### 1

#### Authority is the legal right to take action, power is the ability to do so

Forsythe and Hendrickson 96

[David P. Forsythe, Professor and Chair of Political Science University of Nebraska-Lincoln, Ryan C. Hendrickson, Ph.D. Candidate University of Nebraska-Lincoln. “U.S. Use of Force Abroad: What Law for the President?” Presidential Studies Quarterly, Vol. 26, No. 4]

The crisis is most precisely about authority, not power. Authority, in the legal sense, concerns ¶ the right to do something. Power refers to the capability to do something. Part of the problems ¶ in the U.S. constitutional crisis over use of force abroad is that the president has the power to ¶ make war, and to obtain congressional deference most of the time, whatever the proper under ¶ standing of authority.

Statutory restrictions are limits on authority by congress

Blacks Online Legal Dictionary 13

(2nd Edition, http://thelawdictionary.org/statutory-restriction/)

Statutory Restriction- Limits or controls that have been place on activities by its ruling legislation.

#### Judicial restrictions are court enforced interpretations of statutory restrictions

Barron ‘08

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COMMANDER IN CHIEF AT THE LOWEST EBB - FRAMING THE PROBLEM, DOCTRINE, AND

ORIGINAL UNDERSTANDING,” Harvard Law Review, January, pp. LN.

4. Judicial Enforcement of Implied Statutory Restrictions. - The way the Supreme Court¶ approaches war powers generally, when combined with the increased mass of potentially¶ relevant legislative restrictions on the conduct of this military conflict, further increases the likelihood that the "lowest ebb" issue will be joined in the future. Principles of deference to executive¶ authority tend to dominate academic discussion of statutory interpretation and war powers. As we have indicated, however,¶ Hamdan, Youngstown, and other modern war powers cases demonstrate that the Court cannot be counted on to give the President¶ the benefit of the doubt. And in many war powers cases, the Court has been perfectly willing to¶ construe ambiguous statutory language against certain background rules that it presumes¶ Congress intended to honor, n84 including a presumption that the Executive must [\*719] comply with the laws of war.¶ n85 This general and longstanding judicial willingness to find implied limitations in ambiguous¶ texts concerning the use of military force and national security powers is sometimes¶ controversial. But whether justified or not, such an interpretive approach is of particular import now,¶ given the sheer mass of preexisting statutes potentially applicable to the conflict with al¶ Qaeda and the likelihood that this body of law will grow. Executive branch lawyers may be hard-pressed to advise their client¶ agencies that creative construction can overcome the apparent statutory restrictions, at least if there is a reasonable prospect of¶ judicial review (as there often will be in the war on terrorism due to its peculiar domestic connections). Instead, the prospect of¶ judicial review will impel these lawyers to advise that the courts could well construe the potentially restrictive¶ language to impose hard constraints on the Executive's preferred course of conduct - and that only¶ the assertion of a superseding constitutional power of the President could, possibly, overcome such limits. Thus, the relatively weak¶ deference the Court has long shown the President in many war powers cases, when combined with the relatively high likelihood in¶ the war on terrorism of the applicability of restrictive but ambiguous statutory language and a justiciable case to hear, make¶ constitutional assertions of preclusive executive powers a more likely occurrence than war powers scholarship typically assumes.

#### Violation - The aff doesn’t restrict the authority of the President statutorily or judicially

#### 2. Vote Negative:

#### A) Decisionmaking - a limited topic of discussion that provides for equitable ground is key to decision-making and advocacy skills

Steinberg & Freeley 8

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Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### B) Switch-side - effective deliberation is crucial personal agency and is only possible when debaters divorce themselves from ideology to engage in political contestation – the impact is mass violence

Roberts-Miller 3

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Totalitarianism and the Competitive Space of Agonism¶ Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism andEichmann in Jerusa¬lem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that the common world of deliberate and joint action is fragmented into solipsistic and unreflective behavior. In an especially lovely passage, she says that in mass society people are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular if the same experience is multiplied innumerable times. The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective. (Human 58)¶ What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because obsession with one's own self and the particularities of one's life prevents one from engaging in conscious, deliberate, collective action. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. Self-obsession, even (especially?) when coupled with isolation from one' s community is far from apolitical; it has political consequences. Perhaps a better way to put it is that it is political precisely because it aspires to be apolitical. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social."¶ Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, butnot act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibil¬ity for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody.¶ It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitar¬ian systems, Arendt's solution is the playful and competitive space of agonism; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a competitive space in which one competes for recognition, precedence, and acclaim" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives.¶ Furthermore, the competition is not ruthless; it does not imply a willingness to triumph at all costs. Instead, it involves something like having such a passion for ideas and politics that one is willing to take risks. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. This is a risk in that one might lose; advancing an argument means that one must be open to the criticisms others will make of it. The situation is agonistic not because the participants manufacture or seek conflict, but because conflict is a necessary consequence of difference. This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does not propose a public realm of neutral, rational beings who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity.¶ Continued…¶ Eichmann perfectly exemplified what Arendt famously called the "banal¬ity of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems (Pitkin 87).¶ Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes,¶ Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87)¶ Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social.¶ Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorb¬ing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4).¶ Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slo¬gans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies.¶ Arendt grants that there are people who willed the Holocaust, but she insists that totalitarian systems result not so much from the Hitlers or Stalins as from the bureaucrats who may or may not agree with the established ideology but who enforce the rules for no stronger motive than a desire to avoid trouble with their superiors (see Eichmann and Life). They do not think about what they do. One might prevent such occurrences—or, at least, resist the modern tendency toward totalitarian¬ism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38).¶ By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that Heidegger represented just such a professional thinker for Arendt, and his embrace of Nazism epitomized the genuine dangers such "thinking" can pose (see Arendt's "Heidegger"). "Thinking" is not typified by the isolated con¬templation of philosophers; it requires the arguments of others and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others:¶ Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people's standpoints I have present in my mind while I am ponder¬ing a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for represen¬tative thinking and the more valid my final conclusions, my opinion. ("Truth" 241)¶ There are two points to emphasize in this wonderful passage. First, one does not get these standpoints in one's mind through imagining them, but through listening to them; thus, good thinking requires that one hear the arguments of other people. Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, this view presumes that speech matters. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed.¶ Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists tha^ the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defe ated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259).¶ Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the j unctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. InEichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how truth functions does not fall anywhere in the three-part expeditio so prevalent in bothrhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts: "Freedom of opinion is a farce unless factual information is guaranteed" (238).¶ The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking.¶ Arendt's Polemical Agonism¶ As I said, agonism does have its advocates within rhetoric—Burke, Ong, Sloane, Gage, and Jarratt, for instance—but while each of these theorists proposes a form of conflictual argument, not one of these is as adversarial as Arendt's. Agonism can emphasize persuasion, as does John Gage's textbook The Shape of Reason or William Brandt et al.'s The Craft of Writing. That is, the goal of the argument is to identify the disagreement and then construct a text that gains the assent of the audience. This is not the same as what Gage (citing Thomas Conley) calls "asymmetrical theories of rhetoric": theories that "presuppose an active speaker and a passive audience, a speaker whose rhetorical task is therefore to do something to that audience" ("Reasoned" 6). Asymmetric rhetoric is not and cannot be agonistic. Persuasive agonism still values conflict, disagreement, and equality among interlocutors, but it has the goal of reaching agreement, as when Gage says that the process of argument should enable one's reasons to be "understood and believed" by others (Shape 5; emphasis added).¶ Arendt's version is what one might call polemical agonism: it puts less emphasis on gaining assent, and it is exemplified both in Arendt's own writing and in Donald Lazere's "Ground Rules for Polemicists" and "Teaching the Political Conflicts." Both forms of agonism (persuasive and polemical) require substantive debate at two points in a long and recursive process. First, one engages in debate in order to invent one's argument; even silent thinking is a "dialogue of myself with myself (Lectures 40). The difference between the two approaches to agonism is clearest when one presents an argument to an audience assumed to be an opposition. In persuasive agonism, one plays down conflict and moves through reasons to try to persuade one's audience. In polemical agonism, however, one's intention is not necessarily to prove one's case, but to make public one' s thought in order to test it. In this way, communicability serves the same function in philosophy that replicability serves in the sciences; it is how one tests the validity of one's thought. In persuasive agonism, success is achieved through persuasion; in polemical agonism, success may be marked through the quality of subsequent controversy.¶ Arendt quotes from a letter Kant wrote on this point:¶ You know that I do not approach reasonable objections with the intention merely of refuting them, but that in thinking them over I always weave them into my judgments, and afford them the opportunity of overturning all my most cherished beliefs. I entertain the hope that by thus viewing my judgments impartially from the standpoint of others some third view that will improve upon my previous insight may be obtainable. {Lectures 42)¶ Kant's use of "impartial" here is interesting: he is not describing a stance that is free of all perspective; it is impartial only in the sense that it is not his own view. This is the same way that Arendt uses the term; she does not advocate any kind of positivistic rationality, but instead a "universal interdependence" ("Truth" 242). She does not place the origin of the "disinterested pursuit of truth" in science, but at "the moment when Homer chose to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector, the foe and the defeated man, no less than the glory of Achilles, the hero of his kinfolk" ("Truth" 262¬63). It is useful to note that Arendt tends not to use the term "universal," opting more often for "common," by which she means both what is shared and what is ordinary, a usage that evades many of the problems associated with universalism while preserving its virtues (for a brief butprovocative application of Arendt's notion of common, see Hauser 100-03).¶ In polemical agonism, there is a sense in which one' s main goal is not to persuade one's readers; persuading one's readers, if this means that they fail to see errors and flaws in one' s argument, might actually be a sort of failure. It means that one wishes to put forward an argument that makes clear what one's stance is and why one holds it, but with the intention of provoking critique and counterargument. Arendt describes Kant's "hope" for his writings not that the number of people who agree with him would increase but "that the circle of his examiners would gradually be en¬larged" {Lectures 39); he wanted interlocutors, not acolytes.¶ This is not consensus-based argument, nor is it what is sometimes called "consociational argument," nor is this argument as mediation or conflict resolution. Arendt (and her commentators) use the term "fight," and they mean it. When Arendt describes the values that are necessary in our world, she says, "They are a sense of honor, desire for fame and glory, the spirit of fighting without hatred and 'without the spirit of revenge,' and indifference to material advantages" {Crises 167). Pitkin summarizes Arendt's argument: "Free citizenship presupposes the ability to fight— openly, seriously, with commitment, and about things that really mat¬ter—without fanaticism, without seeking to exterminate one's oppo¬nents" (266). My point here is two-fold: first, there is not a simple binary opposition between persuasive discourse and eristic discourse, the conflictual versus the collaborative, or argument as opposed to debate.¶ Second, while polemical agonismrequires diversity among interlocutors, and thus seems an extraordinarily appropriate notion, and while it may be a useful corrective to too much emphasis on persuasion, it seems to me that polemical agonism could easily slide into the kind of wrangling that is simply frustrating. Arendt does not describe just how one is to keep the conflict useful. Although she rejects the notion that politics is "no more than a battlefield of partial, conflicting interests, where nothing countfs] but pleasure and profit, partisanship, and the lust for dominion," she does not say exactly how we are to know when we are engaging in the existential leap of argument versus when we are lusting for dominion ("Truth" 263).¶ Like other proponents of agonism, Arendt argues that rhetoric does not lead individuals or communities to ultimate Truth; it leads to decisions that will necessarily have to be reconsidered. Even Arendt, who tends to express a greater faith than many agonists (such as Burke, Sloane, or Kastely) in the ability of individuals to perceive truth, insists that self-deception is always a danger, so public discourse is necessary as a form of testing (see especially Lectures and "Truth"). She remarks that it is difficult to think beyond one's self-interest and that "nothing, indeed, is more common, even among highly sophisticated people, than the blind obstinacy that becomes manifest in lack of imagination and failure to judge" ("Truth" 242).¶ Agonism demands that one simultaneously trust and doubt one' s own perceptions, rely on one's own judgment and consider the judgments of others, think for oneself and imagine how others think. The question remains whether this is a kind of thought in which everyone can engage. Is the agonistic public sphere (whether political, academic, or scientific) only available to the few? Benhabib puts this criticism in the form of a question: "That is, is the 'recovery of the public space' under conditions of modernity necessarily an elitist and antidemocratic project that can hardly be reconciled with the demand for universal political emancipa¬tion and the universal extension of citizenship rights that have accompa¬nied modernity since the American and French Revolutions?" (75). This is an especially troubling question not only because Arendt's examples of agonistic rhetoric are from elitist cultures, but also because of com¬ments she makes, such as this one from The Human Condition: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time" {Human 324).¶ Yet, there are important positive political consequences of agonism.¶ Arendt' s own promotion of the agonistic sphere helps to explain how the system could be actively moral. It is not an overstatement to say that a central theme in Arendt's work is the evil of conformity—the fact that the modern bureaucratic state makes possible extraordinary evil carried out by people who do not even have any ill will toward their victims. It does so by "imposing innumerable and various rules, all of which tend to 'normalize' its members, to make them behave, to exclude spontaneous action or outstanding achievement" (Human 40). It keeps people from thinking, and it keeps them behaving. The agonistic model's celebration of achievement and verbal skill undermines the political force of conformity, so it is a force against the bureaucratizing of evil. If people think for themselves, they will resist dogma; if people think of themselves as one of many, they will empathize; if people can do both, they will resist totalitarianism. And if they talk about what they see, tell their stories, argue about their perceptions, and listen to one another—that is, engage in rhetoric—then they are engaging in antitotalitarian action.¶ In post-Ramistic rhetoric, it is a convention to have a thesis, and one might well wonder just what mine is—whether I am arguing for or against Arendt's agonism. Arendt does not lay out a pedagogy for us to follow (although one might argue that, if she had, it would lookmuch like the one Lazere describes in "Teaching"), so I am not claiming that greater attention to Arendt would untangle various pedagogical problems that teachers of writing face. Nor am I claiming that applying Arendt's views will resolve theoretical arguments that occupy scholarly journals. I am saying, on the one hand, that Arendt's connection of argument and thinking, as well as her perception that both serve to thwart totalitarian¬ism, suggest that agonal rhetoric (despite the current preference for collaborative rhetoric) is the best discourse for a diverse and inclusive public sphere. On the other hand, Arendt's advocacy of agonal rhetoric is troubling (and, given her own admiration for Kant, this may be intentional), especially in regard to its potential elitism, masculinism, failure to describe just how to keep argument from collapsing into wrangling, and apparently cheerful acceptance of hierarchy. Even with these flaws, Arendt describes something we would do well to consider thoughtfully: a fact-based but not positivist, communally grounded but not relativist, adversarial but not violent, independent but not expressivist rhetoric.

#### C) Dialogue – our entire negative strategy is based on the “should” question of the resolution---there are an infinite number of reasons that the scholarship of their advocacy could be a reason to vote affirmative--- these all obviate the only predictable strategies based on topical action---they overstretch our research burden and undermine preparedness for all debates making effective deliberation impossible which makes it impossible to be negative – voting issue for limits and ground

### 2

#### Link 1 is Form: The affirmative necessitates appropriation of indigenous knowledge by dominant enlightenment thinking - by articulating their criticism through a western frame they negate the possibility of indigenous knowledge being only for the indigenous

Beauline-Sterling 2012 (Rebecca, MA student at York University, A review of Red Pedagogy: Native American Social and Political Thought by Sandy Grande, NeoAmericanist Vol. 6, No. 1, Spring/Summer, <http://www.neoamericanist.org/review/red-pedagogy>)

NOTE: Turtle Island = North America

I certainly appreciate much of Grande’s thought, as her writing resonates with some of my own critiques of postmodern and critical theory. I also welcome her historical materialist analysis of past and present social relations. This text indeed marks a significant contribution to critical education theory and Indigenous academic work, yet I cannot help but ask: who is it written for?

Though she positions herself among other Indigenous scholars, Grande’s theory is articulated through a Western epistemic frame. The language and content is accessible only to an academic audience and as such, seems to be written “for” critical theorists rather than Indigenous people or communities.

As an Indigenous woman negotiating my way through academia, I have come to understand what Grande calls the “Native theory of antitheory” wherein “engagement in abstract theory seems indulgent – a luxury and privilege of the academic elite. Further, theory itself is viewed as definitively Eurocentric – inherently contradictory to the aims of [I]ndigenous education” (p. 2). While this “theory of antitheory” persists in our communities – and with good reason – Indigenous ways of knowing and being still form the basis for resistance and emancipatory projects across Turtle Island. Our world-views are rich and complex, full of theories that are merely ignored and devalued in the academy, the space for them “conscripted by academic colonialism” (p. 103). Yet these theories have made their way into universities, albeit ever slowly and not without struggle. Our voices grow stronger beyond the boundaries prescribed for us.

Grande calls for an expansion of “the intellectual borders of [I]ndigenous intellectualism” (p. 3). I hope that this does not mean that Indigenous intellectuals – our Elders, knowledge keepers and emerging leaders existing primarily outside of the university – are insufficient in their “intellectualism” and must engage with critical theory as Grande has done in this text. Certainly it is important that Indigenous people create and find spaces within the academy to formulate and share knowledge grounded in their own world-views. Most of us will have no choice but to engage with whitestream theories, though some of us will find ways to work through or around them. Universities are important and difficult places for that reason. In the same way, Grande’s text is an incredible contribution. But academia, critical theory and the university are not the only means by which we can remember, revitalize and share our knowledges for the purposes of decolonization, a promise of “the good life” for generations to come.

We must be careful in how we relate to our own people, how in our own theorizing we ostensibly place value (or not) on the rich knowledge sometimes hidden in our families and communities. How we write reflects how we relate, just as who we write for reflects who we consider as part of that relation.

#### Link 2 is placement: Indigenous knowledge is not “outside” Western knowledge and positioning it as such negates the specific contours of indigenous thought, relying on a Western notion of identity making to police and fascistically categorize indigenous ways of knowing

Calderón 2006 (Dolores, J.D., is a PhD Candidate at UCLA’s Graduate School of Education and Information Studies with a specialization in race and ethnic studies, Review: Red Pedagogy: Native American Social and Political Thought by Sandy Grande, InterActions: UCLA Journal of Education and Information Studies Volume 2, Issue 1, <http://escholarship.org/uc/item/3qp8c635>)

Furthermore, Grande’s notion of the fourth space of being and the related concept of indígena do not accurately capture the distinctiveness of tribal identity or ontology because they are derived from the margins of Western society. Grande argues that “comfortable modern identities” (p.171) must remain integral in the quest for sovereignty, and elaborates that “the proposed construct of indígena is intended to guide the search for a theory of subjectivity in a direction that embraces the location of Native peoples in the ‘constitutive outside’” (p. 171). If framed from a tribal perspective, however, Native peoples are not located in the “constitutive outside” because they do not conceive of themselves in relation to the West. Sovereignties are ultimately derived and located in a tribe’s specific cosmology and ontology.

The concept of indígena “claims a distinctively indigenous space shaped by and through a matrix of legacy, power and ceremony. In so doing, the fourth space of indígena stands outside the polarizing debates of essentialism and postmodernism, recognizing that both the timeless and temporal are essential for theorizing the complexity of indigenous realities” (171). Placing ceremony in the fourth space of indígena is a conceptual move in which the process of ceremony is stripped of its tribally specific life. Ceremonies for tribal people are rooted in specific geographies and cosmologies. By converting ceremony into a general construct, the author transforms it into a universal space in which tribally specific ceremonial meaning is subordinated.Similarly, Grande’s conceptualization of indígena is not framed from a tribal space, and instead relies on western methods of identity-making. As she writes:

Embodying indígena is about the choice to live differently, about standing in defiance of the vapid emptiness of the whitestream and about resisting the kind of education where connections to Earth and the spirit world are looked upon with skepticism and derision (p. 171).

While I agree with Grande’s assertion that indigenous communities must and do resist educational practices that do not promote indigenous metaphysics and their accompanying sovereignties, indigenous peoples do not choose to “live differently.” Grande locates the concept of indígena in the social margins: “…an assertion of the margin as more than a location defined by economic instability and political servitude. It is re-imagined as a transgressive fourth space of both transience and permanence” (p. 171). This positioning of indigenous identity in Grande’s formulation of indígena runs counter to indigenous notions of identity, which are not defined in opposition to Western systems. By locating these concepts in “the margin,” Grande places the indigenous space in contradistinction to the West. This runs counter to the centeredness and primary positioning of indigenous epistemologies and ontologies that are a result of their being grounded in specific geographies and cosmologies.

#### Link 3 is Red Body: The affirmatives depiction of a passive and innocent red body ignores the opaque complexity of lived experience which only serves to make the other more familiar and never revolutionary. Their very method is problematic – simply throwing more evidence at the problem leaves in place, and makes stronger, the underlying research systems which structure enlightenment metaphysics. They recreate the interpretive mastery which marginalized the indigenous in the first place.

MacLure 2010 (Maggie MacLure, Manchester Metropolitan University, “Qualitative inquire: where are the ruins?” http://www.esri.mmu.ac.uk/respapers/nzareRuins.pdf)

We have tried, then, in Patti Lather’s words, to refuse ‘textual innocence’ and the comforting simplicities of ‘an untroubled realism’ (1996: 539). We have looked for alternatives to what Gillian Fuller (2000: 84) called ‘the textual politics of good intentions’ in our writing, realising that the production of the innocent Other shores up our own self-certainty and replays colonial relations. We have tried to avoid boxy theories that lock their objects into the confined space of their explanations. Nigel Thrift calls them theories that ‘slide home like a bolt’ (2008: 2). Instead, we have looked to theory to defamiliarise, complicate, pervert, obstruct, proliferate. But I want to consider the question of how successful we have been at putting theory to work in the doing, thinking and writing of research, in specific research projects and investigations. Are things as ruined as we have hoped? Is the Enlightenment project really as crumbly as we thought? I want to stress that working the ruins is an ethical and a political project as well as a methodological one, and that it is an honourable one. I am not proposing that it should be abandoned. And it is not my intention to criticise the work of particular researchers: in fact my own work has failed as much, if not more than anyone else’s in managing to be ruinous. I’m more concerned with why it has been so difficult to do research that works the ruins, and why the Enlightenment project persists. It’s important, I think, for those of us who have advocated, and tried to practice, postfoundational research, to keep on questioning how far we have brought about those ruins that we have conjured so many times. If we don’t put that question to ourselves, our ruins risk being merely decorative. A picturesque gloss on the same old edifice. So, how and where have we failed to be ruinous? For a start, it has been hard to escape interpretive mastery and narrative coherence, even though we know that this keeps research subjects in their place and reinforces our own self-certainty. It has been hard to divest ourselves of what D.A. Miller calls ‘the panoptic immunity’ of the liberal subject, who is entitled to read and survey the lives of others, while maintaining the privacy of, in his words, ‘an integrated, autonomous and “secret” self (1988: 162). It has been hard to avoid hierarchies of knowledge and linear thinking, partly because many of us are tethered by the grammar and the propositional logic of the European languages. Working the ruins is problematic when the given language speaks of levels and solid edifices – foundations, grounded theory, higher-order categories, and so on. We have argued for new forms of relationality and responsibility, yet many of our ‘field’ encounters are still regulated by liberal-humanist ethics and notions of ‘open’ dialogue. This produces only knowledge that everyone can tolerate. And by forcing everyone to speak in the bland dialect of mutual regard, it suppresses idiom, diversity, affect, and conflict. We have theorised decentred selves, partial knowledge and layered accounts. But when it comes to analysing the ‘data’ - interviews, observations, documents etc - we often end up, once again, digging up themes or stacking up categories. Or finding or enforcing innocence, literal meaning and uncomplicated goodwill. In short, poststructural theory often fails to make a difference to the mundane practices of research, and the kind of knowledge that it produces. So I want to turn now to some possible openings – if not for ruin, at least for some structural damage - to customary practices in qualitative inquiry. I think qualitative methodology firstly needs more, and more sustained, engagements with the opaque complexity of lives and things – with what would formerly have been called the empirical. As Patti Lather (2010) put it recently, perhaps we haven’t earned our theory. Often, writing on theory and methodology hangs in a discursive space that is fairly empty of examples, let alone the focus and challenge of a specific investigation or research project. Some of the reasons for this may be socio-cultural – related to conditions of employment and research funding that encourage academics to make a choice between theory work and field work. In some places, there’s a kind of division of labour in research, where those who engage with theory aren’t doing much empirical research, while people who are employed on grants or contracts for specific research projects are not allowed or encouraged to be theoretically engaged. Theory has not had enough of a chance, then, to proliferate through sustained entanglement and interference with its objects - with their details, their intransigent singularity and their perplexing otherness. It has not folded, deviated and differed from itself in trying to get to grips with ‘data’ whose complexity always exceeds its reach. It has not grappled with the vertigo of sometimes seeming to float above the ‘feckless particular’, as Rosalind Krauss (1993: 100) calls it, and at other times being dragged and dispersed among its mundane detail. It has not pierced or eroded the solid walls of common sense or received practice. It has not been ruinous.

#### The impact is colonialism. The 1AC can only encounter non-western thinking by defining the western, always privileging it as the center of thought. There is no way to describe non-western thinking except through referents that reinstate static hierarchy. Their organization of thought into genus and species conditions indigenous identity on the reflection of their oppressors.

MacLure 2010 (Maggie MacLure, Manchester Metropolitan University, “Qualitative inquire: where are the ruins?” http://www.esri.mmu.ac.uk/respapers/nzareRuins.pdf)

So I want to look at the relation of language and materiality, and particularly at what happens when the body surfaces in language. I’m going to suggest that attention to the bodily entanglements of language can be put to work to perform a particular form of productive ruin - namely, the ruin of representation. This phrase echoes the title of Dorothea Olkowski’s (1999) book, ‘Gilles Deleuze and the Ruin of Representation’. What might it mean, then, to research with, and within, the ruin of representation? For Olkowski and Deleuze, representation doesn’t just refer to the mediation of reality by language. Representation is the entire logic of static hierarchy that – in Olkowski’s words - ‘subsume(s) all difference under the one, the same and the necessary’ (1999: 185). In the terminology of Deleuze and Guattari, representation is tree-like or arborescent (1987: 18). It organises life in terms of genus and species, categories and instances, and can only cope with difference through relations of identity, similarity, analogy or opposition: that is, relations based on resemblance or difference among already-formed entities. Within the schema of representation, things are frozen in the places allotted to them by the structure that comprehends them, and are not able to deviate and divide from themselves to form anything new. Olkowski wants to bring about the ruin of representation so that she can develop ‘an ontology of change and becoming’ that engages the dynamism and creative force of matter and difference without going through the deadening detour of representation (211). But language is nevertheless a key element in the way representation captures difference for sameness. It’s hard to escape the ‘common language of order-words’ as Olkowski (1999: 124) puts it, citing Bergson. Order-words are those words that are always already legitimated by institutions, issuing from a ready-made self. Lyotard had something similar in mind when he compared everyday language to Orwell’s ‘newspeak’. Newspeak is the mode of the ‘already-said’ through which the status quo attempts to control the threat of difference – of that which resists or exceeds meaning (Lyotard, 1992: 107; see also MacLure, 2006). Delezue argued that there is another, non-representational dimension or tendency that subsists in language, hidden by the tremendous power of representation to cut into the flow of difference to bring forth stable referents, meanings and speaking subjects. Deleuze calls this other tendency a ‘wild discourse’ or a becoming-mad of language that slides over its referents and transcends its own limits, restoring language to the open potential of becoming (2004: 3, 4). This wild discourse does not mediate anything. It does not refer outside of itself, or build towards some higher fulfilment. And it does not emanate from, or attach itself to, an already formed, phenomenological subject.

#### Welcome the 1AC’s attempt at destabilizing thought but refuse the form and content of their proffered replacement. We must begin not with alternative ways of thinking but alternative ways of comparing thoughts. Reject any system of universalized thinking and instead use the space opened by critique to welcome a consideration of the thought in itself.

Jones 2000 (Rachel, University of Warwick and Manchester Metropolitan University; Hypatia 15.2, 151-159, MUSE)

Blindspots and elisions, fissures and omissions: feminist thinkers have often had an eye for the gaps in the western philosophical tradition. They have focused on what has gone missing from philosophy, not as a way of refusing philosophical thought, but to draw attention to the gendering of supposedly universal theories and to generate philosophies capable of thinking specificity and difference. Each of the papers in this section is concerned with a particular absence in the history of philosophy. Each thinker is involved in seeking out that which disappears from view when seen from the perspective of the western philosophical canon--or which appears there only in a carefully reduced and circumscribed form. Yet this focus on absences is far from generating a negative project. Instead, for these three thinkers, philosophical absences function as potentialities, sites of productive displacement and transformation that reconfigure the possible subject matter of philosophy. The nature of the transformations effected varies according to the specific lacunæ addressed by each author. Penelope Deutscher focuses on the mysterious disappearance of women from the history of modern philosophy, Zoë Sofia on the absence of containers from histories and philosophies of technology, and Barbara Bolt on the way the western enlightenment perspective both obliterates a generative materiality and is itself undone by the glare of the Australian sun. The topographical locatedness of Bolt's argument indicates the importance of the specificity of each of these projects. Their grouping does not imply that they could be subsumed under one overarching framework any more than the papers in this volume could be combined to form a single new trajectory in feminist philosophy. Nonetheless, these three papers not only share a set of overlapping concerns, but also deploy a similar philosophical strategy. Each seeks to make visible that which has functioned as one of the necessary but invisible conditions sustaining western philosophical thought--be that the improperly philosophical work excluded from the canon so as to secure philosophy's self-definition; the dark matter required by the reflections of enlightened speculation and the colonizing imagination; or the technologies [End Page 151] of sustaining and containing themselves, which silently facilitate--yet consistently fail to appear in--thinking and philosophizing about technology. Yet these philosophical absences are not recuperated within the terms of the tradition--Deutscher is not arguing that neglected women thinkers "really were" great philosophers, for example, nor does Bolt claim that it is possible to reveal a "really pure" or "unmediated" vision of matter beyond the confines of the European gaze. And none of the papers aims simply to reverse traditional hierarchies: as Sofia emphasizes, it is not a matter of privileging "good" (feminine) container technologies over "bad" (masculine/phallic) ones. Rather, each thinker foregrounds the ways in which that which has been excluded from the western philosophical tradition simultaneously refuses to be captured by, and incorporated within, that tradition. The women who cannot really do philosophy, the unobtrusive activities of containment, the glare of a light that does not render matter visible: western thought deems each to be either lacking or excessive--or both--and in any case unworthy of prolonged philosophical attention. For these three thinkers, however, each becomes a site of active resistance that prolongs philosophy itself by holding open paths beyond dominant and exclusive philosophical norms. Thus, while all three papers can be seen as mobilizing absences to destabilize the philosophical canon, this is instability become productive, rather than celebrated for its own sake. Indeed, Deutscher herself has argued in her previous work that the gendering of the history of philosophy is neither effected in spite of instabilities, nor weakened or mitigated by them; instead, "contradiction, tension and instability sustain phallocentric accounts of women and femininity" (Deutscher, 1997, 8). By way of subverting such masculinist accounts, in her paper for this volume Deutscher herself mobilizes the unstable status of texts by women thinkers to sustain new philosophical thought. "Imperfect Discretion" highlights the way that women have often explored philosophical ideas in forms that have entailed their exclusion from the canon. Deutscher calls for a more inventive approach to the history of philosophy, one able to locate philosophical innovation within epistolary exchanges, poems, polemical essays, novels, or theological writing. Of course, it is not only women who have used these modes of writing to explore philosophical ideas; rather, Deutscher's point is that as women's engagement with philosophy has often been limited to such forms, their status as not "properly" philosophical becomes a feminist issue. Deutscher is especially interested in the alignment of philosophical writings by women with the space of the "not quite." She argues that the work of twentieth-century French women commentators tends to be positioned as "not quite" groundbreaking enough to be "real" philosophy (that is, really original philosophy), while also being seen as "not quite" faithful enough to stand as exemplary analysis of the history of philosophy. Yet if these women thinkers do tend to produce unconventional interpretations of philosophical texts, then their own work is not so very unoriginal after all. [End Page 152] Deutscher thus advocates reading for the originality folded into commentary, pointing to the exemplary impropriety of the philosophical writings of Sarah Kofman, whom Deutscher has elsewhere positioned as a theorist of constitutive instability (Deutscher 1997, 59-88). However, "Imperfect Discretion" draws chiefly on the methodologies employed in Nicole Loraux's and Barbara Cassin's writings on ancient philosophy, in Marie-José Mondzain's exploration of a Byzantine philosophy of visibility, and in Monique David-Ménard's psychoanalytic reading of Kant. These thinkers reveal philosophical thought to be constituted and sustained via its unstable relations to its other/s: by the femininity within masculinity, or by the slippage between theory and myth, philosophy and sophistry, thought and image, reason and desire. However, this means that the innovation generated when commentators activate the philosophical past through these instabilities, far from being improper, belongs at the very heart of philosophy. Thus Deutscher's deconstructive approach does not entail celebrating the infinite deferral of fixed definitions of philosophy. Rather, the "not quite" philosophical work of commentary "pivot[s] the question" (174): by reconfiguring perceptions of the history of philosophy, these women commentators rewrite that history as one in which their own work could be seen as philosophical. Deutscher's project is explicitly positioned as a response to Michèle Le Dœuff's observation that although women are accepted in contemporary (French) philosophy as commentators, their philosophical activity will only be adequately valued when the role of commentary itself is re-evaluated. "Imperfect Discretion" elaborates a philosophical framework enabling such revaluation in ways already hinted at in Deutscher's reading of Le Dœuff in Yielding Gender (1997, 60-69). For if Le Dœuff draws attention to the "contradictory status which women occupy within philosophy," where they are "present, but not really present" (1997, 63), Deutscher's current project transforms this invidious positioning into the productively subversive space of the "not quite." Deutscher's paper reinforces the significance of Le Dœuff for recent Australian feminist philosophers, reflected in the previous sections of this volume. For Deutscher, as for many of the other thinkers represented here, Le Dœuff's work can also be seen to pivot the question. As Elizabeth Grosz has put it, Le Dœuff, like Foucault, "asks not what discourses say but what they do, not as bodies of truth, but as institutionally produced and supervised practices" (Grosz 1989, 228). Moreover, like Le Dœuff (and indeed like the female commentators discussed by Deutscher), many of the thinkers represented in this volume could also be described as intervening in the history of philosophy so as to "open it up to its own lacks and inadequacies, not as a source of weakness, but as a site for its growth and development" (Grosz 1989, 228). Deutscher's paper can itself be read as taking feminist philosophy in the English-speaking world beyond its own recent history, where, despite several influential anthologies [End Page 153] which draw attention to a multiplicity of French feminist voices (see, for example, Courtivron and Marks 1980), the importance of the new French feminisms has come to be largely identified with a few key figures. Without negating the importance of Cixous, Irigaray, Kristeva, or indeed Le Dœuff--who are, after all, those rare examples of women thinkers deemed worthy of commentary themselves--Deutscher's project opens (feminist) philosophy to the rich resources to be found in the work of less well known French women philosophers.

### Case

#### Their project is wrong on every level – inserting indigenous knowledge as the universal solution eliminates context and dooms it to failure and distortion

Briggs, J. (2005) The use of indigenous knowledge in development: problems and challenges. Progress in Development Studies 5(2):99-114.

A key element of indigenous knowledge is that it tends to be deeply embedded within the society in which it has been developed, and it must therefore be seen in its economic, political and cultural contexts (Adams, Potkanski and Sutton 1994; Barrera-Bassols and Zinck, 2003; Bebbington, 1993; Davies, 1994; Jewitt, 2000; Myers, 2002; Pottier, 2003). This is awkward for development practice as it makes the broader application of indigenous knowledge difficult between different geographic, cultural and economic settings. Herein lies one of the thorniest policy difficulties for indigenous knowledge. Indeed, it highlights one of the perceived key differences between indigenous knowledge and western science, in that, whilst indigenous knowledge is indeed deeply embedded in its context, western scientific knowledge thrives on abstract formulation and separation from the lives of the investigated (Agrawal, 1995; Pretty, 1994). Hence, there is a real danger here that in development discourses, indigenous knowledge can amount to little more than “ a convenient abstraction, consisting of bite-sized chunks of information that can be slotted into western paradigms, fragmented, decontextualised, a kind of quick fix, if not a panacea” (Ellen and Harris, 2000, 15). But this view misses the point that it is precisely the local embeddedness of indigenous knowledge that imbues it with relevance, applicability and even power. There is, therefore, the real danger that indigenous knowledge will lose its agency and efficacy if it becomes depersonalised and/or objectified and is used in some sort of top-down manner. There are, therefore, real problems in applying indigenous knowledge ideas out of context. In the Eastern Desert of Egypt, it has been shown how deeply embedded local environmental knowledge and practice is in the culture of Bedouin society, with conserved areas of vegetation being “products of the bonds that individuals, families and lineages have established with particular places” (Hobbs, 1990, 105). During prolonged drought, the Bedouin return to their ‘lineage preserves’ to graze livestock on perennial shrubs and acacia leaves. Careful conservation of shrubs is observed, even if prices are favourable; they are never uprooted or defoliated completely. Careful pruning ensures that enough foliage or seeds are left for new growth. The bush is not re-pruned before full recovery, and any plants in the area are left untouched. Interestingly, conservation practices are not readily apparent because they tend to be “non-activities” like not cutting or not charcoaling etc. Conservation is recognised as a necessity to stay in the desert and preserve the way of life, to avoid having to settle down and take on peasant ways. In East Africa, disequilibrium has occurred when local knowledge and practice has been disrupted by the introduction of new social institutions to manage new resource opportunities such as boreholes, ignoring and replacing former practices (McCabe, 1990). In rather different contexts, Belshaw (1979) has documented the ecological and cultural importance of intercropping in East Africa, whilst Gauld (2000) has emphasised the importance of economic context in community-based forestry policies.

#### AFF can’t overcome structural challenges – 2 warrants. First, rise of indigenous epistemologies results in backlash from the dominant paradigm, increasing its power. Second, rise it results in “crisis framing” – vilanizes indigenous culture

Briggs, J. (2005) The use of indigenous knowledge in development: problems and challenges. Progress in Development Studies 5(2):99-114.

The power relations associated with knowledge are no less problematic in the context of indigenous knowledge than they are elsewhere. Indeed, in the view of Agrawal (1995), the link between power and knowledge needs to be made quite explicit if indigenous knowledge is to be genuinely effective in contributing to development. A key issue, however, is that by accepting that there is a legitimate indigenous knowledge as a viable alternative to western scientific knowledge in particular locational contexts, the authority of external knowledge providers is seriously threatened. Hence, western science can be seen as an instrument of power and is unlikely to be ceded easily by ‘experts’ for another knowledge system through which they have no power (Bell, 1979; Novellino, 2003; Swift, 1996). This raises a critical issue for the legitimacy of indigenous knowledge; for if indigenous knowledge is to be taken seriously, it potentially jeopardises the hegemony of current development planning strategies based on western science and the dominant role of the ‘expert’. This can play out in two ways. Firstly, not only may ‘experts’ discourage scientific research that discredits their dominant development discourse, but they may also attempt actively to discredit local knowledges to maintain their position. Hoben (1995) shows that local environmental knowledges in Ethiopia, for example, were discredited because they were held responsible for producing environmental degradation. Consequently, all the other elements of the indigenous knowledge base, such as manuring methods, the use of ash, the use of rotational leguminous crops, terracing methods, and locally constructed run-off ponds to collect rainwater were also, wholly undeservedly, discredited. Secondly, it can be argued that the power of western science has been maintained by the construction of crisis narratives. Of course, indigenous knowledge is represented as the villain of the piece, such that, in colonial times, for example, Africans “were constructed as ‘unscientific exploiters’ of the resource base” (Mackenzie, 1995, 101), and hence their voice was silenced. It can be argued, therefore, that “crisis” narratives are important to sustain the position of the expert and of the hegemony of western science. Not only do local people not steward the resources well based on their own indigenous knowledge, but the real solutions to the problem emanate from western science, and the application of such solutions comes from development experts and professionally trained resource managers. Crisis narratives keep them in a job and at the same time vilify indigenous knowledge. The more that experts disagree with each other, the more that things on the ground must really be desperate. In other words, this is where real power lies in the knowledges’ debate (Roe, 1995; see also Leach and Mearns, 1996). Even where indigenous knowledge systems contribute to natural resource management programmes, there is still frequently an overall managerial control retained by experts, donors or whoever (Schroeder, 1999a; 1999b). Indigenous knowledge is really not to be trusted in this particular power game.

The aff’s focus on the past traps the black subject by overdetermining the role of history in identity formation—Doing so prevents the creation of new identities

Lillvisp, ’11 [Kristen Lillvisp, “FANTASIES OF MATERNAL UNITY IN TWENTIETH- AND TWENTY-FIRST-CENTURY AFRICAN DIASPORIC WOMEN'S FICTION AND SCIENCE FICTION,” Dissertation for Ph.D. at KU, 2011, 119-122]

The pressure to extend her foremothers' history prevents Jones's protagonist from developing her own identity, her own future. Unlike Sethe and Miranda who must return to the position of child in order to move forward, Ursa must work to enter a type of adulthood that frees her from her overwhelming childhood. Ursa recalls that her childhood was filled with stories of Corregidora, and any experiences unrelated to the narrative of his abuse were kept secret. The much-discussed family trauma consumes Ursa's thoughts, and she realizes that the stories of her mothers have become the story of her life: "I'd always listen," Ursa remembers. "Always their memories, but never my own" (Corregidora 100). From the age of five, Ursa understands her future as synonymous with her family history. She inherits for herself and her children the horrific history of her foremothers' experiences. This history becomes an especially oppressive force when Ursa learns that although she cannot biologically have a child, the destiny assigned to her by her foremothers continues to control her. Following a domestic dispute with her husband Mutt, Ursa has an emergency hysterectomy, and she also loses the child she was pregnant with at the time (Corregidora 15). Unable to carry to term or give birth to the generations her foremothers expect, Ursa takes pride in her singing and songwriting abilities. However, her mother criticizes her talents, stating that "[s]ongs are devils" and the "voice is a devil" unless it is "raised up to the glory of God" and committed to the one true motive Ursa's foremothers give for testifying in the novel: bearing witness to Corregidora's crimes (Corregidora 53). Ursa's mother fails to recognize that Ursa's singing serves this very purpose: "They squeezed Corregidora into me, and I sung back in return. I would have rather sung her memory [stories of her mother's life unrelated to tales of Corregidora] if I'd had to sing any. What about my own?" (Corregidora 103). Singing initially functions as Ursa's reproduction of mothering: through her songs, she gives birth to the stories of Corregidora her foremothers impregnated her with and connects to her mother, grandmother, and great-grandmother. Despite her inability to bear children, Ursa's foremothers initially control Ursa's body by controlling her voice. Ursa finds herself unable to tell the story of her own suffering to those around her, but she sings of Corregidora's evils. For the women in Ursa's family, the individual's body becomes a stand-in for the body of history or body of evidence to be presented on Judgment Day in the hopes of damning Corregidora (Corregidora 41). This transformation of the body into a vehicle for transmitting family history dooms not only Corregidora—Ursa also finds herself trapped and judged by the family history. Ursa's second husband, Tadpole, notes that the focus on "making generations" shared by the women of Ursa's family mirrors Corregidora's objectives: "Procreation. That could also be a slave-breeder's way of thinking" (Corregidora 22). Tadpole's comment emphasizes the oppressive nature of the strategies for empowerment employed by Ursa's family. Situating the body as a repository for historical trauma means that the individual cannot escape this suffering. Hortense J. Spillers's theorizing of the lasting impact of slavery on black subjects and families helps articulate how tradition and history (whether true or falsified) prevent the contemporary black subject's movement in the present and future. Spillers finds that racist and sexist views of the black body rooted in the past perpetuate suffering in African American communities:

[D]ominant symbolic activity, the ruling episteme that releases the dynamics of naming and valuation, remains grounded in the originating metaphors of captivity and mutilation so that it is as if neither time nor history, nor historiography and its topics, show movement, as the human subject is "murdered" over and over again by the passions of a bloodless and anonymous archaism, showing itself in endless disguise. ("Mama's Baby" 388) Black women and men may no longer bear the physical traces of the white owner's whip, but they are nevertheless "marked" by their complexion because of racist and sexist assumptions of a fixed black identity. Spillers argues that dominant society foists historical political, cultural, and sexual meanings upon black flesh, effectively doing away with "the potential" for black women and men to develop a gendered subjectivity in the present and future ("Mama's Baby" 387, 385). In Corregidora, Ursa's foremothers participate in this rhetorical destruction of the black subject, the black body. The women of Jones's novel work to bring the past into the present and future. However, the past does not move into these temporalities in order to be remedied; instead, history, unchanged and untouched, infiltrates the present and future in order to give these times—and the women who live in them—a purely historical purpose. Ursa's great-grandmother emphasizes that the past shapes the bodies of the women in their family, marking them as messengers instead of authors with agency: "They burned all the documents, Ursa, but they didn't burn what they put in their minds. We got to burn out what they put in our minds, like you burn out a wound. Except we got to keep what we need to bear witness. That scar that's left to bear witness. We got to keep it as visible as our blood" (Corregidora 72). Like the mark of race that shapes twentieth-century views of the black subject in Spillers's theorizing, the scar that bears witness to the Corregidora's crimes prevents Ursa from developing a subjectivity—and a future—free from her familial history. Ursa's desire to "give witness" to Corregidora's wrongdoings through her songs suggests that she initially embraces the humanist project of her mother and ancestors (Corregidora 54). Rather than attempting to rewrite or respond to history, as seen in other black humanistic efforts, the women of Corregidora (including Ursa throughout much of the novel) work to bring a fixed history into the present and future. While this playing with time would seem to evoke posthumanist notions of a multiple and liminal temporality, the focus on a specific, stagnant historical circumstance situates the mission of Corregidora's women as humanist rather than posthumanist.

The "overdeterminacy of history and memory" on the bodies of Ursa and her mothers works, like other humanist projects, to stifle "hopes of black futurity" (David 697). Rushdy argues that rather that deciding on her own the direction of her life, Ursa must try to "discover what she herself desires through the filter of tales insistently reiterating what she should want" (41). Despite recognizing Ursa's desire to shape her future for herself, Rushdy joins Kubitschek in reading Ursa's project through the lens of humanism, asserting that Ursa's subjectivity develops from her ability to rewrite the past (Rushdy 55; Kubitschek 147).

## T

#### Topical version of the aff solves—err strongly negative­—they ignore the contingency and revisability of the law

Lobel 7

Orly Lobel, University of San Diego Assistant Professor of Law, 2007, The Paradox of Extralegal Activism: Critical Legal Consciousness and Transformative Politics,” 120 HARV. L. REV. 937, http://www.harvardlawreview.org/media/pdf/lobel.pdf

A critique of cooptation often takes an uneasy path. Critique has always been and remains not simply an intellectual exercise but a political and moral act. The question we must constantly pose is how critical accounts of social reform models contribute to our ability to produce scholarship and action that will be constructive. To critique the ability of law to produce social change is inevitably to raise the question of alternatives. In and of itself, the exploration of the limits of law and the search for new possibilities is an insightful field of inquiry. However, the contemporary message that emerges from critical legal consciousness analysis has often resulted in the distortion of the critical arguments themselves. This distortion denies the potential of legal change in order to illuminate what has yet to be achieved or even imagined. Most importantly, cooptation analysis is not unique to legal reform but can be extended to any process of social action and engagement. When claims of legal cooptation are compared to possible alternative forms of activism, the false necessity embedded in the contemporary story emerges — a story that privileges informal extralegal forms as transformative while assuming that a conservative tilt exists in formal legal paths. In the triangular conundrum of “law and social change,” law is regularly the first to be questioned, deconstructed, and then critically dismissed. The other two components of the equation — social and change — are often presumed to be immutable and unambiguous. Understanding the limits of legal change reveals the dangers of absolute reliance on one system and the need, in any effort for social reform, to contextualize the discourse, to avoid evasive, open-ended slogans, and to develop greater sensitivity to indirect effects and multiple courses of action. Despite its weaknesses, however, law is an optimistic discipline. It operates both in the present and in the future. Order without law is often the privilege of the strong. Marginalized groups have used legal reform precisely because they lacked power. Despite limitations, these groups have often successfully secured their interests through legislative and judicial victories. Rather than experiencing a disabling disenchantment with the legal system, we can learn from both the successes and failures of past models, with the aim of constantly redefining the boundaries of legal reform and making visible law’s broad reach.

#### Engaged public is key

Druck 12

(Judah A., J.D. candidate Cornell Law School, “Droning on: The War Powers Resolution and the¶ Numbing Effect of Technology‐Driven Warfare,” *Cornell Law Review* 98:1, p. 236‐7)

As these situations become more and more common—where postwar assessments look at monetary, rather than human¶ costs—the fear of unilateral presidential action similarly becomes more pertinent. Unlike past larger‐scale wars, whose¶ traditional harms provided sufficient incentive for the populace to exert pressure on the President (either directly or via¶ Congress), technology‐driven warfare has removed the triggers for checks on presidential action. And though the military¶ actions that have raised WPR issues involved limited, small‐scale operations, the volatile and unpredictable nature of¶ warfare itself could eventually put American lives in danger, a risk worth considering given the increased use of drones¶ abroad. Thus, the same conditions are now in place as when the WPR was enacted, creating a need to revisit the¶ importance of the WPR in light of the numbing effect of technology‐driven warfare. Although it might be tempting to simply¶ write off the WPR as a failed experiment in aggressive congressional maneuvering given its inability to prevent unilateral¶ presidential action in the past, the new era of warfare and its effects on the populace has created a newfound sense of¶ urgency, one that requires a strong statutory barrier between the President and military action abroad. Thus, we need¶ stronger WPR enforcement as it becomes easier to enter into “hostilities.” While others focus on the WPR itself,161 the¶ emphasis of this Note is on the public’s role in preventing unilateral presidential action. In this respect, the simplest solution¶ for the numbing effect of contemporary warfare is an increased level of public attentiveness and scrutiny concerning¶ military actions abroad, regardless of the lack of visible costs at home. As we have seen, once the public becomes vigilant¶ about our less‐visible foreign actions, we can expect our politicians to become receptive to domestic law. But as this Note¶ points out, the issues surrounding a toothless WPR will continue to grow and amplify as society enters a new age of¶ technology‐driven warfare. Thus, there is a pressing need for greater public awareness of the new, and perhaps less¶ obvious, consequences of our actions abroad.162 Perhaps taking note of these unforeseen costs will improve the public’s¶ inquiry into potential illegal action abroad and create real incentives to enforce the WPR.

### Limits DA

#### Broad interpretations cause unmanageable research burdens

Taylor 5

Taylor III, now a JD from William and Mary, 2005¶ (Jarred, “Searching for a More Perfect Union,” <https://docs.google.com/document/d/1ypiOXjRVPWzNxDsFVJ0S1n-QfIGtXzp7Y59meEwd-bE/edit?hl=en_US>)

**It would take even the most seasoned scholar years of research and hundreds of pages to** adequately **analyze** the development of **any presidential power** over the course of American history; **war power is** certainly **no exception**. Every President since George Washington has interpreted the martial prerogatives of his office in different ways, and most have set some sort of precedent for succeeding officeholders. Nevertheless, some of the major changes in executive military power bear highlighting.

#### Limits literally double the educational benefit of debate

Arrington 2009

(Rebecca, UVA Today, “Study Finds That Students Benefit From Depth, Rather Than Breadth, in High School Science Courses” March 4)

A recent study reports that high school students who study fewer science topics, but study them in greater depth, have an advantage in college science classes over their peers who study more topics and spend less time on each. Robert Tai, associate professor at the University of Virginia's Curry School of Education, worked with Marc S. Schwartz of the University of Texas at Arlington and Philip M. Sadler and Gerhard Sonnert of the Harvard-Smithsonian Center for Astrophysics to conduct the study and produce the report. "Depth Versus Breadth: How Content Coverage in High School Courses Relates to Later Success in College Science Coursework" relates the amount of content covered on a particular topic in high school classes with students' performance in college-level science classes. The study will appear in the July 2009 print edition of Science Education and is currently available as an online pre-print from the journal. "As a former high school teacher, I always worried about whether it was better to teach less in greater depth or more with no real depth. This study offers evidence that teaching fewer topics in greater depth is a better way to prepare students for success in college science," Tai said. "These results are based on the performance of thousands of college science students from across the United States." The 8,310 students in the study were enrolled in introductory biology, chemistry or physics in randomly selected four-year colleges and universities. Those who spent one month or more studying one major topic in-depth in high school earned higher grades in college science than their peers who studied more topics in the same period of time. The study revealed that students in courses that focused on mastering a particular topic were impacted twice as much as those in courses that touched on every major topic

#### Turns their offense—limits are vital to creativity and innovation

Intrator 10

David Intrator (President of The Creative Organization) October 21, 2010 “Thinking Inside the Box,” http://www.trainingmag.com/article/thinking-inside-box

One of the most pernicious myths about creativity, one that seriously inhibits creative thinking and innovation, is the belief that one needs to “think outside the box.” As someone who has worked for decades as a professional creative, nothing could be further from the truth. This a is view shared by the vast majority of creatives, expressed famously by the modernist designer Charles Eames when he wrote, “Design depends largely upon constraints.” The myth of thinking outside the box stems from a fundamental misconception of what creativity is, and what it’s not. In the popular imagination, creativity is something weird and wacky. The creative process is magical, or divinely inspired. But, in fact, creativity is not about divine inspiration or magic. It’s about problem-solving, and by definition a problem is a constraint, a limit, a box. One of the best illustrations of this is the work of photographers. They create by excluding the great mass what’s before them, choosing a small frame in which to work. Within that tiny frame, literally a box, they uncover relationships and establish priorities. What makes creative problem-solving uniquely challenging is that you, as the creator, are the one defining the problem. You’re the one choosing the frame. And you alone determine what’s an effective solution. This can be quite demanding, both intellectually and emotionally. Intellectually, you are required to establish limits, set priorities, and cull patterns and relationships from a great deal of material, much of it fragmentary. More often than not, this is the material you generated during brainstorming sessions. At the end of these sessions, you’re usually left with a big mess of ideas, half-ideas, vague notions, and the like. Now, chances are you’ve had a great time making your mess. You might have gone off-site, enjoyed a “brainstorming camp,” played a number of warm-up games. You feel artistic and empowered. But to be truly creative, you have to clean up your mess, organizing those fragments into something real, something useful, something that actually works. That’s the hard part. It takes a lot of energy, time, and willpower to make sense of the mess you’ve just generated. It also can be emotionally difficult. You’ll need to throw out many ideas you originally thought were great, ideas you’ve become attached to, because they simply don’t fit into the rules you’re creating as you build your box.

### AT Reasonability

#### Reasonability is impossible – it’s arbitrary and undermines research and preparation

Resnick ‘01

Resnick, assistant professor of political science – Yeshiva University, ‘1¶ (Evan, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2)

In matters of national security, establishing **a clear definition of terms is a precondition** for effective policymaking. **Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk** alienating their constituencies. They also risk **exacerbating misperceptions** and hostility among those the policies target. **Scholars who commit the same error undercut their ability to conduct valuable empirical research**. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

## K

#### Voting for the affirmative is a celebration of mediocrity.

#### Vote negative because anything is better than this.

MacLure 2010 (Maggie MacLure, Manchester Metropolitan University, “Qualitative inquire: where are the ruins?” http://www.esri.mmu.ac.uk/respapers/nzareRuins.pdf)

For Deleuze, the way to mobilize this paradoxical logic inhering in language is – in his famous formulation - to ‘make the language system stutter’ (1994b: 24). To make language interfere with its own tendency towards homogeneity, categorization and equilibrium so that it begins to ‘vibrate’, releasing variation and singularity. However as Deleuze notes, it is difficult to make language itself stutter, and we may think we have managed it when, in fact, we have only described or impersonated stuttering. Thinking we are bringing forth the new, we may still be caught in the repetitious production of what he calls ‘everyday banality’ (1989: 164). This brings me to the issue of linguistic experimentation in qualitative research. For there have been many attempts to make language ‘stutter’ in research within the postmodern or post-structural turn – to unsettle the foundations and structure of academic language in order to release something unrecognizable, and therefore something that could escape the structures of power, subjectivity and colonialism that are coded in the writing of qualitative research. So we have seen many attempts to write qualitative research differently, under the influence of literary theory, deconstruction and the experimental ethnography of the mid 1980s. Research has been written in the form of play-scripts, fairy tales, poems, novellas and confessions. It has been done in innovative textual formats, with split pages to register dissonant voices, or unsettle the authority of arguments before they have had time to solidify. We have had footnotes speaking back to the ‘main’ text, and different fonts for multiple voices. I have done many of these things myself. I want to make one important point here: linguistic experimentation is not enough. If a playscript is just a matter of converting propositions into spoken turns in a not-very interesting dialogue, it will not make the language stutter. If interpretation is merely written up, or dressed up, in the style of a fairy tale, it will not make the language stutter. Multiple voices will not make language stutter, if each voice is that of an intact phenomenological subject, and the voices are orchestrated and surveyed by the off-stage writer-researcher. At worst, as Alison Jones and Kuni Jenkins (2008) argue, multiple voices keep the fiction of democracy and equity in play, but they displace the material reality of the researched in favour of multiple interpretations, and undermine the prospect of political action by disseminating uncertainty.

#### Native Americans don’t need our help - you should assume they can fight for themselves

Schiffhauer2008(Mark,“From Wilderness to Environment: The role of Nature in Western American History from Frederick Jackson Turner to Donald Worster and the New Western History”

Among the minority studies of the New Western Historians, publications on native- American cultures occupy a prominent role. Beyond merely drawing awareness to the obvious fact of genocide and mistreatment of Native Americans throughout the region’s history, New Western Historians aim specifically at correcting racial stereotypes in American culture and point out that homogenous categories such as ‘Native American’ or ‘Indian’ are rather vague. “Americans reduced the complex view of Indians to a few simple categories,” White notes and criticizes that Americans have tended to suggest a homogeneity among Native American tribes that in reality does not exist (*Land* 41).63 Gary Paul Nabhan, Director of the Center for Sustainable Environments, summarizes this common generalization as follows: “Individuals from two hundred different language groups from three historically and culturally distinct colonizations of the continent are commonly lumped under the catchall terms ‘American Indian’ or ‘Native American’” (“Cultural” 90). In contrast, Richard White stresses the very different lifestyles of the various native groups that historically inhabited the continent and points out that these native cultures were as diverse as the continent’s geophysical compositions. In addition, the New Western Historians strictly reject the popular perception of Native Americans and other minority groups as passive victims of a colonizing power. “As ‘subjects of rape’,” Nabhan summarizes the tendency towards victimization of native groups in American culture, “American lands and their resident human populations are simply reduced to the role of passive victims, incapable of any resilience or dynamic response to deal capably in any way with such invasions” (“Cultural” 95). In order to restore agency to minority groups, the New Western Historians focus especially on outlining the various strategies of resistance employed by native peoples in order to react to the invasion of their territories. “Indians—and African Americans and Mexican Americans and Asian Americans—were not passive victims we all recognize now,” Limerick summarizes the change of perspective in western history, “they were active participants in making and shaping their own history” (*Soil* 61). 64 Or, in Gerry Kearns words: “Rather than passive impediments to European expansion, Native Americans sought many and varied forms of accommodation with the imperialists” (“Virtuous” 396).

Only evaluating the argument in itself can resist an otherwise devastating double bind. Absent the alternative indigenous knowledge is forced to either emphasize itself as radically different OR incorporate into mainstream practice, both of which negate 1AC solvency.

Briggs, J. (2005) The use of indigenous knowledge in development: problems and challenges. Progress in Development Studies 5(2):99-114.

The limits of indigenous knowledge This brings the discussion back to where it started, with the Tanzanian farmer. He clearly had little faith in what indigenous knowledge had to offer him, and, in many ways, we should not be surprised. It seems that, all too often, we have conceptualised indigenous knowledge in unproblematic, and even naïve, ways, and therefore it has turned out to be less helpful than has been supposed or hoped for as a development tool. Indeed, arguably, the term ‘indigenous knowledge’ itself reflects this, conceptualised as some separate, self-contained folk knowledge. In reality, few farmers compartmentalise knowledge into such separate, self-contained entities, but rather develop knowledge as something that is hybridised, mediated and local. Farmers are nothing if not pragmatic and utilitarian in how they assess and use knowledge. If a particular piece of knowledge works for her/him, and it makes economic and socio-cultural sense, then it will be used, regardless of whether it is drawn from western science, a repertoire of local knowledge or some other source. There is a need, therefore, to recognise the limits of indigenous knowledge, as it is frequently conceptualised in the literature. Whilst indigenous knowledge may indeed be represented as a valid and relevant alternative to western science, realistically it needs to be seen as something rather more nuanced, pragmatic and flexible, perhaps even provisional, highly negotiable and dynamic. Indeed, rather than resisting western science, indigenous knowledge appears to be becoming ever more complicit as it becomes appropriated by ‘development’, a process which will only harden as indigenous knowledge becomes increasingly institutionalised. The challenge will then be for proponents of indigenous knowledge to make the difficult choice between arguing for promoting indigenous knowledge as a radical alternative to western science and knowledge, or instead negotiating a way into mainstream development practice.

### Link 1 EXT

This inability to engage in a language beyond high-theory turns the aff - this debate room is not the place to discuss red pedagody, we are impact turning the FORM of the 1AC and the relation of that pedagody toward obtaining an affirmative ballot.

Bryant 12 - Professor of Philosophy at Collin College (Levi R., Author of a number of articles on Deleuze, Badiou, Zizek, Lacan, and political theory, November 11th, 2012, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing?

### Link 2 EXT

#### Indigenous thought is neither inside nor outside Western thought, rather it overlaps and blurs any meaningful distinction. Only the 1AC attempts to police that thought by constructing rigid brightlines between west and non-western.

Briggs, J. (2005) The use of indigenous knowledge in development: problems and challenges. Progress in Development Studies 5(2):99-114.

More prosaically, even where both knowledge systems appear to be operating within the same community, there seems to be a dispute about their relationship. Ortiz (1999), for example, asserts that little is apparently known about the interaction between such knowledge systems among farmers, suggesting either that the two knowledge systems operate independently of each other, or perhaps that there has been little interest shown in how they may be complementary or even competing. Conversely, though, Bellon (1995) shows that maize farmers in Chiapas in Mexico are happy to combine traditional and modern technologies in a wholly pragmatic way. Indigenous knowledge systems might be usefully seen as a complement, adding to existing (formal) knowledges, and not as a competitor (De Walt, 1994; Reij, Scoones and Toulmin, 1996). However, there may be a further explanation; that is, in practice, farmers do not think of knowledge as coming from two or more separate, self-contained and competing systems anyway. With reference to empirical work among Bedouin in Egypt, Briggs, Badri and Mekki (1999, 102) write that: “significantly, the Bedouin do not see the debate, as far as it affects them, in such stark bipolar terms; indeed, they accept that there are various knowledges and are more than prepared to appropriate those elements of knowledges, including formal science, that they see as being to their economic, social or political advantage”. Perhaps the theoretical and conceptual debates about a binary (or other) divides constitute little more than a diversion from the actual realities of how knowledge is constructed by people on the ground. Despite this, it seems that recent empirical work has served only to emphasise the tensions. Attempts to integrate western scientific and indigenous knowledge systems with regard to soil classification and use have proved to be extremely problematic (see, for example, Oudwater and Martin, 2003; Payton et al, 2003), either because of the huge practical difficulties involved in trying to integrate farmers’ cognitive soil maps with scientific soil maps held by a GIS, or because of the persistent fundamental methodological and epistemological differences between the two traditions. In a study of forest management in Mexico, Klooster (2002) concludes that both bodies of knowledge, in their different ways, are really quite limited in their abilities to inform the social practice of environmental management. This is because local knowledge is inadequate for monitoring the bigger picture of the forest’s response to woodcutting, and formal science simply lacks the institutional flexibility to deal with the socio economic consequences of woodcutting. In a different context, WinklerPrins and Sandor (2003) have suggested that perhaps the problem might be related to the fact that local soil knowledge comprises a combination of both knowledge and skills, and the difficulty in separating these has led to the undervaluing of local soil knowledge as real knowledge by outsiders, and therefore by western science. There is an implication that, because skills are so entangled with the production of indigenous knowledge, its production is a trial-and-error process, with none of the reasoning or controlled experimentation of western science.

### Link 3 EXT

#### The innocent other is a bad starting point for politics – their uncritical affirmation of indigenous pedagogy places the native on a pedestal and prevents any problematization of red knowledge. Just because red pedagogy is different doesn’t mean it’s inherently good.

Briggs, J. (2005) The use of indigenous knowledge in development: problems and challenges. Progress in Development Studies 5(2):99-114.

However, the complexity of power relations at the local level in the context of indigenous knowledge is also problematic. There seems to have developed some sense of indigenous knowledge being a ‘good thing’ because of its empowering qualities, even though the concept of empowerment may be ill-defined or poorly theorised (Cleaver, 1999). Fundamentally, the question as to whose knowledge counts has to be addressed. Simply because an indigenous knowledge exists does not mean that it is necessarily correct or unproblematic at the local level. Indeed, because indigenous knowledge is so empirically rooted, there is a tendency to ignore power, legitimacy and gender politics, and therefore there is no check on whose view might be the legitimate one (Kapoor, 2002). An example of meetings in Tanzania shows that men’s voices are heard more than those of women, and that women tend to speak for women as a group, whereas men tend to speak as individuals (Cleaver, 1999). This creates real challenges for those trying to make sense of the power relations and legitimacy of indigenous knowledge in local communities; it creates even bigger challenges for those who are trying to implement indigenous knowledge as part of a development ‘armoury’. Indeed, as Davies (1994, 7) comments, if people are prepared to hide, distort or misunderstand local knowledge (as she suggests they might) and to hold multiple and even contested views, then a consensus, community knowledge can never be reached “rendering the use of all these differing sources of knowledge in decision-making impossible”. This is a depressing conclusion for practitioners, but this problem of power relations cannot be sidestepped; there is a real need for the power and positionality of players in these indigenous knowledge debates to be evaluated critically, as Twyman (2000) has suggested in the context of community-based natural resource management initiatives. Although the current received wisdom seems to be that the ‘local’ is the immediate future for development, in terms of participation, indigenous knowledge and so on, if it is to be successful, there needs to be a much fuller engagement with the underlying power relations involved.

#### Their bland dialogue is identical to banal multiculturalism which can’t even respect the other enough to challenge them, placing the native in a passive position whose identity can only be incorporated but is never able to actively rupture dominant paradigms – the revolutionary or violent native will always be excluded and never directly challenged. They can only incorporate what is already safe, preventing any meaningful force against hegemony

Corcoran 04 (Steven, University of New South Wales, Australia, Thinking Politics outside Sovereign Biopower, Transforma, 2004, <http://www.transforma-online.de/deutsch/transforma2004/papers/corcoran.htm>)

It might of course be said that ethics does not base itself on a general notion of humanity. There are those who claim that ethics is an ethics of the other, an ethics of difference. Politics here would be constrained by its duty to recognise the others alterity (against racism). Or it would consist in an ethics of differences, against substantialist nationalisms which exclude immigrants, and against sexual discrimination. Or it again it would advocate postmodern multiculturalism, i.e. the non-unifiable dispersion of models of comportment and intellectualness. As Badiou writes, if theories of the subject of human rights take Kant as their reference point, theories of the other take Levinas. It was he who first gave radical expression to the primacy of the Other over the Same. What, however, guarantees the primacy of the other? Phenomenological analyses cannot clarify that which proves my original devotion to the Other. The phenomenological analyses of the face, of the caress, of love. There is nothing to prevent such encounters being analysed as the myself-at-a-distance whom I cherish, as the exteriorisation of the self. In the end,the primacy of the Other must be, as Badiou argues, posited as founded on an entirely religious category: the Tout-Autre. This wholly Other is a principle which transcends simple finite experience. (As Badiousays, the ethical name of God). But this is a God which is unpronounceable, and which resists all predication, all attempts to reduce it to the logic of the Same.[4] If we can go so far as to say that Levinas’ ethics is the most rigorous attempt to think an originary ethical, then it should remind us that all attempts to make of ethics the basis of thought and action is essentially religious. Today’s discourse of an ethics of the other, of respect for alterity, relies upon this thought-dispositif, but suppresses or masks its religious value. Without this religious basis the dispositif is obviously flawed, but it nonetheless retains a functional or an ideological value. We know, for example, that it serves as a kind of subjective supplement for Western governments; and that in the domain of cultural sociology it is a substitute for the analysis of class struggle. As several commentators have noted, the problem is that rather than define a respect for alterity, an ethics of the other seems to define an identity or a mode of life. It has not gone unnoticed that this respect for “difference” quickly subsides when anything too different comes along. The culinary, dancing other is fine. As soon as the other in the raw of its enjoyment gets too close it becomes totalitarian, reactionary and still too rooted in its web of spatio-temporal belonging, etc. And when the other in question does not respect this respect for difference, this respect vanishes. There is, in short, no respect for those who do not respect differences in the way that I do. Which means to say, essentially that the other that is respected is only presentable as a “good” other – that is, an other that is what if not the same as us. An ethics of the other only works against the background of “consensus” politics. What is consensus politics? Consensus politics, before it is the preference of a taste for discussion, is the agreement of what is “objectively” the situation. This situation is that of large scale financial and geo-strategic equivalences – posited as necessities – which form the basis for discussion. Each group having accepted these givens then enters into discussion to procure the best share that may be hoped for. This requires that each group submit itself to a logic of representation. Each group must make itself specifiable and thus identifiable, and submit itself to an instance of judgement embodied in the state apparatus. Consensus politics thus calls for state intervention. The current preoccupation with ethics works to hide this thoroughly political dimension of the current situation, its function of governmental legitimation. Moreover, it covers over the fact that this mode of political operation defines an ethos: an identitarian mode of the community which adequates manners of doing, manners of being, and manners of saying. Against the background of these large-scales equivalences, the consensus politics of governments relates to a series of possibilities in relation to social, ethical, and cultural questions which are strictly marginal. The left and the right may be placed according to whether they do more or less in the way of such questions. But if a manner of being, a manner of saying and a manner of doing emerges which is heterogeneous to parliamentary-democracy, and to monetary abstraction – like that of the militants in May ’68, or that of the French workers in the strikes of 95 – then they both rally to stigmatise it as being out of step with the being in common of the community, destructive to its being-together.Founding politics in ethics amounts to giving politics an underlying principle or arkhè, it amounts to a totalising logic of the community as without supplement or void, and which, when something emerges that is considered malignant to this being-in-common, needs to be ablated. The pertinent opposition is not between the old ideological, conflictual politics which tends toward totalitarianism, and the new gentle mode of politics which is more attentive to the movements of the social and devoted to upholding human rights. The pertinent opposition is between two modes of politics: a mode which, in pretending to be subordinated to ethics, and in stigmatising all other heterogeneous political sequences with the smear of totalitarianism, is an attempt to cement hegemony; and a mode of political sequences which try to break with this logic of the conservation of property and of being characteristic of parliamentary-democracy and its ideology of human rights, and which attempt to introduce other possibles in the being-in-common of the community. We may say then that the attempt to submit the community to an ethics is but the reduction of politics to the preservation of the status quo, a legitimation of the current order. Indeed, today’s discourse on “illegal immigrants,” on the “war against terrorism,” and on “human rights” barely mean anything else except the conservation of “western” privilege and property.