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#### The dominant discourse surrounding public perception and consideration of drone strikes is best characterized by a single word: apathy

Hughes, 12 [Evin, Georgia Southern Univ. [Float Like a Plane, Sting Like a Bomb: The Ethics of US Drone Attacks](http://nmcenter.org/attachments/awards_pieces/19/The_Ethics_of_US_Drone_Attacks.docx) [www.ncte.org/library/NCTEFiles/About/Awards/.../Hughes\_Evin.pdf](http://www.ncte.org/library/NCTEFiles/About/Awards/.../Hughes_Evin.pdf). edited for gendered/able-ist language]

What Ali was able to do through his nonviolent rhetoric that is still relevant to this day was successfully make millions of people “bear witness” to the violence and irrationality of war. For example, say you are watching the news with a roommate and the news anchor, within her nicely lit and air conditioned studio, talks in a monotone about the deaths of civilians in a Pakistani market by a drone strike, and your roommate immediately changes the channel, not giving the terrible story another thought. Your roommate doesn’t understand the gravity of that devastation any more than the news anchor does; neither understands the significant socio-economical problems that the drone strike has caused in that area. How about the [person] sitting behind the joystick, the Nintendo-war-controller, pressing the buttons to release the Hellfire missiles like Mario firing at Bowser? Though the drone operator of all people probably knows the extent of the devastation [they are] causing, [they refuse] to think about it, [they hide] the truth from [them]selves. The drone “pilot,” the unenthusiastic anchor, your roommate—they are all complicit. Shoshana Felman, influential in raising issues connected with Holocaust testimony and what is called the “crisis of witnessing,” says that those that misunderstand or hide what they see are unable to take that information and “translate…[it]…spontaneously and simultaneously into meaning” (Felman 212). Famous psychologists Sigmund Freud and Jacques Lacan described this as disavowal—a defense mechanism in which a person refuses to recognize the reality of a traumatic perception (Evans 44). Through speeches recited on college campuses, Ali urged thousands of students to bear witness to the problems of integration and segregation, hate, and the Vietnam War. In one such speech, he links the violence in Vietnam caused by the war to the violence in the states; he stated that he would rather fight what was going on in a legal way. Not by war in a foreign country, but by nonviolent resistance right here in the United States. “Whatever the punishment, whatever the persecution is for standing up for my beliefs, even if it means facing machine-gun fire that day, I’ll face it…” (Hauser 187). Through 6 this speech, Ali led as example to all those students in the crowd, to all those seeing and not choosing to accept reality, to all those in disavowal. What Felman proposes is a community of [acknowledgement] ~~seeing~~: a space into which “we can bring into consciousness what is unconscious in us”—like the college auditoriums and classrooms where Ali conducted his speeches—to analyze and make sense of events as a community (Amy 67). It is the very nature of the violence of the “war on terror” that does not allow a community of [acknowledgement] ~~seeing~~. The media-attack on these countries by ingratiating news anchors take the American people and place them onto a platform where they are unable to reach a community of seeing, unable to argue the ethics of this war. We are divided, separated from the truth. Democratic representatives John Conyers, Dennis Kuncinich and many more, were calling for a truth as a community of officials when they wrote letters to the president demanding for him to publicly release the criteria on which be would elect people to be attacked by drones on his infamous kill list (Heuvel)—there has been no more coverage of the letters in the media. Unless we become conscious as a community of the truth of the violence we are creating, unless we bear witness and develop a community of seeing, we are doomed to be “locked into violences we cannot escape” (Amy 69).

#### Ambivalence towards drones as a technology of war culminates in rampant civilian casualties and unconstrained warfare

Rall, 11 [Ted, is an American political columnist and author, “The US love affair with drones A war strategy built around drone attacks is not only unethical, but will hurt US interests in the long run. Last Modified: 18 Jul 2011 07:39, <http://www.aljazeera.com/indepth/opinion/2011/07/201171791639571583.html>]

Of course, the majority of victims are local civilians. In Afghanistan and Pakistan drone strikes have killed countless children **and wiped out so many wedding parties that it's become a sick joke**. Estimates of the civilian casualty rate range from a third (by the New America Foundation) to 98 percent (terrorism expert Amir Mir). There is no evidence that a single "terrorist" has ever been killed by a drone - only the say-so of US and NATO spokesmen. Errors are inherent due to the principal feature of the technology: remoteness. Manned aerial warfare is notoriously inaccurate; pilots zooming close to the speed of sound tens of thousands of feet above the ground have little idea who or what they're shooting at. Drone operators have even less information than old-school pilots. Like a submariner peering out of a periscope, they are supposed to decide whether people live or die based on fuzzy images through layers of glass. They call it the "soda straw." Nowadays, staffing is a troubling challenge: it takes 19 analysts to study images and other data from one drone. In the future, a war could eliminate unemployment entirely: it will take approximately 2,00 men and women to process information from one drone equipped with "Gorgon stare" optics capable of scanning an entire city at once. First flown in 1994, the Predator became widely used only after 9/11 [GALLO/GETTY] There's also a huge gap in education, experience and culture. Virtual warriors require simple rules that don't apply when trying to kill jihadis. At the beginning of the US war against Afghanistan in 2001, for example, it was an article of faith within the Pentagon that men wearing black long-tailed turbans were Talibs. Dozens, possibly hundreds, of noncombatants were killed because of this incorrect assumption. In February 2002 a drone operator blew up a man because he was tall - as was Osama bin Laden. In fact, he and two other men killed were poor villagers gathering scrap metal. Again, this doesn't address the broader issue of whether it's okay to murder people simply because they are members of the Taliban. At least as interesting as the choice of target is whom the U.S. does not try to kill: the Talibikers. Unlike the wedding parties, houses and tribal councils that have been mistakenly incinerated by the aptly-named Hellfire missiles, Taliban bike gangs are easy to identify from the air. One or two hundred dirtbikes speeding across the desert toward a truck on an Afghan highway are unmistakable. Most Afghans, even those who oppose the US occupation, fear the Talibikers and resent being robbed at impromptu checkpoints. There have been a few scattershot drone strikes, nothing more. Why don't the CIA whiz kids make these easily-identified fighters a primary target? Afghans a low priority for US I posed the question to Afghan government officials. They told me that the same US military that blows $1 billion a week on the war won't lift a finger to save Afghan lives by providing basic security. "Afghan lives are worth nothing to the Americans," a provincial governor told me. Last week the United Nations announced that civilian casualties were up 15 percent during the first six months of 2011. If the same rate continues, this will be the worst year of the ten-year-long American occupation. A well-placed US military source confirms that Afghan security "isn't a priority, it isn't even much of a passing thought". Contrary to President Obama's claim that US is in Afghanistan in order to prevent the country from becoming a base for Al Qaeda and other extremist groups and to combat opium cultivation, he says that Afghanistan isn't about Afghanistan at all. "Afghanistan is a staging area for drone and other aerial strikes in western Pakistan," he says. "Nothing more, nothing less. Afghanistan is Bagram [airbase]." Under Obama the death toll has risen, worsening relations between the White House and its puppet president, Hamid Karzai. Beyond the horror of the deaths themselves, it would be impossible to overstate the contempt that ordinary people in nations like Afghanistan and Pakistan feel for the drone program. "Americans are cowards" was one refrain I heard last year. Real soldiers risk their lives. They do not send buzzing machines to kill people half a world away…people they know nothing about. Back in 2002, former CIA general counsel Jeffrey Smith worried about blowback. "If [Taliban leaders and soldiers are] dead, they're not talking to you, and you create more martyrs," he noted. Ongoing drone attacks "suggest that it's acceptable behavior to assassinate people…Assassination as a norm of international conduct exposes American leaders and Americans overseas." These days, the media gives little to no time or space to such concerns. Americans have moved into postmorality. **Right or wrong?** **Who cares?** Recently international law professor Mary Ellen O'Connell of Notre Dame University said that the new reliance on drones could prompt an already militaristic superpower to fight **even more** wars of choice. "I think this idea that somehow this technology is allowing us to kill in more places and ... aim at more targets is for me the fundamental ethical **and legal** problem." Meanwhile, adds Mary Dudziak of the University of Southern California’s Gould School of Law: "Drones are a technological step that further isolates the American people from military action, undermining political checks on…endless war." No casualties? No problem.

#### Targeted killing is legitimized by geographic privilege -- public support is maintained despite opposition to these killings because it’s easy to write off people in different countries as ethically secondary —asserting the implications of this double standard is key to confront that privilege and break down apathy

Liso, 12 [“The utter incoherence of Tim Wise on Greenwald and “white liberals” downing on Barack Obama,” The DisLoyal Opposition to Modernity, <http://skepoet.wordpress.com/2012/03/28/the-utter-incoherence-of-tim-wise-on-greenwald-and-white-liberals-downing-on-barack-obama/>]

Paul’s lack of a progressive agenda shows how shallow so many progressives are in terms of world politics. The progressive liberal still accepts expliotation as long as the moral optics within the country are acceptable. Paul exposes the contradictions in liberal position(both the left-liberal and libertarian position): you can’t have a “progressive” social democratic movement within only ONE country or just a few rich countries and ignore the plight of all those whose labor must be exploited to maintain it as long as they are outside that system. Now, I am not a Maoist and definitely not a third-worldist, but it’s not hard to see their point on this. Paul is not cynically manipulating the public for a capitalists dystopia as Wise is suggesting.. Paul’s believes in the promise of classical liberalism’s liberation and that it is in line with traditional Protestant values. People are responding to that just as much as they are responding to their own freedom. Paul is a symptom of these contradictions and an embodyment of them.. Wise, however, can’t acknowledge this because: You see, this is only about white privilege and not trying hard enough. I’ll let Wise speak for himself: How do you think that sounds to black people, without whom no remotely progressive candidate stands a chance of winning shit in this country at a national level? How does it sound to them — a group that has been more loyal to progressive and left politics than any group in this country — when you praise a man who opposes probably the single most important piece of legislation ever passed in this country… Wise has a point here, again, but the point seems to fly over his own head. Why is (it) that a man who opposed to the civil rights platform wants to stop the indiscriminate killing of brown people for the benefit of a few. Notice the moral language. But is this really a moral appeal? No, it’s real politique while completely dressed in moral language and public relations. Wait, huh, Wise is chastising white liberals on moral grounds and then makes a cynical appeal based on the need for black progressives in a progressive political base? Now, that actually sounds exploitative to me. You see, if it was a moral critique then we could ask some serious questions to Wise. Questions like: How do you think shilling for a President that increases drone attacks on brown people sounds to said brown people when ignored to score some points with the African American political base? How cynical is it to hollow out the struggle for African American nationalism for symbolic pride? Since, however, this is not really a moral argument, we don’t have to ask those. According to Wise, however, the white liberals didn’t think about how bad that sounds because “they don’t have to” implicitly due to privilege: It’s the same reason you don’t have to really sweat the fact that he would love to cut important social programs for poor people. And you don’t have to worry about how it sounds to them that you would claim to be progressive, while encouraging support for a guy who would pull what minimal safety net still exists from under them, and leave it to private charities to fill the gap. And we all know why you don’t have to worry about it. Because you aren’t them. You aren’t the ones who would be affected. You’llnever be them. I doubt you even know anyone like that. People who are that poor don’t follow you on Twitter. But what about Wise’s class and geographic privilege–and that which every American shares regardless of their (or lack of)? Wise doesn’t have to think about that any more than the white liberals he castigates has to think gender or race issues within those set of privileges. This just becomes a set of concerns over life style issues in which the actual fate of those people are ignored.

#### Thus we contend that:

#### The United States Congress should revoke funding for targeted killing operations.

#### Cutting off funding is the only emphatic and durable check on executive power

Fisher, 97 [Louis, Senior Specialist in Separation of Power – Congressional Research Service, “Presidential Independence and the Power of the Purse,” U.C. Davis Journal of International Law & Policy, Spring, 3 U.C. Davis J. Int'l L. & Pol'y 107, p. lexis]

The shift of the war power from Congress to the President belies a core belief by the framers that each branch would protect its own prerogatives. They believed that a powerful dynamic of institutional self-defense would safeguard the system of separation of powers. n191 Instead, Congress repeatedly **surrenders** its powers to the President. Congress contributes to presidential independence by conferring substantial spending discretion by statuteand by declining to challenge **the growing** customary spending discretion that Presidents assume. n192 While custom changes power and relationships, at least in the area of the war power, it does not change the Constitution. If Congress slept for decades and allowed President to singlehandedly commit the nation to war, and one day Congress awoke from its slumbers to pass legislation telling the President that he may not use fundsfor a pending military action,that is the end of it. The congressional action, no matter how late in the day, would prevail. If we want to reestablish some of the fundamental principles established by the framers, several steps are necessary. For reasons that have both constitutional and practical dimensions, U.S. foreign policy must be conducted only with funds appropriated by Congress. Allowing the President to carry out foreign policy with private or foreign contributions would create a political system the framers feared most: the union of purse and sword. The framers deliberately separated those powers to protect individual liberties. Fusing the powers in today's world creates dangers far greater than in 1787. At the Iran-Contra hearings, Secretary of State George Shultz repudiated the idea of using nonappropriated funds for foreign policy: "You cannot spend funds that the Congress doesn't either authorize you to obtain or appropriate. That is what the Constitution says, and we have to stick with it." n193 The President may not spend funds "in the name of the United States [\*139] except as appropriated by Congress." n194 Members of Congress continue to use the power of the purse to direct the President in foreign affairs and war, but increasingly they exhibit a lack of institutional self-confidence. They do not function like a coequal branch. A greater number of legislators believe that the Constitution, whatever its original purpose, now gives the lion's share (if not the exclusive share) of foreign policy and the war power to the President. The result is statutory language and legislative histories that are conspicuously vague and contradictory. It is not unusual to see legislative principles expressed in non-binding form, merely announcing the "sense" of Congress on a matter of national urgency. Non-binding resolutions are not totally without effect. They at least can be cited as evidence that Congress has not completely acquiesced to presidential actions. n195But if members of Congress want to participate in questions of war and peace on a coequal basis and with maximum effectiveness, they must do so through explicit statutory commands, not sense-of-Congress resolutions. The framers did not create Congress -- the first branch of government -- to debate and release general, non-binding declarations. Nor is it consistent with the Constitution for executive officials to merely "consult" legislators before they act. The purpose of Congress is to authorize national policy, especially in military affairs. Some legislators in recent years have claimed that Congress can limit funds for past actions but never for future actions. There is no constitutional support for that theory. The decision to use military force against other nations is reserved to Congress, and through that prerogative and the power of the purse, members may confine a President's actions prospectively as well as retrospectively.

#### Public consent is manufactured by a de facto government monopoly on truth—challenging legal authority interrupts those narratives and politicizes targeted killing

Engels & Saas 13 (Jeremy Engels, Associate Professor of Communication Arts and Sciences, Penn State University, Ph.D., M.A., University of Illinois, Urbana-Champaign, B.A., University of Kansas; and Jeremy Saas, Ph.D. Candidate, Department of Communication Arts & Sciences, and Dissertation Fellow, Center for Democratic Deliberation, Penn State University, M.A., B.A., Communication Studies, University of Nevada, Las Vegas, “On Acquiescence and Ends-Less War: An Inquiry into the New War Rhetoric”, Quarterly Journal of Speech, 99(2), May 2013, <https://www.academia.edu/3994608/On_Acquiescence_and_Ends-Less_War_An_Inquiry_Into_the_New_War_Rhetoric>)

Our nation faces a number of grave problems today, but none is more dangerous to democracy than war. War saps resources, destroys bodies, and perverts public discussion. Of course, war is nothing new in the United States. Our nation is founded on the rhetoric of enemyship, and thus one hears distant roar of today’s violent rhetoric in the founding documents of the United States.1 What is new is the length and cost, both human and economic, of the various wars occurring under the open- ended umbrella of the “war on terror,” a conflict of perpetual exception with neither definite rhetorical boundaries nor a foreseeable end. The ongoing war in Afghanistan is the longest war in American history. Over 2,000 soldiers have died, and more than 68,000 have been wounded. The war has cost nearly S1.2 trillion, according to the US Department of Defense. The UN estimates that nearly 13,000 civilians have died in Afghanistan.2 The US invaded Iraq in 2003 and removed most of its remaining troops in December 2011. Iraq Body Count estimates that between 110,000 and 120,000 civilians died during the US war in Iraq, though this might be a terrible underestimate by hundreds of thousands.3 The Wall Street Journal projects that the Iraq War will cost US taxpayers $4 trillion, including the ever-accelerating health care costs for returning veterans."1 In sum, as The Christian Science monitor points out, the cost of the wars in Iraq and Afghanistan is greater than the cost of World War II.5 These wars, along with military action in Pakistan, Yemen, and Libya have US defense spending near all-time highs, doubling from 2001 to 20086: in 2011, 20 percent of the federal budget was spent on “defense” ($718 billion).7 Turning away from the monetized discourses of neo-liberalism, we can already see that the human costs of war are of themselves unacceptable. Rhetorical critics must describe and ultimately demystify the discourses justifying war. We must do this not merely to exercise our critical chops but instead to instruct students and publics alike about the rhetorics that both shape the world in which we live and undermine the world that we would otherwise desire to create. At its best, the rhetorical criticism of war acknowledges and embraces this pedagogical end. In the current climate of perpetual war and public passivity, perhaps the most vital contribution rhetorical critics can make would be to generate a meaningful critique of endless war’s evolving rhetorical infrastructure. We begin our critique with a simple observation: War today requires technique and effort—witness the exponential increase in defense spending and the explosion of the national security bureaucracy—but this effort is drawn from a small percentage of the population, while an ever more rarefied and secretive elite class directs the war- technique itself. This observation, in turn, begs the question: How does the contemporary war machine sustain itself in the face of so obviously and over- whelmingly deleterious global and domestic ramifications? We find that one answer to this question lies outside the reach of traditional rhetorical criticism that would measure rhetorical success in terms of an assent/dissent binary. To be “for” or "against” war has today become a rather inconsequential distinction, fodder for bumper stickers and empty campaign promises. Overriding the for/against distinction is a general feeling of acquiescence in relation to war. While not completely irrelevant, we argue, assent has been reduced to something like a 2 percent additive to the black oil of public acquiescence that now powers the war machine. To understand contemporary war rhetoric, we must study rhetorics designed to promote acquiescence rather than assent. How, then, do these acquiescent rhetorics work? And what is their history'? Business as usual: in the early days following the terrorist attacks of September 11, 2001, this was President George W. Bush’s formula for victory. Hence, his words on September 20, 2001: “I ask your continued participation in and confidence in the American economy. Terrorists attacked a symbol of American prosperity. They did not touch its source. America is successful because of the hard work, and creativity, and enterprise of our people. These were the true strengths of our economy before September 11th, and they are our strengths today.”8 He repeated these sentiments on September 27, 2001, speaking to airline workers at O’Hare International Airport in Chicago about new airport security measures. He observed: "When they struck, they wanted to create an atmosphere of fear. And one of the great goals of this nation’s war is to restore public confidence in the airline industry, is to tell the traveling public, ‘Get on board. Do your business around the country. Fly and enjoy America’s great destination spots. Go down to Disney World in Florida, take your families and enjoy life the way we want it to be enjoyed.’”9 One goal of presidential rhetoric was, apparently, to facilitate a return to normalcy. To contribute to the war effort, Americans needed only go about their daily routines and maybe enjoy a nice vacation. September 20 was a fateful day in the rhetorical history of the present. On that day, President Bush first uttered the phrase “war on terror.”10 He spoke these words during the same speech—an address to a joint session of Congress—in which he urged Americans to defeat “terror” by going about their everyday business, the same speech in which he prescribed retail therapy for a wounded nation. On this day, we see the two faces of our new normal: the articulation of endless global war with leisure and consumption. One face is spectacular; the other quotidian. And though it is only natural to focus critical attention on the violence of spectacular, ever- escalating rhetorics demonizing the enemy, we cannot understand the “war on terror” without seriously considering the rhetorical potency of President Bush’s injunction to go on vacation and hence to **leave the war-making to the professionals**. Many observers—including then presidential candidate Barack Obama—attrib- uted the manifold setbacks of the “war on terror” to President Bush’s purported failure of rhetorical leadership after September 11. Here is Obama in 2008: “President Bush did some smart things at the outset, but one of the opportunities that was missed was, when he spoke to the American people, he said, ‘Go out and shop.”’11 According to Obama, Bush failed by refusing to turn public support for conflict into sacrifice for the war effort. Bush neither received nor requested civic sacrifice. Yet it seems to us that the absence of civic sacrifice is, in fact, a desired outcome of the new war rhetoric. This war rhetoric aims to turn civic attention away from war and toward consumption; and when citizens must encounter war, this rhetoric aims to disempower the demos and thereby preclude dissent. This rhetoric does not aim for assent—it desires acquiescence. Here we disagree with those critics who framed President Bush’s early comments as, somehow, a failure of leadership. We view the president’s words as part and parcel of a rhetorical strategy that seeks to facilitate acquiescence to war. This strategy has been successful—yet critics look for its success in the wrong places when we assume that mobilization of the public is necessary for the prosecution of the “war on terror.” In turn, the violence of the new war rhetoric is less about the manipulation of individual psyches and more about the creation of a symbolic landscape in which resistance to objective violence **seems pointless**. The violence of this rhetoric is found in how it normalizes war and brings citizens to peace with such violence—in how it promotes passivity at home while perpetuating destruction abroad. We propose a two-fold typology for studying the rhetorical architecture of the so- called “war on terror.” First, there are rhetorics aimed at producing assent. President Bush often attempted to harness the public will, employing rhetorics of covenant renewal12, mission13, exhilarated reluctance14, compressed time13, floating bombs16, and the “reciprocal satanization of enemies,”1' and by deceiving Americans about WMDs in Iraq.18 In President Bush’s call for Americans to consume and vacation, we see a second category of war discourse that aims to cultivate acquiescence. In its most basic form, this rhetoric aims at promoting a glazed-over half-acceptance of the **inevitability of war**, whatever the outcome. More intensely, this rhetoric can act like a narcotic, cultivating numbness and passivity in the face of war. The rhetorics of acquiescence deliberately depoliticize citizens. Such rhetorics display war in such a way that it cannot be contested, constituting a distracted civic body numb to violence abroad and to the collateral damage done by war to democracy at home. President Bush was never the idiot man-child the Left painted him to be. In those first days following September 11, Bush did not fail by telling Americans to continue their daily routines. In fact, in those early days, he described a war rhetoric ideally suited to a new style of war, a largely privatized, neoliberal war fought with public money. This rhetoric does not care much about civic mobilization for war; it says, trust us, we've got this, and then aims to distract attention away from war so that the war machine can run unimpeded by citizens or democracy. Modem rhetorical scholarship concerning war continues to be shaped by the tragic experience of World War I (WWI)—the first war in American history in which the government enlisted the might of communication technology in the war effort. WWI revealed what David Zarefsky calls “the two faces” of democratic rhetoric—one rhetoric aimed at helping communities come together to deliberate and hash out solutions to shared problems; the other rhetoric (exemplified by President Wilson and his Committee on Public Information) aimed at manufacturing consent through propaganda and the manipulation of emotion.19 Randolph Bourne derived a different lesson from the rhetoric of WWI, forwarding the idea that, at a base level, war requires acquiescence, not assent.20 Bourne was not surprised by the manufactured jingoism of WWI. He expected Americans to be carried away by the enemyship of “the State”—“the organization of the herd to act offensively or defensively against another herd similarly organized.”21 Yet in his essay “A War Diary,” published in September 1917, Bourne did not detail a culture on fire. Instead, using his own experience of accommodation to WWI as a model, Bourne described a culture adjusting to the war-technique. Time brings a better adjustment to the war. ...The kind of war which we are conducting is an enterprise which the American government does not have to carry on with the hearty cooperation of the American people but only with their acquiescence. And that acquiescence seems sufficient to float an indefinitely protracted war for vague or even largely uncomprehended and unaccepted purposes. Our resources in men and materials are vast enough to organize the war-technique without enlisting more than a fraction of the people’s conscious energy.22 For scholars including Walter Lippmann and Edward Bernays, WWI revealed the potency of government-sponsored propaganda for mobilizing democratic publics toward conflict. Bourne learned this lesson, too, but for him it did not capture the simple and astonishing fact that modern warfare did not require the mobilization of conscious democratic energy. It required acquiescence. To better understand the import of Bourne’s observations, it is worth briefly considering the etymology of the word “acquiescence.” According to the Oxford English Dictionary, the English word “acquiescence” is derived from the classical Latin verb acquiescere-, a compound verb consisting of the prefix ad (to or towards) and the verb quiescere (to be at rest).23 Acquiescere means “moving towards a state of rest.”24 In medieval Latin, acquiescere came to entail an active recognition of a power greater than oneself, a Logos supreme to which one would pay tribute and in the name of which one ceded political agency in order to achieve spiritual completeness (hence Calvin’s acquiescere in scriptura).25 Retaining this sense of coming to rest (ad- + quiescere), Bourne suggested that acquiescence—the process of coming to peace with war while withholding assent—was an apt descriptor for his experience, and the experience of many other Americans (especially young intellectuals) of war in 1917. Of course, plenty of Americans were ginned up for war against the purportedly “monstrous" Germans. The rhetoric of assent was vital to the war effort of WWI; the CPI did its job well. WWI crushed the chippy democratic platitudes espoused by progressive philosophers that Americans were somehow too “rational” and “civilized” to be whipped into a frenzy. Yet at the same time, Bourne observed that for many Americans who were opposed to the war—who felt that it was wrong and even “evil”—acquiescence was the name of the game. These dissidents never assented. They simply convinced themselves—or were convinced by external factors—that **dissent was pointless**. It was in deference to the apparently inexorable forward motion of war, and in service of the rather hopeful presupposition that the war would end, that Bourne lapsed into acquiescence. Cries of outrage against war here gave way to the acquiescent prayer: “This, too, shall pass.” Bourne arrived honestly at his acquiescence, and he understood the implications of his accommodation. Today, acquiescence is manufactured and mass-produced. Acquiescence has become propaganda just as potent, and just as integral to the war effort, as rhetorics seeking to produce assent and cultivate patriotic rage. Today, acquiescence has equaled—and perhaps even supplanted—enemyship as the foundation of war rhetoric. There is still talk of friends and enemies, of course. But it is mediated by calls for consumption and vacation. Bourne’s work offers an obvious starting point for sketching out the key characteristics of acquiescent rhetorics. The nature of the “war on terror,” however, prevents us from simply transposing Bourne’s reflections on WWI onto present exigencies. Indeed, while the “great war” and the “war on terror” share a number of general characteristics (most notably, both were framed as wars for “democracy”), the differences are decisive. In terms of duration, US involvement in World War I was brief relative to our protracted engagements in Afghanistan, Iraq, and the Arabian Peninsula. In terms of distance, the development of drone warfare and the proliferation of paramilitary intelligence squads promise a historically unprecedented reduction of American bodies at risk. Most importantly, the war on terror shows no promise of ending, whether by way of conclusively vanquished enemies or by way of the full exhaustion of resources. There will always be a “number two” leader of the named opposition to demonize, target, hunt, and kill. Thus, to call the war “endless” gets close to the truth, but a more precise formulation will find the source of endlessness in the war’s distinctive lack of ends; not endless war, but ends-less war. A number of tropes and techniques are used today to promote acquiescence, to cultivate passivity in the face of death, to nurture numbness toward the unacceptable human costs of battle. Authorities play rhetorical trump cards such as “support the troops” and the discourse of “evil” to stifle dissent.26 Acquiescent rhetorics make critique tantamount to opposing the troops (which few will do), hence teaching citizens that opposing war is futile. Such rhetorics further de-legitimate criticism by dissent as a violation of “the contract of blood” forged with those innocent victims who died on 9/11.27 Furthermore, acquiescent rhetorics draw on the performative ethos of the military and the symbolic power of the uniform to deflect not just civic authority but citizen attention from battle. In fact, acquiescent rhetorics seem to draw on the social fact that the general’s uniform has become the new white lab coat, the symbol of scientific authority that facilitated obedience during the famed Milgram Experiments. The framing of public discussion facilitates acquiescence in contemporary wartime: thus, both the grounds on which war has been justified and the ends toward which war is adjusted are bracketed and hence made infandous. The rhetorics of acquiescence bury the grounds for war under nearly impermeable layers of political presentism and keep the ends of war in a state of perpetual flux so that they cannot be challenged. Specific details of the war effort are excised from the public realm through the rhetorical maneuver of “occultatio,” and the authors of such violence—the president, his administration, and the broader national security establishment—use a wide range of techniques to displace their own responsibility in the orchestration of war.28 Freed from the need to cultivate assent, acquiescent rhetorics take the form of a status update-, hence, President Obama’s March 28, 2011 speech on Libya, framed as an “update” to Americans ten days after the bombs of “Operation Odyssey Dawn had begun to fall. Such post facto discourse is a new norm: Americans are called to acquiesce to decisions already made and actions already taken. The Obama Administration has obscured the very definition of "war” with euphemisms like “limited kinetic action.” The original obfuscation, the “war on terror, is a perpetually shifting, ends-less conflict that denies the very status of war. How do you dissent from something that seems so overwhelming, so inexorable? It’s hard to hit a perpetually shifting target. Moreover, as the government has become increasingly secretive about the details of war, crucial information is kept from citizens—or its revelation is branded “treason,” as in the WikiLeaks case-making it much more challenging to dissent. Furthermore, government surveillance of citizens cows citizens into quietism. So what’s the point of dissent? After all, this, too, will pass. Thus even the most critical citizens come to rest in peace with war. The confidence game of the new war rhetoric is one of perpetually shifting ends. In this “post-9/11” paradigm of war rhetoric, citizens are rarely asked to harness their civic energy to support the war effort, but instead are called to passively cede their wills to a greater Logos, the machinery of ends-less war. President Obama has embodied the dramatic role of wartime caretaker more adeptly than his predecessor, repeatedly exhorting citizens to “look forward” rather than to examine the historical grounds upon which the present state of ends-less war was founded and institutionalized.29 All the while, that forward horizon is constantly being reshaped—from retribution, to prevention, to disarmament, to democratization, to intervention, and so on, as needed. What Max Weber called “charisma of office”—the phenomenon whereby extraordinary political power is passed on between charismaticallv inflected leaders—is here cast in bold relief: until and unless the grounds of the new war rhetoric are meaningfully represented and unapologetically challenged, ends-less war can only continue unabated. War rhetoric is a mode of display that aims to dispose audiences to certain ways and states of being in the world. This, in turn, is the essence of the new war rhetoric: authorities tell us, don’t worry, we’ve got this, just go about your everyday business, go to the mall, and take a vacation. What we are calling acquiescent rhetorics aim to disempower citizens by cultivating passivity and numbness. Acquiescent rhetorics facilitate war by shutting down inquiry and deliberation and, as such, are anathema to rhetoric’s nobler, democratic ends. Rhetorical scholars thus have an important job to do.We must bring the objective violence of war out into the open so that all affected by war can meaningfully question the grounds, means, and ends of battle. We can do this by describing, and demobilizing, the rhetorics used to promote acquiescence. In sum, we believe that by making the seemingly uncontestable contestable, rhetorical critics can and should begin to invent a pedagogy that would reactivate an acquiescent public by creating space for talk where we have previously been content to remain silent.

#### The false dichotomy between legal and political responses bolsters apathy and ignores that society does have agency to impose legal demands—political checks alone are insufficient

Cole 11 David, Professor, Georgetown University Law Center. Where Liberty Lies: Civil Society and Individual Rights After 9/11 Wayne Law Review, Winter, 57 Wayne L. Rev. 1203, lexis

The force of ordinary electoral politics also cannot account for the shift in U.S. counterterrorism policy. None of the Bush administration's initial initiatives sparked majoritarian opposition. To the contrary, [\*1244] President Bush, who had very low approval ratings shortly before 9/11, shot up in popularity when he declared the "war on terror," and was reelected in 2004, in large measure on his promise to deliver security. n235 Apart from opposition to the war in Iraq, there was little widespread popular pressure on President Bush to rein in his security initiatives. Despite this evidence, Eric Posner and Adrian Vermeule have argued that in the modern era, political checks are **all there are** when it comes to restraining executive power. n236 They maintain that Congress, the courts, and the law itself cannot effectively constrain the executive, especially in emergencies, but that this need not concern us because the executive is adequately limited by political forces. At first blush, the past decade might appear to vindicate Posner and Vermeule's views, as political forces, broadly speaking, seem to have been at least as effective at checking the President as were Congress or the judiciary. n237 But there is in fact little evidence that electoral politics or majoritarian sentiment played much, if any, role in persuading President Bush to ratchet back his security initiatives. While formal judicial and legislative checks cannot tell the whole story, the alternative account is not "politics" as Posner and Vermeule define and describe it, but a much more complex interplay of civil society, law, politics, and culture: what I have called "civil society constitutionalism." Posner and Vermeule contend that the separation of powers is, for all practical purposes, defunct, as executive power has dramatically expanded relative to the other branches in the modern era. n238 Like many commentators before them, Posner and Vermeule attribute this development to the growth of the administrative state n239 and to the near-constant state of emergency in which modern American government now seems to operate. n240 But where other commentators view these developments as profound challenges to our constitutional order, Posner and Vermeule insist that ordinary political constraints on the executive are sufficient. n241 [\*1245] In my view, Posner and Vermeule simultaneously underestimate the constraining force of law and overestimate the influence of political limits on executive overreaching. **Sounding like Critical Legal Studies adherents**, they **sweepingly claim** that law is so indeterminate and manipulable as to constitute only a "façade of lawfulness." n242 But in assessing law's effect, they look almost exclusively to formal indicia--statutes and court decisions. n243 That approach disregards the role that law plays without coming to a head in a judicial decision or legislative act. As the post-9/11 period illustrates, when law is reinforced and defended by civil society institutions, it can have a disciplining function long before cases reach final judgment, and even when no case is ever filed, a reality to which anyone who has worked in the executive branch will attest. n244 Executive officials generally cannot know in advance whether their actions will attract the attention of civil society watchdogs, or lead to court review. They often cannot know whether such oversight--whether by a court, a legislative committee, or a nongovernmental organization--will be strict or deferential. As long as there is some risk of such oversight, the resultant uncertainty itself is likely to have a disciplining effect on the choices they make. There are, in short, plenty of reasons why executive lawyers generally **take legal limits seriously**. They take an oath and are acculturated to do so. They know that claims of illegality can undermine their objectives. And they cannot predict when a legal claim will be advanced against them. Similarly, in focusing exclusively on statutes and their enforcement by courts, Posner and Vermeule disregard the considerable checking function that Congress's legal oversight role plays through means short of formal statutes, such as by holding hearings, launching investigations, requesting information about doubtful executive practices, or restricting federal expenditures. The effectiveness of these checks, moreover, will often turn on the strength of civil society. If there are significant watchdogs in the nongovernmental sector and/or the media focused on executive actions, ready to bring allegedly illegal conduct to public attention, the law will have substantial deterrent effect, with or without actual court decisions.

#### While fiat might not be “real”, accepting our discussion of the state as “a heuristic” and not as “a descriptor”, creates a toolkit that best recognizes the contingency of politics

Zanotti 14 (Dr. Laura Zanotti is an Associate Professor of Political Science at Virginia Tech. Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304, obtained via school library being awesome.)

While there are important variations in the way international relations scholars use governmentality theory, for the purpose of my argument I identify two broad trajectories. 2 One body of scholarship uses governmentality **as a heuristic** tool to explore modalities of local and international government and to assess their effects in the contexts where they are deployed; the other adopts this notion as a descriptive tool to theorize the globally oppressive features of international liberalism. Scholars who use governmentality as a heuristic tool tend to conduct inquiries based upon analyses of practices of government and resistance. These scholars rely on ethnographic inquiries, emphasizes the multifarious ways government works in practice (to include its oppressive trajectories) and the ways uneven interactions of governmental strategies and resistance are contingently enacted. As examples, Didier Bigo, building upon Pierre Bourdieu, has encouraged a research methodology that privileges a relational approach and focuses on practice; 3 William Walters has advocated considering governmentality as a research program rather than as a ‘‘depiction of discrete systems of power;’’ 4 and Michael Merlingen has criticized the downplaying of resistance and the use of ‘‘governmentality’’ as interchangeable with liberalism. 5 Many other scholars have engaged in contextualized analyses of governmental tactics and resistance. Oded Lowenheim has shown how ‘‘responsibilization’’ has become an instrument for governing individual travelers through ‘‘travel warnings’’ as well as for ‘‘developing states’’ through performance indicators; 6 Wendy Larner and William Walters have questioned accounts of globalization as an ontological dimension of the present and advocated less substantialized accounts that focus on studying the discourses, processes and practices through which globalization is made as a space and a political economy; 7 Ronnie D. Lipschutz and James K. Rowe have looked at how localized practices of resistance may engage and transform power relations; 8 and in my own work, I have studied the deployment of disciplinary and governmental tools for reforming governments in peacekeeping operations and how these practices were hijacked and resisted and by their targets. 9 Scholars who use governmentality as a descriptive tool focus instead on one particular trajectory of global liberalism, that is on the convergence of knowledge and scrutiny of life processes (or biopolitics) and violence and theorize global liberalism as an extremely effective formation, a coherent and powerful Leviathan, where biopolitical tools and violence come together to serve dominant classes or states’ political agendas. As I will show, Giorgio Agamben, Michael Hardt and Antonio Negri, and Sergei Prozorov tend to embrace this position. 10 The distinction between governmentality as a heuristic and governmentality as a descriptive tool is central for debating political agency. I argue that, notwithstanding their critique of liberalism, scholars who use governmentality as a descriptive tool rely on the same ontological assumptions as the liberal order they criticize and do move away from Foucault’s focus on historical practices in order to privilege abstract theorizations. By using governmentality as a description of ‘‘liberalism’’ or ‘‘capitalism’’ instead of as a methodology of inquiry on power’s contingent modalities and technologies, these scholars tend to **reify a substantialist ontology that** ultimately **reinforces** a liberal conceptualization of subjects and power as standing in a relation of externality **and stifles** the possibility of reimagining political agency on different grounds. ‘‘Descriptive governmentality’’ constructs a critique of the liberal international order based upon an ontological framework that presupposes that power and subjects are entities possessing qualities that preexist relations. Power is imagined as a ‘‘mighty totality,’’ and subjects as monads endowed with potentia. As a result, the problematique of political agency is portrayed as a quest for the ‘‘liberation’’ of a subject ontologically gifted with a freedom that power inevitably oppresses. In this way, the conceptualization of political agency remains confined within the liberal struggle of ‘‘freedom’’ and ‘‘oppression.’’ Even researchers who adopt a Foucauldian vocabulary end up falling into what Bigo has identified as ‘‘traps’’ of political science and international relations theorizing, specifically essentialization and ahistoricism. 11 I argue here that in order to reimagine political agency an ontological and epistemological turn is necessary, one that relies upon a relational ontology. Relational ontological positions question adopting abstract stable entities, such as ‘‘structures,’’ ‘‘power,’’ or ‘‘subjects,’’ as explanations for what happens. Instead, they explore how these pillar concepts of the Western political thought came to being, what kind of practices they facilitate, consolidate and result from, what ambiguities and aporias they contain, and how they are transformed. 12 Relational ontologies nurture ‘‘**modest’’ conceptualizations of political agency** and also **question the** overwhelming stability **of** ‘‘mighty totalities,’’ such as for instance the international liberal order or **the state**. In this framework, **political action has more to do with playing with the cards that are dealt to us to produce** practical effects in specific contexts **than with building** idealized ‘‘new totalities’’ **where perfect conditions might exist**. The political ethics that results from non-substantialist ontological positions is one that privileges ‘‘modest’’ engagements and weights political choices with regard to the consequences and distributive effects they may produce in the context where they are made rather than based upon their universal normative aspirations. 13

#### This allows us to learn about the state, without pretending to be it – the method of the 1ac teaches contingent grounds to resist government coding of difference

Zanotti 14 (Dr. Laura Zanotti is an Associate Professor of Political Science at Virginia Tech. Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304, obtained via school library being awesome.)

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International **power interacts in** complex ways **with diverse political spaces** and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing **complex diagnostics** of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’ 83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of **reflexivity on the** consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’

#### And, our heuristic acknowledges strategies for reconstituting political agency by focusing on particulars – the 1ac recodes both theory and practice

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In a similar vein, in a refreshing reading of realism, Brent Steele has highlighted the problematic aspects of assessing political agency based upon actors’ intention and focused on contexts as the yardstick for assessing political actions. 79 For Steele, ‘‘as actors practice their agency within the space of a public sphere, intentionality—at best—becomes dynamic as new spaces in that sphere open up. Intentions, even if they are genuine, become largely irrelevant in such a dynamic, violent, and vibrant realm of human interaction.’’ 80 In shifting attention from ‘‘intention’’ to the context that made some actions possible, Steele sees agency as a ‘‘redescription’’ of existing conditions, rather than the total ‘‘rejection’’ of or ‘‘opposition’’ to a totalizing ‘‘script.’’ As a consequence, Steele advocates ‘‘pragmatist humility’’ for politicians and scholars as well. 81 In summary, in non-substantialist frameworks, agency is conceptualized as modest and multifarious agonic interactions, localized tactics, hybridized engagement and redescriptions, a series of uncertain and situated responses to ambiguous discourses and practices of power aimed **at the construction of new** openings, **possibilities** and different distributive processes, the outcomes of which are always to an extent unpredictable. Political agency here is not imagined as a quest for individual authenticity in opposition to a unitary nefarious oppressive Leviathan aimed at the creation of a ‘‘better totality’’ where subjects can float freed of ‘‘oppression,’’ or a multitude made into a unified ‘‘subject’’ will reverse the might of Empire and bring about a condition of immanent social justice. By not reifying power as a script and subject as monads endowed with freedom non-substantialist positions open the way for conceptualizing political agency as an engagement imbricated in praxis. The ethical virtue that is called for is ‘‘pragmatist humility,’’ that is the patience of playing with the cards that are dealt to us, enacting redescriptions and devising tactics for tinkering 82 with what exists in specific contexts. Conclusion In this article, I have argued that, notwithstanding their critical stance, scholars who use governmentality as a descriptive tool remain rooted in substantialist ontologies that see power and subjects as standing in a relation of externality. They also downplay processes of coconstitution and the importance of indeterminacy and ambiguity as the very space where political agency can thrive. In this way, they drastically limit the possibility for imagining political agency outside the liberal straightjacket. They represent international liberal biopolitical and governmental power as a homogenous and totalizing formation whose scripts effectively oppress ‘‘subjects,’’ that are in turn imagined as free ‘‘by nature.’’ Transformations of power modalities through multifarious tactics of hybridization and redescriptions are not considered as options. The complexity of politics is reduced to homogenizing and/or romanticizing narratives and political engagements are reduced to total heroic rejections or to revolutionary moments.

#### Our rhetorical strategy isn’t one that seeks to succeed at all costs, but attempts to channel the process of competition into a productive politics – retaining a forum of argumentative disagreement retains debates radical potential

Crosswhite 2 (James Crosswhite, Professor, Department of English, University of Oregon, Ph.D. Philosophy, UC San Diego, B.A. Philosophy, UC Santa Cruz, “Conflict in Concert: Fighting Hannah Arendt's Good Fight,” JAC, 22(4), Fall 2002, pp.948-959, <http://www.jaconlinejournal.com/archives/vol22.4/crosswhite-conflict.pdf>)

Early in her essay, and again at the end, Roberts-Miller shakes hands with her opponent and acknowledges that there is a legitimate grievance against agonistic rhetoric. The basic problem with valuing agonistic rhetoric is that one seems at the same time to be promoting mere wrangling. The opponents of agonistic rhetoric have opposed it on these grounds. One needs a way to distinguish between agonistic rhetoric that is merely succeed-at-all-costs-and-never-give-in combat and agonistic rhetoric that uses competition and struggle to accomplish something greater than simple conquest. She is not sure that she has a satisfying way of addressing this problem, but she cites a passage from John Locke in which the essence of wrangling is that the wranglers are incapable of changing their minds, of being convinced by opposing arguments. Later in her essay, in her gloss on a passage from Arendt, she develops this important feature of agonistic discourse: "It is not asymmetric manipulation of others ... it must be a world into which one enters and by which one can be changed" (593). This is a familiar condition by which argumentation theorists attempt to delineate just what argumentation is. If the interlocutors are not willing to change their minds, then they are not engaged in argumentation. Near the end of her article, she regrets that Arendt did not do more to distinguish polemical agonism from wrangling, and then she drops the discussion. It would of course be very interesting to hear more about this. The agonistic/collaborative distinction is made in large part, according to Roberts-Miller herself, because one cannot distinguish the valuable kind of rhetoric from the destructive kind. If neither Arendt nor Roberts-Miller can address this, then something is seriously amiss. At this point, it is just impossible not to regret that the last half-century's resurgence of argumentation theory is not more broadly acknowledged by those who make a profession of rhetoric , writing, and literacy. Chaim Perelman and Lucie Olbrechts-Tyteca labor carefully in The New Rhetoric to describe what makes possible the "contact of minds" that is a condition for the possibility of genuine argumentation. Franz van Eemeren and the late Rob Grootendorst worked for years on their "pragma-dialectical" rules for argumentative discourse. And more recently, in The New Dialectic, Douglas Walton has systematized his thinking on the rules for argumentative dialogues and distinguished the rules for eristic dialogues from the rules for inquiry dialogues, deliberative dialogues, and other kinds of argumentative discourse. It would be interesting to know whether Roberts- Miller would find in this work a way to elaborate the concept of polemical agonism and save it from its indistinguishability from wrangling. However the threat of agonism's logical indistinguishability from wrangling is only part of the problem. There is also a psychological dimension to the objection to agonistic argumentation. Some people are just psychologically defeated by it. Their experience-in childhood, in a bad marriage, in the course of life in general, or even in court and with lawyers, and perhaps in education-is to have been outdone by argumentation. It has not been a way for them to gain a hearing, or a way to negotiate, or a way to resolve conflict, or a way to learn, or a way to gain self-knowledge. They have succumbed to the threat that Socrates feared for his own interlocutors-misology, the hatred of arguments-because of the experience of being constantly defeated by them and by those who wield them with virtuosity. This is not a problem that can be directly addressed by theorizing and argumentation, although the theory of argumentation is quite an important part of it. It requires rather a practical kind of wisdom and virtuous action. When Socrates breaks off the argument with young Theaetetus in Plato's dialogue of that name, it is because he understands Theaetetus and his condition, the stage of his formation, and the threat of misology, and because he has the virtue to act on the younger man's behalf, to keep a space open for his individual development. One of the less noted objections to agonistic rhetoric is that it damages those who are defeated by it, that it creates an association between reason and failure, reason and psychological pain. It would be interesting to hear Roberts-Miller address this objection. What would it take not only to theorize a logical distinction between agonistic rhetoric and wrangling but also to make use of the distinction in our practice and teaching? The central move in Roberts-Miller's deployment of Arendt's thinking is to accept the distinction between agonistic and collaborative rhetoric but to present arguments that reverse the value hierarchy that the split sets up: to replace "much of our dislike of conflict with a dislike of consensus." Here she gives us Arendt at her most Heideggerian. Human beings are beset by a powerful drift toward conformity that is an evasion of individual responsibility. This drift is not simply a superficial, external conformity but a deep one in which our thinking becomes the thinking of no one in particular and in which our individual identities meld in an anonymous social self. Ironically, this conformity is so deep that we can be most social even while most isolated; in fact, conformity depends in part on a certain kind of isolation, an unwillingness to express our disagreements and test them by arguments in some public way. Instead, one's social and institutional identities pretty much determine how one should think and act on almost all occasions. This conformist sociality is the absolutization of bureaucracy and the apotheosis of collaborationism. In Arendt's and Roberts-Miller's hands, the idea of the collaborative takes on all the resonance the word had when it was used of those who capitulated to the Nazis. One can almost see and hear scenes from The Sorrow and the Pity as one ponders these Arendtian ideas. And, of course, Arendt's prime exhibit of "collaborative man" is the desk murderer Adolph Eichmann, the perfect administrator who, even after recognizing his complicity in the murder of millions, could understand his guilt only as the guilt of obedience to his superiors, the guilt of doing his official duties. Eichmann is the thoroughly historicist, perfectly formed social constructionist. To the challenge that he should have spoken out against what was going on, he replied: "Under the circumstances then prevailing such an attitude was not possible. Nor did anyone behave in this fashion. From my experience I know that the possibility, which was alleged only after the War, of opposing orders is a self-protective fairy tale. " Arendt's argument depends on Eichmann's words never losing their power to chill us. And so Roberts-Miller looks to Arendt for help in "replacing our mistrust of conflict with a mistrust of consensus." What Eichmann and collaborationism both lack is a capacity for being hospitable to a conflict of ideas. True individuality (and not the passive isolation of the "personal"; even Eichmann was not "personally" in favor of the persecution of the Jews) requires active political interaction that involves conflict and competition and the struggle and testing of competing perspectives in argumentation. True individuality requires risk-the exposure of our individual thoughts to the sometimes painful experience of their public examination. This is the heroism of thinking. One always risks losing and having to change. However, as Stanley Cavell would point out, this is also the joy and adventure of individuality: to change, to imagine oneself as on some kind of path, to think of change as (sometimes painful) transformation. This conflict, says Roberts-Miller, need not be forced. It is the form taken by open acknowledgment of difference. We find identities in the course of these conflicts; we set out on paths toward ourselves. And this can all take place only when there is some kind of social space for it and when there are individuals capable of it. And so, says Roberts-Miller, we should trust collaborationism less and look to the agonism that allows for individuality and openness to difference. In some ways, I am perhaps the worst person to comment on this argument because I so wholeheartedly endorse it and because my own interest is in amplifying and promoting it. It is hard to think of what major shift in rhetoric, writing, and literacy studies would be more salutary than the one Roberts-Miller is leading us toward here. However, for just this reason I find her qualifications and reservations about this project almost incomprehensible. A primary Roberts-Miller fret is that this ideal of agonistic rhetoric is somehow "elitist." In the context of this doubt, she describes agonism as requiring that one "simultaneously trust and doubt one's perceptions, rely on one's own judgments and consider the judgments of others, think for oneself and imagine how others think" (597). Now, since she is promoting a greater mistrust of collaborationism and a greater trust of the agonistic, it is hard to see how this in itself might be "elitist." Nowhere is a demonstrated capacity for agonistic rhetoric represented as a qualification for political participation or social privilege. Why should the mere argument that agonistic rhetoric has important social, political, and individual value be suspected of furthering some kind of elitism? If there is a kind of discourse that undermines the thoughtless intellectual and practical conformity on which totalitarianisms of all kinds depend, and if this kind of discourse develops human individuality and allows for the expression of the differences on which the idea of a free society depends, then its value goes way beyond the interests of some elite faction. Part of Roberts-Miller' s discussion suggests that perhaps not everyone can engage in Arendtian "thought" of this kind, that the ideal is somehow too high. However, it is difficult to see how this counts against the ideal. The ideal of informed voters going through careful deliberations about social and political goods when they vote is also an "elitist" ideal if elitism simply means that not all voters are capable of this. Many of the most worthwhile social ideals for which human beings strive—tolerance, freedom, justice—are beyond the current capabilities of many people, even the people that are striving for them. This does not mean that the ideal cannot orient their thinking and their action or their work on law and policy – or their teaching and writing. Part of this vague notion that agonistic rhetoric is somehow elitist rests on a reified and destructively essentialist idea of what human beings are capable of. To say that agonistic rhetoric is not a kind of thought in which everyone can engage is to try to confine human beings to a current historical situation and educational system that are not the results but the causes of this purported incapacity. If agonistic rhetoric is really what Roberts-Miller says it is, then the point would seem to be to change our educational practices and work tirelessly to amplify the attractiveness of agonistic rhetoric in all the spheres where it might have some effect. If there are those who are incapable of both thinking for themselves and imagining how others think, incapable of the internal dialogue of reason, incapable of the transformation that occurs when we risk our perspectives in the attempt to understand the perspectives of others (and, as Gadamer says, simply to understand is to be transformed and partly convinced), then what is education for but to develop the capacity for this? I take it that someone who sees the truth in Arendt's description of thoughtlessness will not be involved in education that is simply aimed toward producing efficient laborers who will fill the slots that the reigning bureaucracies have identified as needing to be filled (see Gadamer 379,567). Roberts-Miller cites a telling passage from Arendt: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few" (597). First, we must accentuate the "perhaps wrongly!" It is not presumptuous to believe that people everywhere have struggled to develop Arendtian "thinking," and that they have struggled, too, to participate in agonistic rhetoric, and that where they have failed to do so, it is because they were held back, either materially or socially, by design or by misfortune. However, this passage is also reminiscent of the Kantian ideas of freedom and morality. Even though we have no sense experience of freedom, even though it is an idea of "reason" alone, and so according to Kant should not be a fact, he still regards freedom as a fact because it is proved by morality itself. And even if no one has ever acted morally, freely, and Kant at one point openly doubts whether anyone ever has, it would still be a fact because freedom is necessary for morality, and to deny it altogether is to deny what moral experience we do have. The tradition of critical theory that follows from Kant, the tradition in which Arendt herself partly stands, makes a great deal of these kinds of ideas. Herbert Marcuse sometimes calls them "utopian," but he does this in the context of a rehabilitation of utopian thinking. In his view, whether utopian ideals are realizable or not, they still provide a critical standard by which we can measure our current social condition and the direction in which our political programs are taking us. They provide a measure. They are partly constitutive of our thought and action, which would be very different without them. Jiirgen Habermas uses the idea of an ideal speech situation in much the same way. He knows that this idea is "counterfactual," that there has never in reality been such a situation. However, if it is an illusion, it is a "constitutive illusion" that gives us a more complete understanding of our actual situation by providing a measure, for insofar as our actual communicative situations fail to realize this ideal, they are potentially criticizable. It is finally up to actual interlocutors to decide how much falling short is tolerable in each situation. Agonistic rhetoric and Arendtian thought are themselves ideas of this sort, capable of lighting up a direction for educational efforts and providing a measure for the actual thinking and communication we are attempting to understand and evaluate. They are not the only such ideas, but as Roberts-Miller argues, they are significant ones, and, I would add, significantly undervalued just now, when cultural and political and economic conflicts are too easily conceptualized-on all sides-on the model of a clash of civilizations which only violence can adequately address. As Arendt wrote: "We do not know where ... developments will lead us, but we know, or should know, that every decrease in power is an open invitation to violence" (87). Power, for Arendt, is the ability to act in concert, and the agonistic rhetoric of the public sphere is the ability to have conflict-in-concert. The issue is not elitism. The issue on an educational level is how to address the situation of those who have not yet developed their capacity for this kind of thinking and argumentation-and I don't believe that there is a general educational-bureaucratic solution or a scientific pedagogy that will come to the rescue here. I am much more inclined to the Socratic view that you have to know the psyche with which you are dealing. Because individuals vary so greatly in their psychological formation around experiences of argumentative discourse, and because the rhetorical psyche also fractures along all the usual multiple and unsystematic lines of race, gender, and so on, this will always be a matter that individual teachers must address with individuals and classes as best they can-and against whatever educational-bureaucratic power has installed itself and its general "solutions" at the time. The issue on a political level is always to fight to keep this public sphere open. The courage and vigilance required here have not been exaggerated. There are a few other remaining challenges in Roberts-Miller's argument. In her own polemical agonism, she exaggerates the distinction between the agonistic and the collaborative. Anyone who thinks through the relation between agonistic and collaborative rhetoric more thoroughly will find a great deal of the collaborative in the agonistic and the agonistic in the collaborative – enough, perhaps, to begin to destabilize the distinction itself. In fact, agonistic rhetoric may require a depth of cooperation and mutual practical respect that collaborative rhetoric does not. After all, the practical respect required to go on discoursing with someone who does not agree with you requires a more profound moral relation than that required to go on speaking with someone with whom you are reaching an agreement. There are many other deep interactions and inter-identities to be explored in these concepts. Any program that would follow from Roberts-Miller's arguments would have to be aware of these to be practicable at anything more than an abstract level. In fact, it is here that we encounter another of the formal ironies in Roberts-Miller's approach. At her most polemical moment, when she begins the hyperdistinguishing that finds a new binary in agonistic rhetoric itself, she at the same time begins to reconcile the social and the individual, the collaborative and the agonistic. The new pair is persuasive agonism (associated with John Gage) and polemical agonism (associated with Hannah Arendt). Persuasive agonism is aimed at gaining the agreement of others and so the criterion of its success is persuasion. Polemical agonismis aimed partly at the invention and clarification of the ideas themselves, as well as at their public testing and further develop ment. The criterion of success is the quality of the subsequent controversy. Although this distinction doesn't quite capture the Gagean position (since Gage describes the argumentation he teaches as a way of discovering the best grounds for a position), it does allow Roberts-Miller a very interesting and Quintilianesque move that tells us how speaking well is different from speaking persuasively, for persuasion is not the ultimate goal. Polemical agonism is not the asymmetric work of a single rhetor bent on overpowering an interlocutor in a competition. Instead, its success lies in the continuing agreement of the conflicting parties to persevere in argumentation, to go on testing ideas together. This new distinction allows Roberts-Miller to find in polemical agonism a deeper kind of "collaboration," a conflict-in-concert. Polemical agonism is not the simple resolution of conflict in agreement but the continuation of conflict in a creative and valuable way, a way of having conflict that requires deep kinds of cooperation. Now, one could try to undermine this new pair in the usual ways. For example, it is difficult to imagine how polemical agonism would take place unless it somehow integrated persuasive agonism. Without the provisional goal of persuasion, it is hard to see how polemical agonism could achieve its aim of sustaining a high quality of public controversy. The athletic analogy comes to mind here. We play to win because that is how the best playing gets accomplished.

And in the end this is the position Roberts-Miller herself takes when she writes that Arendtian rhetoric leads not to ultimate Truth but to decisions, for decisions come only when we do come to agreement, only when an argument does persuade--and yet, as Roberts-Miller also points out, these decisions must be reconsidered later, and so a continuing controversy must be possible. This is certainly an integrating of the polemical and the persuasive. Perhaps the most striking fact about Roberts-Miller's overall argument is not just that it is so timely and appropriate but that it implicitly forecasts a reconvention of rhetoric itself. I have already mentioned that argumentation studies have for the last half-century labored to develop theories of argumentation that would capture much of what Roberts-Miller needs to flesh out this case for agonistic rhetoric and to distinguish it from wrangling. However, this work is still too little known among rhetoricians and receives little detailed attention in their literature. Yet, it represents perhaps the greatest development of rhetoric in our lifetimes. And then, from another side, there has been a complicated and troubling discussion of the relations among language, discourse, power, and violence that would intensify and deepen this worry that Roberts-Miller has about domination and wrangling. From Walter Benjamin through Arendt's own important elaboration of the distinction between power and violence, through the conversation between Levinas and Derrida on metaphysics and violence, to Foucault's back and forth on power and violence, all the way to two recent books on just this issue, Beatrice Hanssen's Critique of Violence and Hent De Vries's Religion and Violence-both of which try to organize and sustain the controversy on exactly the issue of the difference between debate and discussion, on the one hand, and domination and violence and entrenched antagonisms on the other-the ideal of something like an agonistic rhetoric has been at stake. At the unstable center of this highly developed controversy, the difference and identity of violence and power hold sway. Arendt had a big stake in this, and insisted on the difference between power and violence and on a form of power in which people could act in concert-a form of power not at all unrelated to the way polemical agonism helps to sustain societies in which power keeps violence at bay. When Foucault was confronted with Arendt's idea, he of course could not consent to this valorizing even of the provisional consensus that comes out of polemical agonism because Foucault had great difficulty acknowledging that power might not involve domination. His finessing of the issue was to say that "perhaps one must not be for consensuality, but one must be against nonconsensuality" (379). As Derrida finesses the same issue, one can hope to avoid only "the worst violence" and hope "to choose the lesser violence within an economy of violence" (152, 313n.). Is it utopian to imagine that Roberts-Miller's call for a new trust of conflict, a call for an integration of Arendt's "thought" into rhetorical studies, might be a forecast of a more general call to reconvene rhetoric itself, to call back argumentation studies and the now decades-long conflicts in critical theory and post-structuralism into the history of rhetoric, where they belong? There are powerful arguments to be made on behalf of the general approach of Hannah Arendt to show how discourse-and argumentation in particular-can be a way of having conflict, conflict that might otherwise be carried out in actual violence or some other kind of overt domination. And not only are there powerful arguments to be made, but there are powerful attractions in the kind of sociality opened up by those discursive practices, many of them described in a compelling way by Roberts-Miller. One can always take the critical position and search out the domination lurking in every concrete experience of peace and freedom, but this is only natural. Real wisdom lies in knowing when and where to do this. In the end, thinking all of this through will mean seeing how agonism thought through becomes acting-in-concert and how the critique of domination thought through becomes, as Foucault shows in his refusal of both polemics and of consensus, a way of keeping the fight going. There is reason to believe that the recent popular favoring of collaboration is a kind of practical acting-out of a fear of domination, but a discourse founded in a vision that sees only domination in agonistic rhetoric and so has to seclude itself in a carefully controlled process of deindividualization so only the collaborative can dominate will not easily survive this thinking-through. Whether and how an agonism motivated by the ideals so well expressed by Patricia Roberts-Miller in her essay will itself survive a careful thinking-through remains to be seen. But she has my fighting gratitude for making such a thought-provoking case.

The ballot is a referendum of the desirability of our engagement of presidential war powers – this channels debate into a recognition of difference that otherwise erupts into open hostility

Kalyvas, 09 (Andreas Kalyvas, Associate Professor of Political Science, Department of Politics, The New School for Social Research, Ph.D. Political Science, Columbia University, M.A. Columbia University, B.A. National and Kapodistrian, University of Athens, Greece, “The Democratic Narcissus: The Agonism of the Ancients Compared to that of the (Post)Moderns,” in Law and Agonistic Politics, ed. Andrew Schaap, Ashgate Publishing, 2009, p.31-36, Google Book)

Undoubtedly, the emphasis on disagreement, contestation and strife remains constant in contemporary agonistic theories and testifies to a conceptual continuity. Agonism, ancient and 'postmodern" alike, consists of confrontational strategies and adversarial acts. Both Ancients and ‘postmoderns' view political conflict as central to democracy. They understand politics as the enactment of public disagreement and dissent. Reminiscent of classical agonism's inclusion of the lower popular social strata into political adversarial contests, 'postmodern' agonism solicits the inclusion of difference and otherness in the public realm. Its call for the politicization of identities echoes ancient agonism's politicization of Narcissus. It incites a multiplicity of particularities and cultures to participate within a common symbolic space and display themselves in the course of public debate and political strife against each other. Notwithstanding these affinities and continuities, the current revival of the agon in political theory does not suggest a nostalgic appeal to a pre-modern Greek past. It does not indicate yet another neo-classical revival. Quite the opposite. I would argue, it represents a 'de-Hellenization’ of agonism, a considerable divestment of its ancient significations and a radical redefinition. At least four broad changes are involved in the post-structural appropriation. Although they do not appear together in all contemporary agonistic theories, they indicate certain of their most vocal and influential properties. First, there is a comprehensive shift regarding the subject of the agon from the individual person to the identity of a group, that is, to a collective entity with a shared sense of existence (but see Deranty and Renault in this volume). ‘Postmodern’ agonism focuses on ‘contending identities' or 'opposing hegemonic projects’ rather than concrete individuals and their narcissistic urges (Connolly 1991, 166: Mouffe 2005, 21). Whereas for the Ancients, the agon was predominantly understood and practised in personalistic idioms, for the contemporary proponents it designates mostly subject positions and relationships of collective identity formation. For instance, Honig (1995,155) writes ‘agonistic feminism also departs from the implied individualism of Arendt’s pariah ... The identities engaged by agonistic feminists are shared, public practices not merely markers of individual personalities.’ After the long-fought battles against the theo-philosophy of the subject and free will, this de-centring of ancient agonism and its disassociation from agonistic individualism should not come as a surprise. Second, and quite predictably, the strong connotations of masculinity and the aesthetics of manliness are denounced and often replaced by an expressivist concept of agonistic subjectivity, with a much greater emphasis on playfulness, virtuosity, acting and gaming ( fully 1999; Huizinga 1950, 11). With the ‘postmoderns', the actor comes to replace the athlete: the dancer and the flute-player supplant the wrestler and the boxer. Equally telling is the purge of the agon from its archaic and classical invocations of heroism. The ‘postmodern’ agon 'does not usually take heroism’ (Connolly 2008, 209); it seeks to be post- or anti-heroic. It does not describe extraordinary acts and exceptional endeavours beyond measure. And although an aesthetical appreciation is still expressed in certain agonistic theories today, something their critics are always eager to point out. it is of an altogether different kind. Neither masculine nor martial, ‘postmodern’ agonism seems at times to indulge in the celebration of diversity, fluid identities and dissension. Third, the concrete outcome of ancient contest, the telos of the agon - to win by defeating one's opponents is almost being displaced in favour of the more abstract notion of disruption, subversion, and perpetual contestation of existing power relations, fixed identities, and closed meanings. Here, the reason for this change could be the anti-teleological current in post-structural thinking, its critique of philosophies of history and its commitment to contingency and indeterminacy. Whereas in antiquity the political agon was intrinsically related to victory and success and as a type of performance it clearly consisted of instrumental and utilitarian significations, in contemporary theories agonism becomes conflated to pure performativity. independently of concrete outcomes. Fourth, the gains or benefits of agonism have also shifted. From a positive contest for greatness, glory and prominence, the agon is mostly converted into a reactive resistance against the negative and anti-political forces of rational consensus, deliberation, neutrality and abstract universalism, often associated to liberal normative discourses. The broader agonistic effects of social admiration and praise are retrofitted and transformed into a struggle for inclusion, recognition and respect (Connolly 1995b, note 40, 235). In certain cases, however, this transfiguration retains some of its past connotations, as for instance in Honig's (1995, 159) suggestion for an alternative reading of ‘distinction\*, which draws nearer to the Ancients: ‘The agonal passion for distinction, which so moved Arendt’s theoretical account, may also be read as a struggle for individuation, for emergence as a distinct self.' These four moves away from ancient democratic agonism suggest a radical re-orientation toward questions of power and culture, identity formation and exclusion. What the anthropological narcissistic drive was for the ancients, identity and its exclusion are for the ‘postmodems\*. Hence, a key theoretical innovation of the ‘postmodern’ accounts is to have brought into attention the relevance of identity and difference to agonistic politics. Agonal democracy, in its various guises, addresses the possibility of constructing a relatively stable, plural and inclusive political order without generating sameness and an oppressive consensus, that is, without eradicating disagreement and contestation in the name of an over-assertive and universal good, it is still participatory and democratic. Politicization and conflict become the vital mechanisms of political inclusion and social integration in the face of pluralism and diversity. The ‘postmodern\* agon provides a relative solution to this predicament as the classical agon was a solution to the conundrum of narcissism and civic virtue, the tension between the drive for pre-eminence and the principle of equality. For contemporary approaches, exclusion represents the main threat to politics. Against this risk, agonistic contest is treated as a force that disturbs, relativizes and de-naturalizes the fixity of established identities, allowing for a more hospitable and inclusive attitude toward the other. Agonistic practices, it is argued, ‘challenge existing distributions of power, disrupt the hegemonic social, and proliferate political spaces when they interrupt the routine, predictability, and repetition on which ... dominant patterns of private realm identity depend' (Honig 1993b, 532; Connolly 1991, 193, 200). Inclusion and respect for the other is the ultimate prize of this kind of agonism and democracy is praised for the space it creates within which a greater expression of identities is realized through their confrontational interactions. ‘Postmodern’ agonism, therefore, expresses the hope that the politicization of difference and the intensification of strife will foster inclusion, secure plurality, and safeguard differences (Honig 1993b, 532; Connolly 2004, 510-11). In its strongest version, agonism cultivates an ethical respect for one's opponent and keeps open the politics of renewal and augmentation. William Connolly expresses this faith better than anyone else, when he asserts that: in a democratic, pluralizing ethos, agents of enactment would exercise a certain forbearance in pressing their claims, and agents of reception would exercise a reciprocal generosity in responding to productions that disrupt what they arc. This agonistic reciprocity is the pathos of distance in politics. (Connolly 1995b, 193; see also, Connolly 2005, 123-8) This optimism is coupled by a dear normative orientation, shared by most agonistic theories today. Democratic agonism does not seek to describe real existing democracies but rather to point at a normative vision. Democracy ought to be a permanent and open-ended contest among identities and particularities struggling over self-affirmation, recognition, inclusion, power distribution and the definition of collective meaning. If one probes deeper, one discovers that this normative ideal is derived from the fundamental value ascribed to the principle of the greatest inclusion of differences, which itself presupposes a particular ontology of life. Life is abundant, plural and rich and so should be the best political regime. This celebration of otherness and the worth of its inclusion in the public realm is perhaps one of the most original aspects of contemporary agonistic theories compared to the Ancients. It is here that the departure from ancient democratic agonism becomes more poignant. I only can briefly clarify certain crucial points of divergence, in need of further elaboration elsewhere. The first pertains to a certain optimism of the ‘postmodern’ agonists that departs significantly from the pessimism that informed ancicnt agonistic culture. This discrepancy is due, I think, to the fact that contemporary theories have disassociated the agon from the logic of winning and losing, of victory and defeat, pain and agony. It is as if no one wins and, respectively, no one loses; or better, for the ‘postmodems’ everybody wins. The experience of defeat is eliminated from the democratic agon and with it the feelings of shame and humiliation, stigmatization and inner exclusion which the ancient agon generated. Also lost is the motivation for victory, with its symbolic pleasures, libidinal investment and civic rewards. Likewise, contemporary discourses on agonism, with the exception of Chantal Mouffe, have done away with the realistic attitude of the Ancients toward the inexorable presence of Narcissus in the human and the individual urge to distinguish oneself from others. It should be reminded that ancient democratic agonism was primarily a form of a necessary, pragmatic accommodation informed by a mytho- philosophical anthropology. It was based on a descriptive understanding of human nature and for this reason it lacked the celebration of otherness that is so central to contemporary approaches. In fact, agonistic theories today assume that conflict will mostly be good and advantageous as they interconnect and bind rivals together and cultivate respect among contending identities. This assumption, however, remains to be proven. What guarantees that conflict will make identities more receptive and respectful to otherness instead of inducing them to an existential entrenchment by closing up on themselves in an effort to defend their views, values, and ways of life, especially when they are confronted with more powerful identities? Disagreement and confrontation might as well accentuate differences by making collective identities better realize what they do not share with others and what unique beliefs and axiological world-views distinguish them from their opponents (Wenman 2003, 172-4). Agonism could as well foster exclusion rather than inclusion. It is not clear, therefore, why conflict destabilizes and challenges the fixity of group identities, encouraging the inclusion of and respect for ethical and cultural differences. Politicization could lead to polarization, the polemization of political contests, to hostility and aggression, and finally to factionalization and violent dissolution (Deveaux 1999, 15; Schaap 2007, 68). This precisely is what many thinkers and historians in the course of Western political theory perceived as the fatal cause of the decline of ancient democracies. For this reason the Ancients developed a complex institutional system, what I described as a counter-narcissistic legal apparatus, to contain the agony of agonism as they were worried about the destructive effects of the agon. The ‘postmoderns’ do not exhibit the same institutional imagination as they primarily share a positive view of political contest and public confrontation. Hence, an institutional and legal deficit is evident in their approaches. Adopting a rather abstract and normative discourse they tend to subordinate political reality and the intricacies of institutional design to philosophical speculation. As a result, the institutionalization of agonal democracy remains an unfulfilled promise (Schaap 2007, 68-9). Finally, by eliminating Narcissus from the agon, ‘postmodern’ theories dispense with a theory of civic motivation like the one developed by the Ancients. Given the fact that the agonistic politics of confrontation and contestation might be quite demanding, arduous and sometimes painful, contemporary perspectives cannot account for those who might chose a more passive, peaceful, and tranquil non- political life. Especially so, when ‘postmodern' agonism endorses plural identities, which means, it accepts a plurality of cultural, ethical and religious groups, some which may not appreciate the political life of the agon as fitting to their particular world-views, values and beliefs. Would then democratic agonism appeal to the superiority of a singular concept of the good, that of the agon, at the detriment of all those identities that opt for a non-agonistic, consensual, even private life (Deveaux 1999, 5; Connolly 2008, 210)? Without the passions of the Narcissus and an appropriate institutional structure that drives individuals to compete and struggle for greatness by participating and accomplishing positive deeds for their political community, ‘postmodern’ theories of agonism face an important challenge: to reconcile the worth of the agon with a plurality of identities that may not be as sympathetic or inclined to confrontational and argumentative politics. These differences between the two kinds of democratic agonism, however, should not be overstated nor projected to the entire range of ‘postmodern’ agonistic theories. In fact, in one particular version the spirit of classical democratic agonism re-asserts itself, even if indirectly and reluctantly. Mere I have in mind Chantal Mouffe’s work, which stands apart from the other theories of agonism although it certainly shares certain central ontological and political attributes. Mouffe’s approach is predominantly pragmatic rather than normative or celebratory and here lies its core affinity with the Ancients and its disagreement with her contemporaries. The value and merit of democratic agonism does not pertain merely to how inclusive it is or how many differences it incorporates into the public sphere. Instead, Mouffe recognizes the inexorable fact of exclusion and its necessary role in consolidating collective identities and political unity. Contrary to other contemporary thinkers of democratic agonism. Mouffe (2005, 15-16) takes seriously the irreducibility of an outside that can neither be fully incorporated, eradicated or repressed. And since there is no objective, transcendental or rational ground to reconcile or overcome differences, antagonism remains ineradicable in political life, an everlasting presence and challenge to politics. For Mouffe, the main task of radical democracy is to allow agonism while taming and containing antagonism. Agonism is precisely what makes possible the conflictual character of politics without falling into a destructive war of all against all. By turning the enemy into an adversary and antagonism into agonism, democracy enables a regulated conflict among competing hegemonic projects to unfold while taming its disruptive and destructive tendencies (Mouffe 2005,20): Envisaged from the point of view of ‘agonistic pluralism', the aim of democratic politics is to construct the ‘them’ in such a way that is no longer perceived as an enemy to be destroyed but as an adversary, that is, somebody whose ideas we combat but whose right to defend those ideas we do not put into question. (Mouffe 2000. 102) Mouffe’s agonistic democracy seeks to avoid both de-politicization and over- politicization in an effort to keep political confrontation alive without being destroyed by it. The agon, which occupies a middle position between deliberative models of rational consensus on the one hand and identity politics on the other, aims at deflating conflicts through inclusion and politicization but without erasing them. Reminiscent of the Ancients’ realism that the narcissistic passion to excel may engulf politics if left to its own devices, Mouffe’s (2005. 21) version is predicated on a similar prudential rule that ‘antagonistic conflicts are less likely to emerge as long as agonistic legitimate political channels for dissenting voices exist’ (but see Breen in this volume). In addition, by directly discussing the role and significance of passions and affects in politics, Mouffe moves closer to the Ancients with her psychoanalytically oriented approach that takes into consideration the libidinal forces of identification, reminiscent of the force of Narcissus. Agonistic democracy acknowledges the libidinal pleasure of identification while it seeks to curb its dangerous and violent impulses. ‘Understood in an agonistic way’, she claims, ‘democratic institutions can contribute to this disarming of the libidinal forces leading towards hostility which are always present in human societies’ (MoufTe 2005, 26). Without the good Eris (agonism/the adversary) there is only a bad Eris (antagonism/the enemy). Agonal plural democracy aims to transform conflict into a form of regulated public contest in order to avoid the eruption of violent antagonisms into politics. Thus, Mouffe’s pragmatic and realist theory of plural c democracy, informed by a similar awareness of the threatening and unpredictable potentialities of the political, retains certain affinities with classical democratic agonism, mediating between Ancients and ‘postmodems’.

### 2ac

#### The ballot should be a referendum on the normative desirability of the 1ac – our method reconizes the inevitability of difference, but channels competition into a recognition of difference

Kalyvas, 09 (Andreas Kalyvas, Associate Professor of Political Science, Department of Politics, The New School for Social Research, Ph.D. Political Science, Columbia University, M.A. Columbia University, B.A. National and Kapodistrian, University of Athens, Greece, “The Democratic Narcissus: The Agonism of the Ancients Compared to that of the (Post)Moderns,” in Law and Agonistic Politics, ed. Andrew Schaap, Ashgate Publishing, 2009, p.31-36, Google Book)

Undoubtedly, the emphasis on disagreement, contestation and strife remains constant in contemporary agonistic theories and testifies to a conceptual continuity. Agonism, ancient and 'postmodern" alike, consists of confrontational strategies and adversarial acts. Both Ancients and ‘postmoderns' view political conflict as central to democracy. They understand politics as the enactment of public disagreement and dissent. Reminiscent of classical agonism's inclusion of the lower popular social strata into political adversarial contests, 'postmodern' agonism solicits the inclusion of difference and otherness in the public realm. Its call for the politicization of identities echoes ancient agonism's politicization of Narcissus. It incites a multiplicity of particularities and cultures to participate within a common symbolic space and display themselves in the course of public debate and political strife against each other. Notwithstanding these affinities and continuities, the current revival of the agon in political theory does not suggest a nostalgic appeal to a pre-modern Greek past. It does not indicate yet another neo-classical revival. Quite the opposite. I would argue, it represents a 'de-Hellenization’ of agonism, a considerable divestment of its ancient significations and a radical redefinition. At least four broad changes are involved in the post-structural appropriation. Although they do not appear together in all contemporary agonistic theories, they indicate certain of their most vocal and influential properties. First, there is a comprehensive shift regarding the subject of the agon from the individual person to the identity of a group, that is, to a collective entity with a shared sense of existence (but see Deranty and Renault in this volume). ‘Postmodern’ agonism focuses on ‘contending identities' or 'opposing hegemonic projects’ rather than concrete individuals and their narcissistic urges (Connolly 1991, 166: Mouffe 2005, 21). Whereas for the Ancients, the agon was predominantly understood and practised in personalistic idioms, for the contemporary proponents it designates mostly subject positions and relationships of collective identity formation. For instance, Honig (1995,155) writes ‘agonistic feminism also departs from the implied individualism of Arendt’s pariah ... The identities engaged by agonistic feminists are shared, public practices not merely markers of individual personalities.’ After the long-fought battles against the theo-philosophy of the subject and free will, this de-centring of ancient agonism and its disassociation from agonistic individualism should not come as a surprise. Second, and quite predictably, the strong connotations of masculinity and the aesthetics of manliness are denounced and often replaced by an expressivist concept of agonistic subjectivity, with a much greater emphasis on playfulness, virtuosity, acting and gaming ( fully 1999; Huizinga 1950, 11). With the ‘postmoderns', the actor comes to replace the athlete: the dancer and the flute-player supplant the wrestler and the boxer. Equally telling is the purge of the agon from its archaic and classical invocations of heroism. The ‘postmodern’ agon 'does not usually take heroism’ (Connolly 2008, 209); it seeks to be post- or anti-heroic. 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Agonal democracy, in its various guises, addresses the possibility of constructing a relatively stable, plural and inclusive political order without generating sameness and an oppressive consensus, that is, without eradicating disagreement and contestation in the name of an over-assertive and universal good, it is still participatory and democratic. Politicization and conflict become the vital mechanisms of political inclusion and social integration in the face of pluralism and diversity. The ‘postmodern\* agon provides a relative solution to this predicament as the classical agon was a solution to the conundrum of narcissism and civic virtue, the tension between the drive for pre-eminence and the principle of equality. For contemporary approaches, exclusion represents the main threat to politics. Against this risk, agonistic contest is treated as a force that disturbs, relativizes and de-naturalizes the fixity of established identities, allowing for a more hospitable and inclusive attitude toward the other. Agonistic practices, it is argued, ‘challenge existing distributions of power, disrupt the hegemonic social, and proliferate political spaces when they interrupt the routine, predictability, and repetition on which ... dominant patterns of private realm identity depend' (Honig 1993b, 532; Connolly 1991, 193, 200). Inclusion and respect for the other is the ultimate prize of this kind of agonism and democracy is praised for the space it creates within which a greater expression of identities is realized through their confrontational interactions. ‘Postmodern’ agonism, therefore, expresses the hope that the politicization of difference and the intensification of strife will foster inclusion, secure plurality, and safeguard differences (Honig 1993b, 532; Connolly 2004, 510-11). In its strongest version, agonism cultivates an ethical respect for one's opponent and keeps open the politics of renewal and augmentation. William Connolly expresses this faith better than anyone else, when he asserts that: in a democratic, pluralizing ethos, agents of enactment would exercise a certain forbearance in pressing their claims, and agents of reception would exercise a reciprocal generosity in responding to productions that disrupt what they arc. This agonistic reciprocity is the pathos of distance in politics. (Connolly 1995b, 193; see also, Connolly 2005, 123-8) This optimism is coupled by a dear normative orientation, shared by most agonistic theories today. Democratic agonism does not seek to describe real existing democracies but rather to point at a normative vision. Democracy ought to be a permanent and open-ended contest among identities and particularities struggling over self-affirmation, recognition, inclusion, power distribution and the definition of collective meaning. If one probes deeper, one discovers that this normative ideal is derived from the fundamental value ascribed to the principle of the greatest inclusion of differences, which itself presupposes a particular ontology of life. Life is abundant, plural and rich and so should be the best political regime. This celebration of otherness and the worth of its inclusion in the public realm is perhaps one of the most original aspects of contemporary agonistic theories compared to the Ancients. It is here that the departure from ancient democratic agonism becomes more poignant. I only can briefly clarify certain crucial points of divergence, in need of further elaboration elsewhere. The first pertains to a certain optimism of the ‘postmodern’ agonists that departs significantly from the pessimism that informed ancicnt agonistic culture. This discrepancy is due, I think, to the fact that contemporary theories have disassociated the agon from the logic of winning and losing, of victory and defeat, pain and agony. It is as if no one wins and, respectively, no one loses; or better, for the ‘postmodems’ everybody wins. The experience of defeat is eliminated from the democratic agon and with it the feelings of shame and humiliation, stigmatization and inner exclusion which the ancient agon generated. Also lost is the motivation for victory, with its symbolic pleasures, libidinal investment and civic rewards. Likewise, contemporary discourses on agonism, with the exception of Chantal Mouffe, have done away with the realistic attitude of the Ancients toward the inexorable presence of Narcissus in the human and the individual urge to distinguish oneself from others. It should be reminded that ancient democratic agonism was primarily a form of a necessary, pragmatic accommodation informed by a mytho- philosophical anthropology. It was based on a descriptive understanding of human nature and for this reason it lacked the celebration of otherness that is so central to contemporary approaches. In fact, agonistic theories today assume that conflict will mostly be good and advantageous as they interconnect and bind rivals together and cultivate respect among contending identities. This assumption, however, remains to be proven. What guarantees that conflict will make identities more receptive and respectful to otherness instead of inducing them to an existential entrenchment by closing up on themselves in an effort to defend their views, values, and ways of life, especially when they are confronted with more powerful identities? Disagreement and confrontation might as well accentuate differences by making collective identities better realize what they do not share with others and what unique beliefs and axiological world-views distinguish them from their opponents (Wenman 2003, 172-4). Agonism could as well foster exclusion rather than inclusion. It is not clear, therefore, why conflict destabilizes and challenges the fixity of group identities, encouraging the inclusion of and respect for ethical and cultural differences. Politicization could lead to polarization, the polemization of political contests, to hostility and aggression, and finally to factionalization and violent dissolution (Deveaux 1999, 15; Schaap 2007, 68). This precisely is what many thinkers and historians in the course of Western political theory perceived as the fatal cause of the decline of ancient democracies. For this reason the Ancients developed a complex institutional system, what I described as a counter-narcissistic legal apparatus, to contain the agony of agonism as they were worried about the destructive effects of the agon. The ‘postmoderns’ do not exhibit the same institutional imagination as they primarily share a positive view of political contest and public confrontation. Hence, an institutional and legal deficit is evident in their approaches. Adopting a rather abstract and normative discourse they tend to subordinate political reality and the intricacies of institutional design to philosophical speculation. As a result, the institutionalization of agonal democracy remains an unfulfilled promise (Schaap 2007, 68-9). Finally, by eliminating Narcissus from the agon, ‘postmodern’ theories dispense with a theory of civic motivation like the one developed by the Ancients. Given the fact that the agonistic politics of confrontation and contestation might be quite demanding, arduous and sometimes painful, contemporary perspectives cannot account for those who might chose a more passive, peaceful, and tranquil non- political life. Especially so, when ‘postmodern' agonism endorses plural identities, which means, it accepts a plurality of cultural, ethical and religious groups, some which may not appreciate the political life of the agon as fitting to their particular world-views, values and beliefs. Would then democratic agonism appeal to the superiority of a singular concept of the good, that of the agon, at the detriment of all those identities that opt for a non-agonistic, consensual, even private life (Deveaux 1999, 5; Connolly 2008, 210)? Without the passions of the Narcissus and an appropriate institutional structure that drives individuals to compete and struggle for greatness by participating and accomplishing positive deeds for their political community, ‘postmodern’ theories of agonism face an important challenge: to reconcile the worth of the agon with a plurality of identities that may not be as sympathetic or inclined to confrontational and argumentative politics. These differences between the two kinds of democratic agonism, however, should not be overstated nor projected to the entire range of ‘postmodern’ agonistic theories. In fact, in one particular version the spirit of classical democratic agonism re-asserts itself, even if indirectly and reluctantly. Mere I have in mind Chantal Mouffe’s work, which stands apart from the other theories of agonism although it certainly shares certain central ontological and political attributes. Mouffe’s approach is predominantly pragmatic rather than normative or celebratory and here lies its core affinity with the Ancients and its disagreement with her contemporaries. The value and merit of democratic agonism does not pertain merely to how inclusive it is or how many differences it incorporates into the public sphere. Instead, Mouffe recognizes the inexorable fact of exclusion and its necessary role in consolidating collective identities and political unity. Contrary to other contemporary thinkers of democratic agonism. Mouffe (2005, 15-16) takes seriously the irreducibility of an outside that can neither be fully incorporated, eradicated or repressed. And since there is no objective, transcendental or rational ground to reconcile or overcome differences, antagonism remains ineradicable in political life, an everlasting presence and challenge to politics. For Mouffe, the main task of radical democracy is to allow agonism while taming and containing antagonism. Agonism is precisely what makes possible the conflictual character of politics without falling into a destructive war of all against all. By turning the enemy into an adversary and antagonism into agonism, democracy enables a regulated conflict among competing hegemonic projects to unfold while taming its disruptive and destructive tendencies (Mouffe 2005,20): Envisaged from the point of view of ‘agonistic pluralism', the aim of democratic politics is to construct the ‘them’ in such a way that is no longer perceived as an enemy to be destroyed but as an adversary, that is, somebody whose ideas we combat but whose right to defend those ideas we do not put into question. (Mouffe 2000. 102) Mouffe’s agonistic democracy seeks to avoid both de-politicization and over- politicization in an effort to keep political confrontation alive without being destroyed by it. The agon, which occupies a middle position between deliberative models of rational consensus on the one hand and identity politics on the other, aims at deflating conflicts through inclusion and politicization but without erasing them. Reminiscent of the Ancients’ realism that the narcissistic passion to excel may engulf politics if left to its own devices, Mouffe’s (2005. 21) version is predicated on a similar prudential rule that ‘antagonistic conflicts are less likely to emerge as long as agonistic legitimate political channels for dissenting voices exist’ (but see Breen in this volume). In addition, by directly discussing the role and significance of passions and affects in politics, Mouffe moves closer to the Ancients with her psychoanalytically oriented approach that takes into consideration the libidinal forces of identification, reminiscent of the force of Narcissus. Agonistic democracy acknowledges the libidinal pleasure of identification while it seeks to curb its dangerous and violent impulses. ‘Understood in an agonistic way’, she claims, ‘democratic institutions can contribute to this disarming of the libidinal forces leading towards hostility which are always present in human societies’ (MoufTe 2005, 26). Without the good Eris (agonism/the adversary) there is only a bad Eris (antagonism/the enemy). Agonal plural democracy aims to transform conflict into a form of regulated public contest in order to avoid the eruption of violent antagonisms into politics. Thus, Mouffe’s pragmatic and realist theory of plural c democracy, informed by a similar awareness of the threatening and unpredictable potentialities of the political, retains certain affinities with classical democratic agonism, mediating between Ancients and ‘postmodems’.

#### We control uniqueness – progressive lawyering is becoming increasingly obsolete – the 1ac’s tactical deliberation and appropriation centers debate on the features necessary to combat injustice as it pertains to drones and more broadly

Hansford, 13 [Justin Hansford is an African American Assistant Professor at Saint Louis University School of Law, Nelson Mandela: The Lawyer’s Ideal, , http://criticallegalthinking.com/2013/12/06/nelson-mandela-lawyers-ideal/]

Today [Ed: 5 Dec] marks the loss not only of one of the greatest figures of the 20th cen­tury, but also one of the greatest lawyers. Most would readily agree that Mandela was a great leader and a great statesman. Indeed, I still re­member when as a child I watched on TV with tears of joy as Nelson Mandela danced at his in­aug­ur­a­tion, vic­torious. Not only was Mandela able to add dignity to the struggle for racial justice and save count­less lives by averting civil war and helping to create a democratic South Africa, but ad­di­tion­ally he has been able to in­spire people all over the world with the ex­ample of his life. But as a lawyer? Mandela opened the first black law firm in South Africa in 1952 with his friend, Oliver Tambo. As Mandela re­counts in his auto­bi­o­graphy A Long Walk to Freedom, during that time, it was a crime for blacks to drink at a Whites Only water foun­tain, walk on a Whites Only beach, or ride on a Whites Only bus. Because of Apartheid laws, everyday Black South Africans often ended up in court in need of legal rep­res­ent­a­tion. Not only were the white law firms often too ex­pensive for Blacks, but Mandela found out through his own in­vest­ig­a­tion that many of the blue-​chip firms “charged Africans even higher fees for crim­inal and civil cases than they did their far wealthier white cli­ents.”1 By focusing on providing legal representation for Africans who may have oth­er­wise entered court without proper rep­res­ent­a­tion, Mandela and Tambo served as a sort of legal aid and public de­fender wrapped into one, ful­filling the core mis­sion of the legal pro­fes­sion by providing ac­cess to justice. After spending nearly a decade honing his law­yerly tal­ents in­side the con­fines of the courtroom, Mandela per­haps as well as any lawyer in the 20th cen­tury translated the core competencies of the legal profession into the political project of helping to create a democratic South Africa. As a leader of the African National Congress, Mandela eagerly participated in both strategic and tactical deliberations with his ANC col­leagues, helping to craft the political and legal ideas that would one day drag a country kicking and screaming from the brink of civil war to the aspiration of truth and re­con­cili­ation. And after emer­ging from 27 years of im­pris­on­ment at the hands of the Apartheid gov­ern­ment, Mandela mi­ra­cu­lously sought peace and demo­cracy without bitterness with the same Afrikaner regime that had locked him in a cage for a quarter century, during the prime of his life, be­cause of his polit­ical beliefs. Mandela’s heroism sat­is­fies a very old standard of law­yerly ex­cel­lence. Twenty years ago, Anthony Kronman, then Dean of Yale Law School, fam­ously be­**moaned the lost ideals of the legal profession** embodied by the demise of the concept of the lawyer-​statesman. Kronman de­scribed the lawyer statesman as a lawyer who not only honed his legal craft but also pur­sued the art of great statesmanship, thereby right­fully earning the re­spect of the com­munity and the re­spect of him­self. The art of great states­man­ship entailed two qualities, “ex­traordinary devotion” to the public good, and “wisdom in deliberating about it.”2 This would tend to support wise judg­ment, which on the per­sonal level would lead to in­teg­rity and in the public sphere would lead to the pro­mo­tion of polit­ical fra­ternity, or “empathic pluralism-Historically, the lawyer statesman ideal had many shortcomings — most notably its narrow con­fine­ment to the con­fines of the white, male, elite white shoe law firm law­yers. But Mandela, more than any of those coddled law­yers, em­bodied the lawyer-​statesman ideal while sim­ul­tan­eously shattering its limitations — from the grass­roots to the prison cell to the pres­id­ency. During a cen­tury that saw the public’s opinion of the legal pro­fes­sion steadily de­crease, Mandela’s repu­ta­tion rose. He is per­haps the most re­spected person of our times. However, few have re­cog­nized that the values that Mandela put his life on the line for-​democracy, human rights, and the rule of law — are the highest values of the legal pro­fes­sion, shared by many law­yers around the world. In all like­li­hood, Mandela’s life in the law played a sig­ni­ficant role in the form­a­tion of his char­acter as the greatest man in the world. In 2013, it is no longer either real­istic or de­sir­able to re­vive the old ver­sion of the lawyer-​statesman ideal. **Law schools are having more difficulty attracting students**, as drastic shrinkage of the big-​law market has made it less likely that a young stu­dent can jus­tify going into six-​figure debt for the op­por­tunity to be­come a white-​shoe lawyer statesman or states­woman. At the same time, the need for law­yers who can help low-​income people with bank­ruptcy and fore­closure work has increased, and the des­perate need to help people navigate the over­loaded criminal justice system has not waned either. Finally, all of this eco­nomic stress has con­trib­uted to seismic frac­tures in our society’s so­cial fabric, bol­stering both the rise of ex­tremism in do­mestic politics and in­ter­na­tional ter­rorism on a global level. Recognizing Mandela as the ideal lawyer is the type of reorientation that would high­light the real tan­gible goods that lawyers can contribute to society today, including the ability to help provide access to justice and create civic cohesion. Nelson Mandela’s image should re­place the image of the scales or of lady justice as the iconic image of the legal profession.

#### Focusing on form over content risks producing a genocidalpolitics

Lawrence J. Biskowski 95 – PROFESSOR OF POLITICAL SCIENCE --- assistant professor of political science, University of Georgia, “Politics versus Aesthetics: Arendt's Critiques of Nietzsche and Heidegger,” The Review of Politics, Vol. 57, No. 1, Winter, 1995

Compelling explorations of the more tyrannical aspects of instrumental and subject-centered reason, moral systems based upon intrinsic purposes or teloi, grand narratives, and the like have led thinkers in the Nietzschean tradition to embrace aesthetics as a paradigm for thinking about the self and its various relationships to itself, to others, and to the world. Aesthetic ways of thinking appear to many contemporary theorists to be the best alternative—in some cases the sole alternative—to the instrumental or technological logics increasingly pervading virtually all other spheres of modern life, to the problematic assumptions and hidden violence of various "command" and neo-Kantian moral theories, and to the transcendental egoism of attempts to anchor identity in various perceptions of natural law, intrinsic purpose, or potential consensus. But this shift to aesthetics seems to require a radical departure from previous means of understanding human interaction and orienting ourselves in the world. Thus, to take an extreme, seemingly bizarre, but nevertheless illustrative example, Jean Baudrillard insists that "we live everywhere already in an '[a]esthetic' hallucination of reality."9 Everything, "even if it be the everyday and banal reality, falls by this token under the sign of art, and becomes [a]esthetic."10 The attractions of aesthetic thinking in a world still recovering from its metaphysical hangover—and still largely lacking in alternatives and curatives—are enormous. Indeed, as Lawrence Scaff puts it, aesthetics and aesthetic ways of thinking seem to have invaded everywhere, now threatening to subordinate independent orders, such as the ethical or political, to its own standards and forms. Aesthetic indifference to "substance" and an overriding concern with the perfection of "form" encourage a kind of action and judgment oriented toward impression, rhythm, tempo, gesture, symbolization— in a word, toward style." The criteria and logics of aesthetics expand to fill the roles formerly filled by the criteria and logics associated with now-discredited or putatively obsolete institutions, practices, traditions, moral systems, and religions. Concern with style follows from the accession of a public life based largely on image and increasingly devoid of any other sense of reality for many people. The leap to Baudrillard's insistence that we live in an "aesthetic hallucination of reality" is a surprisingly short one. Style, however, is not beauty. Even aesthetics—insofar as it was formerly concerned with supposedly objective, public, or at least widely shared standards of beauty—is undermined among contemporary intellectuals by the same radical historicism which, by undermining other logics, institutions, understandings, and so forth, provided the conditions for its expansion and elevation. Standards of beauty are no more objective and universal than standards of justice, virtue, and truth; their adoption is always an imposition underwritten by some manifestation of power. With all such public standards discredited, individuals are thrown back on themselves or, rather, on their will and, more typically, on their impulses, as their only grounds for practical choices. Coupled with an increasing recognition of how identity is formed and stabilized, this experience leads to a diminished sense of the unity and consistency of the self,12 which in turn leads to the enormous surge in interest among contemporary theorists in the politics of identity, the nature of the self, and the political and moral implications of a de-centered subjectivity. Thus in at least some significant respects, and for good or for ill, the aestheticism being proffered in somewhat different ways in both public and intellectual life is an aestheticism of self-fascination and self-absorption. The self, understood as a multiplicity, must be at the center of all authentic choices and values (which may, of course, be contradicted at any time), or the criteria for such choices at least should come from within. Moral or aesthetic or political criteria imposed upon the individual from the outside cannot be legitimate. Of paramount concern, therefore, are the forces of external coercion, including, especially, the surreptitious and intrusive socialization technologies by which the self and its various understandings and values have heretofore been shaped, and the means by which these technologies may be overcome so that one may finally be free to be what one authentically is, if indeed one believes this goal remains within the realm of the possible. This turn inward and toward the self, surely the product of liberating insights, is not without its dangers. To the extent that the aesthetic supersession of morality means that individuals are thrown back on themselves or their impulses as their only grounds for practical choices, they are left in a state of indeterminacy and unfreedom, ultimately unable to determine even their own identities except in one rather limited way. In the absence of legitimate moral criteria of any source or kind, they are in effect controlled by changing whims and arbitrary impulses; they confront other people and the world in much the same way that a sculptor confronts a block of marble, that is, as (at least) potential sources of aesthetic enjoyment, as potential sources of resistance to the realization of one's projects), and ultimately as something that exists solely or mainly as a medium for self-expression. As Hegel described an earlier version of this doctrine: [t]his type of subjectivism not merely substitutes a void for the whole of ethics, rights, duties, and laws...but in addition its form is a subjective void, i.e., it knows itself as this contentless void and in this knowledge knows itself as absolute.13 For Hegel, freedom under these conditions was emptied of all direction and purpose. Perhaps more startling yet are the other political (and moral) implications: Laws, rights, duties, and obligations, but also people, institutions, things, and the world itself can become our playthings, little more than media for our impulses and caprices lionized as self-expression.

#### The permutations strategy is preferable – focus on both form and content avoids problems with one o the other

Douglas Kellner 3, George F. Kneller Philosophy of Education Chair in the Graduate School of Education at UCLA, Baudrillard: A New McLuhan?, Illuminations, 2003, http://www.uta.edu/huma/illuminations/kell26.htm

Yet doubts remain as to whether the media are having quite the impact that Baudrillard ascribes to them and whether his theory provides adequate concepts to analyze the complex interactions between media, culture, and society today. In this section, I shall suggest that Baudrillard's media theory is vitiated by three subordinations which undermine its theoretical and political usefulness and which raise questions as well about the status of postmodern social theory. I shall suggest that the limitations in Baudrillard's theory can be related to his uncritical assumption of certain positions within McLuhan's media theory and that therefore earlier critiques of McLuhan can accurately and usefully be applied to Baudrillard. This critique will suggest that indeed Baudrillard is a "new McLuhan" who has repackaged McLuhan into new postmodern cultural capital. First, in what might be called a formalist subordination, Baudrillard, like McLuhan, privileges the form of media technology over what might be called the media apparatus, and thus subordinates content, meaning, and the use of media to its purely formal structure and effects. Baudrillard -- much more so than McLuhan who at least gives some media history and analysis of the media environment -- tends to abstract media form and effects from the media environment and thus erases political economy, media production, and media environment (i.e. society as large) from his theory. Against abstracting media form and effects from context, I would argue that the use and effects of media should be carefully examined and evaluated in terms of specific contexts. Distinctions between context and use, form and content, media and reality, all dissolve, however, in Baudrillard's one-dimensional theory where global theses and glib pronouncements replace careful analysis and critique. Baudrillard might retort that it is the media themselves which abstract from the concreteness of everyday, social, and political life and provide abstract simulacra of actual events which themselves become more real than "the real" which they supposedly represent. Yet even if this is so, media **analysis should** attempt to recontextualize media images and simulacra rather than merely focusing onthe surface of media form. Furthermore, instead of operating with a model of (formal) media effects, I would argue that it is preferable to operate with a dialectical perspective which posits multiple roles and functions to television and other media. Another problem is that Baudrillard's formalism vitates the project of ideology critique, and against his claims that media content are irrelevant and unimportant, I would propose grasping the dialectic of form and content in media communication, seeing how media forms constitute content and how content is always formed or structured, while forms themselves can be ideological, as when the situation comedy form of conflict/resolution projects an ideological vision which shows all problems easily capable of being resolved within the existing society, or when action-adventure series formats of violent conflict as the essence of reality project a conservative view of human life as a battleground where only the fittest survive and prosper.[12] For a dialectical theory of the media, television would have multiple functions (and potential decodings) where sometimes the ideological effects may be predominant while at other times time functions a medium like television functions as mere noise or through the merely formal effects which Baudrillard puts at the center of his analysis. Consequently, there is no real theory or practice of cultural interpretation in Baudrillard's media (increasingly anti-)theory, which also emanates an anti-hermeneutical bias **that denies the importance of content** and is against interpretation.[13] This brings us to a second subordination in Baudrillard's theory in which a more dialectical position is subordinated to media essentialism and technological determinism. For -- according to Baudrillard -- it is the technology of, say, television that determines its effects (one-way transmission, semiurgy, implosion, extermination of meaning and the social) rather than any particular content or message (i.e. for both Baudrillard and McLuhan "the media is the message"), or its construction or use within specific social systems. For Baudrillard, media technology and semiurgy are the demiurges of media practices and effects, separated from their uses by specific economic and political interests, individuals and groups, and the social systems within which they function. Baudrillard thus abstracts media from social systems and essentializes media technology as dominant social forces. Yet against Baudrillard, one could argue that capital continues to be a primary determinant of media form and content in neo-capitalist societies just as state socialism helps determine the form, nature, and effects of technologies in certain state socialist societies.

#### their role of the ballot calcifies antagonism by privileging who says something, rather than what is being said

Moore, 99 [John prof @ Cambridge with Johan Muller, University of Cape Town “The Discourse of Voice and the Problem of Knowledge and Identity in the Sociology of Education,” British Journal of Sociology of Education 20 (2) p. 199-200]

The pedagogic device (Bernstein, 1990) of voice discourse promotes a methodology in which the explication of a method's social location precludes the need to examine the content of its data as grounds for valid explanation. Who says it is what counts, not what is said. This approach favours an ethnography that claims to reveal the cultural specificity of the category--the 'voice' of membership. What is held to be the facts, to be the case, is only so-and can only be so-from a particular perspective. The world thus viewed is a patchwork of incommensurable and exclusive voices or standpoints. Through the process of sub-division, increasingly more particularised identity categories come into being, each claiming the unique specificity of its distinctive experience and the knowledge authorised by it. The consequence of the abolition of the knowledge boundary that follows from the epistemological theses of postmodernism is the increasing specialisation of social categories (see Maton, 1998). Maton describes this process of proliferation in terms of the way such 'knower' discourses, ... base their legitimation upon the privileged insight of a knower, and work at maintaining strong boundaries around their definition of this knower-they celebrate difference where 'truth' is defined by the 'knower' or 'voice'. As each voice is brought into the choir, the category of the privileged 'knower' becomes smaller, each strongly bounded from one another, for each 'voice' has its own privileged and specialised knowledge. The client 'knower' group thus fragments, each fragment with its own representative ... The procession of the excluded thus becomes, in terms of the privileged 'knower', an accretion of adjectives, the 'hyphenation' which knower modes often proclaim as progress. In summary, with the emergence of each new category of knower, the categories of knowers become smaller, leading to proliferation and fragmentation within the knowledge formation. (ibid., p. 17) As Maton argues, this move promotes a fundamental change in the principle of legitimation-from what is known (and how) to who knows it. The device that welds knowledge to standpoint, voice and experience, produces a result that is inherently unstable, because the anchor for the voice is an interior authenticity that can never be demonstrated, only claimed (Taylor, 1992; Siegel, 1997; Fuss, 1990, 1995). Since all such claims are power claims, the authenticity of the voice is constantly prone to a purifying challenge, 'If you do not believe it you are not one of us' (Hammersly & Gomm, 1997, para. 3.3) that gears down to ever more rarefied specialisations or iterations of the voice category; an unstoppable spiral that Bernstein (1997, p. 176) has referred to as the 'shrinking of the moral imagination [10]. As Bernstein puts it, 'The voice of a social category (academic discourse, gender subject, occupational subject) is constructed by the degree of specialisation of the discursive rules regulating and legitimising the form of communication' (1990, p.23). If categories of either agents or discourse are specialised, then each category necessarily has its own specific identity and its own specific boundaries. The speciality of each category is created, maintained and reproduced only if the relations between the categories of which a given category is a member are preserved. What is to be preserved? The insulation between the categories. It is the strength of the insulation that creates a space in which a category can become specific. If a category wishes to increase its specificity, it has to appropriate the means to produce the necessary insulation that is the prior condition to its appropriating specificity. (ibid.) Collection codes employ an organisation of knowledge to specialise categories of person, integrated codes employ an organisation of persons to specialise categories of knowledge (Bernstein, 1977, pp. 106-111). The instability of the social categories associated with voice discourse reflects the fact that there is no stable and agreed-upon way of constructing such categories. By their nature, they are always open to contestation and further fragmentation. In principle, there is no terminal point where 'identities' can finally come to rest. It is for this reason that this position can reappear so frequently across time and space within the intellectual field-the same move can be repeated endlessly under the disguise of 'difference'. In Bernstein's terms, the organisation of knowledge is, most significantly, a device for the regulation of consciousness. The pedagogic device is thus a symbolic ruler of consciousness in its selective creation, positioning and oppositioning of pedagogic subjects. It is the con- dition for the production, reproduction, and transformation of culture. The question is: whose ruler, what consciousness? (1990, p. 189) The relativistic challenge to epistemologically grounded strong classifications of knowledge removes the means whereby social categories and their relations can be strongly theorised and effectively researched in a form that is other than arbitrary and can be challenged by anyone choosing to assert an alternative perspective or standpoint.

#### Our argument isn’t that identity isn’t important, but that using a situated perspective as a starting point for politics misidentifies sources of oppression and magnifies constraints on agency

Tonn, 05 [Mari, Associate Professor of Communication and Maryland, “Taking Conversation, Dialogue, and Therapy Public ,” Rhetoric & Public Affairs 8.3 (2005) 405-430]

Approaching public controversies through a conversational model informed by therapy also enables political inaction in two respects. First, an open-ended process lacking mechanisms for closure thwarts progress toward resolution. As Freeman writes of consciousness raising, an unstructured, informal discussion [End Page 418] "leaves people with no place to go and the lack of structure leaves them with no way of getting there."70 Second, **the** therapeutic **impulse to** emphasize the self as both problem and solution ignores structural impediments **constraining** individual **agency**. "Therapy," Cloud argues, "offers consolation rather than compensation, individual adaptation rather than social change, and an experience of politics that is impoverished in its isolation from structural critique and collective action." Public discourse emphasizing healing and coping, she claims, "locates blame and responsibility for solutions in the private sphere."71 Clinton's Conversation on Race not only exemplified the frequent wedding of public dialogue and therapeutic themes but also illustrated the failure of a conversation-as-counseling model to achieve meaningful social reform. In his speech inaugurating the initiative, Clinton said, "Basing our self-esteem on the ability to look down on others is not the American way . . . Honest dialogue will not be easy at first . . . Emotions may be rubbed raw, but we must begin." Tempering his stated goal of "concrete solutions" was the caveat that "power cannot compel" racial "community," which "can come only from the human spirit."72 Following the president's cue to self-disclose emotions, citizens chiefly aired personal experiences and perspectives during the various community dialogues. In keeping with their talk-show formats, the forums showcased what Orlando Patterson described as "performative 'race' talk," "public speech acts" of denial, proclamation, defense, exhortation, and even apology, in short, performances of "self" that **left** **little room for productive public argument**.73 Such personal evidence overshadowed the "facts" and "realities" Clinton also had promised to explore, including, for example, statistics on discrimination patterns in employment, lending, and criminal justice or expert testimony on cycles of dependency, poverty, illegitimacy, and violence. Whereas Clinton had encouraged "honest dialogue" in the name of "responsibility" and "community," Burke argues that "The Cathartic Principle" often produces the reverse. "[C]onfessional," he writes, "contains in itself a kind of 'personal irresponsibility,' as we may even relieve ourselves of private burdens by befouling the public medium." More to the point, "a thoroughly 'confessional' art may enact a kind of 'individual salvation at the expense of the group,'" performing a "sinister function, from the standpoint of overall-social necessities."74 Frustrated observers of the racial dialogue—many of them African Americans—echoed Burke's concerns. Patterson, for example, noted, "when a young Euro-American woman spent nearly five minutes of our 'conversation' in Martha's Vineyard . . . publicly confessing her racial insensitivities, she was directly unburdening herself of all sorts of racial guilt feeling. There was nothing to argue about."75 Boston Globe columnist Derrick Z. Jackson invoked the game metaphor communication theorists often link to [End Page 419] skills in conversation,76 voicing suspicion of a talking cure for racial ailments that included neither exhaustive racial data nor concrete goals. "The game," wrote Jackson, "is to get 'rid' of responsibility for racism while doing nothing to solve it."77

#### This proves our aff is offense against their role of the ballot – prevents the conversation from being steered towards communal outcomes like the aff

Levasseur, 01 [Assistant Professor of Communication Studies at West Chester University in West Chester, Pennsylvania. (David, Egocentric Argument and the Public Sphere: Citizen Deliberations on Public Policy and Policymakers, Rhetoric & Public Affairs 4.3 (2001) 407-43, Muse]

While the personal narratives from participants in the study certainly seemed to spark enthusiasm, such engagement came at a significant cost. As with other forms of egocentric argument, narratives that focus on the self are largely unable to steer the conversation towards more transcendent communal outcomes. A group discussion in Ohio reveals this characteristic of personal narratives. In this particular discussion, participants actively debated the issue of whether government should support labor unions: M1: I don't think the unions are going to be wiped out, first of all. And I'm not a proponent of unions. I'm basically anti-union, okay? . . . However, by the same token, unions have got to work the same way in being fair to companies, and I've seen situations where unions, because of some of the things they did, were a disgrace. Perry Power Plant--I know people who were told to go hide--I have nothing to do--go hide. That's WRONG! Okay, I've seen situations where a person, because he's in the union and he has this job classification, then he can't do anything else and he's sitting there for six and a half of his eight hours because he's only needed to do these two things, but he's got to be there because nobody else can do it because the unions state that you've got to have a person to do this and a person to do this and so on. M2: Well, that's his trade though. What do you do? M1: I'm an accountant but I do a lot of other things other than just accounting things. M2: Well, what if somebody came in and tried to take your job--take your livelihood? Something you've trained for, you're second, third generation of this particular . . . M1: Yeah, but I can't be allowed to sit around for six and a half hours out of the eight hours when I could be doing something else but I can't do it because . . . M2: No, that's not my point. [End Page 414] M1: Well, that's my point! If I could do something productive to help the company to help me to help the workers the other six and a half hours, but I'm not allowed to do that because that's not my job classification. Then I'm qualified, I can do it, but I'm not allowed. . . . M2: What about prevailing wage with unions? M1: What do you mean? M2: Well, usually non-union companies are--they gauge their pay scale to union companies with prevailing wage. So if one day, if the prevailing wage with union companies--if it falls and it's gone, then what do you think will happen to the rest of the wages? When the union prevailing wage is wiped out? In this discussion, participants actively debated the issue of whether government should support labor unions; however, they reached no mutual conclusions on the value of labor unions. Divergent opinions were shared, but no attempt at consensus building regarding the role of unions in the economy occurred. Consensus was difficult because when one focuses on self-experience, it is difficult to transcend those experiences. While the conversation raised a number of points on behalf of unions, the anti-union storyteller continued to return to his story. Habermas argues that the public sphere should constitute a discursive space where individuals "transcend the provinciality of their spatiotemporal contexts"--a space where citizens engage in "context transcending validity claims." 39 When citizens ground public policy discussions in personal narratives, they generally fail to transcend the limitations of their personal lives and move to a broader social outlook. It is also interesting to note that in this exchange about unions the personal narrative goes unchallenged. Rhetorical theorists have long recognized that narratives are susceptible to the charge of ungeneralizable evidence. For instance, Richard Whatley observed that one must take care in constructing arguments from examples, because examples are perceived as "exceptions to a general rule" and "will not prove the probability of the conclusion.

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40 While such a perception may prove fatal in debates between experts in the technical sphere, they do not seem to have much impact in the deliberative practices of ordinary citizens. In the foregoing exchange, one participant recounted his personal experiences with union workers at the Perry Power Plant. He told the story of union workers who spent endless hours in idleness or in hiding. While one could certainly challenge the generalizability of such a story, the other group members did not offer such challenges. Instead, a pro-union participant shifted the ground of the debate to the alternative issue of "prevailing wage," where the discussion died. Perhaps such personal narratives are difficult to challenge because they establish expertise. Recent scholarly outcry suggests that experts have usurped the public [End Page 415] sphere. 41 Such lamentations are grounded in the fear that technical expertise undermines citizen deliberation by devaluing citizens' views. While this incursion by technical expertise did find its way into the group discussions (citizens citing outside "expert" sources), personally grounded expertise, such as the credibility established in the following exchange from a group in California, appeared far more often: M1: I think they should really look into the military spending. That is just amazing. I was in the military, and it's just a waste. People just rot in the military. It's just amazing how much unnecessary money is used in the military, and how many people that shouldn't have jobs are in the military. M2: That's the Republican job program. M3: I think you can say that about any government organization. In this exchange, a participant recounted his personal experience in the military. With the simple statement, "I was in the military," he established expertise in this realm of public affairs. Just as technical expertise quells discussion, personal expertise has similar effects. In this case, the assertion that "people rot in the military" went unchallenged, and the discussion of military spending quickly came to an end. Such personal credibility may also be less assailable than technical expertise because of its deeply personal nature. Arguments grounded in technical expertise can be challenged for their failure to satisfy certain argumentation standards within a specialized argument field. For instance, a social scientist's findings could be challenged based on a flaw in experimental design. Such a challenge takes issue with the findings; it does not fundamentally take issue with the individual. On the other hand, a challenge to one's lived experience is easily perceived as a challenge to one's life or to one's character. Such challenges can only suggest that one is disingenuous in his or her storytelling or that one's lived experience falls outside the norm. Such challenges seem out of place in a culture grounded in a liberal political tradition that suggests that one should not judge others. 42

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#### Speed is a skill like any other and it’s necessary in debate because politics is inevitably technical—rejecting it as Eurocentric is the logic of ignoring fine print and pretending values and policies are separate

**Lerner 2012** – poet, novelist, essayist, and critic, winner of the Hayden Carruth prize (October, Ben, Harpers, “Contest of Words: High school debate and the demise of public speech”, http://harpers.org/archive/2012/10/contest-of-words/?single=1&src=longreads&utm\_source=buffer&buffer\_share=b1dd3)

I’m not interested here in attempting to present these various activities in their considerable internal complexity but rather in noting the fearful symmetry between the ideological compartmentalization of high school debate and what passes for our national political discourse. It almost outpaces parody: in the year of my birth—the year of the Iranian Revolution, the year before “the Great Communicator” thrashed Carter in a televised debate by dismissing points of fact (“There you go again”) and focusing on framing—Phillips Petroleum helped formalize the sundering of values from policy in high school interscholastic debate. The parallel isn’t perfect, but it’s undeniable: the **supposedly disinterested policy wonks** debate the intricacies of health care or financial regulation in a jargon designed to be inaccessible to the uninitiated while the more presidential speakers test out plainspoken value claims on “lay judges,” i.e., civilians. And this division was underwritten by petrodollars. High school L–D is infinitely more intelligent than our actual presidential debates, and I’m not claiming policy debaters never made an argument about right and wrong, but I can’t believe that the existence of a corporately sponsored separation of value and policy in high school debate can be separated from that separation in the political culture at large.

One of the most common criticisms I’ve heard of the spread was that it detached Policy Debate from the real world, that nobody used language the way policy debaters did, except maybe auctioneers or rappers. Those are **significant exceptions**, but I’d also note that corporate persons use a version of the spread all the time: think of the spoken warnings at the end of television commercials for prescription drugs, when risk information is disclosed at a speed designed to make it difficult to comprehend. Or think about all the various forms of “fine print” one receives from financial institutions and health-insurance companies; the last thing you’re supposed to do with those hundreds of thousands of words is comprehend them. These types of disclosure are designed to conceal; they expose you to information that, should you challenge the institution in question, will be treated like a “dropped argument” in a fast round of debate—you have already conceded the validity of the point by failing to address it when it was presented. It’s no excuse that you didn’t have the time. Americans are always getting “spread” in their daily lives. Meanwhile our politicians speak very, very slowly about **values utterly disconnected from** their **policies**.

#### C) This is aff offense—proves we have performed our pedagogy and that they should too

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If I have recognized the spread in drug warnings and financial doublespeak, where the corporate use of language approaches the absurd, where the shell of a communicative form is used to foreclose communication, I have also recognized it in forms of poetry that deliberately push us to confront the contingency and craziness of our culture’s use and abuse of words. When I participated in fast debate or caught the rhythm of freestyle or Extemp or discovered in the act of poetic composition energies I did not possess prior to the activity of writing, I was making contact, however briefly, with the generative, transpersonal powers of language. When I was in my Dillard’s suit spewing arguments in a largely empty school, when I was a belligerent little wankster rhyming in a basement, when I was an ignorant undergrad abandoning the clichés of my macho midwestern romanticism for the clichés of poetic vanguardism, I was, in all my preposterousness, **responding** to a very real crisis: the standardization of landscape and culture, a national **separation of value and policy**, an impoverished political discourse (“There you go again”) that served to naturalize our particular cultural insanity. I was a privileged young subject—white, male, middle class—of an empire in which every available identity was a lie, but when I felt the language breaking down as I spoke it—as it spoke me—I felt, amid a general sense of doom, that other worlds were possible.