law can free itself from its reliance on the evil of such obedience. A consequentialist ethics develops as a compromise with this radical evil at the heart of the law. Consequentialism is an ethics that sees value only in the end — obedience — and it disregards whatever evil means that the subject uses to arrive at that obedience. If people obey the law, the consequentialist thinks, it doesn’t matter why they do so. Those who take up this or some other compromise with radical evil predominate within society, and they constitute the behavioral norm. They obey the law when necessary, but they do so in order to satisfy some incentive of self-love. Theirs is a morality of calculation in which acts have value in terms of the ultimate good that they produce or the interest that they serve. Anyone who obeys the law for its own sake becomes exceptional.

Both Batman and the Joker exist outside the calculating morality that predominates among the police, the law-abiding citizens, and the criminal underworld in Gotham. Both have the status of an exception because they adhere to a code that cuts against their incentives for self-love and violates any consequentialist morality or morality concerned solely with results. Though Batman tries to save Gotham and the Joker tries to destroy it, though Batman commits himself to justice and the Joker commits himself to injustice, they share a position that transcends the inadequate and calculated ethics authorized by the law itself. Their differences mask a similar relationship to Kantian morality. Through the parallel between them, Christopher Nolan makes clear the role that evil must play in authentic heroism.

It is the Joker, not Batman, who gives the most eloquent account of the ethical position that they occupy together. He sets himself up against the consequentialist and utilitarian ethic that rules Gotham, and he tries to analyze this ethic in order to understand what motivates it. As the Joker sees it, despite their apparent differences, all of the different groups in Gotham indulge in an ethics of what he calls scheming. That is to say, they act not on the basis of the rightness or wrongness of the act itself but in order to achieve some ultimate object. In doing so, they inherently degrade their acts and deprive them of their basis in freedom. Scheming enslaves one to the object of one’s scheme.

**The Aff uses ontology to project essential properties onto group identity. Mirroring the same strategies of whiteness that they claim to solve. The 1AC is merely the blackness that whiteness created.**

Anderson, 1999 (Victor, Assoicate Professor of Religious Ethics at Vanderbilt Diivinity School. “Beyond Ontological Blackness: An Essay on African American Religious and Cultural Criticism” Pg. 12-13)

Race linguistically designates ethnic groups of human beings. Sometimes these groups are identified by nationalities, families, or languages (Omi and Winant, 1995, 4). Race has here an accidental quality rather then a formal status. For that persons belong to specific ethnic groups has to do with the historical development of particular human communities, their encounters with other human communities, and the economic conditions under which these communities propagate themselves. This use of race is one that is likely to guide cultural anthropologists, and it is central to the claims that I make for the critical study of race throughout this book. However, in many of the cultural studies that I examine, mostly philosophical and theological ones, **race is often regarded as a topic in metaphysical ontology. In metaphysical ontology, race denotes essential properties (essences), such that to lack any one property renders one a member of a pseudospecies.**

According to Erik Erikson, **the idea of pseudospecies is connected with group identity formation** (1968, 41-42). As human groups construct their identities in relation to other animal groups, they develop categorical ways of solidifying their cultural and social identities. **One way that they reassure their social and cultural identities is by defining then in terms of positive qualities that they wish to affirm while projecting negative ones onto *others,* rendering *others* false instances of the species**. **Pseudospecies is the name** Erikson Gives **for this *othering* activity. Erikson warns that while such activities appear to be present throughout almost every group that we know of. “the pseudospecies…is one of the most sinister aspects of all group identity” (1968, 42). For according to Erikson, “there are also ‘pseudo’ aspects in all identity which endanger the individual**.” (42).

Race is one classification under which human group differentiation occurs. In this book, I am interested in the ways that race determines black identity in African American cultural philosophy and theology. The *second* theme of this book is to make problematic the historical representational functions that racial representation is closely identified with the Western aesthetic category of genius. (In chapter 4. I give an extensive account of the idea of genius in European aesthetic theory.) **In their attempts to give ideological justifications for the imperialist ethos that inaugurated the age of Europe, European intellectuals defined their age and themselves as heroic, epochal, and exhibiting racial genius**.

**Comparatively speaking, then, this racial aesthetic renders the other (non-Europeans) a false speciesm lacking in essential properties which make European genius representative of universal human genius. The *third* theme is that the cult of European genius, with its essentially heroic, epochal, and cultural-advancing qualities, has likewise determined how African Americans represent themselves as the mirror of European genius: ontological blackness signifies the blackness that whiteness created.**

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The binraries constucted by the 1AC between and Anti-blackness/Whiteness mean that we can never trancend oppresion.

Anderson, 1999 (Victor, Assoicate Professor of Religious Ethics at Vanderbilt Diivinity School. “Beyond Ontological Blackness: An Essay on African American Religious and Cultural Criticism” Pg. 15-16)

**Ontological blackness is a philosophy of racial consciousness. It is governed by dialectical matrices that existentially structure African Americans’ self-conscious perceptions of black life. Under ontological blackness, the conscious lives of blacks are experienced as bound by unresolved binary dialectics of slavery and freedom, negro and citizen, insider and outsider black and white, struggle and survival. However, such binary polarities admit no possibility of transcendence or mediation**. Negatively, each pole is not so determinant that one pole is canceled out by the other. To be sure, negation occurs but in the same way as negative (-A) anticipates and represents in its own internal meaning positive (+A). Positively in these racial polarities, the one pole is reflected or mirrored by the other in the same way that not (-A) = (+A). **Whether one accents the negative or positive qualities of racial polarization (negation or mirroring), the representational intentions of these binary dialectics remain untranscended**. The dialectical structure of ontological blackness provides a unity of representational intentions in cultural studies. W.E.B. Du Bois’s double-consciousness depiction of black existence has come to epitomize the existential determinates of black self-consciousness. **These alienated forms of black consciousness have been categorically defined in African American cultural studies as; The Negro Problem**, The Color Line, Black Experience, Black Power, The Veil Of Blackness, Black Radicalism, and most recently, The Black Sacred Cosmos.

There is a close connection between ontological blackness and religion. **Ontological blackness signifies the totality of black existence a binding together of black life and experience**. In its root, religion, religion denotes tying together, fastening behind, and binding together. Ontological blackness renders black life and experiences a totality. **It is a totality that takes narrative formations that emphasize the heroic capacities of African Americans to transcend individuality and personality in the name of black communal survival. In theses survivalist narratives, the black community is often represented as surviving under unprecedented struggle by the development of revolutionary consciousness that is itself representational of authentic black consciousness**. This book explores the ways that devotion to ontolgocal blackness, its categories and its interests in racial solidarity, loyalty, and authenticity, conceals, subjugates, and calls into question African Americans’ interests in fulfilled individuality.

# 2NC

#### The permutation scripts the resistance that the alternative can engage in by defining them as per the 1ac—refuse this framing as one that eviscerates agency – it links to all our offense

Peggy Phelan 96, chair of New York University's Department of Performance Studies, Unmarked: the politics of performance, 26-7

Representation is almost always on the side of the one who looks and almost never on the side of the one who is seen. As feminist film theorists have demonstrated, the fetishized image of the female star serves as a deeply revealing screen for the construction of men’s desire. The image of the woman displays not the subjectivity of the woman who is seen, but rather the constituent forces of desire of the man who wants to see her. 38 Visibility and invisibility are crucially bound; invisibility polices visibility and in this specific sense functions as the ascendant term in the binary. Gaining visibility for the politically under-represented without scrutinizing the power of who is required to display what to whom is an impoverished political agenda. Within the psychic and aesthetic economy of the Western gaze, the visible image of the other necessarily becomes a cipher for the looking self. To overturn these economies the failure of the inward gaze to produce self-seeing needs to be acknowledged. If one could confront the internal/external other as always already lost one would not have to rely so heavily on the image of the external other to produce what the looker lacks. This suggestion is not a refusal of multicultural diversity or of a more inclusive representational landscape. It is rather a way to isolate the impotency of the inward gaze as a fundamental aspect of representational economies.

#### The battle for the public sphere is over—we lost – the left and right are now two sides of the same coin – and all institutional power exists only to suppress dissent – the only sphere with left is the space of the opaque

The Invisible Committee, ‘7 [an anonymous group of French professors, phd candidates, and intellectuals, in the book “The Coming Insurrection” published by Semiotext(e) (attributed to the [Tarnac Nine](http://en.wikipedia.org/wiki/Tarnac_Nine) by the French police), <http://tarnac9.noblogs.org/gallery/5188/insurrection_english.pdf>]

**Whatever angle you look at it from, there's no escape from the present.** That's not the least of its virtues. For those who want absolutely to have hope, **it knocks down every support.** **Those who claim to have solutions are proven wrong almost immediatel**y. It's understood that now **everything can only go from bad to worse.** "**There's no future for the future**" is the wisdom behind an era that for all its appearances of extreme normalcy has come to have about the consciousness level of the first punks. **The sphere of political representation is closed. From left to right, it's the same nothingness** acting by turns either as the big shots or the virgins, the same sales shelf heads, **changing up their discourse according to the latest dispatches from the information service**. Those who still vote give one the impression that their only intention is to knock out the polling booths by voting as a pure act of protest. And we've started to understand that in fact **it’s only against the vote itself that people go on voting. Nothing we've seen can come up to the heights of the present situation; not by far.** By its very silence, the populace seems infinitely more 'grown up' than all those squabbling amongst themselves to govern it do. Any Belleville chibani 1 is wiser in his chats than in all of those puppets’ grand declarations put together. The lid of the social kettle is triple-tight, and the pressure inside won’t stop building. The ghost of Argentina’s Que Se Vayan Todos 2 is seriously starting to haunt the ruling heads. **The fires of November 2005 will never cease to cast their shadow on all consciences.** Those first joyous fires were the baptism of a whole decade full of promises. The media’s “suburbs vs. the Republic” myth, if it’s not inefficient, is certainly not true. The fatherland was ablaze all the way to downtown everywhere, with fires that were methodically snuffed out. **Whole streets went up in flames of solidarity in Barcelona and no one but the people who lived there even found out about it.** And the country hasn’t stopped burning since. Among the accused we find diverse profiles, without much in common besides a hatred for existing society; not united by class, race, or even by neighborhood. What was new wasn’t the “suburban revolt,” since that was already happening in the 80s, but the rupture with its established forms. The assailants weren’t listening to anybody at all anymore, not their big brothers, not the local associations assigned to help return things to normal. No “SOS Racism which **only fatigue, falsification, and media omertà** 4 **could feign putting an end**. The whole series of nocturnal strikes, **anonymous attacks, wordless destruction, had the merit of busting wide open the split between politics and the political**. No one can honestly deny the obvious weight of **this assault** which **made no demands**, and **had no message other than a threat which had nothing to do with politics**. But **you’d have to be blind not to see what is purely political about this resolute negation of politics,** and you’d certainly have to know absolutely nothing about the autonomous youth movements of the last 30 years. **Like abandoned children** **we burned the first baby toys of a society that deserves no** more **respect** than the monuments of Paris did at the end of Bloody Week 5 -- and knows it. **There’s no social solution to the present situation**. **First** off **because the vague aggregate of social groupings, institutions, and individual bubbles that we designate by the anti-phrase “society” has no substance**, **because there’s no language left to express common experiences wit**h. It took a half-century of fighting by the Lumières to thaw out the possibility of a French Revolution, and a century of fighting by work to give birth to the fearful “Welfare State.” Struggles creating the language in which the new order expresses itself. Nothing like today. Europe is now a de-monied continent that sneaks off to make a run to the Lidl 6 and has to fly with the low-cost airlines to be able to keep on flying. **None of the “problems” formulated in the social language are resolvable**. The “retirement **pensions** issue,” the issues of “precariousness,” the “**youth**” and their “**violence**” can only be kept in suspense as long as the ever more surprising “acting out” they thinly cover gets managed away police-like. No one’s going to be happy to see old people being wiped out at a knockdown price, abandoned by their own and with nothing to say. And **those who’ve found less humiliation and more benefit in a life of crime than in sweeping floors will not give up their weapons, and prison won’t make them love society.** The rage to enjoy of the hordes of the retired will not take the somber cuts to their monthly income on an empty stomach, and will get only too excited about the refusal to work among a large sector of the youth. And to conclude, **no guaranteed income granted the day after a quasi-uprising will lay the foundations for a new New Deal,** a new pact, and a new peace. The **social sentiment is** rather **too evaporated** **for all that.** As their solution, **they’ll just never stop putting on the pressure, to make sure nothing happens, and with it we’ll have more and more police chases all over the neighborhood**. **The drone that** even according to the **police** indeed did **fly** over Seine-Saint-Denis 7 last July 14 th **is a picture of the future in much more straightforward colors than all the hazy images we get from the humanists.** That they took the time to clarify that it was not armed shows pretty clearly the kind of road we’re headed down. The country is going to be cut up into ever more air-tight zones. Highways built along the border of the “sensitive neighborhoods” already form walls that are invisible and yet able to cut them off from the private subdivisions. Whatever good patriotic souls may think about it, the management of neighborhoods “by community” is most effective just by its notoriety. **The purely metropolitan portions of the country, the main downtowns, lead their luxurious lives in an ever more calculating, ever more sophisticated, ever more shimmering deconstruction.** They light up the whole planet with their whorehouse red lights, while the BAC 8 and the **private security companies’** -- read: militias’ -- **patrols multiply** infinitely, **all the while benefiting from being able to hide behind an ever more disrespectful judicial front. The catch-22 of the present**, though perceptible everywhere, **is denied everywhere**. **Never have so many** psychologists, sociologists, and literary **people devoted themselves to it, each with their own special jargon, and each with their own specially missing solution**. It’s enough just to listen to the songs that come out these days, the trifling “new French music,” where the petty-bourgeoisie dissects the states of its soul and the K’1Fry mafia 9 makes its declarations of war, to know that this coexistence will come to an end soon and that a decision is about to be made. This book is signed in the name of an imaginary collective. Its editors are not its authors. They are merely content to do a little clean-up of what’s scattered around the era’s common areas, around the murmurings at bar-tables, behind closed bedroom doors. They’ve only determined **a few necessary truths**, whose universal repression **fill**s **up** **the psychiatric hospitals and the painful gazes**. They’ve made themselves scribes of the situation. It’s the privilege of radical circumstances that **justice leads** them **quite logically to revolution**. It’s enough just to say what we can see and not avoid the conclusions to be drawn from it.

#### That prevents the possibility of activating resistance in the squo – that’s a disad to the perm

Stephenson et al 8, Dimitris Papadopoulos, PhD in Social Sciences from the Free University of Berlin, Niamh Stephenson, Senior Lecturer in Social Science the School of Public Health and Community Medicine, Vassils Tsianos, PhD Sociology Department of Social Sciences from the University of Hamburg, 2008, (“Escape Routes Control and Subversion in the Twenty-first Century”, <http://www.elimeyerhoff.com/books/Escape_routes.pdf>, AW)

Imperceptible Politics Transform the Body

We have an ally in writing this book: time. Writing at the beginning of the twenty-first century we are not simply making reference to the present. The current times allow the book to happen. In the beginning of the third millennium, we are precariously situated on a rather aseptic, sober, glamorous facade, with lots of neglected agony beneath. This book could easily be fuelled by mourning and lament (as criticised by Brown, 1995), or it could strive to culminate in some kind of genealogy (N. Rose, 1999) or critical deconstruction of the present (Žižek, 2005b). It could even attempt to refuse despondent visions of the future by promising that agony is, in principle, translatable into euphoria (a mode of engagement critically analysed by G. Rose, 1996). But we are writing not as active and watchful observers of our times; we are not even writing in the flow of time, as its loyal handmaidens. Rather, time – with all its stubbornness and smoothness, its warm reliability and its disorienting absence of synchronicity – fuels these micro-electrical firings which govern the muscles of our fingers on the keyboards of our sleek laptops. Time both writes us and yields material with which we can address the predicament of resistance. New tools of subversion are emerging, but they have not crystallised, they are ungraspable. This describes our encounter with imperceptible politics; it is not simply situated in our present conditions of postliberal sovereignty. Of course, imperceptible politics is demanded by our situatedness. But at the same time, it is imaginary and outside of the present historical chronotope. It is only possible to work on the real conditions of the present by invoking imaginaries which take us beyond the present. And this trajectory away from the present is achieved by working in time, by intensifying the present. Imperceptible politics works with the present. Time is fractured and non-synchronous – the historical present can be understood both as containing residues of the past and as anticipating the future (Marvakis, 2005; Bloch, 1986). Yet it is impossible to identify either the past or the future by moving backwards or forwards in time. Neither move is possible. Time forces us to work in the present, by training our senses to examine what appears evident as well as what is absent. This sensibility enables us to perceive and imagine things and ourselves in unfamiliar ways, to follow open trajectories. Time contains both experiences of the world which have been rendered invisible and the seeds of experience which may be possible to realise (Santos, 2003). Imperceptible politics can be neither perceived nor conducted from a transcendent perspective; that is, elaborating a ‘metaphysics of the present’ (as criticised in Adam, 1995) can reveal nothing of the mode of engagement with the present we are describing. This engagement entails experiencing time in a subjective and embodied way, being forced to transform ourselves in order to deal with this current predicament of resistance. Situated in the present historical regime of control, imperceptible politics involves remaking the present by remaking our bodies: the ways we perceive, feel, act. Imperceptible politics transforms our bodies. Loving the present, existing in the present, imperceptible politics is practised in the present. It works with social reality in the most intimate and immanent ways, recalling the whole history and practice of escape, as we described earlier, and rethinking it anew. Doing imperceptible politics entails the refusal to use our perceptual and action systems as instruments for representing the current political conditions of resistance. It functions through diffraction rather than reflection (Haraway, 1997, 1991c): diffraction creates ‘effects of connection, of embodiment, and of responsibility for an imagined elsewhere that we may yet learn to see and build here’ (Haraway, 1992, p. 295). In this sense imperceptible politics is more concerned with changing the very conditions of perception and action than with changing what we see. Only such bodily, lived transformations are sufficient for interrupting the pervasive sensibilities being shaped by sovereign powers.

#### Fugitivity is not a mode of resistance nor emancipation – rather it allows the disciplinary power to coalesce its centres of control to encompass the resistance and re-calibrate systems of control to transform dissent into productive labor – any change they affect is not emancipatory. Power follows in the trails blazed by vagabonds

Stephenson et al 8, Dimitris Papadopoulos, PhD in Social Sciences from the Free University of Berlin, Niamh Stephenson, Senior Lecturer in Social Science the School of Public Health and Community Medicine, Vassils Tsianos, PhD Sociology Department of Social Sciences from the University of Hamburg, 2008, (“Escape Routes Control and Subversion in the Twenty-first Century”, <http://www.elimeyerhoff.com/books/Escape_routes.pdf>, AW)

Long before the violent proletarianisation of labour in proto-capitalist economies (Polanyi, 2001; Marx, 1988; Wallerstein, 1976), the wandering mob and the flight of the peasants expressed a struggle against the feudal rent system. The centuries before the Great Plague (1665), generally considered to form a watershed in the emergence of a pre-capitalist labour market, were characterised by an increase in the expenditures of feudal households. Everywhere in Europe peasants were leaving their estates ‘illegally’. This flight from the land either spurred on the rapid growth of towns, flowed into colonisation movements towards the east or led the peasants to the life of the vagabond. In the passage from the fifteenth to the sixteenth century the feudal system was plunged into permanent crisis, not by the need to remunerate peasants, but by the flight of the peasants (Dobb and Becker, 1972).

Everywhere in Europe, whole districts and villages were abandoned. In Middle Germany, peasants became colonists; the colonised Slavs had been almost exterminated and hence the need for labour was great (Dobb and Becker, 1972). In some French provinces the resulting freedom enabled the emergence of free rural communities with their

own mayors and systems of justice. The flight and the associated shortage of peasant labour allowed the peasants as a whole to demand rights and privileges. Feudal lords reacted to these demands and the scarcity of labour in different ways. One quite widespread strategy was to introduce monetary payment for services in place of feudal obligations (Wallerstein, 1983). Another strategy was to lease land to peasants. Whilst a minority of migrating peasants were ‘won back’, this flight from the land was crucial to the end of feudalism.

The feudal lords’ reaction to this flight was, however, not uniform. While in some parts of Europe concessions (payment, leasing of land) were made to the peasants, in others the nobles reacted with an inten- sification of labour services. Especially in Eastern Europe, peasants who absented themselves were ‘recaptured’ and feudal obligations extracted by force (Dobb and Becker, 1972). At times this politics of immobilisation indicated an attempt to return to the feudal order. For example, where there was an absolute shortage of labour the feudal lords resorted to coercive means in order to tie labour to the means of production. In effect, the two types of immobilisation (mild in the case of concessions and violent in the case of coercion) mutually supported each other: in many cases, indeed, it was the same feudal lords who employed concessions to try and stem the flight from the land who soon made recourse to coercion in order to tie the fugitives to the land.

The many different attempts during the late Middle Ages to suppress mobility and to stop peasants from flowing into towns failed to restrict vagabondage (Sennett, 1994). Instead, growing numbers of paupers and peasants caused the towns to erect dams to prevent people flowing into their territories. Now, the peasants became brassiers (braceros), who entered the market by ‘renting’ their arms for a daily wage (Moulier Boutang, 1997). The vagabonds were still not proletarians able to work. In order for them to become unemployed workers who could exert downward pressure on wages they first had to have either the desire to work or be subjected by force (Castel, 2003). This was where projects of disciplining and incarcerating paupers and beggars in poorhouses and workhouses, but also in monasteries, galleys and armies, began to emerge – i.e. the institutions which, in subsequent centuries, would be charged with solving the problem of the mobile classes, the ‘mob’.

For the first time, a more systematic regime of control emerged as a response to the vagabonds. This was an attempt not so much to return the masses to the feudal system, but to capitalise on their mobility

and to absorb its potentials into a new system of accumulation of bodies and capital. Manufacture and proto-capitalist production followed the wandering masses. The new regime of control emerged to tame the escaping mob. The genesis of a docile industrious worker can be located in these disciplinary efforts. The new regime of control responded to vagabondage in three ways. (1) It tried to make poverty and the wandering masses visible and controllable by institutionalis- ing poverty and territorialising mobility. (2) It attempted to control mobility (and only when mobility became dangerous did the new regime attempt to suppress it completely by introducing harsh laws for its punishment). (3) Finally, it tried to transform the habits and the bodies of the wandering masses by incarcerating them in workhouses in order to transform the energy of mobility into an energy of productivity.

Controlling the Vagabonds (1): Institutionalising Poverty It is true that nomadic life was already considered undesirable during the early Middle Ages. The differentiation between legitimate beggars (on the grounds of being unfit for work) and those beggars who were fit for work and thus illegitimate, can already be found in the clerical debates of the time. However, the expansion of the money economy in Europe from the beginning of the twelfth century onwards resulted both in growing criticisms of wealth and in the establishment of charitable institutions (such as the mendicant orders) able to mediate productively the contradictions between ownership of wealth and the Christian ethic (Ignatieff, 1978). The Christian ethos of poverty emerged in reaction to the accumulation of wealth on the part of the church (Geremek, 1994, p. 35) and expressed itself in the fuga mundi or asceticism. Asceticism was tolerated by the church as long as it remained an individual expression or, where it became collective and thus a potential threat, it was channelled through the foundation of mendicant orders. Thus, during the twelfth and thirteenth centuries an increasing number of charitable institutions were founded, allowing both access to salvation through charitable works and the display of wealth. There was now a division of labour between the occupational poor and wealthy Christians. The doctrine of poverty and the praise of alms served to legitimise wealth. The ritualisation and institutionalisation of poor relief turned poverty into an occupation; the recipients of alms were listed in town tax rolls as tax payers. For instance in 1475 in Augsburg, out of 4,485 tax payers 107 were registered as beggars (Geremek, 1994). This ritualisation of poor relief was loudly criticised long before the Reformation. Christian poor relief was seen to make begging attractive: it did not differentiate between the really poor and those fit for work, too many alms were distributed and, finally, it was pointed out that praise of poverty ran contrary to the Christian obligation to work. These discussions would have been purely scholastic had they not been coupled with social and economic processes that lent them a certain significance and sustained relevance. The organisation of poverty as a constitutive element of the social politics of the feudal order entered a period of crisis. As described above, the deterritorialisation of poverty, its quantitative growth, and the concomitant development of new forms of work led to the emergence of wandering poverty. In response, in the fifteenth and sixteenth centuries, practices of poor relief, care and surveillance undertaken by charitable institutions mainly assigned to the church gradually transformed the wandering mob into the identifiable mass of the poor. Now a new differentiation between local and foreign vagabonds absorbed efforts to regulate poor relief (Sachße and Tennstedt, 1998, p. 43) and with it there was an attempt to institutionalise poverty by reterritorialising the wandering masses. Controlling the Vagabonds (2): Punishing Vagrancy The Black Death, in the mid fourteenth century (Mottek, 1974), accentuated struggles over the distribution of the feudal rent. As a direct consequence of the epidemic, the brassiers became ‘scarce’, leading to an increase in their wages. The rise in labour costs varied by branch and region. In Paris the wages of builders’ labourers rose by 100 per cent while the wages of agricultural day labourers in England were 2.35 times higher during the plague than at the beginning of the century. Yet daily wages for English building workers rose by only 20 per cent during the period (Mollat, 1986). Around 1350, edicts were issued throughout Europe – in particular in England, Portugal, Castile, Bavaria and Aragon – against the wage increases due to the labour shortages. For instance, in 1351 an ordinance was issued by John the Good in France directed against vagrants who did not wish to take up their former work, introducing the threats of pillory, branding and banishment. Some years later, in 1354, traders justified their high prices on the grounds of labour costs (Geremek, 1994).

In England in 1349, the Ordinance of Labourers was issued, stipulating compulsory labour until the age of 60 and the requirement to accept wages fixed at the levels prevailing in 1325. Workers who had fled their place of work could not be employed elsewhere (Castel, 2003). Breach of contract by servants, i.e. running away from work, was punishable by a prison sentence. It is apparent that such measures alone could neither solve the problem of mobile workers nor effectively suppress them. In every case where edicts to restrict mobility were issued, new ones soon followed with either the same or modified content. These policies were continued until well into the fifteenth century and beyond.

The limitations of such strict measures cannot be fully explained by recourse to arguments about flaws in the local apparatuses of control. The widespread failure of cooperation of the people as well as the masters and lords was vital. The incarceration and punishment of paupers and beggars was rejected by ordinary people, who began to actively support beggars who resisted their imprisonment, at times to the point of instigating riots (Geremek, 1994; Linebaugh, 2003). The alliances forged between townspeople and beggars would suggest that townspeople recognised the fluidity that the dividing lines of laws and edicts attempted to mask, and that they saw the draconian measures directed against the beggars and the vagabonds as an attack on themselves. Moreover, this solidarity shows how widespread the phenomenon of vagabondage was, indicating that the laws could only attempt to control it rather than eliminate it. It was simply impossible to eliminate the deep manifestation of vagabondage in the everyday culture of the time.

Thus, the increasing mixing of what had formerly been distinct categories of beggars, paupers, nomads and vagabonds is an index of the de facto blurring of these categories in social life. The workers, for whom as yet no term existed, moved between these categories. It is evident that they made use of different elements of these ways of life.

The uncertainty of life from one day to another, and the very real possibility that they, too, might at any moment find themselves amongst the ranks of the unemployed, reduced to begging for a living, naturally bound the working population to these paupers. (Geremek, 1994, p. 227)

Controlling the Vagabonds (3): Discipline and the Workhouse

Whilst population numbers returned to their pre-plague levels after about 50 years, the ‘vagabond’ phenomenon did not disappear. As late as the eighteenth century, the towns, villages, streets and not least the political debates of Europe were filled with paupers,

beggars and vagrants. This is because a new form of mobility appeared alongside vagabondage: forced mobility following expulsion from land (Allen, 1994). With the enclosures of common land in England and its conversion to grazing, the peasants were driven from the land to form a new, unwilling army of paupers and beggars (Polanyi, 2001; Negt and Kluge, 2001).

These enclosures began at the close of the fifteenth century, lasted for 150 years and increased again in the eighteenth century, this time in legal form under the ‘Bill for Inclosure of Commons’. Aside from the mobilisation and transformation of peasants into proletarians, these enclosures created, on the one hand, tenants’ growing dependence on landlords, and on the other, an enlargement of the agricultural land of the new owners that was accompanied by a revolution in agriculture (Marx, 1988). In Das Kapital, Marx writes about the new ‘free proletariat’, that is those thrown off the land faster than they could be incorporated into manufacturing:

They were turned en masse into beggars, robbers, vagabonds, partly from inclination, in most cases from stress of circumstances. Hence at the end of the fifteenth and during the whole of the sixteenth century, a bloody legislation against vagabondage was enforced throughout Western Europe. The fathers of the present working class were chastised for their enforced transformation into vagabonds and paupers. Legislation treated them as ‘voluntary’ criminals, and assumed that it depended on their own good will to go on working under the old conditions that no longer existed. (Marx, 1988, p. 723)

The numerous and often draconian measures used to torment the beggars and vagabonds of Europe over many centuries – branding, flogging, the death sentence – can all be understood as efforts to discipline the former peasants into wage labour (Marx, 1988).

Looking back over the course of the seventeenth century, Foucault sees the new disciplinary power coalescing, a power that subjugates and harnesses the body. In contrast to monastic discipline, aimed more at renunciation, this form of power is a machine that divides the body only to reassemble it again. Discipline produces a double result: on an everyday level, training the body’s powers yields an increase in productivity and usefulness; on a political level, this usefulness corresponds symmetrically with social submissiveness to the given order of power (Foucault, 1977, p. 138). Discipline superseded the mechanisms of feudal power and established forms of power oriented towards the production of value. Foucault (1977) explicated this element of the subjugation of the productive body by examining the workhouse, a model institution whose mission was to re-educate beggars and young idlers. Workhouses used temporary incarceration to train a new attitude towards work and mobility. In the eighteenth century the workhouse also appeared as an answer to the problem of chain deportations (the ‘dangerous’ wandering masses were being expelled from one territory to others). ‘Delinquency’ legitimised the regulation of the population as a whole through the incarceration and surveillance of its ‘dangerous’ edges (Foucault, 1977, p. 278). The individualisation of the whole society was enabled as the prison expanded to the workhouse and then a disciplinary system formed an ever widening series of circles around this core. Thus, individu- alisation, i.e. localisation in space and time, formed the basis for the regulation of mobility. Disciplinary control came as a response to the wandering masses.

Contrary to what Foucault might say at this point, it was not that disciplinary power produced subjects to be tamed and trained. Rather disciplinary power followed the escape of people from soil, feudal rent and poverty. And it followed it because this escape of the vagabonds was a constituent force which challenged the feudal regime of control. It was not feudal power but disciplinary power which came to make this force productive. And this is particularly important: disciplinary power does not simply attempt to block and strangulate the escape of the vagabonds. Disciplinary power does not produce its subjects. Rather it responds to the escape of these subjects transforming them into a productive force for the establishment of a better system of control. This new system of control is wage labour.

#### Their demand for the ballot is problematic – resistance instills an adaptive politics of being and effaces institutional constraints that reproduce 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.

#### The politics of identity is reactionary which ultimately creates an attachment to the status of oppression---the affirmative’s emphasis on anti-blackness and exclusion from Whiteness perversely recreate those as valorized ideals

Bhambra 10—U Warwick—AND—Victoria Margree—School of Humanities, U Brighton (Identity Politics and the Need for a ‘Tomorrow’, http://www.academia.edu/471824/Identity\_Politics\_and\_the\_Need\_for\_a\_Tomorrow\_)

2 The Reification of Identity We wish to turn now to a related problem within identity politicsthat can be best described as the problem of the reiﬁcation of politicised identities. Brown (1995) positions herself within thedebate about identity politics by seeking to elaborate on “the wounded character of politicised identity’s desire” (ibid: 55); thatis, the problem of “wounded attachments” whereby a claim to identity becomes over-invested in its own historical suffering and perpetuates its injury through its refusal to give up its identity claim. Brown’s argument is that where politicised identity is founded upon an experience of exclusion, for example, exclusion itself becomes perversely valorised in the continuance of that identity. In such cases, group activity operates to maintain and reproduce the identity created by injury (exclusion) rather than– and indeed, often in opposition to – resolving the injurious social relations that generated claims around that identity in the ﬁrst place. If things have to have a history in order to have af uture, then the problem becomes that of how history is con-structed in order to make the future. To the extent that, for Brown, identity is associated primarily with (historical) injury, the future for that identity is then already determined by the injury “as both bound to the history that produced it and as a reproach to the present which embodies that history” (ibid 1995: 73). Brown’s sug-gestion that as it is not possible to undo the past, the focus back- wards entraps the identity in reactionary practices, is, we believe,too stark and we will pursue this later in the article. Politicised identity, Brown maintains, “emerges and obtains its unifying coherence through the politicisation of exclusion from an ostensible universal, as a protest against exclusion” (ibid: 65). Its continuing existence requires both a belief in the legitimacy of the universal ideal (for example, ideals of opportunity, and re- ward in proportion to effort) and enduring exclusion from those ideals. Brown draws upon Nietzsche in arguing that such identi-ties, produced in reaction to conditions of disempowerment andinequality, then become invested in their own impotence through practices of, for example, reproach, complaint, and revenge. These are “reactions” in the Nietzschean sense since they are substitutes for actions or can be seen as negative forms of action. Rather than acting to remove the cause(s) of suffering, that suf-fering is instead ameliorated (to some extent) through “the estab-lishment of suffering as the measure of social virtue” (ibid 1995:70), and is compensated for by the vengeful pleasures of recrimnation. Such practices, she argues, stand in sharp distinction to –in fact, provide obstacles to – practices that would seek to dispel the conditions of exclusion. Brown casts the dilemma discussed above in terms of a choicebetween past and future, and adapting Nietzsche, exhorts theadoption of a (collective) will that would become the “redeemer of history” (ibid: 72) through its focus on the possibilities of creat-ing different futures. As Brown reads Nietzsche, the one thingthat the will cannot exert its power over is the past, the “it was”.Confronted with its impotence with respect to the events of thepast, the will is threatened with becoming simply an “angry spec-tator” mired in bitter recognition of its own helplessness. The onehope for the will is that it may, instead, achieve a kind of mastery over that past such that, although “what has happened” cannotbe altered, the past can be denied the power of continuing to de-termine the present and future. It is only this focus on the future, Brown continues, and the capacity to make a future in the face of human frailties and injustices that spares us from a rancorous decline into despair. Identity politics structured by ressentiment – that is, by suffering caused by past events – can only break outof the cycle of “slave morality” by remaking the present againstthe terms of the past, a remaking that requires a “forgetting” of that past. An act of liberation, of self-afﬁrmation, this “forgettingof the past” requires an “overcoming” of the past that offers iden-tity in relationship to suffering, in favour of a future in whichidentity is to be deﬁned differently. In arguing thus, Brown’s work becomes aligned with a posi-tion that sees the way forward for emancipatory politics as re-siding in a movement away from a “politics of memory” (Kilby 2002: 203) that is committed to articulating past injustices andsuffering. While we agree that investment in identities prem-ised upon suffering can function as an obstacle to alleviating the causes of that suffering, we believe that Brown’s argument as outlined is problematic. First, following Kilby (2002), we share a concern about any turn to the future that is ﬁgured as a complete abandonment of the past. This is because for those who have suffered oppression and exclusion, the injunction to give up articulating a pain that is still felt may seem cruel and impossible to meet. We would argue instead that the “turn to the future” that theorists such as Brown and Grosz callfor, to revitalise feminism and other emancipatory politics, need not be conceived of as a brute rejection of the past. Indeed, Brown herself recognises the problems involved here, stating that [since] erased histories and historical invisibility are themselves suchintegral elements of the pain inscribed in most subjugated identities[then] the counsel of forgetting, at least in its unreconstructedNietzschean form, seems inappropriate if not cruel (1995: 74). She implies, in fact, that the demand exerted by those in painmay be no more than the demand to exorcise that pain throughrecognition: “all that such pain may long for – more than revenge– is the chance to be heard into a certain release, recognised intoself-overcoming, incited into possibilities for triumphing over, and hence, losing itself” (1995: 74-75). Brown wishes to establish the political importance of remembering “painful” historical events but with a crucial caveat: that the purpose of remembering pain is to enable its release . The challenge then, according to her,is to create a political culture in which this project does not mutate into one of remembering pain for its own sake. Indeed, if Brown feels that this may be “a pass where we ought to part with Nietzsche” (1995: 74), then Freud may be a more suit-able companion. Since his early work with Breuer, Freud’s writ-ings have suggested the (only apparent) paradox that remember-ing is often a condition of forgetting. The hysterical patient, who is doomed to repeat in symptoms and compulsive actions a past she cannot adequately recall, is helped to remember that trau-matic past in order then to move beyond it: she must remember inorder to forget and to forget in order to be able to live in the present. 7 This model seems to us to be particularly helpful for thedilemma articulated by both Brown (1995) and Kilby (2002),insisting as it does that “forgetting” (at least, loosening the holdof the past, in order to enable the future) cannot be achieved without ﬁrst remembering the traumatic past. Indeed, this wouldseem to be similar to the message of Beloved , whose central motif of haunting (is the adult woman, “Beloved”, Sethe’s murderedchild returned in spectral form?) dramatises the tendency of theunanalysed traumatic past to keep on returning, constraining, asit does so, the present to be like the past, and thereby, disallow-ing the possibility of a future different from that past. As Sarah Ahmed argues in her response to Brown, “in order to break the seal of the past, in order to move away from attach-ments that are hurtful, we must ﬁrst bring them into the realm of political action” (2004: 33). We would add that the task of analys-ing the traumatic past, and thus opening up the possibility of political action, is unlikely to be achievable by individuals on their own, but that this, instead, requires a “community” of participants dedicated to the serious epistemic work of rememberingand interpreting the objective social conditions that made up thatpast and continue in the present. The “pain” of historical injury is not simply an individual psychological issue, but stems from objective social conditions which perpetuate, for the most part, forms of injustice and inequality into the present. In sum, Brown presents too stark a choice between past andfuture. In the example of Beloved with which we began thisarticle, Paul D’s acceptance of Sethe’s experiences of slavery asdistinct from his own, enable them both to arrive at new under-standings of their experience. Such understanding is a way of partially “undoing” the (effects of) the past and coming to terms with the locatedness of one’s being in the world (Mohanty 1995). As this example shows, opening up a future, and attending to theongoing effects of a traumatic past, are only incorrectly under-stood as alternatives. A second set of problems with Brown’s critique of identity poli-tics emerge from what we regard as her tendency to individualise social problems as problems that are the possession and theresponsibility of the “wounded” group. Brown suggests that the problems associated with identity politics can be overcome through a “shift in the character of political expression and politi-cal claims common to much politicised identity” (1995: 75). She deﬁnes this shift as one in which identity would be expressed in terms of desire rather than of ontology by supplanting the lan-guage of “I am” with the language of “I want this for us” (1995:75). Such a reconﬁguration, she argues, would create an opportu-nity to “rehabilitate the memory of desire within identiﬁcatory processes…prior to [their] wounding” (1995: 75). It would fur-ther refocus attention on the future possibilities present in theidentity as opposed to the identity being foreclosed through its attention to past-based grievances.

#### If you think there is any chance that visible politics could put strategic resistance at a disadvantage – choose to refuse the tactical ground to lurk in the shadows until the moment is ripe to strike which is an internal net benefit to voting negative – even if their depiction of reality is correct – you’d be better off grabbing the high ground

Mann 96. Paul Mann, professor of English at Pomona College, “The Nine Grounds of Intellectual Warfare,” Johns Hopkins University Press, 1996, muse

Even if fog cannot be reduced to a science without being caught up in the mechanics of critical sublimity, one might still pursue its tactical uses. There is no question that the military is committed to deploying the fog of war. The importance of disinformation, propaganda, jamming, covert operations, "PsyOps," and so on increases as warfare becomes more dependent on technical and tactical knowledge. As the power of reconnaissance and surveillance grows, so does the tactical importance of stealth technology. Virilio remarks that, in the hunt, the speed of perception annuls the distance between the hunter and the quarry. Survival depends on distance: "once you can see the target, you can destroy it" (WC 19, 4). Thus, from now on, "**power is in disappearance**: **under the sea with nuclear submarines, in the air with U2s, spyplanes, or still higher with satellites and the space shuttle**" (PW 146). "If what is perceived is already lost, it becomes necessary to invest in concealment what used to be invested in simple exploitation of one's available forces -- hence the spontaneous generation of new Stealth weapons. . . . The inversion of the deterrence principle is quite clear: unlike weapons which have to be publicized if they are to have a real deterrence effect, Stealth equipment can only function if its existence is clouded with uncertainty" (WC 4). For Virilio, stealth is not a matter of radar-immune bombers alone: it involves a vast "aesthetics of disappearance" that reaches an order of perfection in state terrorism: Until the Second World War -- until the concentration camps -- societies were societies of incarceration, of imprisonment in the Foucauldian sense. The great transparency of the world, whether through satellites or simply tourists, brought about an overexposure of these places to observation, to the press and public opinion which now ban concentration camps. You can't isolate anything in this world of ubiquity and instantaneousness. Even if some camps still exist, this overexposure of the world led to the need to surpass enclosure and imprisonment. This required another kind of repression, which is disappearance. . . . Bodies must disappear. People don't exist. There is a big fortune in this technology because it's so similar to what happened in the history of war. In war, we've seen how important disappearance, camouflage, dissimulation are -- every war is a war of cunning.[34](http://muse.jhu.edu.proxy.lib.umich.edu/journals/postmodern_culture/v006/6.2mann.html" \l "foot34) The methods of strategic disappearance developed by terrorist states are the most insidious form of secrecy. That is why Virilio, the anti-technologist, believes that the technology of secrecy must be exposed. Every order of stealth weaponry is purely and simply a threat. The aesthetics of disappearance must be reappeared. For Virilio, as well as for the reconnaissance cameras whose history he records, **success depends on the logistics of perception, on closing the distance between the critic and his quarry**. But what if critics are not only hunters; what if they are the quarry as well? Michel de Certeau points out that, for Clausewitz, the distinction between strategy and tactics is determined not only by scales of conflict (war vs. battle) but by relative magnitudes of power. Strategy is for the strong, and it is deployed in known, visible, mapped spaces; **tactics is "an art of the weak**," of those who must operate inside territory controlled by a greater power; it takes place on the ground of the "other," inside alien space.[35](http://muse.jhu.edu.proxy.lib.umich.edu/journals/postmodern_culture/v006/6.2mann.html" \l "foot35) It must therefore deploy deception in the face of a power "bound by its very visibility." De Certeau suggests that even in cases where the weak force has already been sighted, it might use deception to great advantage. This is another lesson from Clausewitz: "trickery is possible for the weak, and often it is his only possibility, as a 'last resort': The weaker the forces at the disposition of the strategist, the more the strategist will be able to use deception." In the "practice of daily life," in spaces of signification, **in the contests of critical argument, such a tactics of the weak would also apply**: Lacking its own place, lacking a view of the whole, limited by the blindness (which may lead to perspicacity) resulting from combat at close quarters, limited by the possibilities of the moment, a tactic is determined by the absence of power just as a strategy is organized by the postulation of power. From this point of view, the dialectic of a tactic may be illuminated by the ancient art of sophistic. As the author of a great "strategic" system, Aristotle was also very interested in the procedures of this enemy which perverted, as he saw it, the order of truth. He quotes a formula of this protean, quick, and surprising adversary that, by making explicit the basis of sophistic, can also serve finally to define a tactic as I understand it here: it is a matter, Corax said, of "making the worse argument seem the better." In its paradoxical concision, this formula delineates the relationship of forces that is the starting point for an **intellectual creativity** that is subtle, tireless, ready for every opportunity, scattered over the terrain of the dominant order and foreign to the rules laid down and imposed by a rationality founded on established rights and property. (38) And yet it is rare that any of this ever occurs to critics, who seem to believe that "subversion" consists of vicarious identification with subversives, and of **telling everything one knows to one's enemies.** It is nonetheless already the case that, in critical discourse, behind all the humanistic myths of communication, understanding, and interpretive fidelity, **one finds the tactical value of misinterpretations**. In an argument it is often crucial for combatants not to know their enemy, to project instead a paper figure, a distortion, against which they can conceive and reinforce their own positions. Intelligence, here, is not only knowledge of one's enemies but the tactical lies one tells about them, even to oneself. This is so regular a phenomenon of discursive conflict that it cannot be dismissed as an aberration that might be remedied through better communication, better listening skills, more disinterested criticism. One identifies one's own signal in part by jamming everyone else's, setting it off from the noise one generates around it. There is, in other words, already plenty of fog in discursive warfare, and yet we tend to remain passive in the face of it, and for the most part **completely and uncritically committed to exposing ourselves to attack**. Imagine what might be possible for a writing that is not insistently positional, not devoted to shoring itself up, to fixing itself in place, to laying out all its plans under the eyes of its opponents. Nothing, after all, has been more fatal for the avant-gardes than **the form of the manifesto**. If only surrealism had been more willing to lie, to dissimulate, to abandon the petty narcissism of the position and the desire to explain itself to anyone who would listen, and instead explored the potential offered it by the model of the secret society it also hoped to be. Intellectual warfare must therefore investigate the tactical advantages of **deception and clandestinity** over the habitual, quasi-ethical demands of clarity and forthrightness, **let alone the narcissistic demands of self-promotion and mental exhibitionism**, from however fortified a position. **If to be seen by the enemy is to be destroyed, then intellectual warfare must pursue its own stealth technology**. Self-styled intellectual warriors will explore computer networks not only as more rapid means of communication and publishing but as means for circumventing publication, as semi-clandestine lines of circulation, encoded correspondence, and semiotic speed. There will be no entirely secure secrecy, just as there are no impregnable positions -- that too is Virilio's argument -- but a shrouded nomadism is already spreading in and around major discursive conflicts. There are many more than nine grounds, but the rest are secret.

# 1NR

Even if they win their offense, that just supercharges why the imperceptive politics solves --- rejecting the affirmative is akin to Batman’s sacrifice --- it’s a choice to not be the hero but to allow the affirmative to lose the debate and die the hero --- a martyr who gave up the ballot for their ethics --- a true hero --- that’s a better method for generating community wide awareness and change and avoids the road to fascism turning their ethics  
MCGOWAN 2009 (Todd McGowan, Associate Professor, film theory, University of Vermont, PhD, Ohio State University, studies the intersection of Hegel, psychoanalysis, and existentialism and cinema, “The Exceptional Darkness of The Dark Knight,” Jump Cut, No. 51, Spring 2009,<http://www.ejumpcut.org/archive/jc51.2009/darkKnightKant/text.html>)

The film begins with Batman’s grasp of the problem, as it depicts his attempt to relinquish his exceptional status and to allow the legal order to operate on its own. In order to do this, a different form of heroism is required, and the quest that constitutes The Dark Knight is Batman’s attempt to find the proper public face for heroism. He is drawn to Harvey Dent (Aaron Eckhart) because Dent seems to embody the possibility of a heroism that would be consistent with public law and that could consequently function without the need for disguise. After the death of Rachel Dawes (Maggie Gyllenhaal) and Dent’s own serious facial burn transforms him from a defender of the law into the criminal figure Two-Face, Batman sees the impossibility of doing away with the hero’s mask. Dent, the would-be hero without a mask, quickly becomes a criminal himself when he experiences traumatic loss. This turn of events reveals that the hero must remain an exception, but it also shows that the heroism of the hero must pass itself off as its opposite.

Just as the truth that Leonard (Guy Pearce) discovers at the end of Nolan’s Memento (2000) is a constitutive lie, the conclusion of The Dark Knight illustrates that the true form of appearance of heroism is evil. The film concludes with Batman voluntarily taking responsibility for the murders that Dent/Two-Face committed. By doing so, Batman allows Dent to die as a hero in the public mind, but he also — and more importantly — changes the public perception of his own exceptional status. When he agrees to appear as a criminal at the end of the film, Batman avows simultaneously the need for the heroic exception and the need for this exception to appear as criminality. If the heroic exception is not to multiply itself in a way that threatens any possibility for justice, then its appearance must become indistinguishable from criminality.

The heroic gesture, as The Dark Knight conceives it, does not consist in any of the particular crime-fighting or life-saving activities that Batman performs throughout the film. It lies rather in his embrace of the appearance of criminality that concludes the film. Gordon’s voiceover panegyric to Batman that punctuates the film affirms that this is the truly heroic act. This act privileges and necessitates its own misrecognition: it is only through misrecognition that one sees it correctly. If the people of Gotham were to see through Batman’s form of appearance and recognition his real heroism, the heroism would be instantly lost. As the film portrays it, the form of appearance of authentic heroism must be that of evil. Only in this way does the heroic exceptionality that the superhero embodies avoid placing us on the road to fascist rule.

The aff’s façade of equality through community only serves to reify exclusion --- this turns the case

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Communio is a word for military formation and a kissing cousin of the word “munitions”: to have a communio is to be fortified on all sides, to build a “common” (com) “defense” (munis), as when a wall is put up around the city to keep the stranger or the foreigner out. The self-protective closure of “community,” then, would be just about the opposite of . . . preparation for the incoming of the other, “open” and “porous” to the other. . . . A “universal community” excluding no one is a contradiction in terms; communities always have an inside and an outside. (p. 108) Thus, the word **community has negative connotations suggesting injustice, inequality, and an “us” versus “them” orientation.** Community, as a thing, would constitute a binary opposition with the aforementioned concept of democratic society. The latter evolves with, not against, the other. Although the connotations may be latent and unconscious, any referenceto a community or a derivative thereof connotes the exclusion of some other. A democratic society, then, must reject the analogical conceptions of community and present itself as a receptacle for receiving difference, that is, the demos (the people) representing a democratic society.

#### Corporeal politics are inevitably coopted by the dominant order---starting politics with the marker of blackness can never achieve emancipation

Terry Eagelton 90, Distinguished Professor of English Literature at Lancaster University, The Ideology of the Aesthetic, Pages 27-8

The aesthetic, then, is from the beginning a contradictory, double-edged concept, On the one hand, it figures as a genuinely emancipatory force — as a community of subjects now finked by sensuous impulse and fellow-feeling rather than by heteronomous law, each safeguarded in its unique particularity while bound at the same time into social harmony. The aesthetic offers the middle class a superbly versatile model of their political aspirations, exemplifying new forms of autonomy and self-determination, transforming the relations between law and desire, morality and knowledge, recasting the links between individual and totality, and revising social relations on the basis of custom, affection and sympathy. On the other hand, the aesthetic signifies what Max Horkheimer has called a kind of `internalised repression', inserting social power more deeply into the very bodies of those it subjugates, and so operating as a supremely effective mode of political hegemony. To lend fresh significance to bodily pleasures and drives, however, if only for the purpose of colonizing them more efficiently, is always to risk foregrounding and intensifying them beyond one's control. The aesthetic as custom, sentiment, spontaneous impulse may consort well enough with political domination; but these phenomena border embarrassingly on passion, imagination, sensuality, which are not always so easily incorporable. As Burke put it in his Appeal from the NM to the Old Wags: 'There is a boundary to men's passions when they act from feeling; none when they are under the influence of imagination.'" `Deep' subjectivity is just what the ruling social order desires, and exactly what it has most cause to fear. If the aesthetic is a dangerous, ambiguous affair, it is because, as we shall see in this study, there is something in the body which can revolt against the power which inscribes it; and that impulse could only be eradicated by extirpating along with it the capacity to authenticate power itself.

#### Voting aff is ultimately a simulation of real change --- it produces change no more than voting negative for the same justifications does but their claim that it creates some sort of tangible difference positions the judge as an agent of counterfeit reform and pseudo-progress

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The impediments to establishing democratic justice in contemporary American society have caused a national paralysis; one that has recklessly spawned an aporetic1 existence for minorities. The entrenched ideological complexities afflicting under- and nonrepresented groups (e.g., poverty, unemployment, illiteracy, crime) at the hands of political, legal, cultural, and economic power elites have produced counterfeit, perhaps even fraudulent, efforts at reform: Discrimination and inequality in opportunity prevail (e.g., Lynch & Patterson, 1996). The misguided and futile initiatives of the state, in pursuit of transcending this public affairs crisis, have fostered a reification, that is, a reinforcement of divisiveness. This time, however, minority groups compete with one another for recognition, affirmation, and identity in the national collective psyche (Rosenfeld, 1993). What ensues by way of state effort, though, is a contemporaneous sense of equality for all and a near imperceptible endorsement of inequality; a silent conviction that the majority still retains power. The “gift” of equality, procured through state legislative enactments as an emblem of democratic justice, embodies true (legitimated) power that remains nervously secure in the hands of the majority. The ostensible empowerment of minority groups is a facade; it is the ruse of the majority gift. **What exists,** in fact, **is a simulacrum** (Baudrillard, 1981, 1983) **of equality** (and by extension, democratic justice): a pseudo-sign image (a hypertext or simulation) of real sociopolitical progress.

#### Trading autobiographical narrative for the ballot commodifies one’s identity and has limited impact on the culture that one attempt’s to reform – when autobiographical narrative “wins,” it subverts its own most radical intentions by becoming an exemplar of the very culture under indictment

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

Although Williams is quick to detect insensitivity and bigotry in remarks made by strangers, colleagues, and friends, her taste for irony fails her when it comes to reflection on her relationship with her readers and the material benefits that her autobiographical performances have earned for her. n196 Perhaps Williams should be more inclined to thank, rather than reprimand, her editors for behaving as readers of autobiography invariably do. When we examine this literary faux pas - the incongruity between Williams's condemnation of her editors and the professional benefits their publication secured her - we detect yet another contradiction between the outsiders' use of autobiography and their desire to transform culture radically. Lejeune's characterization of autobiography as a "contract" reminds us that autobiography is a lucrative commodity. In our culture, members of the reading public avidly consume personal stories, n197 which surely explains why first-rate law journals and academic presses have been eager to market outsider narratives. No matter how unruly the self that it records, an autobiographical performance transforms that self into a form of "property in a moneyed economy" n198 and into a valuable intellectual [\*1283] asset in an academy that requires its members to publish. n199 Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor. n200

Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown. n201 As one critic of autobiography puts it, "failures do not get published." n202 While writing a successful autobiography may be momentous for the individual author, this success has a limited impact on culture. Indeed, the transformation of outsider authors into "success stories" subverts outsiders' radical intentions by constituting them as exemplary participants within contemporary culture, willing to market even themselves to literary and academic consumers. n203 What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors? n204 Although they style themselves cultural critics, the [\*1284] storytellers generally do not reflect on the meaning of their own commercial success, nor ponder its entanglement with the cultural values they claim to resist. Rather, for the most part, they seem content simply to take advantage of the peculiarly American license, identified by Professor Sacvan Bercovitch, "to have your dissent and make it too." n205

#### ~~This~~ proscription to the economy of the ballot initiates a form of charity that indebts the aff team to the judge and is the same system that reinforces the empowerment of those within hegemonic roles of power

**WILLIAMS 2k** (Christopher R. Williams, PhD, forensic psychology, professor and chairman of the Department of Criminal Justice Studies at Bradley University, Bruce A. Arrigo, PhD, administration of justice, professor of criminology, law, and society, Department of Criminal Justice and Criminology at the University of North Carolina, Faculty Associate in the Center for Professional and Applied Ethics, “The (Im)Possibility of Democratic Justice and the ‘Gift’ of the Majority,” Journal of Contemporary Criminal Justice, Vol. 16, No. 3, August 2000, pgs. 321-343)

Reciprocation on your part is impossible. Even if one day you are able to return our monetary favor twofold, we will always know that it was us who first hosted you; extended to and entrusted in you an opportunity given your time of need. As the initiators of such a charity, we are always in a position of power, and you are always indebted to us. This is where the notion of egoism or conceit assumes a hegemonic role. By giving to you, a supposed act of generosity in the name of furthering your cause, we have not empowered you. Rather, we have empowered ourselves. We have less than subtlely let you know that we have more than you. We have so much more, in fact, that we can afford to give you some. Our giving becomes, not an act of beneficence, but a show of power, that is, narcissistic hegemony! Thus, we see that the majority gift is a ruse: a simulacrum of movement toward aporetic equality and a simulation of democratic justice. By relying on the legislature (representing the majority) when economic and social opportunities are availed to minority or underrepresented collectives, the process takes on exactly the form of Derrida’s gift. The majority controls the political, economic, legal, and social arenas; that is, it is (and always has been) in control of such communities as the employment sector and the educational system. The mandated opportunities that under- or nonrepresented citizens receive as a result of this falsely eudemonic endeavor are gifts and, thus, ultimately constitute an effort to make minority populations feel better. There is a sense of movement toward equality in the name of democratic justice, albeit falsely manufactured. 18 In return for this effort, the majority shows off its long-standing authority (this provides a stark realization to minority groups that power elites are the forces that critically form society as a community), forever indebts under- and nonrepresented classes to the generosity of the majority (after all, minorities groups now have, presumably, a real chance to attain happiness), and, in a more general sense, furthers the narcissism of the majority (its representatives have displayed power and have been generous). Thus, **the ruse** of the majority gift assumes the form and **has the** hegemonical **effect of empowering the empowered,** relegitimating the privileged, **and fueling the voracious conceit of the advantaged.**

#### This demand for the ballot, is thus, ultimately trapped within web of scheming despite the emancipatory nature of the 1AC --- this poisons their call for change and is the morality of calculation, not emancipation --- the coalitions of the 1AC are used as means to ends rather and are thus commodified

**MCGOWAN 2009** (Todd McGowan, Associate Professor, film theory, University of Vermont, PhD, Ohio State University, studies the intersection of Hegel, psychoanalysis, and existentialism and cinema, “The Exceptional Darkness of The Dark Knight,” Jump Cut, No. 51, Spring 2009, http://www.ejumpcut.org/archive/jc51.2009/darkKnightKant/text.html)

According to Kant, when we emerge as subjects, we do so as beings of radical evil, that is, beings who do good for evil reasons. We help our neighbor for the recognition we gain; we volunteer to help with the school dance in order to spend time with a potential romantic interest; we give money for disaster relief in order to feel comfortable about our level of material comfort; and so on. For Kant, this is the fundamental problem that morality confronts and the most difficult type of evil to extirpate. He explains, “The human being (even the best) is evil only because he reverses the moral order of his incentives in incorporating them into his maxims. He indeed incorporates the moral law into those maxims, together with the law of self-love; since, however, he realizes that the two cannot stand on an equal footing, but one must be subordinated to the other as its supreme condition, he makes the incentives of self-love and their inclinations the condition of compliance with the moral law — whereas it is this latter that, as the supreme condition of the satisfaction of the former, should have been incorporated into the universal maxim of the power of choice as the sole incentive.”[12] Though Kant believes that we have the capacity to turn from beings of radical evil to moral beings, we cannot escape a certain originary radical evil that leads us to place our incentives of self-love above the law and that prevents us from adhering to the law for its own sake.[13] Our first inclination always involves the thought of what we will gain from not lying rather than the importance of telling the truth. Even when we do tell the truth, we do so out of prudence or convenience rather than out of duty. This is why Kant contends that most **obedience to** the **moral law is** in fact **radical evil — obedience for the wrong reasons.** The presence of radical evil at the heart of obedience to the law taints this obedience and gives criminality the upper hand over the law. There is always a fundamental imbalance between law and criminality. Criminality is inscribed into the law itself in the form of misdirected obedience, and no law can free itself from its reliance on the evil of such obedience. A consequentialist ethics develops as a compromise with this radical evil at the heart of the law. Consequentialism is an ethics that sees value only in the end — obedience — and it disregards whatever evil means that the subject uses to arrive at that obedience. If people obey the law, the consequentialist thinks, it doesn’t matter why they do so. Those who take up this or some other compromise with radical evil predominate within society, and they constitute the behavioral norm. They obey the law when necessary, but they do so in order to satisfy some incentive of self-love. Theirs is a morality of calculation in which acts have value in terms of the ultimate good that they produce or the interest that they serve. Anyone who obeys the law for its own sake becomes exceptional. Both Batman and the Joker exist outside the calculating morality that predominates among the police, the law-abiding citizens, and the criminal underworld in Gotham. Both have the status of an exception because they adhere to a code that cuts against their incentives for self-love and violates any consequentialist morality or morality concerned solely with results. Though Batman tries to save Gotham and the Joker tries to destroy it, though Batman commits himself to justice and the Joker commits himself to injustice, they share a position that transcends the inadequate and calculated ethics authorized by the law itself. Their differences mask a similar relationship to Kantian morality. Through the parallel between them, Christopher Nolan makes clear the role that evil must play in authentic heroism. It is the Joker, not Batman, who gives the most eloquent account of the ethical position that they occupy together. He sets himself up against the consequentialist and utilitarian ethic that rules Gotham, and he tries to analyze this ethic in order to understand what motivates it. As the Joker sees it, despite their apparent differences, all of the different groups in Gotham indulge in **an ethics of** what he calls **scheming**. That **is** to say, they **act not on the basis of the rightness or wrongness of the act itself but in order to achieve some ultimate object.** In doing so, they inherently degrade their acts and deprive them of their basis in freedom. **Scheming enslaves one to the object of one’s scheme.**

#### This explicitly undermines the coalitions they seek to create

**THE DSRB** 20**08** [Dr. Shanara Reid-Brinkley, "THE HARSH REALITIES OF “ACTING BLACK”: HOW AFRICAN-AMERICAN POLICY DEBATERS NEGOTIATE REPRESENTATION THROUGH RACIAL PERFORMANCE AND STYLE" 145-6)

Loribeth Blair argues further, that it is the space of competition, the confrontational and dialectical nature of debate competition that hurts attempts to build coalitions between the Louisville Project and others in the debate community: I personally think that debate should be more diverse, there need(s) to be more of all minorities. Has anyone even mentioned Hispanics and people whose first language isn’t English. I just think it makes coalition building problematic when you put these arguments into a competitive framework where someone has to lose and someone has to win. The point is that if meaningful black participation is increased then everyone wins. What we need to do is have a discussion about the strategies and tactics that need to be employed to make this happen. I honestly think that there would be more support for your project if people didn’t have to place themselves in a role that is oppositional to you (i.e. as they are forced to in the debate round). I honestly believe that if you asked publicly for support for your project people in the debate community would respond. **Tell us how to increase meaningful black participation in debate, instead of telling us that we should lose because you have and we haven’t**.”32

#### Additionally, the plea for change through winning the ballot not only fails to inculcate communal response but also re-entrenches the very evil they criticize by reproducing antagonism rather than coalitions

ATCHISON AND PANETTA 2009 (Jarrod Atchison, Director of Debate @ Trinity University, and Edward Panetta, Director of Debate @ the University of Georgia, Intercollegiate Debate and Speech Communication: Issues for the Future, p. 317-34)

The larger problem with locating the “debate as activism” perspective within the competitive framework is that it overlooks the communal nature of the community problem. If each individual debate is a decision about how the debate community should approach a problem, then the losing debaters become collateral damage in the activist strategy dedicated toward creating community change. One frustrating example of this type of argument might include a judge voting for an activist team in an effort to help them reach elimination rounds to generate a community discussion about the problem. Under this scenario, the losing team serves as a sacrificial lamb on the altar of community change. Downplaying the important role of competition and treating opponents as scapegoats for the failures of the community may increase the profile of the winning team and the community problem, but **it does little to generate the critical coalitions necessary to address the** community **problem, because the competitive focus encourages teams to concentrate on how to beat the strategy with little regard for addressing the** community **problem.** There is no role for competition when a judge decides that it is important to accentuate the publicity of a community problem. An extreme example might include a team arguing that their opponents’ academic institution had a legacy of civil rights abuses and that the judge should not vote for them because that would be a community endorsement of a problematic institution. This scenario is a bit more outlandish but not unreasonable if one assumes that each debate should be about what is best for promoting solutions to diversity problems in the debate community. If the debate community is serious about generating community change, then it is more likely to occur outside a traditional competitive debate. When a team loses a debate because the judge decides that it is better for the community for the other team to win, then they have sacrificed two potential advocates for change within the community. **Creating change through wins generates backlash through losses.** Some proponents are comfortable with generating backlash and argue that the reaction is evidence that the issue is being discussed. From our perspective, the discussion that results from these hostile situations is not a productive one where participants seek to work together for a common goal. Instead of giving up on hope for change and agitating for wins regardless of who is left behind, it seems more reasonable that the debate community should try the method of public argument that we teach in an effort to generate a discussion of necessary community changes. Simply put, debate competitions do not represent the best environment for community change because it is a competition for a win and only one team can win any given debate, whereas addressing systemic century-long community problems requires a tremendous effort by a great number of people.