# F/W

## \*\*Big Framework\*\*

#### OUR INTERPRETATION: The resolution asks a yes/no question as to the desirability of the United States Federal Government action. The role of the ballot should be to affirm or reject the actions and outcomes of the plan.

#### 1. THE TOPIC IS DEFINED BY THE PHRASE FOLLOWING THE COLON – THE UNITED STATES FEDERAL GOVERNMENT IS THE AGENT OF THE RESOLUTION, NOT THE INDIVIDUAL DEBATERS

Webster’s Guide to Grammar and Writing 2K

<http://ccc.commnet.edu/grammar/marks/colon.htm>

Use of a colon before a list or an explanation that is preceded by a clause that can stand by itself. Think of the colon as a gate, inviting one to go on… If the introductory phrase preceding the colon is very brief and the clause following the colon represents the real business of the sentence, begin the clause after the colon with a capital letter.

#### 2. “RESOLVED” EXPRESSES INTENT TO IMPLEMENT THE PLAN

American Heritage Dictionary 2K

[www.dictionary.com/cgi-bin/dict.pl?term=resolved](http://www.dictionary.com/cgi-bin/dict.pl?term=resolved)

To find a solution to; solve …

To bring to a usually successful conclusion

#### 3. “SHOULD” DENOTES AN EXPECTATION OF ENACTING A PLAN

American Heritage Dictionary – 2K

[www.dictionary.com]

3 Used to express probability or expectation

#### 4. THE U.S.F.G. is the three branches of government

Dictionary.com 2k6 [<http://dictionary.reference.com/browse/united+states+government>]

|  |
| --- |
| noun |
| the executive and legislative and judicial branches of the federal government of the United States |

#### Decisionmaking skills and engagement with the state energy apparatus prevents energy technocracy and actualizes radical politics

Hager, Bryn Mawr College political science professor, ‘92

[Carol J., “Democratizing Technology: Citizen & State in West German Energy Politics, 1974-1990” *Polity*, Vol. 25, No. 1, p. 45-70, accessed 10-7-12, AFB]

During this phase, the citizen initiative attempted to overcome its defensive posture and implement an alternative politics. The strategy of legal and technical challenge might delay or even prevent plant construction, but it would not by itself accomplish the broader goal on the legitimation dimension, i.e., democratization. Indeed, it worked against broad participation. The activists had to find a viable means of achieving change. Citizens had proved they could contribute to a substantive policy discussion. Now, some activists turned to the parliamentary arena as a possible forum for an energy dialogue. Until now, parliament had been conspicuously absent as a relevant policy maker, but if parliament could be reshaped and activated, citizens would have a forum in which to address the broad questions of policy-making goals and forms. They would also have an institutional lever with which to pry apart the bureaucracy and utility. None of the established political parties could offer an alternative program. Thus, local activists met to discuss forming their own voting list.

These discussions provoked internal dissent. Many citizen initiative members objected to the idea of forming a political party. If the problem lay in the role of parliament itself, another political party would not solve it. On the contrary, parliamentary participation was likely to destroy what political innovations the extraparliamentary movement had made. Others argued that a political party would give the movement an institutional platform from which to introduce some of the grassroots democratic political forms the groups had developed. Founding a party as the parliamentary arm of the citizen movement would allow these groups to play an active, critical role in institutionalized politics, participating in the policy debates while retaining their outside perspective. Despite the disagreements, the Alternative List for Democracy and Environmental Protection Berlin (AL) was formed in 1978 and first won seats in the Land parliament with 7.2 percent of the vote in 1981.43 The founders of the AL were encouraged by the success of newly formed local green parties in Lower Saxony and Hamburg,44 whose evolution had been very similar to that of the West Berlin citizen move-ment. Throughout the FRG, unpopular administrative decisions affect-ing local environments, generally in the form of state-sponsored indus-trial projects, prompted the development of the citizen initiative and ecology movements. The groups in turn focused constant attention on state planning "errors," calling into question not only the decisions themselves, but also the conventional forms of political decision making that produced them.45 Disgruntled citizens increasingly aimed their critique at the established political parties, in particular the federal SPD/ FDP coalition, which seemed unable to cope with the economic, social, and political problems of the 1970s. Fanned by publications such as the Club of Rome's report, "The Limits to Growth," the view spread among activists that the crisis phenomena were not merely a passing phase, but indicated instead "a long-term structural crisis, whose cause lies in the industrial-technocratic growth society itself."46 As they broadened their critique to include the political system as a whole, many grassroots groups found the extraparliamentary arena too restrictive. Like many in the West Berlin group, they reasoned that the necessary change would require a degree of political restructuring that could only be accomplished through their direct participation in parliamentary politics. Green/alternative parties and voting lists sprang up nationwide and began to win seats in local assemblies. The West Berlin Alternative List saw itself not as a party, but as the parliamentary arm of the citizen initiative movement. One member explains: "the starting point for alternative electoral participation was simply the notion of achieving a greater audience for [our] own ideas and thus to work in support of the extraparliamentary movements and initia-tives,"47 including non-environmentally oriented groups. The AL wanted to avoid developing structures and functions autonomous from the citizen initiative movement. Members adhered to a list of principles, such as rotation and the imperative mandate, designed to keep parliamentarians attached to the grassroots. Although their insistence on grassroots democracy often resulted in interminable heated discussions, the participants recognized the importance of experimenting with new forms of decision making, of not succumbing to the same hierarchical forms they were challenging. Some argued that the proper role of citizen initiative groups was not to represent the public in government, but to mobilize other citizens to participate directly in politics themselves; self-determination was the aim of their activity.48

Once in parliament, the AL proposed establishment of a temporary parliamentary commission to study energy policy, which for the first time would draw all concerned participants together in a discussion of both short-term choices and long-term goals of energy policy. With help from the SPD faction, which had been forced into the opposition by its defeat in the 1981 elections, two such commissions were created, one in 1982-83 and the other in 1984-85.49 These commissions gave the citizen activists the forum they sought to push for modernization and technical innovation in energy policy.

Although it had scaled down the proposed new plant, the utility had produced no plan to upgrade its older, more polluting facilities or to install desulfurization devices. With prodding from the energy commission, Land and utility experts began to formulate such a plan, as did the citizen initiative. By exposing administrative failings in a public setting, and by producing a modernization plan itself, the combined citizen initiative and AL forced bureaucratic authorities to push the utility for improvements. They also forced the authorities to consider different technological solutions to West Berlin's energy and environmental problems. In this way, the activists served as technological innovators. In 1983, the first energy commission submitted a list of recommendations to the Land parliament which reflected the influence of the citizen protest movement. It emphasized goals of demand reduction and efficiency, noted the value of expanded citizen participation and urged authorities to "investigate more closely the positive role citizen participation can play in achieving policy goals."50 The second energy commission was created in 1984 to discuss the possibilities for modernization and shutdown of old plants and use of new, environmentally friendlier and cheaper technologies for electricity and heat generation. Its recommendations strengthened those of the first commission.51 Despite the non-binding nature of the commissions' recommendations, the public discussion of energy policy motivated policy makers to take stronger positions in favor of environmental protection.

III. Conclusion

The West Berlin energy project eventually cleared all planning hurdles, and construction began in the early 1980s. The new plant now conforms to the increasingly stringent environmental protection requirements of the law. The project was delayed, scaled down from 1200 to 600 MW, moved to a neutral location and, unlike other BEWAG plants, equipped with modern desulfurization devices. That the new plant, which opened in winter 1988-89, is the technologically most advanced and environmen-tally sound of BEWAG's plants is due entirely to the long legal battle with the citizen initiative group, during which nearly every aspect of the original plans was changed. In addition, through the efforts of the Alter-native List (AL) in parliament, the Land government and BEWAG formulated a long sought modernization and environmental protection plan for all of the city's plants. The AL prompted the other parliamentary parties to take pollution control seriously. Throughout the FRG, energy politics evolved in a similar fashion. As Habermas claimed, underlying the objections against particular projects was a reaction against the administrative-economic system in general.

One author, for example, describes the emergence of two-dimensional protest against nuclear energy: The resistance against a concrete project became understood simul-taneously as resistance against the entire atomic program. Questions of energy planning, of economic growth, of understanding of democracy entered the picture. . . . Besides concern for human health, for security of conditions for human existence and protec-tion of nature arose critique of what was perceived as undemocratic planning, the "shock" of the delayed public announcement of pro-ject plans and the fear of political decision errors that would aggra-vate the problem.52 This passage supports a West Berliner's statement that the citizen initiative began with a project critique and arrived at *Systemkritik*.53 I have labeled these two aspects of the problem the public policy and legitima-tion dimensions. In the course of these conflicts, the legitimation dimen-sion emergd as the more important and in many ways the more prob-lematic.

Parliamentary Politics

In the 1970s, energy politics began to develop in the direction Offe de-scribed, with bureaucrats and protesters avoiding the parliamentary channels through which they should interact. The citizen groups them-selves, however, have to a degree reversed the slide into irrelevance of parliamentary politics. Grassroots groups overcame their defensive posture enough to begin to formulate an alternative politics, based upon concepts such as decision making through mutual understanding rather than technical criteria or bargaining. This new politics required new modes of interaction which the old corporatist or pluralist forms could not provide. Through the formation of green/alternative parties and voting lists and through new parliamentary commissions such as the two described in the case study, some members of grassroots groups attempted to both operate within the political system and fundamentally change it, to restore the link between bureaucracy and citizenry.

Parliamentary politics was partially revived in the eyes of West German grassroots groups as a legitimate realm of citizen participation, an outcome the theory would not predict. It is not clear, however, that strengthening the parliamentary system would be a desirable outcome for everyone. Many remain skeptical that institutions that operate as part of the "system" can offer the kind of substantive participation that grass-roots groups want. The constant tension between institutionalized politics and grassroots action emerged clearly in the recent internal debate between "fundamentalist" and "realist" wings of the Greens. Fundis wanted to keep a firm footing outside the realm of institutionalized politics. They refused to bargain with the more established parties or to join coalition governments. Realos favored participating in institutionalized politics while pressing their grassroots agenda. Only this way, they claimed, would they have a chance to implement at least some parts of their program.

This internal debate, which has never been resolved, can be interpreted in different ways. On one hand, the tension limits the appeal of green and alternative parties to the broader public, as the Greens' poor showing in the December 1990 all-German elections attests. The failure to come to agreement on basic issues can be viewed as a hazard of grass-roots democracy. The Greens, like the West Berlin citizen initiative, are opposed in principle to forcing one faction to give way to another. Disunity thus persists within the group. On the other hand, the tension can be understood not as a failure, but as a kind of success: grassroots politics has not been absorbed into the bureaucratized system; it retains its critical dimension, both in relation to the political system and within the groups themselves. The lively debate stimulated by grassroots groups and parties keeps questions of democracy on the public agenda.Technical Debate In West Berlin, the two-dimensionality of the energy issue forced citizen activists to become both participants in and critics of the policy process. In order to defeat the plant, activists engaged in technical debate. They won several decisions in favor of environmental protection, often proving to be more informed than bureaucratic experts themselves. The case study demonstrates that grassroots groups, far from impeding techno-logical advancement, can actually serve as technological innovators.

The activists' role as technical experts, while it helped them achieve some success on the policy dimension, had mixed results on the legitimation dimension. On one hand, it helped them to challenge the legitimacy of technocratic policy making. They turned back the Land government's attempts to displace political problems by formulating them in technical terms.54 By demonstrating the fallibility of the technical arguments, activists forced authorities to acknowledge that energy demand was a political variable, whose value at any one point was as much influenced by the choices of policy makers as by independent technical criteria.

Submission to the form and language of technical debate, however, weakened activists' attempts to introduce an alternative, goal-oriented form of decision making into the political system. Those wishing to par-ticipate in energy politics on a long-term basis have had to accede to the language of bureaucratic discussion, if not the legitimacy of bureaucratic authorities. They have helped break down bureaucratic authority but have not yet offered a viable long-term alternative to bureaucracy. In the tension between form and language, goals and procedure, the legitima-tion issue persists. At the very least, however, grassroots action challenges critical theory's notion that technical discussion is inimical to democratic politics.55 Citizen groups have raised the possibility of a dialogue that is both technically sophisticated and democratic.

In sum, although the legitimation problems which gave rise to grass-roots protest have not been resolved, citizen action has worked to counter the marginalization of parliamentary politics and the technocratic character of policy debate that Offe and Habermas identify. The West Berlin case suggests that the solutions to current legitimation problems may not require total repudiation of those things previously associated with technocracy.56

In Berlin, the citizen initiative and AL continue to search for new, more legitimate forms of organization consistent with their principles. No permanent Land parliamentary body exists to coordinate and con-solidate energy policy making.57 In the 1989 Land elections, the CDU/ FDP coalition was defeated, and the AL formed a governing coalition with the SPD. In late 1990, however, the AL withdrew from the coali-tion. It remains to be seen whether the AL will remain an effective vehi-cle for grassroots concerns, and whether the citizenry itself, now includ-ing the former East Berliners, will remain active enough to give the AL direction as united Berlin faces the formidable challenges of the 1990s. On the policy dimension, grassroots groups achieved some success. On the legitimation dimension, it is difficult to judge the results of grass-roots activism by normal standards of efficacy or success. Activists have certainly not radically restructured politics. They agree that democracy is desirable, but troublesome questions persist about the degree to which those processes that are now bureaucratically organized can and should be restructured, where grassroots democracy is possible and where bureaucracy is necessary in order to get things done. In other words, grassroots groups have tried to remedy the Weberian problem of the marginalization of politics, but it is not yet clear what the boundaries of the political realm should be. It is, however, the act of calling existing boundaries into question that keeps democracy vital. In raising alternative possibilities and encouraging citizens to take an active, critical role in their own governance, the contribution of grassroots environmental groups has been significant. As Melucci states for new social movements in general, these groups mount a "symbolic" challenge by proposing "a different way of perceiving and naming the world."58 Rochon concurs for the case of the West German peace movement, noting that its effect on the public discussion of secur-ity issues has been tremendous.59 The effects of the legitimation issue in the FRG are evident in increased citizen interest in areas formerly left to technical experts. Citizens have formed nationwide associations of environmental and other grassroots groups as well as alternative and green parties at all levels of government. The level of information within the groups is generally quite high, and their participation, especially in local politics, has raised the awareness and engagement of the general populace noticeably.60 Policy concessions and new legal provisions for citizen participation have not quelled grassroots action. The attempts of the established political parties to coopt "green" issues have also met with limited success. Even green parties themselves have not tapped the full potential of public support for these issues. The persistence of legitima-tion concerns, along with the growth of a culture of informed political activism, will ensure that the search continues for a space for a delibera-tive politics in modern technological society.61

#### Limits outweighs: You should embrace a model of debate that strikes a balance between predictability and creativity—it is a PRACTICAL REALITY that preparing to debate within a common framework enhances education because it maximizes elaboration and testing of ideas. That’s also a reason to SEVERLY DISCOUNT their impact claims because those claims have not been submitted to rigorous testing but are only shallow gut-shot reactions.

Goodin 03

[Robert E. Goodin and Simon J. Niemeyer- Australian National University- 2003, When Does Deliberation Begin? Internal Reflection versus Public Discussion in Deliberative Democracy, POLITICAL STUDIES: 2003 VOL 51, 627–649, uwyo//amp]

Suppose that instead of highly polarized symbolic attitudes, what we have at the outset is mass ignorance or mass apathy or non-attitudes. There again, people's engaging with the issue – focusing on it, acquiring information about it, thinking hard about it – would be something that is likely to occur earlier rather than later in the deliberative process. And more to our point, it is something that is most likely to occur within individuals themselves or in informal interactions, well in advance of any formal, organized group discussion. There is much in the large literature on attitudes and the mechanisms by which they change to support that speculation.31 Consider, for example, the literature on ‘central’ versus ‘peripheral’ routes to the formation of attitudes. Before deliberation, individuals may not have given the issue much thought or bothered to engage in an extensive process of reflection.32 In such cases, positions may be arrived at via peripheral routes, taking cognitive shortcuts or arriving at ‘top of the head’ conclusions or even simply following the lead of others believed to hold similar attitudes or values (Lupia, 1994). These shorthand approaches involve the use of available cues such as ‘expertness’ or ‘attractiveness’ (Petty and Cacioppo, 1986) – not deliberation in the internal-reflective sense we have described. Where peripheral shortcuts are employed, there may be inconsistencies in logic and the formation of positions, based on partial information or incomplete information processing. In contrast, ‘central’ routes to the development of attitudes involve the application of more deliberate effort to the matter at hand, in a way that is more akin to the internal-reflective deliberative ideal. Importantly for our thesis, there is nothing intrinsic to the ‘central’ route that requires group deliberation. Research in this area stresses instead the importance simply of ‘sufficient impetus’ for engaging in deliberation, such as when an individual is stimulated by personal involvement in the issue.33 The same is true of ‘on-line’ versus ‘memory-based’ processes of attitude change.34 The suggestion here is that we lead our ordinary lives largely on autopilot, doing routine things in routine ways without much thought or reflection. When we come across something ‘new’, we update our routines – our ‘running’ beliefs and procedures, attitudes and evaluations – accordingly. But having updated, we then drop the impetus for the update into deep-stored ‘memory’. A consequence of this procedure is that, when asked in the ordinary course of events ‘what we believe’ or ‘what attitude we take’ toward something, we easily retrieve what we think but we cannot so easily retrieve the reasons why. That more fully reasoned assessment – the sort of thing we have been calling internal-reflective deliberation – requires us to call up reasons from stored memory rather than just consulting our running on-line ‘summary judgments’. Crucially for our present discussion, once again, what prompts that shift from on-line to more deeply reflective deliberation is not necessarily interpersonal discussion. The impetus for fixing one's attention on a topic, and retrieving reasons from stored memory, might come from any of a number sources: group discussion is only one. And again, even in the context of a group discussion, this shift from ‘on-line’ to ‘memory-based’ processing is likely to occur earlier rather than later in the process, often before the formal discussion ever begins. All this is simply to say that, on a great many models and in a great many different sorts of settings, it seems likely that elements of the pre-discursive process are likely to prove crucial to the shaping and reshaping of people's attitudes in a citizens’ jury-style process. The initial processes of focusing attention on a topic, providing information about it and inviting people to think hard about it is likely to provide a strong impetus to internal-reflective deliberation, altering not just the information people have about the issue but also the way people process that information and hence (perhaps) what they think about the issue. What happens once people have shifted into this more internal-reflective mode is, obviously, an open question. Maybe people would then come to an easy consensus, as they did in their attitudes toward the Daintree rainforest.35 Or maybe people would come to divergent conclusions; and they then may (or may not) be open to argument and counter-argument, with talk actually changing minds. Our claim is not that group discussion will always matter as little as it did in our citizens’ jury.36 Our claim is instead merely that the earliest steps in the jury process – the sheer focusing of attention on the issue at hand and acquiring more information about it, and the internal-reflective deliberation that that prompts – will invariably matter more than deliberative democrats of a more discursive stripe would have us believe. However much or little difference formal group discussions might make, on any given occasion, the pre-discursive phases of the jury process will invariably have a considerable impact on changing the way jurors approach an issue.

#### Switch side debate is good-direct engagement, not abstract relation, with identities we do not identify with is critical to us to overcome the existential resentment we feel towards those with whom we disagree. Lack of switch-side facilitates a refusal to accept that our position is within question

Glover 10

[Robert, Professor of Political Science at University of Connecticut, Philosophy and Social Criticism, “Games without Frontiers?: Democratic Engagement, Agonistic Pluralism, and the Question of Exclusion”, Vol. 36, p. asp uwyo//amp]

In this vein, Connolly sees the goal of political engagement as securing a positive ‘ethos of engagement’ in relation to popular movements which alter existing assumptions, that is, a positive attitude towards attempts at pluralization. Connolly suggests we do so through thecultivation of two essential virtues: agonistic respect and critical responsiveness. 88 Agonisticrespect is defined as a situation whereby each political actor arrives at an appreciation for the factthat their own self-definition is bound with that of others, as well as recognition of the degree towhich each of these projections is profoundly contestable. 89 While Connolly notes that agonistic respect is a ‘kissing cousin’ of liberal tolerance, he distinguishes it by saying that the latter typically carries ‘the onus of being at the mercy of a putative majority that often construes itsown position to be beyond question.’ 90 Thus, agonistic respect is a reciprocal democratic virtue meant to operate across relations of difference, and Connolly deploys it as a regulative ideal forthe creation agonistic democratic spaces. 91 In a somewhat related way, the virtue of ‘critical responsiveness’ also attempts to move beyond liberal tolerance. 92 Critical responsiveness entails ‘ careful listening and presumptive generosity to constituencies struggling to move from an obscure or degraded subsistence below the field of recognition, justice, obligation, rights, or legitimacy to a place on one or more of those registers.’ 93 Critical responsiveness is not pity, charity, or paternalism but implies anenhanced degree of concern for others, driven by the cultivation of reciprocal empathic concern 21 for that which you are not. 94 This attitude cannot be developed in an abstract relation to thesenew and existing forms of radical cultural, political, religious, and philosophical difference.Critical responsiveness above all requires that one ‘get[s] a whiff of experiences heretofore aliento [us]’, recognizing that while this may be unsettling or cause discomfort, direct engagement isthe means by which you, ‘work tactically on yourself and others to overcome existential resentment of this persistent condition of human being.’

# K

### 1nc v. Queer Politics

#### The silence of the aff on the question of how colonialism produced and conditioned Queer Politics condemns their project to reifying colonialism- the call to come before decolonization bases the aff’s moral system on the continued benefit of genocidal occupation AND it’s a sequencing question- Queer politics must FIRST be informed by the historical, material, and fixed realities of the Native subject- you get no permutation

Morgensen 2010

[Morgensen, Scott, 2k10, GLQ: A Journal of Lesbian and Gay Studies, Volume 16, Number 1-2, “Settler Homonationalism: Theorizing Settler Colonialism within Queer Modernities, 2010.]

Denaturalizing settler colonialism will mark it as not a fait accompli but a process open to change. While settlement suggests the appropriation of land, that history was never fixed: even the violence of allotment failed to erase collective Native land claims, just as land expropriation is being countered by tribal governments reacquiring sovereign land. In turn, as Thomas King and Paul Carter suggest, settlement narrates the land, and, as storytelling, it remains open to debate, End Page 122 such as in Native activisms that sustain Indigenous narratives of land or tell new stories to denaturalize settler landscapes. The processes of settler colonialism produce contradictions, as settlers try to contain or erase Native difference in order that they may inhabit Native land as if it were their own. Doing so produces the contortions described by Deloria, as settler subjects argue that Native people or their land claims never existed, no longer exist, or if they do are trumped by the priority of settler claims. Yet at the same time settler subjects study Native history so that they may absorb it as their own and legitimate their place on stolen land. These contradictions are informed by the knowledge, constantly displaced, of the genocidal histories of occupation. Working to stabilize settler subjectivity produces the bizarre result of people admitting to histories of terrorizing violence while basing their moral systems on continuing to benefit from them. The difference between conservative and liberal positions on settlement often breaks between whether non-Natives feel morally justified or conscionably implicated in a society based on violence. But while the first position embraces the status quo, the second does nothing necessarily to change it. As Smith pointedly argues, "It is a consistent practice among progressives to bemoan the genocide of Native peoples, but in the interest of political expediency, implicitly sanction it by refusing to question the illegitimacy of the settler nation responsible for this genocide." In writing with Kehaulani Kauanui, Smith argues that this complicity continues, as progressives have critiqued the seeming erosion of civil liberties and democracy under the Bush regime. How is this critique affected if we understand the Bush regime not as the erosion of U.S. democracy but as its fulfillment? If we understand American democracy as predicated on the genocide of indigenous people? . . . Even scholars critical of the nation-state often tend to presume that the United States will always exist, and thus they overlook indigenous feminist articulations of alternative forms of governance beyond the United States in particular and the nation-state in general. Smith and Kauanui remind us here that Indigenous feminists crucially theorize life beyond settler colonialism, including by fostering terms for national community that exceed the heteropatriarchal nation-state form. Non-Natives who seek accountable alliance with Native people may align themselves with these stakes if they wish to commit to denaturalizing settler colonialism. But as noted, their more frequent effort to stabilize their identities follows less from a belief that settlement is natural than from a compulsion to foreclose the Pandora's box of contradictions End Page 123 they know will open by calling it into question. In U.S. queer politics, this includes the implications of my essay: queers will invoke and repeat the terrorizing histories of settler colonialism if these remain obscured behind normatively white and national desires for Native roots and settler citizenship. A first step for non-Native queers thuscan be to examine critically and challenge how settler colonialism conditions their lives, as a step toward imagining new and decolonial sexual subjectivities, cultures, and politics. This work can be inspired by historical coalition politics formed by queers of color in accountable relationship to Native queer activists. Yet this work invites even more forms, particularly when Native queers choose to organize apart. White queers challenging racism and colonialism can join queers of color to create new queer politics marked explicitly as non-Native, in that they will form by answering Native queer critiques. As part of that work, non-Native queers can study the colonial histories they differently yet mutually inherit, and can trouble the colonial institutions in which they have sought their freedom, as steps toward shifting non-Native queer politics in decolonizing directions.

#### Fluid Identity is based on western conceptions of individual freedom that ignore the way that Indigenous peoples for their identity ties with the land, causes same forms of colonial domination

Sandy Grande. “American Indian Geographies of Power: At the Crossroads of Indigena and Mestizaje.” Harvard Educational Review, 70:4. Winter 2000.

In addition, the undercurrent of fluidity and sense of displacedness that permeates, if not defines, mestizaje runs contrary to American Indian sensibilities of connection to place, land, and the Earth itself. Consider, for example, the following statement on the nature of critical subjectivity by Peter McLaren: The struggle for critical subjectivity is the struggle to occupy a space of hope - a liminal space, an intimation of the anti-structure, of what lives in the in-between zone of undecidedability - in which one can work toward a praxis of redemption .... A sense of atopy has always been with me, a resplendent placelessness, a feeling of living in germinal formlessness .... I cannot find words to express what this border identity means to me. All I have are what Georgres Bastille (1988) calls mots glissants (slippery words). (1997, pp. 13-14) McLaren speaks passionately and directly about the crisis of modern society and the need for a "praxis of redemption." As he perceives it, the very possibility of redemption is situated in our willingness not only to accept but to flourish in the "liminal" spaces, border identities, and postcolonial hybridities that are inherent in postmodern life and subjectivity. In fact, McLaren perceives the fostering of a "resplendent placelessness" itself as the gateway to a more just, democratic society. While American Indian intellectuals also seek to embrace the notion of transcendent subjectivities, they seek a notion of transcendence that remains rooted in historical place and the sacred connection to land. Consider, for example, the following commentary by Deloria (1992) on the centrality of place and land in the construction of American Indian subjectivity: Recognizing the sacredness of lands on which previous generations have lived and died is the foundation of all other sentiment. Instead of denying this dimension of our emotional lives, we should be setting aside additional places that have transcendent meaning. Sacred sites that higher spiritual powers have chosen for manifestation enable us to focus our concerns on the specific form of our lives.... Sacred places are the foundation of all other beliefs and practices because they represent the presence of the sacred in our lives. They properly inform us that we are not larger than nature and that we have responsibilities to the rest of the natural world that transcend our own personal desires and wishes. This lesson must be learned by each generation. (pp. 278, 281) Gross misunderstanding of this connection between American Indian subjectivity and land, and, more importantly, between sovereignty and land has been the source of numerous injustices in Indian country. For instance, I believe there was little understanding on the part of government officials that passage of the Indian Religious Freedom Act (1978) would open a Pandora's box of discord over land, setting up an intractable conflict between property rights and religious freedom. American Indians, on the other hand, viewed the act as a invitation to return to their sacred sites, several of which were on government lands and were being damaged by commercial use. As a result, a flurry of lawsuits alleging mismanagement and destruction of sacred sites was filed by numerous tribes. Similarly, corporations, tourists, and even rock climbers filed suits accusing land managers of unlawfully restricting access to public places by implementing policies that violate the constitutional separation between church and state. All of this is to point out that the critical project of mestizaje continues to operate on the same assumption made by the U.S. government in this instance, that in a democratic society, human subjectivity - and liberation for that matter - is conceived of as inherently rightsbased as opposed to land-based.

#### Lack of decolonization results in ongoing genocide, assimilation and annihilation of indigenous peoples and culture-k2 solve environmental degradation, heterosexism, classism, racism, sexism and militarism

Churchill 96 (Ward, Prof. of Ethnic Studies @ U. of Colorado, Boulder BA and MA in Communications from Sangamon State, “From a Native Son”,mb)

I’ll debunk some of this nonsense in a moment, but first I want to take up the posture of self-proclaimed leftist radicals in the same connection. And I’ll do so on the basis of principle, because justice is supposed to matter more to progressives than to rightwing hacks. Let me say that the pervasive and near-total silence of the Left in this connection has been quite illuminating. Non-Indian activists, with only a handful of exceptions, persistently plead that they can’t really take a coherent position on the matter of Indian land rights because “unfortunately,” they’re “not really conversant with the issues” ( as if these were tremendously complex ). Meanwhile, they do virtually nothing, generation after generation, to inform themselves on the topic of who actually owns the ground they’re standing on. The record can be played only so many times before it wears out and becomes just another variation of “hear no evil, see no evil.” At this point, it doesn’t take Albert Einstein to figure out that the Left doesn’t know much about such things because it’s never wanted to know, or that this is so because it’s always had its own plans for utilizing land it has no more right to than does the status quo it claims to oppose. The usual technique for explaining this away has always been a sort of pro forma acknowledgement that Indian land rights are of course “really important stuff” (yawn), but that one” really doesn’t have a lot of time to get into it ( I’ll buy your book, though, and keep it on my shelf, even if I never read it ). Reason? Well, one is just “overwhelmingly preoccupied” with working on “other important issues” (meaning, what they consider to be more important issues). Typically enumerated are sexism, racism, homophobia, class inequities, militarism, the environment, or some combination of these. It’s a pretty good evasion, all in all. Certainly, there’s no denying any of these issues their due; they are all important, obviously so. But more important than the question of land rights? There are some serious problems of primacy and priority imbedded in the orthodox script. To frame things clearly in this regard, lets hypothesize for a moment that all of the various non-Indian movements concentrating on each of these issues were suddenly successful in accomplishing their objectives . Lets imagine that the United States as a whole were somehow transformed into an entity defined by the parity of its race, class, and gender relations, its embrace of unrestricted sexual preference, its rejection of militarism in all forms, and its abiding concern with environmental protection (I know, I know, this is a sheer impossibility, but that’s my point). When all is said and done, the society resulting from this scenario is still, first and foremost, a colonialist society, an imperialist society in the most fundamental sense possible with all that this implies. This is true because the scenario does nothing at all to address the fact that whatever is happening happens on someone else’s land, not only without their consent, but through an adamant disregard for their rights to the land. Hence, all it means is that the immigrant or invading population has rearranged its affairs in such a way as to make itself more comfortable at the continuing expense of indigenous people. The colonial equation remains intact and may even be reinforced by a greater degree of participation, and vested interest in maintenance of the colonial order among the settler population at large. The dynamic here is not very different from that evident in the American Revolution of the late 18th century, is it? And we all know very well where that led, don’t we? Should we therefore begin to refer to socialist imperialism, feminist imperialism, gay and lesbian imperialism, environmental imperialism, African American, and la Raza imperialism? I would hope not. I would hope this is all just a matter of confusion, of muddled priorities among people who really do mean well and who’d like to do better. If so, then all that is necessary to correct the situation is a basic rethinking of what must be done., and in what order. Here, I’d advance the straightforward premise that the land rights of “First Americans” should serve as a first priority for everyone seriously committed to accomplishing positive change in North America. But before I suggest everyone jump off and adopt this priority, I suppose it’s only fair that I interrogate the converse of the proposition: if making things like class inequity and sexism the preeminent focus of progressive action in North America inevitably perpetuates the internal colonial structure of the United States, does the reverse hold true? I’ll state unequivocally that it does not. There is no indication whatsoever that a restoration of indigenous sovereignty in Indian Country would foster class stratification anywhere, least of all in Indian Country. In fact, all indications are that when left to their own devices, indigenous peoples have consistently organized their societies in the most class-free manners. Look to the example of the Haudenosaunee (Six Nations Iroquois Confederacy). Look to the Muscogee (Creek) Confederacy. Look to the confederations of the Yaqui and the Lakota, and those pursued and nearly perfected by Pontiac and Tecumseh. They represent the very essence of enlightened egalitarianism and democracy. Every imagined example to the contrary brought forth by even the most arcane anthropologist can be readily offset by a couple of dozen other illustrations along the lines of those I just mentioned. Would sexism be perpetuated? Ask one of the Haudenosaunee clan mothers, who continue to assert political leadership in their societies through the present day. Ask Wilma Mankiller, current head of the Cherokee nation , a people that traditionally led by what were called “Beloved Women.” Ask a Lakota woman—or man, for that matter—about who it was that owned all real property in traditional society, and what that meant in terms of parity in gender relations. Ask a traditional Navajo grandmother about her social and political role among her people. Women in most traditional native societies not only enjoyed political, social, and economic parity with men, they often held a preponderance of power in one or more of these spheres. Homophobia? Homosexuals of both genders were (and in many settings still are) deeply revered as special or extraordinary, and therefore spiritually significant, within most indigenous North American cultures. The extent to which these realities do not now pertain in native societies is exactly the extent to which Indians have been subordinated to the mores of the invading, dominating culture. Insofar as restoration of Indian land rights is tied directly to the reconstitution of traditional indigenous social, political, and economic modes, you can see where this leads: the relations of sex and sexuality accord rather well with the aspirations of feminist and gay rights activism. How about a restoration of native land rights precipitating some sort of “environmental holocaust”? Let’s get at least a little bit real here. If you’re not addicted to the fabrications of Smithsonian anthropologists about how Indians lived, or George Weurthner’s Eurosupremacist Earth First! Fantasies about how we beat all the wooly mammoths and mastodons and saber-toothed cats to death with sticks, then this question isn’t even on the board. I know it’s become fashionable among Washington Post editorialists to make snide references to native people “strewing refuse in their wake” as they “wandered nomadically about the “prehistoric” North American landscape. What is that supposed to imply? That we, who were mostly “sedentary agriculturalists” in any event. Were dropping plastic and aluminum cans as we went? Like I said, lets get real. Read the accounts of early European arrival, despite the fact that it had been occupied by 15 or 20 million people enjoying a remarkably high standard of living for nobody knows how long: 40,000 years? 50,000 years? Longer? Now contrast that reality to what’s been done to this continent over the past couple of hundred years by the culture Weurthner, the Smithsonian, and the Post represent, and you tell me about environmental devastation. That leaves militarism and racism. Taking the last first, there really is no indication of racism in traditional Indian societies. To the contrary, the record reveals that Indians habitually intermarried between groups, and frequently adopted both children and adults from other groups. This occurred in precontact times between Indians, and the practice was broadened to include those of both African and European origin—and ultimately Asian origin as well—once contact occurred. Those who were naturalized by marriage or adoption were considered members of the group, pure and simple. This was always the Indian view. The Europeans and subsequent Euroamerican settlers viewed things rather differently, however, and foisted off the notion that Indian identity should be determined primarily by “blood quantum,” an outright eugenics code similar to those developed in places like Nazi Germany and apartheid South Africa. Now that’s a racist construction if there ever was one. Unfortunately, a lot of Indians have been conned into buying into this anti- Indian absurdity, and that’s something to be overcome. But there’s also solid indication that quite a number of native people continue to strongly resist such things as the quantum system. As to militarism, no one will deny that Indians fought wars among themselves both before and after the European invasion began. Probably half of all indigenous peoples in North America maintained permanent warrior societies. This could perhaps be reasonably construed as “militarism,” but not, I think, with the sense the term conveys within the European/Euro-American tradition. There were never, so far as anyone can demonstrate,, wars of annihilation fought in this hemisphere prior to the Columbian arrival, none. In fact, it seems that it was a more or less firm principle of indigenous warfare not to kill, the object being to demonstrate personal bravery, something that could be done only against a live opponent. There’s no honor to be had in killing another person, because a dead person can’t hurt you. There’s no risk. This is not to say that nobody ever died or was seriously injured in the fighting. They were, just as they are in full contact contemporary sports like football and boxing. Actually, these kinds of Euro- American games are what I would take to be the closest modern parallels to traditional inter-Indian warfare. For Indians, it was a way of burning excess testosterone out of young males, and not much more. So, militarism in the way the term is used today is as alien to native tradition as smallpox and atomic bombs. Not only is it perfectly reasonable to assert that a restoration of Indian control over unceded lands within the United States would do nothing to perpetuate such problems as sexism and classism, but the reconstitution of indigenous societies this would entail stands to free the affected portions of North America from such maladies altogether. Moreover, it can be said that the process should have a tangible impact in terms of diminishing such oppressions elsewhere. The principle is this: sexism, racism, and all the rest arose here as a concomitant to the emergence and consolidation of the Eurocentric nation-state form of sociopolitical and economic organization. Everything the state does, everything it can do, is entirely contingent on its ongoing domination of Indian country. Given this, it seems obvious that the literal dismemberment of the nation-state inherent to Indian land recovery correspondingly reduces the ability of the state to sustain the imposition of objectionable relation within itself. It follows that the realization of indigenous land rights serves to undermine or destroy the ability of the status quo to continue imposing a racist, sexist, classist, homophobic, militaristic order on non-Indians.

#### Our first priority is to give back the land.

#### Decolonization must be our ethically first priority, any form of liberation that perpetuates the occupation of Indigenous territory is only colonialism in another form. The demand to end the occupation of First American lands is a necessary prerequisite to solving other forms of oppression and any form of positive social change

Churchill 96 (Ward, Prof. of Ethnic Studies @ U. of Colorado, Boulder BA and MA in Communications from Sangamon State, “From a Native Son”,mb)

The question which inevitably arises with regard to indigenous land claims, especially in the United States, is whether they are “realistic.” The answer, of course is , “No, they aren’t.” Further, no form of decolonization has ever been realistic when viewed within the construct of a colonialist paradigm. It wasn’t realistic at the time to expect George Washington’s rag-tag militia to defeat the British military during the American Revolution. Just ask the British. It wasn’t realistic, as the French could tell you, that the Vietnamese should be able to defeat U.S.-backed France in 1954, or that the Algerians would shortly be able to follow in their footsteps. Surely, it wasn’t reasonable to predict that Fidel Castro’s pitiful handful of guerillas would overcome Batista’s regime in Cuba, another U.S. client, after only a few years in the mountains. And the Sandinistas, to be sure, had no prayer of attaining victory over Somoza 20 years later. Henry Kissinger, among others, knew that for a fact. The point is that in each case, in order to begin their struggles at all, anti-colonial fighters around the world have had to abandon orthodox realism in favor of what they knew to be right. To paraphrase Bendit, they accepted as their agenda, a redefinition of reality in terms deemed quite impossible within the conventional wisdom of their oppressors. And in each case, they succeeded in their immediate quest for liberation. The fact that all but one (Cuba) of the examples used subsequently turned out to hold colonizing pretensions of its own does not alter the truth of this—or alter the appropriateness of their efforts to decolonize themselves—in the least. It simply means that decolonization has yet to run its course, that much remains to be done. The battles waged by native nations in North America to free themselves, and the lands upon which they depend for ongoing existence as discernible peoples, from the grip of U.S. (and Canadian) internal colonialism are plainly part of this process of liberation. Given that their very survival depends upon their perseverance in the face of all apparent odds , American Indians have no real alternative but to carry on. They must struggle, and where there is struggle here is always hope. Moreover, the unrealistic or “romantic” dimensions of our aspiration to quite literally dismantle the territorial corpus of the U.S. state begin to erode when one considers that federal domination of Native North America is utterly contingent upon maintenance of a perceived confluence of interests between prevailing governmental/corporate elites and common non- Indian citizens. Herein lies the prospect of long-term success. It is entirely possibly that the consensus of opinion concerning non-Indian “rights” to exploit the land and resources of indigenous nations can be eroded, and that large numbers of non-Indians will join in the struggle to decolonize Native North America. Few non- Indians wish to identify with or defend the naziesque characteristics of US history. To the contrary most seek to deny it in rather vociferous fashion. All things being equal, they are uncomfortable with many of the resulting attributes of federal postures and actively oppose one or more of these, so long as such politics do not intrude into a certain range of closely guarded selfinterests. This is where the crunch comes in the realm of Indian rights issues. Most non-Indians (of all races and ethnicities, and both genders) have been indoctrinated to believe the officially contrived notion that, in the event “the Indians get their land back,” or even if the extent of present federal domination is relaxed, native people will do unto their occupiers exactly as has been done to them; mass dispossession and eviction of non-Indians, especially Euro-Americans is expected to ensue. Hence even progressives who are most eloquently inclined to condemn US imperialism abroad and/or the functions of racism and sexism at home tend to deliver a blank stare of profess open “disinterest” when Indigenous land rights are mentioned. Instead of attempting to come to grips with this most fundamental of all issues the more sophisticated among them seek to divert discussion into “higher priority” or “more important” topics like “issues of class and gender equality” in with “justice” becomes synonymous with a redistribution of power and loot deriving from the occupation of Native North America even while occupation continues. Sometimes, Indians are even slated to receive “their fair share” in the division of spoils accruing from expropriation of their resources. Always, such things are couched in terms of some “greater good” than decolonizing the .6 percent of the U.S. population which is indigenous. Some Marxist and environmentalist groups have taken the argument so far as to deny that Indians possess any rights distinguishable from those of their conquerors. AIM leader Russell Means snapped the picture into sharp focus when he observed n 1987 that: so-called progressives in the United States claiming that Indians are obligated to give up their rights because a much larger group of non-Indians “need” their resources is exactly the same as Ronald Reagan and Elliot Abrams asserting that the rights of 250 million North Americans outweigh the rights of a couple million Nicaraguans (continues). Leaving aside the pronounced and pervasive hypocrisy permeating these positions, which add up to a phenomenon elsewhere described as “settler state colonialism,” the fact is that the specter driving even most radical non-Indians into lockstep with the federal government on questions of native land rights is largely illusory. The alternative reality posed by native liberation struggles is actually much different: While government propagandists are wont to trumpet—as they did during the Maine and Black Hills land disputes of the 1970s—that an Indian win would mean individual non-Indian property owners losing everything, the native position has always been the exact opposite. Overwhelmingly, the lands sought for actual recovery have been governmentally and corporately held. Eviction of small land owners has been pursued only in instances where they have banded together—as they have during certain of the Iroquois claims cases—to prevent Indians from recovering any land at all, and to otherwise deny native rights. Official sources contend this is inconsistent with the fact that all non-Indian title to any portion of North America could be called into question. Once “the dike is breached,” they argue, it’s just a matter of time before “everybody has to start swimming back to Europe, or Africa or wherever.” Although there is considerable technical accuracy to admissions that all non-Indian title to North America is illegitimate, Indians have by and large indicated they would be content to honor the cession agreements entered into by their ancestors, even though the United States has long since defaulted. This would leave somewhere close to two-thirds of the continental United States in non-Indian hands, with the real rather than pretended consent of native people. The remaining one-third, the areas delineated in Map II to which the United States never acquired title at all would be recovered by its rightful owners. The government holds that even at that there is no longer sufficient land available for unceded lands, or their equivalent, to be returned. In fact, the government itself still directly controls more than one-third of the total U.S. land area, about 770 million acres. Each of the states also “owns” large tracts, totaling about 78 million acres. It is thus quite possible— and always has been—for all native claims to be met in full without the loss to non-Indians of a single acre of privately held land. When it is considered that 250 million-odd acres of the “privately” held total are now in the hands of major corporate entities, the real dimension of the “threat” to small land holders (or more accurately, lack of it) stands revealed. Government spokespersons have pointed out that the disposition of public lands does not always conform to treaty areas. While this is true, it in no way precludes some process of negotiated land exchange wherein the boundaries of indigenous nations are redrawn by mutual consent to an exact, or at least a much closer conformity. All that is needed is an honest, open, and binding forum—such as a new bilateral treaty process—with which to proceed. In fact, numerous native peoples have, for a long time, repeatedly and in a variety of ways, expressed a desire to participate in just such a process. Nonetheless, it is argued, there will still be at least some non-Indians “trapped” within such restored areas. Actually, they would not be trapped at all. The federally imposed genetic criteria of “Indian –ness” discussed elsewhere in this book notwithstanding, indigenous nations have the same rights as any other to define citizenry by allegiance (naturalization) rather than by race. Non-Indians could apply for citizenship, or for some form of landed alien status which would allow them to retain their property until they die. In the event they could not reconcile themselves to living under any jurisdiction other than that of the United States, they would obviously have the right to leave, and they should have the right to compensation from their own government (which got them into the mess in the first place). Finally, and one suspects this is the real crux of things from the government/corporate perspective, any such restoration of land and attendant sovereign prerogatives to native nations would result in a truly massive loss of “domestic” resources to the United States, thereby impairing the country’s economic and military capacities (see “Radioactive Colonialism” essay for details). For everyone who queued up to wave flags and tie on yellow ribbons during the United States’ recent imperial adventure in the Persian Gulf, this prospect may induce a certain psychic trauma. But, for progressives at least, it should be precisely the point. When you think about these issues in this way, the great mass of non-Indian in North America really have much to gain and almost nothing to lose, from the success of native people in struggles to reclaim the land which is rightfully ours. The tangible diminishment of US material power which is integral to our victories in this sphere stands to pave the way for realization of most other agendas from anti-imperialism to environmentalism, from African American liberation to feminism, from gay rights to the ending of class privilege- pursued by progressives on this continent. Conversely, succeeding with any or even all of these other agendas would still represent an inherently oppressive situation in their realization is contingent upon an ongoing occupation of Native North America with the consent of Indian people. Any North American revolution which failed to free indigenous territory from non-Indian domination would be simply a continuation of colonialism in another form. Regardless of the angle from which you view the matter, the liberation of Native North America, liberation of the land first and foremost, is the key to fundamental and positive social changes of many other sorts. One thing they say, leads to another. The question has always been, of course, which “thing” is to be the first in the sequence. A preliminary formulation for those serious about radical change in the United State might be “First Priority to First Americans.” Put another way this would mean, “US out of Indian Country.” Inevitably, the logic leads to what we’ve all been so desperately seeking: The United States- at least what we’ve come to know it- out of North America all together. From there is can be permanently banished from the planet. In its stead, surely we can join hands to create something new and infinitely better. That’s our vision of “impossible realism,” isn’t it time we all worked on attaining it?

# Case

#### Structural change is key for queer movements – language-based opposition is insufficient to maintain the community and energy to confront organized opposition

Max Kirsch, professor of comparative studies at Florida Atlantic University, Queer Theory and Social Change, 2000, p.117

Strategy in this context consists of the ways in which we organize energy to meet the ends we seek to achieve. Strategy as such is the mechanism by which true politics is generated, both on the personal and the political level. A true resistance politics has to incorporate both the micro and the macro levels of analysis to mediate differences and to confront effectively the forces of well-organized opposition. Lesbian, gay, and queer movements have, so far, depended on the involvement of individuals as the primary drivers of social change (and particularly the experience of labor movements) that individuals need to have structural representation in order to maintain the energy needed for sustained opposition. Individuals working against their oppressors, whether in the workplace or neighborhood, cannot succeed without a mechanism that can play a larger role in incorporating them into communities of resistance where mutual recognition is present. “We’re Queer and We’re Here” is a necessary declaration of identity. But it is only a moment. Required is a strategy that can institutionalize a movement towards resistance so that change may be recognized as a social necessity. Differences will continue to exist. Black women face the sexism inherent in their relations with men while confronting racism; lesbians are confrtoned with the hierarchy of sexual politics while dealing with arguments around pornography and sexual pleasure. And more economic issues such as the pervasive and growing feminization of poverty. Bisexual, transsexual, and transgendered peoples are often ignored by all. Queers, in general, encounter the real differences based on status and class as they experience the oppression of the dominant culture. But these are all in fact part of a larger class struggle which is borne out in the conflict of the uses and control of energy and, ultimately, human regeneration. They need to be recognized as such. The test of successful movement will be whether we might honor all these divergent interests and experiences while joining together to forge a successful attempt to redistribute the rewards of labor and to end the violence of prejudice. Resistance, then, involves more than language-based opposition to noxious forces. Real opposition takes place in the realm of reproduction of community and the larger social sphere, on the basis of daily existence and in the realm of social and productive power.

#### Destabilizing the notion of gender doesn’t overthrow its ability to oppress

Raia Prokhovnik, Senior lecturer in politics at the Open University, UK, “Rational woman: a feminist critique of dichotomy “2002. p. 134

Walters’ conclusions are well-made. On the positive side she argues that ‘we should embrace [queer theory’s] recognition that much slips out of the rigid distinctions of hetero/homo, man/woman and that our theoretical and political engagements need to reckon creatively with the excess that dares not speak its name’. She also commends the ‘queer attempt to understand that sexuality and sexual desire is not reducible to gender’ (Walters 1996: 963). Nevertheless she is skeptical that destabilizing gender can ‘top the power of gender- a power that still sends too many women to the hospital, shelter, rape crisis center, despair’ (ibid.: 866). She observes, “we cannot afford to lose sight of the materiality of oppression and its operation in structural and institutional spaces’, and she suspects that queer theory fails to understand that ‘[d]estabilizing gender (or rendering its surface apparent) is not the same as overthrowing it’ (ibid.).

#### Queer theory erases Lesbians and transgendered people

Gust Yep, Karen Lovass, and John Elia, Prof @ San Fransico University, Journal of Homosexual Studies, Vol. 45, No. 2/3/4, 2003 p. 45

Gender Trouble. As a non-gender-specific term, “queer” appears inclusive of all genders. However, such terminological breaks can be read as reactionary and potentially dangerous (Thomas, 2000). Under a non-gender specific umbrella, Jeffreys (1997) is concerned about the disappearance of the lesbian and denial of lesbian oppression under patriarchy and heteronormativity. Similarly, Wolfe and Penelope (1993) contend that destabilization of identity categories, a typical move in queer analysis, leads to lesbian erasure. They write, We [cannot] afford to allow privileged patriarchal discourse (of which poststructuralism is but a new variant) to erase the collective identity Lesbians have only recently begun to establish. . . . For what has in fact resulted from the incorporation of deconstructive discourse, in academic “feminist” discourse at least, is that the word Lesbian has been placed in quotation marks, whether used or mentioned, and the existence of real Lesbians has been denied, once again. (p. 3) Given the history that “gay,” as a label, came to signify male homosexuality in a number of contexts, the concern that “queer” might become a male generic is certainly not unwarranted. Queer theory is also guilty of transgender erasure. Namaste (2000), for example, argues that queer theory, with its focus on performativity, fails to take into account the context in which gender performances occur. She points out that Butler’s drag queens perform in gay male cultural spaces and reduces drag to something a person does on stage rather than a person who is. In addition, queer theory ignores the material realities, the lived experiences and the subjectivities of transgendered people. Elliot and Roen (1998) call for the development and articulation of transgender theories, that is, ideas and assertions that inform and are informed by transgender political movements and articulated by transgenderists. Queer theory is committed to the deconstruction of gender and sexual categories. Engagement with the social context and the material realities associated with gender performance under heteropatriarchy would diminish the danger of excluding, erasing, and othering genders that are not male.

#### Creating safe spaces for coming out of the closet makes confessional discourse possible—the aff reifys normalization

Foucault 1978, (Michel, Former director @ the Institut Francais at Hamburg. The History of Sexuality Volume I. 1978. pgs 59-67)

The confession is a ritual of discourse in which the speaking subject is also the subject of the statement; it is also a ritual that unfolds within a power relationship, for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile; a ritual in which the truth is corroborated by the obstacles and resistances it has had to surmount in order to be formulated; and finally, a ritual in which the expression alone, independently of its external consequences, produces intrinsic modifications in the person who articulates it: it exonerates, redeems, and purifies him; it unburdens him of his wrongs, liberates him, and promises him salvation. For centuries, the truth of sex was, at least for the most part caught up in this discursive form. Moreover, this form was not the same as that of education (sexual education confined itself to general principles and rules of prudence); nor was it that of initiation (which remained essentially a silent prac­tice, which the act of sexual enlightenment or deflowering merely rendered laughable or violent). As we have seen, it is a form that is far removed from the one governing the “erotic art.” By virtue of the power structure immanent in it, the confessional discourse cannot come from above, as in the ars erotica, through the sovereign will of a master, but rather from below, as an obligatory act of speech which, under some imperious compulsion, breaks the bonds of discretion or forgetfulness. What secrecy it presupposes is not owing to the high price of what it has to say and the small number of those who are worthy of its benefits, but to its obscure familiarity and its general baseness. Its veracity is not guaranteed by the lofty authority of the magistery, nor by the tradition it trans­mits, but by the bond, the basic intimacy in discourse, be­tween the one who speaks and what he is speaking about. On the other hand, the agency of domination does not reside in the one who speaks (for it is he who is constrained), but in the one who listens and says nothing; not in the one who knows and answers, but in the one who questions and is not supposed to know. And this discourse of truth finally takes effect, not in the one who receives it, but in the one from whom it is wrested. With these confessed truths, we are a long way from the learned initiations into pleasure, with their technique and their mystery. On the other hand, we belong to a society which has ordered sex’s difficult knowledge, not according to the transmission of secrets, but around the slow surfacing of confidential statements.

#### Confession creates a relationship of the submissive confesse and a dominant receiver of the confession. The dominator judges, intervenes and attains the power to determine what the confession means. This reifies relations of dominance and submission and a continuance of existing hierarchies.

Anne Coughlin, Associate Prof. of Law @ Vanderbilt Law School. Virginia Law Review. August 1995. “Regulating the Self: Autobiographical Performances in Outsider Scholarship. L/N.

Like so many of the autobiographical practices to which the outsider storytellers have recourse, the **confess**ion has a long and complicated (indeed, one can say, tortured) past. West does not appear to have considered that past, including particularly the power relations that condition the truth that **confess**ional discourse may produce. Contrary to the liberating spirit with which West recommends her confessional technique, many critics (beginning with Michel Foucault) have been skeptical of the claim that confession holds out freedom (whether spiritual, psychological, or material) to the subject who offers the confession. To be sure, **confess**ional discourse does make that claim, as West's argument reflects, but Foucault has speculated that this promise of liberation may be the "internal ruse of confession." Confession implies, if not requires, a relationship of dominance and submission between, respectively, the subject who listens and the subject who speaks "for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile." The speaking subject may feel, as West clearly does, that she is the sole author of the truth that her confession produces, and, surely, she contributes to and participates in the production of that truth. However, Foucault's remarks remind us of the power that confession confers on those who listen, the power to decipher what is said and decide what activity is to follow it. West's confessional strategy reproduces the relations of dominance and submission remarked by Foucault, and, further, it embeds those relations within the familiar gender hierarchy. Thus, in West's vision, women must submit the truth about their sexual experiences to men because it is only with their assistance that women can go about changing law. When we consider the particular experiences that West's confessional technique is designed to elicit - dominance and submission feel good in bed to men and women, respectively - and the political truth she derives from those experiences - law must be revised so that it directly supports female (masochistic) pleasure and by implication male (sadistic) pleasure - we must wonder whether her strategy is just another instance of the traditional deployment of the **confess**ional to regulate women's sexuality.

#### Their destroy the possibility of queer resistance by locating it within the position of academia and debate space

Mann in 1996

(Paul, Professor of English @ Pomona College, “The Nine Grounds of Intellectual Warfare”, PMC 6.2, pMUSE-rkc)

Without exception, all positions are oriented toward the institutional apparatus. Marginality here is only relative and temporary: the moment black studies or women's studies or queer theory conceives of itself as a discipline, its primary orientation is toward the institution. The fact that the institution might treat it badly hardly constitutes an ethical privilege. Any intellectual who holds a position is a function of this apparatus; his or her marginality is, for the most part, only an operational device. It is a critical commonplace that the state is not a monolithic hegemony but rather a constellation of disorganized and fragmentary agencies of production. This is often taken as a validation for the political potential of marginal critical movements: inside-outside relations can be facilely deconstructed and critics can still congratulate themselves on their "resistance." But the contrary is clearly the case. The most profitable intellectual production does not take place at the center (e.g., Romance Philology), where mostly obsolete weapons are produced; the real growth industries are located precisely on the self-proclaimed margins. It will be argued that resistance is still possible; nothing I propose here argues against such a possibility. I wish only to insist that effective resistance will never be located in the position, however oppositional it imagines itself to be. Resistance is first of all a function of the apparatus itself. What would seem to be the transgressive potential of such institutional agencies as certain orders of gender criticism might demonstrate the entropy of the institution, but it does nothing to prove the counterpolitical claims of the position. Fantasies of resistance often serve as alibis for collusion. Any position is a state agency, and its relative marginality is a mode of orientation, not an exception. Effective resistance must be located in other tactical forms.

#### Criticism fails by revealing itself to its enemies, and by getting caught up in the very cultural commodification they criticize

Mann, 99 (Paul, Prof. of English at Pomona College, Masocriticism. “The Afterlife of the Avant-Garde, 3-4, mb)

Now autopsies of the putative corpse of the avant-garde usually reveal a predictable etiology In general, it seems the avant-garde died because it was unable to sustain its alterity, its difference, its otherness It produced too many signs of the same and hence exhausted its credibility. The avant-garde died because all major forms of anti-art or aesthetic resistance end up in the very museums and cultural institutions that they began by calling into question; because the avant-garde insistence on innovation reduced itself to the most trivial market for novelties; because its attacks on tradition became tradition; because its attacks on the culture of the commodity only produced more cultural commodities; because it could not at one and the same time oppose mainstream culture and serve as its research and development agency; because anti-art succeeded despite itself in becoming Art; because, in short, the avant-garde continually turned itself into everything it denounced: fashion, commodities, high art, museum culture, Western civilization, bourgeois self- indulgence, and academic commentary. These are the causes or symptorn of the avant-garde’s fatality in the standard accounts. For the most part, I was more interested in what those accounts suggested about the perceived order of contemporary culture than in whether or not any one of them was, strictly speaking, true; but in any case, let us accept them for the moment as a set of facts and gather them into another diagnosis: The avant-garde died of exposure. It died by revealing itself to its enemies. It put itself to death by continually articulating itself within the discursive economy of the cultures it claimed to subvert. It buried itself alive in the very manifestoes, events, collages, poems, and assemblages in which it proposed to live a disruptive and utopian existence. It died by putting itself in a position where people like me can appropriate it. It died of discourse. It talked, wrote, and painted itself to death.

#### It is better intellectual strategy to move away from the logic of position

Mann 95 (Paul, “Stupid Undergrounds.” PMC 5.3, projectmuse, MB)

Intelligence is no longer enough.[5](http://muse.jhu.edu/journals/postmodern_culture/v005/5.3mann.html" \l "foot5) We have witnessed so many spectacles of critical intelligence's dumb complicity in everything it claims to oppose that we no longer have the slightest confidence in it. One knows with the utmost certainty that the most intense criticism goes hand in hand with the most venal careerism, that institutional critiques bolster the institution by the mere fact of taking part in their discourse, that every position is ignorant of its deepest stakes. Each school of critical thought sustains itself by its stupidity, often expressed in the most scurrilous asides, about its competitors, and a sort of willed blindness about its own investments, hypocrisies, illusory truths. And one can count on each critical generation exposing the founding truths of its predecessors as so much smoke and lies. Thought, reading, analysis, theory, criticism has transported us to so many Laputas that we should hardly be surprised to encounter a general--or perhaps not general enough--mistrust of intelligence as such. What is most "subversive" now is neither critical intelligence nor romantic madness (the commonplace is that they are two sides of the same Enlightenment coin) but the dull weight of stupidity, spectacularly elaborated, and subversive only by means of evacuating the significance of everything it touches--including the romance of subversion itself. To abandon intelligence because it has been duplicitous or built such grandly inane intellectual systems might seem to be throwing the baby out with the bathwater, but if rejecting intelligence is rejecting too much, never underestimate the stupid exhilaration of **too much**; and flying babies are a nicely stupid image, quite suitable for a record cover. Let us insist that we are not arguing for poetic madness breaking out of the prison of reason, nor for the philosophical acephalism of Bataille and his university epigones, still helplessly playing out the dialectic of the enlightenment. The rationalization of unreason is not much of a remedy; that is why we took the trouble to diagnose the recuperation and critical evacuation of Bataille. What confronts us in the stupid underground is also the rationalization of unreason, but it is accompanied by a much more naked idiocy, sheer stupidity posing as value, as the last truth of culture, value without value, and an irresistible lure for suicidal reason. That is, for us, the value--precisely worthless--of the expansive, aggressively sophomoric network of the Church of the SubGenius, of these exaggerated revolutionary claims for a few noisy CDs and nipple piercings, or of the posturing of the so-called Hakim Bey: "I am all too well aware of the 'intelligence' which prevents action. Every once in a while however I have managed to behave as if I were stupid enough to try to change my own life. Sometimes I've used dangerous stupifiants like religion, marijuana, chaos, the love of boys. On a few occasions I have attained some degree of success."[6](http://muse.jhu.edu/journals/postmodern_culture/v005/5.3mann.html" \l "foot6) The only undergrounds that surface any more are moronic: cross-eyed obfuscators, cranks, latahs,[7](http://muse.jhu.edu/journals/postmodern_culture/v005/5.3mann.html" \l "foot7) deadly-serious self-parodists, adolescent fraternities of deep thinkers riding the coattails of castoff suits. What animates the stupid underground is not merely heroic madness or libidinal ideology or a drooping IQ **against** reason, although we still have to listen to all of that repeated, precisely, past the point of endurance; it is something like stupid intelligence, the manic codification of the inane, the willingness to pursue, absolutely at the risk of abject humiliation, absolutely at the risk of making oneself a perfect fool, lines of inquiry that official intelligence would rather have shut down. The dismissal of some dubious scientific fact or method by official intelligence is taken as a clear sign that the powers that be are hiding something important, and that by this very means assumes the status of truth. Enormous labors will be devoted to unlocking its secrets and locating it in a worldview that is as logical as it is laughable, and that sustains the force of truth in large part by giving the lie to official truth. Reactive research, parody of science. Or of the mission of art and cultural commentary. Once it was crucial to separate high and low, art and kitsch, for the very good of the human spirit; then one tried to "transgress" these distinctions, without quite managing to get rid of them. But to copy comic books on vast canvases or laminate a few thriftshop tchotchkis and exhibit them in a major museum is not what used to be called a critical gesture, no matter what the catalogues say. It is not a critical reflection on the commodification of art, but a means of rendering the very distance required for such reflection null and void; not a "deconstruction" (sic) of the institution of art but the evacuation of criticism itself. In this zone, criticism is stupid, hence only stupidity can be critical. The illogic of this proposition cannot entirely eliminate its force. We are caught up in culture's inability to purge itself of the inanity utterly native to it. The patent stupidity of certain postmodern works of art, and of the commentary that tags along behind them, is a symptom of a virulent truth that infects everything and everyone, the holy blood of Van Gogh, Cezanne at his sublime labors, the Sistine Chapel englobing a void, empty frame after empty frame, vast libraries of special pleading, the whole dumb hollow of culture. Criticism as stupidity; the inanity of intelligence and the intelligence of inanity; the absurd hybrid of critical theory and blatant foolishness that today constitutes all that is left of the critical. One must assess the force of this stupidity without simply reasserting for oneself, however tacitly, the superiority of critical intelligence. **Stupid** is no more a term of derision here than it is a term of praise; it is crucial not to mistake this epithet for a gesture of rejection, an attempt to mark out and claim for oneself any critical distance. It indicates a cultural condition that can hardly be embraced but that the pathetic enterprise of criticism is powerless to overcome by the application of more rigorous intellectual tools. We are pursuing a logic for which we have no taste; it binds and tangles one's writing in the most maddening ways; but ultimately the stupid underground constitutes a critique of criticism that must be taken up, however aggravating it is, precisely because it is aggravating. The spectacle of the masocritic trying to give stupidity its due while thinking it through with all the proper rigor, using it to judge himself judging, to judge judgment itself, humiliating himself, elaborating his own discourse as the vehicle of a death that is anything but heroic or sublime: let us take this as the true spectacle of criticism. Stupid vigilance, resistance to what one has already made certain would occur, and would have occurred in any case. Such a project will appear to you merely frivolous, self-indulgently self-defeating, like the course of the fabulous bird that flies in tighter and tighter circles until it disappears up its own asshole. Masocriticism must not defend itself against this perfect and proper charge. What it seeks is precisely guilt by association, stupid abasement. If it is therefore impossible for me to be either on the side of this essay or at any remove from it, that is, for me, its "value." Its ethical value: its stupid value.

We should just turn off the tv their resistance fails—vote neg

Victor Pelevin, “Intel Inside”, AUTODAFE, Spring, 2003, <http://www.autodafe.org/autodafe/autodafe_03/art_15.htm> accessed 9/16/04)

When I hear the expression “intellectual resistance” it reminds me of a souvenir I brought back from Gran Canaria: a large, red fluffy towel with a portrait of Che Guevara. The phrase “intellectual resistance” carries a host of noble connotations, amongst them an echo of nineteen-sixty-eight that stirs the blood pleasantly, making the resister feel somehow younger and sexier. At the same time it is entirely without risk, like sex in two condoms. As a certain remarkable Russian writer has expressed it, it is a means of “creating a non-contradictory unity of liberal values and revolutionary romanticism within the bounds of a single sexually aroused consciousness”. I am not trying to say that I believe intellectuals are dishonest. Or that I think they are cowards. Honesty and courage have nothing to do with it. How can you be honest and courageous in answering a question about which film you like best—Batman or Spiderman? But in this world of ours it is extremely rare for anyone to trouble intellectuals about any other concerns. Intellect is capable of doing anything at all except filling its owner’s belly without selling itself. And so for the modern-day intellectual it is exactly as difficult and as necessary to comment on Pop-Reality as it is for a violinist interned in a concentration camp to play at the guards’ party. So how can you win? It couldn’t be easier. But resistance can only be successful in the internal human dimension, because all openly declared forms of intellectual resistance will incorporated into the censorship as rapidly as new trends in fashion are taken up by consumer chain-store designers. The intellectual’s practical victory does not lie in “exposing television”—you can restart that exposure all over again any day of the week, you will always find a pretext. Victory lies in turning the thing off. I call the quietness that fills the room following this simple action the Third Pole—the point at which you realise that all poles are inside your head, and your head’s just been in a cesspit. That farewell click of the button on the TV, expelling the monopolar glow from the tube, is my heroic contribution to the cause of global intellectual resistance.