# 1NC

## Cap

### 1nc

#### Basing politics on the gratuitous violence usurps understanding of political economy—this legitimizes neoliberal ideology and mystifies class antagonism

Adolph Reed 13, professor of political science at the University of Pennsylvania and a member of the interim national council of the Labor Party. Django Unchained, or, The Help: How “Cultural Politics” Is Worse Than No Politics at All, and Why, http://nonsite.org/feature/django-unchained-or-the-help-how-cultural-politics-is-worse-than-no-politics-at-all-and-why

In both films the bogus happy endings are possible only because they characterize their respective regimes of racial hierarchy in the superficial terms of interpersonal transactions. In *The Help* segregationism’s evil was small-minded bigotry and lack of sensitivity; it was more like bad manners than oppression. In Tarantino’s vision, slavery’s definitive injustice was its **gratuitous** and sadistic brutalization and sexualized degradation. Malevolent, ludicrously arrogant whites owned slaves most conspicuously to degrade and torture them. Apart from serving a formal dinner in a plantation house—and Tarantino, the Chance the Gardener of American filmmakers (and Best Original Screenplay? Really?) seems to draw his images of plantation life from Birth of a Nation and Gone With the Wind, as well as old Warner Brothers cartoons—and the Mandingo fighters and comfort girls, Tarantino’s slaves do no actual work at all; they’re present only to be brutalized. In fact, the cavalier sadism with which owners and traders treat them belies the fact that slaves were, **first and foremost, capital investments.** It’s not for nothing that New Orleans has a monument to the estimated 20,000-30,000 antebellum Irish immigrants who died constructing the New Basin Canal; slave labor was **too valuable** for such lethal work.

*The Help* trivializes Jim Crow by reducing it to its most superficial features and irrational extremes. The master-servant nexus was, and is, a labor relation. And the problem of labor relations particular to the segregationist regime wasn’t employers’ bigoted lack of respect or failure to hear the voices of the domestic servants, or even benighted refusal to recognize their equal humanity. It was that the labor relation was structured within and sustained by a political and institutional order that severely impinged on, when it didn’t altogether deny, black citizens’ avenues for pursuit of grievances and standing before the law. The crucial lynchpin of that order was neither myopia nor malevolence; it was suppression of black citizens’ capacities for direct participation in civic and political life, with racial disfranchisement and the constant threat of terror intrinsic to substantive denial of equal protection and due process before the law as its principal mechanisms. And the point of the regime wasn’t racial hatred or enforced disregard; its roots lay in the **much more prosaic concern** of dominant elites to maintain their political and economic hegemony by suppressing potential opposition and in the linked ideal of maintaining access to a labor force with no options but to accept employment on whatever terms employers offered. (Those who liked *The Help* or found it moving should watch *The Long Walk Home*, a 1990 film set in Montgomery, Alabama, around the bus boycott. I suspect that’s the film you thought you were watching when you saw The Help.)

*Django Unchained* trivializes slavery by reducing it to its most barbaric and lurid excesses. Slavery also was fundamentally a labor relation. It was a form of forced labor regulated—systematized, enforced and sustained—through a political and institutional order that specified it as a civil relationship granting owners absolute control over the life, liberty, and fortunes of others defined as eligible for enslavement, including most of all control of the conditions of their labor and appropriation of its product. Historian Kenneth M. Stampp quotes a slaveholder’s succinct explanation: “‘For what purpose does the master hold the servant?’ asked an ante-bellum Southerner. ‘Is it not that by his labor, he, the master, may accumulate wealth?’”1

That absolute control permitted horrible, unthinkable brutality, to be sure, **but perpetrating such brutality was neither the point of slavery nor its essential injustice**. The master-slave relationship could, and did, exist without brutality, and certainly without sadism and sexual degradation. In Tarantino’s depiction, however, it is not clear that slavery shorn of its extremes of brutality would be objectionable. It does not diminish the historical injustice and horror of slavery to note that it was **not the product of *sui generis*, transcendent Evil but a terminus on a continuum of bound labor** that was more norm than exception in the Anglo-American world until well into the eighteenth century, if not later. As legal historian Robert Steinfeld points out, it is not so much slavery, but the emergence of the notion of free labor—as the absolute control of a worker over her person—that is the historical anomaly that needs to be explained.2 *Django Unchained* sanitizes the essential injustice of slavery by not problematizing it and by **focusing instead** on the extremes of brutality and degradation it permitted, to the extent of making some of them up, just as does *The Help* regarding Jim Crow.

*The Help* could not imagine a more honest and complex view of segregationist Mississippi partly because it uses the period ultimately as a prop for human interest cliché, and *Django Unchained*’s absurdly ahistorical view of plantation slavery is only backdrop for the merger of spaghetti western and blaxploitation hero movie. Neither film is really about the period in which it is set. Film critic Manohla Dargis, reflecting a decade ago on what she saw as a growing Hollywood penchant for period films, observed that such films are typically “stripped of politics and historical fact…and instead will find meaning in appealing to seemingly timeless ideals and stirring scenes of love, valor and compassion” and that “the Hollywood professionals who embrace accuracy most enthusiastically nowadays are costume designers.”3 That observation applies to both these films, although in *Django* concern with historically accurate representation of material culture applies only to the costumes and props of the 1970s film genres Tarantino wants to recall.

To make sense of how *Django Unchained* has received so much warmer a reception among black and leftoid commentators than did *The Help*, it is useful to recall Margaret Thatcher’s 1981 dictum that “economics are the method: the object is to change the soul.”4 Simply put, she and her element have won. Few observers—among opponents and boosters alike—have noted how deeply and thoroughly both films are embedded in the practical ontology of neoliberalism, the complex of unarticulated assumptions and unexamined first premises that provide its common sense, its lifeworld.

Objection to *The Help* has been largely of the shooting fish in a barrel variety: complaints about the film’s paternalistic treatment of the maids, which generally have boiled down to an objection that the master-servant relation is thematized at all, as well as the standard, predictable litany of anti-racist charges about whites speaking for blacks, the film’s inattentiveness to the fact that at that time in Mississippi black people were busily engaged in liberating themselves, etc. An illustration of this tendency that conveniently refers to several other variants of it is Akiba Solomon, “Why I’m Just Saying No to ‘The Help’ and Its Historical Whitewash” in Color Lines,August 10, 2011, available at:http://colorlines.com/archives/2011/08/why\_im\_just\_saying\_no\_to\_the\_help.html.

Defenses of Django Unchained pivot on claims about the social significance of the narrative of a black hero. One node of this argument emphasizes the need to validate a history of autonomous black agency and “resistance” as a politico-existential desideratum. It accommodates a view that stresses the importance of recognition of rebellious or militant individuals and revolts in black American history. Another centers on a notion that exposure to fictional black heroes can inculcate the sense of personal efficacy necessary to overcome the psychological effects of inequality and to facilitate upward mobility and may undermine some whites’ negative stereotypes about black people. In either register assignment of social or political importance to depictions of black heroes rests on presumptions about the nexus of mass cultural representation, social commentary, and racial justice that are more significant politically than the controversy about the film itself.

In both versions, this argument casts political and economic problems in psychological terms. Injustice appears as a matter of disrespect and denial of due recognition, and the remedies proposed—which are all about images projected and the distribution of jobs associated with their projection—look a lot like self-esteem engineering. Moreover, nothing could indicate more strikingly the extent of neoliberal ideological hegemony than the idea that the mass culture industry and its representational practices constitute a meaningful terrain for struggle to advance egalitarian interests. It is possible to entertain that view seriously only by ignoring the fact that the production and consumption of mass culture is thoroughly embedded in capitalist material and ideological imperatives.

That, incidentally, is why I prefer the usage “mass culture” to describe this industry and its products and processes, although I recognize that it may seem archaic to some readers. The mass culture v. popular culture debate dates at least from the 1950s and has continued with occasional crescendos ever since.5 For two decades or more, instructively in line with the retreat of possibilities for concerted left political action outside the academy, the popular culture side of that debate has been dominant, along with its view that the products of this precinct of mass consumption capitalism are somehow capable of transcending or subverting their material identity as commodities, if not avoiding that identity altogether. Despite the dogged commitment of several generations of American Studies and cultural studies graduate students who want to valorize watching television and immersion in hip-hop or other specialty market niches centered on youth recreation and the most ephemeral fads as both intellectually avant-garde and politically “resistive,” it should be time to admit that that earnest disposition is intellectually shallow and an ersatz politics. The idea of “popular” culture posits a spurious autonomy and organicism that actually affirm mass industrial processes by effacing them, especially in the putatively rebel, fringe, or underground market niches that depend on the fiction of the authentic to announce the birth of new product cycles.

The power of the hero is a cathartic trope that connects mainly with the sensibility of adolescent boys—of whatever nominal age. Tarantino has allowed as much, responding to black critics’ complaints about the violence and copious use of “nigger” by proclaiming “Even for the film’s biggest detractors, I think their children will grow up and love this movie. I think it could become a rite of passage for young black males.”6 This response stems no doubt from Tarantino’s arrogance and opportunism, and some critics have denounced it as no better than racially presumptuous. But he is hardly alone in defending the film with an assertion that it gives black youth heroes, is generically inspirational or both. Similarly, in a January 9, 2012 interview on the Daily Show, George Lucas adduced this line to promote his even more execrable race-oriented live-action cartoon, Red Tails, which, incidentally, trivializes segregation in the military by reducing it to a matter of bad or outmoded attitudes. The ironic effect is significant understatement of both the obstacles the Tuskegee airmen faced and their actual accomplishments by rendering them as backdrop for a blackface, slapped-together remake of Top Gun. (Norman Jewison’s 1984 film, A Soldier’s Story, adapted from Charles Fuller’s A Soldier’s Play, is a much more sensitive and thought-provoking rumination on the complexities of race and racism in the Jim Crow U.S. Army—an army mobilized, as my father, a veteran of the Normandy invasion, never tired of remarking sardonically, to fight the racist Nazis.) Lucas characterized his film as “patriotic, even jingoistic” and was explicit that he wanted to create a film that would feature “real heroes” and would be “inspirational for teenage boys.” Much as Django Unchained’s defenders compare it on those terms favorably to Lincoln, Lucas hyped Red Tails as being a genuine hero story unlike “Glory, where you have a lot of white officers running those guys into cannon fodder.”

Of course, the film industry is sharply tilted toward the youth market, as Lucas and Tarantino are acutely aware. But Lucas, unlike Tarantino, was not being defensive in asserting his desire to inspire the young; he offered it more as a boast. As he has said often, he’d wanted for years to make a film about the Tuskegee airmen, and he reports that he always intended telling their story as a feel-good, crossover inspirational tale. Telling it that way also fits in principle (though in this instance not in practice, as Red Tails bombed at the box office) with the commercial imperatives of increasingly degraded mass entertainment.

Dargis observed that the ahistoricism of the recent period films is influenced by market imperatives in a global film industry. The more a film is tied to historically specific contexts, the more difficult it is to sell elsewhere. That logic selects for special effects-driven products as well as standardized, decontextualized and simplistic—“universal”—story lines, preferably set in fantasy worlds of the filmmakers’ design. As Dargis notes, these films find their meaning in shopworn clichés puffed up as timeless verities, including uplifting and inspirational messages for youth. But something else underlies the stress on inspiration in the black-interest films, which shows up in critical discussion of them as well.

All these films—The Help, Red Tails, Django Unchained, even Lincoln and Glory—make a claim to public attention based partly on their social significance beyond entertainment or art, and they do so because they engage with significant moments in the history of the nexus of race and politics in the United States. There would not be so much discussion and debate and no Golden Globe, NAACP Image, or Academy Award nominations for The Help, Red Tails, or Django Unchained if those films weren’t defined partly by thematizing that nexus of race and politics in some way.

The pretensions to social significance that fit these films into their particular market niche don’t conflict with the mass-market film industry’s imperative of infantilization because those pretensions are only part of the show; they are little more than empty bromides, product differentiation in the patter of “seemingly timeless ideals” which the mass entertainment industry constantly recycles. (Andrew O’Hehir observes as much about Django Unchained, which he describes as “a three-hour trailer for a movie that never happens.”7) That comes through in the defense of these films, in the face of evidence of their failings, that, after all, they are “just entertainment.” Their substantive content is ideological; it is their contribution to the naturalization of neoliberalism’s ontology as they propagandize its universalization across spatial, temporal, and social contexts.

Purportedly in the interest of popular education cum entertainment, Django Unchained and The Help, and Red Tails for that matter, read the sensibilities of the present into the past by divesting the latter of its specific historicity. They reinforce the sense of the past as generic old-timey times distinguishable from the present by superficial inadequacies—outmoded fashion, technology, commodities and ideas—since overcome. In The Help Hilly’s obsession with her pet project marks segregation’s petty apartheid as irrational in part because of the expense rigorously enforcing it would require; the breadwinning husbands express their frustration with it as financially impractical. Hilly is a mean-spirited, narrow-minded person whose rigid and tone-deaf commitment to segregationist consistency not only reflects her limitations of character but also is economically unsound, a fact that further defines her, and the cartoon version of Jim Crow she represents, as irrational.

The deeper message of these films, insofar as they deny the integrity of the past, is that there is no thinkable alternative to the ideological order under which we live. This message is reproduced throughout the mass entertainment industry; it shapes the normative reality even of the fantasy worlds that masquerade as escapism. Even among those who laud the supposedly cathartic effects of Django’s insurgent violence as reflecting a greater truth of abolition than passage of the Thirteenth Amendment, few commentators notice that he and Broomhilda attained their freedom through a market transaction.8 This reflects an ideological hegemony in which students all too commonly wonder why planters would deny slaves or sharecroppers education because education would have made them more productive as workers. And, tellingly, in a glowing rumination in the Daily Kos, Ryan Brooke inadvertently thrusts mass culture’s destruction of historicity into bold relief by declaiming on “the segregated society presented” in Django Unchained and babbling on—with the absurdly ill-informed and pontifical self-righteousness that the blogosphere enables—about our need to take “responsibility for preserving racial divides” if we are “to put segregation in the past and fully fulfill Dr. King’s dream.”9 It’s all an indistinguishable mush of bad stuff about racial injustice in the old-timey days. Decoupled from its moorings in a historically specific political economy, slavery becomes at bottom a problem of race relations, and, as historian Michael R. West argues forcefully, “race relations” emerged as and has remained a discourse that substitutes etiquette for equality.10

This is the context in which we should take account of what “inspiring the young” means as a justification for those films. In part, the claim to inspire is a simple platitude, more filler than substance. It is, as I’ve already noted, both an excuse for films that are cartoons made for an infantilized, generic market and an assertion of a claim to a particular niche within that market. More insidiously, though, the ease with which “inspiration of youth” rolls out in this context resonates with three related and disturbing themes: 1) underclass ideology’s narratives—now all Americans’ common sense—that link poverty and inequality most crucially to (racialized) cultural inadequacy and psychological damage; 2) the belief that racial inequality stems from prejudice, bad ideas and ignorance, and 3) the cognate of both: the neoliberal rendering of social justice as equality of opportunity, with an aspiration of creating “competitive individual minority agents who might stand a better fighting chance in the neoliberal rat race rather than a positive alternative vision of a society that eliminates the need to fight constantly against disruptive market whims in the first place.”11

This politics seeps through in the chatter about Django Unchained in particular. Erin Aubry Kaplan, in the Los Angeles Times article in which Tarantino asserts his appeal to youth, remarks that the “most disturbing detail [about slavery] is the emotional violence and degradation directed at blacks that effectively keeps them at the bottom of the social order, a place they still occupy today.” Writing on the Institute of the Black World blog, one Dr. Kwa David Whitaker, a 1960s-style cultural nationalist, declaims on Django’s testament to the sources of degradation and “unending servitude [that] has rendered [black Americans] almost incapable of making sound evaluations of our current situations or the kind of steps we must take to improve our condition.”12 In its blindness to political economy, this notion of black cultural or psychological damage as either a legacy of slavery or of more indirect recent origin—e.g., urban migration, crack epidemic, matriarchy, babies making babies—comports well with the reduction of slavery and Jim Crow to interpersonal dynamics and bad attitudes. It substitutes a “politics of recognition” and a patter of racial uplift for politics and underwrites a conflation of political action and therapy.

With respect to the nexus of race and inequality, this discourse supports victim-blaming programs of personal rehabilitation and self-esteem engineering—inspiration—as easily as it does multiculturalist respect for difference, which, by the way, also feeds back to self-esteem engineering and inspiration as nodes within a larger political economy of race relations. Either way, this is a discourse that displaces a politics challenging social structures that reproduce inequality with concern for the feelings and characteristics of individuals and of categories of population statistics reified as singular groups that are equivalent to individuals. This discourse has made it possible (again, but more sanctimoniously this time) to characterize destruction of low-income housing as an uplift strategy for poor people; curtailment of access to public education as “choice”; being cut adrift from essential social wage protections as “empowerment”; and individual material success as socially important role modeling.

Neoliberalism’s triumph is affirmed with unselfconscious clarity in the ostensibly leftist defenses of Django Unchained that center on the theme of slaves’ having liberated themselves. Trotskyists, would-be anarchists, and psychobabbling identitarians have their respective sectarian garnishes: Trotskyists see everywhere the bugbear of “bureaucratism” and mystify “self-activity;” anarchists similarly fetishize direct action and voluntarism and oppose large-scale public institutions on principle, and identitarians romanticize essentialist notions of organic, folkish authenticity under constant threat from institutions. However, all are indistinguishable from the nominally libertarian right in their disdain for government and institutionally based political action, which their common reflex is to disparage as inauthentic or corrupt.

#### Cap’s the root cause of racial oppression and makes extinction inevitable

Peter Mclaren 4, Education and Urban Schooling Division prof, UCLA—and Valerie Scatamburlo-D'Annibale; University of Windsor, Educational Philosophy and Theory, Vol. 36, No. 2, 2004, [www.freireproject.org/articles/node%2065/RCGS/class\_dismissed-val-peter.10.pdf](http://www.freireproject.org/articles/node%2065/RCGS/class_dismissed-val-peter.10.pdf)

For example, E. San Juan (2003) argues that race relations and race conﬂict are necessarily structured by the larger totality of the political economy of a given society, as well as by modiﬁcations in the structure of the world economy. He further notes that the capitalist mode of production has articulated ‘race’ with class in a peculiar way. He too is worth a substantial quotation:

While the stagnation of rural life imposed a racial or castelike rigidity to the peasantry, the rapid accumulation of wealth through the ever more intensifying exploitation of labor by capital could not so easily ‘racialize’ the wage-workers of a particular nation, given the alienability of labor power—unless certain physical or cultural characteristics can be utilized to divide the workers or render one group an outcast or pariah removed from the domain of ‘free labor.’ In the capitalist development of U.S. society, African, Mexican, and Asian bodies—more precisely, their labor power and its reproductive efﬁcacy—were colonized and racialized; hence the idea of ‘internal colonialism’ retains explanatory validity. ‘Race’ is thus constructed out of raw materials furnished by class relations, the history of class conﬂicts, and the vicissitudes of colonial/capitalist expansion and the building of imperial hegemony. It is dialecticallyaccented and operationalized not just to differentiate the price of wagelabor within and outside the territory of the metropolitan power, but alsoto reproduce relations of domination–subordination invested with an auraof naturality and fatality. The refunctioning of physical or cultural traits as ideological and political signiﬁers of class identity reiﬁes social relations. Such ‘racial’ markers enter the ﬁeld of the alienated laborprocess, concealing the artiﬁcial nature of meanings and norms, and essentializing or naturalizing historical traditions and values which are contingent on mutable circumstances.

For San Juan, racism and nationalism are modalities in which class struggles articulate themselves at strategic points in history. He argues thatracism arose with thecreation and expansion of the capitalist world economy. He maintains, rightly in our view, that racial or ethnic group solidarity is given ‘meaning and value in terms of theirplace within the social organization ofproduction and reproduction of the ideological-political order; ideologies of racism as collective social evaluation of solidarities arise to reinforce structural constraints which preserve the exploited and oppressed position of these “racial” solidarities’.

It is remarkable, in our opinion, that so much of contemporary social theory has largely abandoned the problems of labor, capitalist exploitation, and class analysis at a time when capitalism is becoming more universal, more ruthless and more deadly. The metaphor of a contemporary ‘tower of Babel’ seems appropriate here—academics striking radical poses in the seminar rooms while remaining oblivious to the possibility that their seemingly radical discursive maneuvers do nothing to further the struggles ‘against oppression and exploitation which continue to be real, material, and not merely “discursive” problems of the contemporary world’ (Dirlik, 1997, p. 176). Harvey (1998, pp. 29–31) indicts the new academic entrepreneurs, the ‘masters of theory-in-and-for-itself’ whose ‘discourse radicalism’ has deftly side-stepped ‘the enduring conundrums of class struggle’ and who have, against a ‘sobering background of cheapened discourse and opportunistic politics,’ been ‘stripped of their self-advertised radicalism.’ For years, they ‘contested socialism,’ ridiculed Marxists, and promoted ‘their own alternative theories of liberatory politics’ but now they have largely been ‘reduced to the role of supplicants in the most degraded form of pluralist politics imaginable.’ As they pursue the politics of difference, the ‘class war rages unabated’ and they seem ‘either unwilling or unable to focus on the unprecedented economic carnage occurring around the globe.’

Harvey’s searing criticism suggests that post-Marxists have been busy ﬁddling while Rome burns and his comments echo those made by Marx (1978, p. 149) in his critique of the Young Hegelians who were, ‘in spite of their allegedly “worldshattering” statements, the staunchest conservatives.’ Marx lamented that the Young Hegelians were simply ﬁghting ‘phrases’ and that they failed to acknowledge that in offering only counter-phrases, they were in no way ‘combating the real existing world’ but merely combating the phrases of the world. Taking a cue from Marx and substituting ‘phrases’ with ‘discourses’ or ‘resigniﬁcations’ we would contend that the practitioners of difference politics who operate within exaggerated culturalist frameworks that privilege the realm of representation as the primary arena of political struggle question some discourses of power while legitimating others. Moreover, because they lack a class perspective, their gestures of radicalism are belied by their own class positions.10 As Ahmad (1997a, p. 104) notes:

One may speak of any number of disorientations and even oppressions, but one cultivates all kinds of politeness and indirection about the structure of capitalist class relations in which those oppressions are embedded. To speak of any of that directly and simply is to be ‘vulgar.’ In this climate of Aesopian languages it is absolutely essential to reiterate that most things are a matter of class. That kind of statement is … surprising only in a culture like that of the North American university … But it is precisely in that kind of culture that people need to hear such obvious truths.

Ahmad’s provocative observations imply that substantive analyses of the carnage wrought by ‘globalized’ class exploitation have, for the most part, been marginalized by the kind of radicalism that has been instituted among the academic Left in North America. He further suggests that while various post-Marxists have invited us to join their euphoric celebrations honoring the decentering of capitalism, the abandonment of class politics, and the decline of metanarratives (particularly those of Marxism and socialism), they have failed to see that the most ‘meta of all metanarratives of the past three centuries, the creeping annexation of the globe for the dominance of capital over laboring humanity has met, during those same decades, with stunning success’ (Ahmad, 1997b, p. 364). As such, Ahmad invites us to ask anew, the proverbial question: What, then, must be done? To this question we offer no simple theoretical, pedagogical or political prescriptions. Yet we would argue that if social change is the aim, progressive educators and theorists must cease displacing class analysis with the politics of difference.

Conclusion … we will take our stand against the evils [of capitalism, imperialism, and racism] with a solidarity derived from a proletarian internationalism born of socialist idealism. —National Ofﬁce of the Black Panther Party, February 1970

For well over two decades we have witnessed the jubilant liberal and conservative pronouncements of the demise of socialism. Concomitantly, history’s presumed failure to defang existing capitalist relations has been read by many self-identiﬁed ‘radicals’ as an advertisement for capitalism’s inevitability. As a result, the chorus refrain ‘There Is No Alternative’, sung by liberals and conservatives, has been buttressed by the symphony of post-Marxist voices recommending that we give socialism a decent burial and move on. Within this context, to speak of the promise of Marx and socialism may appear anachronistic, even naïve, especially since the post-al intellectual vanguard has presumably demonstrated the folly of doing so. Yet we stubbornly believe that the chants of T.I.N.A. must be combated for they offer as a fait accompli, something which progressive Leftists should refuse to accept—namely the triumph of capitalism and its political bedfellow neo-liberalism, which have worked together to naturalize suffering, undermine collective struggle, and obliterate hope. We concur with Amin (1998), who claims that such chants must be deﬁed and revealed as absurd and criminal, and who puts the challenge we face in no uncertain terms: humanity may let itself be led by capitalism’s logic to a fate of collective suicide or it may pave the way for an alternative humanist project of global socialism.

The grosteque conditions that inspired Marx to pen his original critique of capitalism are present and ﬂourishing. The inequalities of wealth and the gross imbalances of power that exist today are leading to abuses that exceed those encountered in Marx’s day (Greider, 1998, p. 39). Global capitalism has paved the way for the obscene concentration of wealth in fewer and fewer hands and created a world increasingly divided between those who enjoy opulent afﬂuence and those who languish in dehumanizing conditions and economic misery. In every corner of the globe, we are witnessing social disintegration as revealed by a rise in abject poverty and inequality. At the current historical juncture, the combined assets of the 225 richest people is roughly equal to the annual income of the poorest 47 percent of the world’s population, while the combined assets of the three richest people exceed the combined GDP of the 48 poorest nations (CCPA, 2002, p. 3). Approximately 2.8 billion people—almost half of the world’s population—struggle in desperation to live on less than two dollars a day (McQuaig, 2001, p. 27). As many as 250 million children are wage slaves and there are over a billion workers who are either un- or under-employed. These are the concrete realities of our time—realities that require a vigorous class analysis, an unrelenting critique of capitalism and an oppositional politics capable of confronting what Ahmad (1998, p. 2) refers to as ‘capitalist universality.’ They are realities that require something more than that which is offered by the prophets of ‘difference’ and post-Marxists who would have us relegate socialism to the scrapheap of history and mummify Marxism along with Lenin’s corpse. Never before has a Marxian analysis of capitalism and class rule been so desperately needed. That is not to say that everything Marx said or anticipated has come true, for that is clearly not the case. Many critiques of Marx focus on his strategy for moving toward socialism, and with ample justiﬁcation; nonetheless Marx did provide us with fundamental insights into class society that have held true to this day. Marx’s enduring relevance lies in his indictment of capitalism which continues to wreak havoc in the lives of most. While capitalism’s cheerleaders have attempted to hide its sordid underbelly, Marx’s description of capitalism as the sorcerer’s dark power is even more apt in light of contemporary historical and economic conditions. Rather than jettisoning Marx, decentering the role of capitalism, and discrediting class analysis, radical educators must continue to engage Marx’s oeuvre and extrapolate from it that which is useful pedagogically, theoretically, and, most importantly, politically in light of the challenges that confront us.

#### Refuse their ethical criteria—it insulates protest from accountability and trades off with collective struggle—especially true for war

David Chandler 7, Researcher @ Centre for the Study of Democracy, Centre for the Study of Democracy, Westminster, Area, Vol. 39, No. 1, p. 118-119

This disjunction between the human/ethical/global causes of post-territorial political activism and the capacity to 'make a difference' is what makes these individuated claims immediately abstract and metaphysical – there is no specific demand or programme or attempt to build a collective project. This is the politics of symbolism. The rise of symbolic activism is highlighted in the increasingly popular framework of 'raising awareness'– here there is no longer even a formal connection between ethical activity and intended outcomes (Pupavac 2006). Raising awareness about issues has replaced even the pretense of taking responsibility for engaging with the world – the act is ethical in-itself. Probably the most high profile example of awareness raising is the shift from Live Aid, which at least attempted to measure its consequences in fund-raising terms, to Live 8 whose goal was solely that of raising an 'awareness of poverty'. The struggle for 'awareness' makes it clear that the focus of symbolic politics is the individual and their desire to elaborate upon their identity – to make us aware of their 'awareness', rather than to engage us in an instrumental project of changing or engaging with the outside world. It would appear that in freeing politics from the constraints of territorial political community there is a danger that political activity is freed from any constraints of social mediation(see further, Chandler 2004a). Without being forced to test and hone our arguments, or even to clearly articulate them, we can rest on the radical 'incommunicability' of our personal identities and claims – you are 'either with us or against us'; engaging with those who disagree is no longer possible or even desirable. It is this lack of desire to engage which most distinguishes the unmediated activism of post-territorial political actors from the old politics of territorial communities, founded on struggles of collective interests (Chandler 2004b). The clearest example is old representational politics – this forced engagement in order to win the votes of people necessary for political parties to assume political power. Individuals with a belief in a collective programme knocked on strangers' doors and were willing to engage with them, not on the basis of personal feelings but on what they understood were their potential shared interests. Few people would engage in this type of campaigning today; engaging with people who do not share our views, in an attempt to change their minds, is increasingly anathema and most people would rather share their individual vulnerabilities or express their identities in protest than attempt to argue with a peer. This paper is not intended to be a nostalgic paean to the old world of collective subjects and national interests or a call for a revival of territorial state-based politics or even to reject global aspirations: quite the reverse. Today, politics has been 'freed' from the constraints of territorial political community – governments without coherent policy programmes do not face the constraints of failure or the constraints of the electorate in any meaningful way; activists, without any collective opposition to relate to, are free to choose their causes and ethical identities; protest, from Al Qaeda, to anti-war demonstrations, to the riots in France, is inchoate and atomized. When attempts are made to formally organize opposition, the ephemeral and incoherent character of protest is immediately apparent.

#### Political critique is necessary to break the cycle of vengeance and guilt that locks us into permanent positions of perpetrators and victims

Enns 12—Professor of Philosophy at McMaster University (Dianne, The Violence of Victimhood, 28-30)

Guilt and Ressentiment We need to think carefully about what is at stake here. Why is this perspective appealing, and what are its effects? At first glance, the argument appears simple: white, privileged women, in their theoretical and practical interventions, must take into account the experiences and conceptual work of women who are less fortunate and less powerful, have fewer resources, and are therefore more subject to systemic oppression. The lesson of feminism's mistakes in the civil rights era is that this “mainstream” group must not speak for other women. But such a view must be interrogated. Its effects, as I have argued, include a veneration of the other, moral currency for the victim, and an insidious competition for victimhood. We will see in later chapters that these effects are also common in situations of conflict where the stakes are much higher. ¶ We witness here a twofold appeal: otherness discourse in feminism appeals both to the guilt of the privileged and to the resentment, or ressentiment, of the other. Suleri's allusion to “embarrassed privilege” exposes the operation of guilt in the misunderstanding that often divides Western feminists from women in the developing world, or white women from women of color. The guilt of those who feel themselves deeply implicated in and responsible for imperialism merely reinforces an imperialist benevolence, polarizes us unambiguously by locking us into the categories of victim and perpetrator, and blinds us to the power and agency of the other. Many fail to see that it is embarrassing and insulting for those identified as victimized others not to be subjected to the same critical intervention and held to the same demands of moral and political responsibility. Though we are by no means equal in power and ability, wealth and advantage, we are all collectively responsible for the world we inhabit in common. The condition of victimhood does not absolve one of moral responsibility. I will return to this point repeatedly throughout this book.¶ Mohanty's perspective ignores the possibility that one can become attached to one's subordinated status, which introduces the concept of ressentiment, the focus of much recent interest in the injury caused by racism and colonization. Nietzsche describes ressentiment as the overwhelming sentiment of “slave morality,” the revolt that begins when ressentiment itself becomes creative and gives birth to values. 19 The sufferer in this schema seeks out a cause for his suffering—“ a guilty agent who is susceptible to suffering”— someone on whom he can vent his affects and so procure the anesthesia necessary to ease the pain of injury. The motivation behind ressentiment, according to Nietzsche, is the desire “to deaden, by means of a more violent emotion of any kind, a tormenting, secret pain that is becoming unendurable, and to drive it out of consciousness at least for the moment: for that one requires an affect, as savage an affect as possible, and, in order to excite that, any pretext at all.” 20 In its contemporary manifestation, Wendy Brown argues that ressentiment acts as the “righteous critique of power from the perspective of the injured,” which “delimits a specific site of blame for suffering by constituting sovereign subjects and events as responsible for the ‘injury’ of social subordination.” Identities are fixed in an economy of perpetrator and victim, in which revenge, rather than power or emancipation, is sought for the injured, making the perpetrator hurt as the sufferer does. 21¶ 30¶ Such a concept is useful for understanding why an ethics of absolute responsibility to the other appeals to the victimized. Brown remarks that, for Nietzsche, the source of the triumph of a morality rooted in ressentiment is the denial that it has any access to power or contains a will to power. Politicized identities arise as both product of and reaction to this condition; the reaction is a substitute for action— an “imaginary revenge,” Nietzsche calls it. Suffering then becomes a social virtue at the same time that the sufferer attempts to displace his suffering onto another. The identity created by ressentiment, Brown explains, becomes invested in its own subjection not only through its discovery of someone to blame, and a new recognition and revaluation of that subjection, but also through the satisfaction of revenge. 22¶ The outcome of feminism's attraction to theories of difference and otherness is thus deeply contentious. First, we witness the further reification reification of the very oppositions in question and a simple reversal of the focus from the same to the other. This observation is not new and has been made by many critics of feminism, but it seems to have made no serious impact on mainstream feminist scholarship or teaching practices in women's studies programs. Second, in the eagerness to rectify the mistakes of “white, middle-class, liberal, western” feminism, the other has been uncritically exalted, which has led in turn to simplistic designations of marginal, “othered” status and, ultimately, a competition for victimhood. Ultimately, this approach has led to a new moral code in which ethics is equated with the responsibility of the privileged Western woman, while moral immunity is granted to the victimized other. Ranjana Khanna describes this operation aptly when she writes that in the field of transnational feminism, the reification of the other has produced “separate ethical universes” in which the privileged experience paralyzing guilt and the neocolonized, crippling resentment. The only “overarching imperative” is that one does not comment on another's ethical context. An ethical response turns out to be a nonresponse. 23 Let us turn now to an exploration of this third outcome.

#### Prefer boring politics—key to prevent criticism from being an end in itself

Thomas Frank 12, author of What's the Matter with Kansas? and editor of The Baffler "To the Precinct Station: How theory met practice …and drove it absolutely crazy" http://www.thebaffler.com/past/to\_the\_precinct\_station

Occupy itself is pretty much gone. It was evicted from Zuccotti Park about two months after it began—an utterly predictable outcome for which the group seems to have made inadequate preparation. OWS couldn’t bring itself to come up with a real set of demands until after it got busted, when it finally agreed on a single item. With the exception of some residual groups here and there populated by the usual activist types, OWS has today pretty much fizzled out. The media storm that once surrounded it has blown off to other quarters.

Pause for a moment and compare this record of accomplishment to that of Occupy’s evil twin, the Tea Party movement, and the larger right-wing revival of which it is a part. Well, under the urging of this trumped-up protest movement, the Republican Party proceeded to ***win a majority in the U.S. House of Representatives***; in the state legislatures of the nation it ***took some six hundred seats*** from the Democrats; as of this writing it is still ***purging Republican senators and congressmen*** deemed insufficiently conservative and has even succeeded in ***having one of its own named as the GOP’s vice-presidential candidate***.

\*  \*  \*

*T*he question that the books under consideration here seek to answer is: What is the magic formula that made OWS so successful? But it’s exactly the wrong question. What we need to be asking about Occupy Wall Street is: Why did this effort fail? How did OWS blow all the promise of its early days? Why do even the most popular efforts of the Left come to be mired in a gluey swamp of academic talk and pointless antihierarchical posturing?

The action certainly started with a bang. When the occupation of Zuccotti Park began, in September 2011, the OWS cause was overwhelmingly popular; indeed, as Todd Gitlin points out, hating Wall Street may well have been the most popular left-wing cause since the thirties. Inequality had reached obscene levels, and it was no longer the act of a radical to say so. The bank bailouts of the preceding years had made it obvious that government was captured by organized money. Just about everyone resented Wall Street in those days; just about everyone was happy to see someone finally put our fury in those crooks’ overpaid faces. People flocked to the OWS standard. Cash donations poured in; so did food and books. Celebrities made appearances in Zuccotti, and the media began covering the proceedings with an attentiveness it rarely gives to leftist actions.

But these accounts, with a few exceptions here and there, misread that overwhelming approval of Occupy’s *cause* as an approval of the movement’s *mechanics*: the camping out in the park, the way food was procured for an army of protesters, the endless search for consensus, the showdowns with the cops, the twinkles. These things, almost every writer separately assumes, are what the Occupy phenomenon was *really* about. These are the details the public hungers to know.

The building of a “community” in Zuccotti Park, for example, is a point of special emphasis. Noam Chomsky’s thoughts epitomize the genre when he tells us that “one of the main achievements” of the movement “has been to create communities, real functioning communities of mutual support, democratic interchange,” et cetera. The reason this is important, he continues, is because Americans “tend to be very isolated and neighborhoods are broken down, community structures have broken down, people are kind of alone.” How building such “communities” helps us to tackle the power of high finance is left unexplained, as is Chomsky’s implication that a city of eight million people, engaged in all the complexities of modern life, should learn how humans are supposed to live together by studying an encampment of college students.

The actual sins of Wall Street, by contrast, are much less visible. For example, when you read *Occupying Wall Street*, the work of a team of writers who participated in the protests, you first hear about the subject of predatory lending when a sympathetic policeman mentions it in the course of a bust. The authors themselves never bring it up.

And if you want to know how the people in Zuccotti intended to block the banks’ agenda—how they intended to stop predatory lending, for example—you have truly come to the wrong place. Not because it’s hard to figure out how to stop predatory lending, but because the way the Occupy campaign is depicted in these books, it seems to have had no intention of doing anything except building “communities” in public spaces and inspiring mankind with its noble refusal to have leaders.

Unfortunately, though, that’s not enough. Building a democratic movement culture is essential for movements on the left, but it’s also just a starting point. Occupy never evolved beyond it. It did not call for a subtreasury system, like the Populists did. It didn’t lead a strike (a real one, that is), or a sit-in, or a blockade of a recruitment center, or a takeover of the dean’s office. The IWW free-speech fights of a century ago look positively Prussian by comparison.

With Occupy, the **horizontal culture was everything. “The process is the message**,” as the protesters used to say and as most of the books considered here largely concur. The aforementioned camping, the cooking, the general-assembling, the filling of public places: that’s what Occupy was all about. Beyond that there seems to have been virtually no strategy to speak of, no agenda to transmit to the world.

\*  \*  \*

*W*hether or not to have demands, you might recall, was something that Occupy protesters debated hotly among themselves in the days when Occupy actually occupied something. Reading these books a year later, however, that debate seems to have been consensed out of existence. Virtually none of the authors reviewed here will say forthrightly that the failure to generate demands was a tactical mistake. On the contrary: the quasi-official account of the episode (*Occupying Wall Street*) laughs off demands as a fetish object of literal-minded media types who stupidly crave hierarchy and chains of command. Chris Hedges tells us that demands were something required only by “the elites, and their mouthpieces in the media.” Enlightened people, meanwhile, are supposed to know better; demands imply the legitimacy of the adversary, meaning the U.S. government and its friends, the banks. Launching a protest with no formal demands is thought to be a great accomplishment, a gesture of surpassing democratic virtue.

And here we come to the basic contradiction of the campaign. To protest Wall Street in 2011 was to protest, obviously, the outrageous financial misbehavior that gave us the Great Recession; it was to protest the political power of money, which gave us the bailouts; it was to protest the runaway compensation practices that have turned our society’s productive labor into bonuses for the 1 percent. All three of these catastrophes, however, were brought on by deregulation and tax-cutting—***by a philosophy of liberation as anarchic in its rhetoric as Occupy was in reality***. Check your premises, Rand-fans: it was the bankers’ own uprising against the hated state that wrecked the American way of life.

Nor does it require poststructuralism-leading-through-anarchism to understand how to reverse these developments. **You do it by rebuilding a powerful and competent regulatory state. You do it by rebuilding the labor movement. *You do it with bureaucracy***.

Occupiers often seemed aware of this. Recall what you heard so frequently from protesters’ lips back in the days of September 2011: Restore the old Glass-Steagall divide between investment and commercial banks, they insisted. **Bring back big government! Bring back safety! Bring back boredom!**

But that’s no way to fire the imagination of the world. So, how do you maintain the carnival while secretly lusting for the CPAs? By indefinitely suspending the obvious next step. By having no demands. Demands would have signaled that humorless, doctrinaire adults were back in charge and that the fun was over.

This was an inspired way to play the situation in the beginning, and for a time it was a great success. But it also put a clear expiration date on the protests. As long as demands and the rest of the logocentric requirements were postponed, Occupy could never graduate to the next level. It would remain captive to what Christopher Lasch criticized—way back in 1973—as the “cult of participation,” in which the experience of protesting is what protesting is all about.

## T

**1NC T**

**a. Interpretation and violation---the affirmative should defend the desirability of topical government action**

**Most predictable—the agent and verb indicate a debate about hypothetical government action**

Jon M **Ericson 3**, Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4

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

**A general subject isn’t enough—debate requires a specific point of difference in order to promote effective exchange**

**Steinberg and Freeley 13**, \* David, Lecturer in Communication studies and rhetoric. Advisor to Miami Urban Debate League. Director of Debate at U Miami, Former President of CEDA. And \*\* Austin, attorney who focuses on criminal, personal injury and civil rights law, JD, Suffolk University, *Argumentation and Debate***,** *Critical Thinking for Reasoned Decision Making*, 121-4

Debate is a means of **settling differences**, so there must be a controversy, a difference of opinion or a conflict of interest **before there can be a debate**. If everyone is in agreement on a feet or **value** or policy, there is no **need or opportunity** for debate; the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four,” because there is simply no controversy about this state­ment. **Controversy is an essential prerequisite of debate**. Where there is no **clash** of ideas, proposals, interests, or expressed positions of issues, there is no debate. Controversy invites decisive choice between competing positions. Debate **cannot produce effective decisions** without **clear identification of a question** or questions to be answered. For example, general argument may occur about the **broad topic** of illegal immigration. How many illegal immigrants live in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity to gain citizenship? Does illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? How are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification card, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the **topic area** of illegal immigration. Participation in this “debate” is likely to be emotional and intense. However, it is not likely to be productive or useful without **focus on a particular question** and **identification of a line demarcating sides** in the controversy. To be discussed and **resolved effectively**, controversies are best understood when seated clearly such that all parties to the debate **share an understanding about the objec­tive of the debate**. This enables focus on substantive and objectively identifiable issues facilitating comparison of **competing argumentation** **leading to effective decisions.** Vague understanding results in **unfocused deliberation** and **poor deci­sions**, general feelings of tension without opportunity for resolution, frustration, and emotional distress, as evidenced by the failure of the U.S. Congress to make substantial progress on the immigration debate. Of course, arguments may be presented without disagreement. For exam­ple, claims are presented and supported within speeches, editorials, and advertise­ments even without opposing or refutational response. Argumentation occurs in a range of settings from informal to formal, and may not call upon an audi­ence or judge to make a **forced choice** among competing claims. Informal dis­course occurs as conversation or panel discussion without demanding a decision about a dichotomous or yes/no question. However, **by definition**, debate requires "reasoned **judgment on a proposition**. The proposition is a statement about which competing advocates will offer alternative (pro or con) argumenta­tion calling upon their audience or adjudicator to decide. The proposition pro­vides **focus for the discourse** and **guides the decision process.**

Even when a decision will be made through a process of compromise, it is important to iden­tify the beginning positions of competing advocates to begin **negotiation** and movement toward a center, or consensus position. It is frustrating and usually unproductive to attempt to make a decision when deciders are unclear as to what the decision is about. The proposition may be implicit in some applied debates (“Vote for me!”); however, when a vote or consequential decision is called for (as in the courtroom or in applied parliamentary debate) it is essential that the proposition be **explicitly expressed** (“the defendant is guilty!”). In aca­demic debate, the proposition provides **essential guidance for the preparation** of the debaters prior to the debate, the case building and discourse presented during the debate, and the **decision to be made by the** debate **judge** after the debate. Someone disturbed by the problem of a growing underclass of poorly educated, socially disenfranchised youths might observe, “Public schools are doing a terri­ble job! They' are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same **concerned citizen**, facing a complex range of issues, might arrive at an unhelpful decision, such as "**We ought to do some­thing about this”** or, worse, “It’s too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to **express their frustrations**, anger, disillusionment, and emotions regarding the schools, but without a **focus for their discussions**, they could **easily agree** about the sorry state of education **without finding points of clarity or potential solutions. A gripe session would follow.** But if a **precise question** is posed—such as “What can be done to improve public education?”—then a more **profitable area of discussion is opened up** simply by **placing a focus** on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies, The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities” and “Resolved; That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a **manageable form**, suitable for debate. They provide specific policies to be investigated and aid discussants in **identifying points of difference**. This focus contributes to better and more informed decision making with the **potential for better results**. In aca­demic debate, it provides **better depth of argumentation** and enhanced opportu­nity for reaping the educational benefits of participation. In the next section, we will consider the challenge of framing the proposition for debate, and its role in the debate. To have a productive debate, which **facilitates effective decision making** by **directing and placing limits on the decision to be made,** the basis for argument should be **clearly defined**. If we merely talk about a topic, such as ‘"homeless­ness,” or “abortion,” Or “crime,” or “global warming,” we are likely to have an interesting discussion but not to establish a profitable basis for argument. For example, the statement “Resolved: That the pen is mightier than the sword” **is debatable**, **yet** by itself **fails to provide much basis for dear argumen­tation**. If we take this statement to mean Iliad the written word is more effec­tive than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose, perhaps promoting positive social change. (Note that “loose” propositions, such as the example above, may be defined by their advocates in such a way as to facilitate a clear contrast of competing sides; through definitions and debate they “become” clearly understood statements even though they may not begin as such. There are formats for debate that often begin with this sort of proposition. However, in any debate, at some point, effective and meaningful discussion relies on identification of a clearly stated or understood proposition.) Back to the example of the written word versus physical force. Although we now have a general subject, we have not yet stated a problem. **It is still too broad**, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, web­site development, advertising, cyber-warfare, disinformation, or what? What does it mean to be “mightier" in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be, “Would a mutual defense treaty or a visit by our fleet be more effective in assuring Laurania of our support in a certain crisis?” The basis for argument could be phrased in a debate proposition such as “Resolved: That the United States should enter into a mutual defense treaty with Laurania.” Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely **avoid creative interpretation** of the controversy by advo­cates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the **guidance provided by focus on a particular point of difference**, which will be outlined in the following discussion.

**b. Vote neg**

**1. Preparation and clash—changing the topic post facto manipulates balance of prep, which structurally favors the aff because they speak last and permute alternatives—strategic fairness is key to engaging a well-prepared opponent**

**New affs bad**

**2. Substantive constraints on the debate are key to actualize effective pluralism and agonistic democracy**

John **Dryzek 6**, Professor of Social and Political Theory, The Australian National University, Reconciling Pluralism and Consensus as Political Ideals, American Journal of Political Science,Vol. 50, No. 3, July 2006, Pp. 634–649

A more radical contemporary pluralism is suspicious of liberal and communitarian devices for reconciling difference. Such a critical pluralism is associated with agonists such as Connolly (1991), Honig (1993), and Mouffe (2000), and difference democrats such as **Young** (2000). As Honig puts it, “Difference is just another word for what used to be called pluralism” (1996, 60). Critical pluralists resemble liberals in that they begin from the variety of ways it is possible to experience the world, but stress that the experiences and perspectives of marginalized and oppressed groups are likely to be very different from dominant groups. They also have a strong suspicion ofliberal theory that **looks neutral** but in practice supports and serves the powerful.

Difference democrats are **hostile to consensus**, partly because consensus decisionmaking (of the sort popular in 1970s radical groups) conceals informal oppression under the guise of concern for all by disallowing dissent (Zablocki 1980). But the real target is political theory that deploys consensus, especially deliberative and liberal theory. Young (1996, 125–26) argues that the appeals to unity and the common good that deliberative theorists under sway of the consensus ideal stress as the proper forms of political communication can often be oppressive. For deliberation so oriented all too easily equates the common good with the interests of the more powerful, thus sidelining legitimate concerns of the marginalized. Asking the underprivileged to set aside their particularistic concerns also means marginalizing their favored forms of expression, especially the telling of personal stories (Young 1996, 126).3 Speaking for an agonistic conception of democracy (to which Young also subscribes; 2000, 49–51), Mouffe states:

To negate the ineradicable character of antagonism and aim at a universal rational consensus— that is the real threat to democracy. Indeed, this can lead to violence being unrecognized and hidden behind appeals to “**rationality**,” as is often the case in liberal thinking. (1996, 248)

Mouffe is a radical pluralist: “By pluralism I mean the end of a substantive idea of the good life” (1996, 246). But neither Mouffe nor Young want to **abolish communication** in the name of pluralism and difference; much of their work advocates sustained attention to communication. Mouffe also cautions against uncritical celebration of difference, for some differences imply “subordination and should therefore be challenged by a radical democratic politics” (1996, 247). Mouffe raises the question of the **terms in which engagement across difference might proceed**. Participants should ideally accept that the positions of others are legitimate, though not as a result of being persuaded in argument. Instead, it is a matter of being **open to conversion** due to adoption of a particular kind of **democratic attitude** that converts antagonism into agonism, fighting into critical engagement, enemies into adversaries who are treated with respect. Respect here is notjust (liberal) toleration, but positive validation of the position of others. For Young, a communicative democracy would be composed of people showing “equal respect,” under **“procedural rules of fair discussion and decisionmaking**” (1996, 126). Schlosberg speaks of “agonistic respect” as “a critical pluralist ethos” (1999, 70).

Mouffe and Young both want pluralism to be regulated by a particular kind of attitude, be it respectful, agonistic, or even in Young’s (2000, 16–51) case reasonable.Thus **neither proposes unregulated pluralism as an alternative to (deliberative) consensus**. **This regulation cannot be just procedural, for that would imply “anything goes” in terms of the substance of positions**. Recall thatMouffe rejects differences that imply subordination. Agonistic ideals demand judgments about what is worthy of respect and what is not. Connolly (1991, 211) worriesabout **dogmatic assertions** and denials **of identity that fuel existential resentments** that **would have to be changed to make agonism possible**. Young seeks “transformation of private, self-regarding desires into public appeals to justice” (2000, 51). Thus for Mouffe, Connolly, and Young alike, **regulative principles for democratic communication are not just attitudinal or procedural; they also refer to the substance of the kinds of claims that are worthy of respect**. These authors would not want to legislate substance and are suspicious of the content of any alleged consensus. But in retreating from “anything goes” relativism, **they need principles to regulate the substance of what rightfully belongs in democratic debate.**

**Accepting minimal guidelines for debate is necessary to habituate democratic practices of argumentation and respect---this doesn’t necessitate discarding performance, but should be linked to a prescription for a topical action**

Amanda **Anderson 6**, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

MY RECENT BOOK, The Way We Argue Now, has in a sense two theses. In the first place, the book makes the case for the **importance of debate and argument** to any vital democratic or pluralistic intellectual culture. This is in many ways an unexceptional position, but the premise of the book is that the claims of reasoned argument are often **trumped**, within the current intellectual terrain, **by appeals to cultural identity** and what I gather more broadly under the rubric of ethos, which includes cultural identity but also forms of **ethical piety and charismatic authority**. In promoting argument as a universal practice keyed to a human capacity for communicative reason, my book is a critique of relativism and identity politics, or the notion that forms of cultural authenticity or group identity **have a certain unquestioned legitimacy**, one that cannot or should not be **subjected to the challenges of reason or principle**, precisely because reason and what is often called "false universalism" are, according to this pattern of thinking, always involved in forms of exclusion, power, or domination. My book insists, by contrast, that **argument is a form of respect**, that the ideals of democracy, whether conceived from a nationalist or an internationalist perspective, rely fundamentally upon procedures of argumentation and debate in order to legitimate themselves and to keep their central institutions vital. And the **idea that one should be protected from debate**, that **argument is somehow injurious to persons** if it does not honor their desire to have their basic beliefs and claims and solidarities accepted without challenge, **is strenuously opposed**. As is the notion that **any attempt to ask people to agree upon processes of reason-giving argument is** **somehow necessarily to impose a coercive norm**, one that will **disable the free expression and performance of identities,** feelings, or solidarities. Disagreement is, by the terms of my book, a form of respect, not a form of disrespect. And by disagreement, I don't mean simply to say that we should expect disagreement rather than agreement, which is a frequently voiced-if misconceived-criticism of Habermas. Of course we should expect disagreement. My point is that we should focus on the moment of dissatisfaction in the face of disagreement-the internal dynamic in argument that imagines argument might be the beginning of a **process of persuasion and exchange** that could end in agreement (or partial agreement). For those who advocate reconciling ourselves to disagreements rather than arguing them out, by contrast, there is a complacent-and in some versions, even celebratory-attitude toward fixed disagreement. Refusing these options, I make the case for dissatisfied disagreement in the final chapter of the book and argue that people should be willing to justify their positions in dialogue with one another, especially if they hope to live together in a post-traditional pluralist society.

One example of the trumping of argument by ethos is the form that was taken by the late stage of the Foucault/Habermas debate, where an appeal to ethos-specifically, an appeal to Foucault's style of ironic or negative critique, often seen as most in evidence in the interviews, where he would playfully refuse labels or evade direct answers-was used to exemplify an alternative to the forms of argument employed by Habermas and like-minded critics. (I should pause to say that I provide this example, and the framing summary of the book that surrounds it, not to take up airtime through expansive self-reference, but because neither of my respondents provided any contextualizing summary of the book's central arguments, though one certainly gets an incremental sense of the book's claims from Bruce Robbins. Because I don't assume that readers of this forum have necessarily read the book, and because I believe that it is the obligation of forum participants to provide sufficient context for their remarks, I will perform this task as economically as I can, with the recognition that it might have carried more weight if provided by a respondent rather than the author.)

The Foucauldian counter-critique importantly **emphasizes a relation between style and position,** but it obscures (1) the importance or value of the Habermasian critique and (2) the possibility that the other side of the debate might have its own ethos to advocate, one that has precisely to do with an **ethos of argument**, an ideal of **reciprocal debate** that involves **taking distance on one's pre-given forms of identity** or the norms of one's community, both so as to **talk across differences** and to articulate one's claims **in relation to shared** and even universal **ideals**. And this leads to the second thesis of the book, the insistence that an emphasis on ethos and character is interestingly present if not widely recognized in contemporary theory, and one of the ways its vitality and existential pertinence makes itself felt (even despite the occurrence of the kinds of unfair trumping moves I have mentioned). We often fail to notice this, because identity has so uniformly come to mean sociological, ascribed, or group identity-race, gender, class, nationality, ethnicity, sexuality, and so forth. Instances of the move toward character and ethos include the later Foucault (for whom ethos is a central concept), cosmopolitanism (whose aspiration it is to turn universalism into an ethos), and, more controversially, proceduralist ethics and politics (with its emphasis on sincerity and civility). Another version of this attentiveness to ethos and character appears in contemporary pragmatism, with its insistence on casualness of attitude, or insouciance in the face of contingency-recommendations that get elevated into full-fledged exemplary personae in Richard Rorty's notion of the "ironist" or Barbara Herrnstein Smiths portrait of the "postmodern skeptic." These examples-and the larger claim they support-are meant to defend theory as still living, despite the many reports of its demise, and in fact still interestingly and incessantly re-elaborating its relation to practice. This second aspect of the project is at once descriptive, motivated by the notion that characterology within theory is intrinsically interesting, and critical, in its attempt to identify how characterology can itself be used to cover or **evade** the claims of rational **argument**, as in appeals to charismatic authority or in what I identify as **narrow personifications of theory** (pragmatism, in its insistence on insouciance in the face of contingency, is a prime example of this second form). And as a **complement** to the critical agenda, there is a reconstructive agenda as well, an attempt to recuperate liberalism and proceduralism, in part by advocating the possibility, as I have suggested, of an **ethos of argument**.

Robbins, in his extraordinarily rich and challenging response, zeroes in immediately on a crucial issue: who is to say exactly when argument is occurring or not, and what do we do when there is disagreement over the fundamentals (the primary one being over what counts as proper reasoning)? Interestingly, Robbins approaches this issue after first observing a certain tension in the book: on the one hand, The Way We Argue Now calls for dialogue, debate, argument; on the other, its project is "potentially something a bit stricter, or pushier: getting us all to agree on what should and should not count as true argument." What this point of entry into the larger issue reveals is a kind of blur that the book, I am now aware, invites. On the one hand, the book anatomizes academic debates, and in doing so is quite "debaterly" This can give the impression that what I mean by argument is a very specific form unique to disciplinary methodologies in higher education. But the book is not generally advocating a narrow practice of formal and philosophical argumentation in the culture at large, however much its author may relish adherence to the principle of non-contradiction in scholarly argument. I take pains to elaborate an ethos of argument that is linked to democratic debate and the forms of dissent that constitutional patriotism allows and even promotes. In this sense, **while argument here is** necessarily **contextualized** sociohistorically, **the concept is not merely academic.** It is a **practice** seen as **integral to** specific **political forms and institutions in** modern **democracies,** and to themore general **activity of critique** within modern societies-to the tradition of the public sphere, to speak in broad terms. Additionally, insofar as argument impels one to take distance on embedded customs, norms, and senses of given identity, it is a practice that **at once acknowledges identity, the need to understand the perspectives of others, and the shared commitment to commonality and generality, to finding a way to live together under conditions of difference.**

More than this: the book also discusses at great length and from several different angles the issue that Robbins inexplicably claims I entirely ignore: the question of disagreement about what counts as argument. In the opening essay, "Debatable Performances," I fault the proponents of communicative ethics for not having a broader understanding of public expression, one that would include the disruptions of spectacle and performance. I return to and underscore this point in my final chapter, where I espouse a democratic politics that can embrace and accommodate a wide variety of expressions and modes. This is certainly a discussion of what counts as dialogue and hence argument in the broad sense in which I mean it, and in fact I fully acknowledge that taking distance from cultural norms and given identities can be advanced not only through critical reflection, but through ironic critique and defamiliarizing performance as well. But I do insist-and this is where I take a position on the fundamental disagreements that have arisen with respect to communicative ethics-that when they have an effect, these other dimensions of experience do not remain unreflective, and insofar as they do become reflective, **they are contributing to the** very form of **reasoned analysis that their champions sometimes imagine they must refuse in order to liberate other modes of being** (the affective, **the narrative,** **the performative**, the nonrational). If a narrative of human rights violation is persuasive in court, or in the broader cultural public sphere, it is because it draws attention to a violation of humanity that is condemned on principle; **if a performance jolts people out of their normative understandings of sexuality** and gender, it prompts forms of understanding that can be **affirmed and communicated** and also **can be used to justify political positions and legislative agendas**.

### Role of the Ballot---1NC

#### The role of the ballot should be to choose between interpretations of the purpose and function of political practices and institutions. They have no reason to vote affirmative other than a factual claim. Judging by the criteria our argument establishes for the role of the ballot, our interpretation is preferable.

Catherine Lu 13, Associate Professor of Political Science, McGill University, July 2013, “Activist political theory and the challenge of global justice,” Ethics & Global Politics, Vol. 6, No. 2, <http://www.ethicsandglobalpolitics.net/index.php/egp/article/view/21627/28587>

Which of these various international, state, corporate and civil society responses and proposals should we support? What political institutional changes are required to halt these repeated scenes of human wreckage produced by grave injustices such as the Rana Plaza building collapse? Is progress in breaking the vicious pattern of workplace catastrophes in the global apparel industry possible? What can political theorists contribute to these ongoing debates about global justice and responsibility?

The main objective of Lea Ypi’s first book, Global Justice and Avant-Garde Political Agency, is precisely to provide an account of the role of political theory and political theorists in the struggles of contemporary political agents for global justice. For Ypi, the purpose of normative political theory in its ‘activist mode’ is to identify and assist contemporary ‘avant-garde political agents’ to realise progressive political change by formulating coherent and plausible normative views about the function and purpose of our social practices and institutions. This is accomplished by employing a historically informed and forward-looking dialectical method of learning from the trials, failures, and successes of past political struggles with a view to evaluating the adequacy of different interpretations of the function and purposes of social institutions and practices, and distinguishing between more regressive or status quo, and more progressive interpretations of the relevant normative principles.20

The criteria for adjudicating between different normative interpretations of the function and purpose of political institutions involve meeting three tasks. First, an interpretation (or family of interpretations) is better than its rivals if it is able to diagnose the causes of persistent and profound patterns of social conflict at an appropriate level of analysis, accounting for the empirical evidence better than its competitors. Second, an interpretation is superior if it is able, after identifying inadequacies in old normative categories, to innovate from them and ‘formulate principles that preserve all the normative benefits of its predecessors whilst avoiding their failures’. Third, a normative interpretation can outperform its rivals if it displays ‘heuristic potential,’ providing new ways to conceive of the purposes or functions of social institutions and practices, in light of theoretical innovations that anticipate new, unforeseen questions and challenges. A dialectical approach thus helps to make progress under contemporary conditions possible by providing a way to judge which theories (or families of theories) spawned by social and political conflicts and crises are ‘better able to combine principles and agency in a fundamentally appropriate but also politically effective and motivationally sustainable way’. In light of the novel political and moral challenges wrought by new agents and circumstances of politics, normative political theory should aim to revise or refine interpretations of the normative principles underlying our social practices and institutions, in ways that improve their functionality and responsiveness to the concerns and commitments of the agents subjected to them.21

The normative theorist who is engaged in this activist mode works in tandem with the ‘avant-garde political agents’ who struggle for progressive political transformations: both are likened to ‘creative scientists or artists who put existing knowledge and techniques at the service of fresh experiments, developing new perspectives, asking unprecedented questions, and paving the way for the development of alternative paradigms’.22 Drawing on the history of the women’s movement, the anti-slavery movement, workers’ movements, anti-colonial movements, and human rights movements, Ypi observes that the most effectual avant-garde political agents were those who tried ‘to subvert specific interpretive patterns from within, while continuing to act as their critical voice’.23 In terms of theories of global justice, Ypi finds Kant’s own political theory exemplary for combining a cosmopolitan account of normative principles with a statist conception of political agency, and she interprets Kant’s ‘moral politician’ to be similar to a cosmopolitan avant-garde political agent who makes it her ‘duty to act within the state in conformity with cosmopolitan principles of justice’.24

An adequate activist political theory should be able to give an account of the moral desirability of principles, as well their political **feasibility** and motivational sustainability. Doing so requires confronting issues of principle and issues of political agency, and combining them in ways that make possible progressive political change. Ypi observes, however, that normative political theorists have tended to ignore the normative relevance of political agency to the task of formulating normative principles for politics.

This ignorance or disconnect between normative principles and political agency is apparent in the two dominant approaches—ideal and non-ideal—to normative political theory. Ideal theory approaches are truth-seeking enterprises that ‘try to identify and establish a fundamentally appropriate analysis of first-order normative principles, regardless of whether these principles can meaningfully guide action in the real world’.25 While constructing principles based on idealised agents, structures, and conditions may have some critical force in that they provide a basis for evaluating the justness of existing principles, practices, and social conditions, Ypi argues that ideal theoretical approaches tend to generate principles that are indeterminate, irrelevant, or distorting, given their disconnection from issues of political agency.26 Non-ideal approaches, in contrast, ‘aim to develop principles able to guide agency in empirically contingent circumstances’, and typically take the current circumstances conditioning social and political agency to ‘play a constitutive role’ in formulating the relevant normative principles.27 Ypi is concerned, however, that non-ideal theoretical approaches are vulnerable to a status quo bias, compromising the critical task of normative theory by taking too much of existing agents, practices, institutions, and conditions as they are.

Ypi admits that these are stylised reconstructions, and that most contemporary political theories of global justice exhibit elements of both ideal and non-ideal theoretical approaches so understood. Indeed, it should be noted that Ypi’s interpretation of the function of ideal and non-ideal theories reveals a certain dissatisfaction with a standard way of thinking about their distinction.28 In the seminal account by John Rawls, ideal theories are the primary task of the political theorist, and have as their aim the identification of the correct first-order normative principles to guide the major social and political institutions of a society. Ideal theory accomplishes this task by abstracting from historically contingent circumstances, and idealising agents, structures or conditions in certain counterfactual and favourable ways.29 Non-ideal theory is distinguished by its aim to identify transitional normative principles in response to unfavourable contexts where agents are either wilfully acting against the normative principles identified in ideal theory, or are involuntarily incapable of acting according to those principles. For example, in Rawls’s Law of Peoples, the duty of assistance is a principle of non-ideal theory to deal with the problematic existence of burdened societies that lack the capacity to develop domestically decent or just political and social institutions.30 Non-ideal principles thus serve a transitional aim of helping agents to progress towards an ideal account of justice.

Ypi’s formulation of the distinction between ideal and non-ideal approaches to political theory serves a different purpose than this Rawlsian account. Her interpretation of the distinction operates to highlight the relationship between normative principles and political agency, and how problematic relationships between these–too distant and too close–can undermine either the critical value or the efficacy of any normative theory. From an activist theoretical perspective, ideal theoretical approaches may avoid a status quo bias, but they typically fail to contribute to solving problems confronted by agents currently suffering from inadequate political and social institutions and arrangements, whereas non-ideal theoretical approaches tend to generate myopic views of problem solving that typically lack critical force or emanicipatory potential.

With her account of ‘activist political theory’ and the ‘dialectical approach’, Ypi is able to expose unconstructive aspects of the contemporary global justice debate among the two main rivals, cosmopolitans and statists. Ypi is not against cosmopolitanism, but she criticises a tendency of cosmopolitan theorists to dismiss the normative relevance of the state and state-based associations for realising cosmopolitan egalitarian conceptions of global justice. This dismissal, most salient in cosmopolitan arguments about the moral arbitrariness and insignificance of polit ical associations or relational ties, is unconstructive and detrimental to the cause of advancing cosmopolitan normative principles because it fails to recognise the importance of political agency for the realisation of cosmopolitan aims. According to Ypi, the cosmopolitan disavowal of political membership and associative relations ‘is both unnecessary and unwarranted … Rejecting the normative standing of political communities hardly supports the defence of global distributive principles; it merely draws attention away from some relevant conceptual tools necessary to analyse global political transformation’. Being disconnected from how political agency takes shape in the world, and failing to provide principled guidance on how agents committed to cosmopolitan normative principles should aim to reform particular institutions and practices, deprives cosmopolitan theories of their transformative potential and relevance to contemporary political struggles for global justice.31 A critical and constructive theory of global justice should not only provide normative principles that are fundamentally appropriate, but also address issues of political agency that render such principles politically effective and motivationally sustainable.

# BLOCK

## K

### 2NC FW

#### Role of ballot is to decide the best methodology from which to analyze and organize resistance against oppression

#### Only adopting a position of analytical *nuance* can create productive debates that move beyond either-or choices of social justice and move towards deciding between competing research methods---if the conceptual basis of the affirmative’s arguments are either unclear or nonexistent in terms of *how they enable* productive formulations of anti-racial politics, you should vote neg

Adolph Reed 12, professor of political science at the University of Pennsylvania and a member of the interim national council of the Labor Party. RACE, CLASS, CRISIS: THE DISCOURSE OF RACIAL DISPARITY AND ITS ANALYTICAL DISCONTENTS, http://www.sas.upenn.edu/~merlinc/ReedChowkwanyunSR.pdf

Research precisely specifying racial disparities in the distribution of advantages and disadvantages, well-being and suffering has become common enough to have generated a distinctive, pro forma narrative structure. Quantitative data, usually culled from large aggregate data sets, is parsed to generate accounts of the many facets of apparent disparity along racial lines with respect to barometers of inequality such as wealth, income and economic security, incarceration, employment, access to medical care, and health and educational outcomes. However, as The Onion parody suggests, they tend not to add up to much beyond fleshing out the contours of the disproportionate relations, which are predictable by common sense understanding. Explanations of the sources of disparities tend to dribble into vague and often sanctimonious calls to recognize the role of race, and on the left, the flailing around of phrases like ‘institutional racism’ that on closer examination add up to little more than signifying one’s radical credentials on race issues.

So what, then, do researchers assume they are doing in rehearsing versions of the same narrative with slightly different variations on the punch line? What are its conceptual foundations and premises? How should we assess the strengths, limits and significance of its perspectives on race, class and inequality and their connections, especially to understand American capitalism’s social and ideological reproduction in the current period?

This essay is an initial attempt to answer those questions and, through doing so, to assess the deeper significance of the discourse of racial disparity that has taken shape in American social science and policy research during the last decade and a half. We consider what the findings of disparate impact at the level of gross racial groups mean and do not mean and examine ambiguities within this literature concerning race as a significant element in the reproduction of durable inequalities. In doing so, we identify several interpretive pathologies.

Among those pathologies are a schematic juxtaposition of race and class that frequently devolves into unproductive either-or debates; the dilution of class into a cultural and behavioural category or a static (usually quantitative) index of economic attainment that fails to capture power relations; sweeping characterizations of white Americans’ racial animus and collective psyche; ahistorical declarations that posit a long and unbroken arc of American racism and that sidestep careful dissection of how racism and, for that matter, race have evolved and transformed; and a tendency to shoehorn the United States’ racial history into a rhetorically powerful but analytically crude story of ‘two societies’, monolithic and monochromatic. Our overall concern is the extent to which particular inequalities that appear statistically as ‘racial’ disparities are in fact embedded in multiple social relations and how the dominant modes of approaching this topic impede the understanding of this larger picture. We believe that too much writing, including that on the crisis of 2008, is laced with generic, a priori assumptions about the role of racial categorization that then straitjackets research and tempts researchers, in Ian Shapiro’s words, to ‘load the dice in favor of one type of description’, in this case, characterizing disparities in outcome as strictly ‘racial’ and thus resulting in the ho-hum and one-dimensional research conclusions we have mentioned.2

#### Research methodology means starting points and analytical frames are crucial---only our framework effectuates the tools with which to analyze oppression

Adolph Reed 12, professor of political science at the University of Pennsylvania and a member of the interim national council of the Labor Party. RACE, CLASS, CRISIS: THE DISCOURSE OF RACIAL DISPARITY AND ITS ANALYTICAL DISCONTENTS, http://www.sas.upenn.edu/~merlinc/ReedChowkwanyunSR.pdf

Our call to transcend this stifling frame is absolutely not a call to ignore racial exclusion or to declare in abstract terms, as Ellen Wood has, that race is not ‘constitutive of capitalism’ the way class is.66 Rather, we advocate that in analyzing the current situation and how it fits into historical context, left analysts ought to conduct what Ian Shapiro has labelled ‘problem-driven’ research, in his words, ‘to endeavor to give the most plausible possible account of the phenomenon that stands in need of explanation’, in this case racially disparate impacts, instead of forcing it into a stifling, ready made narrative.67 Doing so will break away from analytical sloth and widen strategic options. Doing so also requires jettisoning the hoary, mechanistic race/class debate entirely. We believe that our critique here demonstrates the virtues of a dynamic historical materialist perspective in which race and class are relatively distinct – sometimes more, sometimes less, sometimes incoherently related or even interchangeable – inflections within a unitary system of capitalist social hierarchy, without any of the moralizing, formalist ontological baggage about priority of oppression that undergirds the debate. From this perspective insistence that race, or any other category of ascriptive differentiation, is somehow sui generis and transcendent of particular regimes of capitalist social relations appears to be, as we have suggested here, itself reflective of a class position tied programmatically to the articulation of a metric of social justice compatible with neoliberalism. That is a view that both obscures useful ways to understand the forces that are intensifying inequality and undermines the capacity to challenge them.

### 2NC Cap RC of Race

#### Race is a product of capital---its produced to justify disparate labor practices- slavery produced blackness not vice versa

Tom Keefer 3, a member of Facing Reality, an anti-imperialist, anti-racist collective in Montreal, http://newsocialist.org/old\_mag/magazine/39/article03.html

The brutality and viciousness of capitalism is well known to the oppressed and exploited of this world. Billions of people throughout the world spend their lives incessantly toiling to enrich the already wealthy, while throughout history any serious attempts to build alternatives to capitalism have been met with bombings, invasions, and blockades by imperialist nation states. Although the modern day ideologues of the mass media and of institutions such as the World Bank and IMF never cease to inveigh against scattered acts of violence perpetrated against their system, they always neglect to mention that the capitalist system they lord over was called into existence and has only been able to maintain itself by the sustained application of systematic violence. It should come as no surprise that this capitalist system, which we can only hope is now reaching the era of its final demise, was just as rapacious and vicious in its youth as it is now. The "rosy dawn" of capitalist production was inaugurated by the process of slavery and genocide in the western hemisphere, and this "primitive accumulation of capital" resulted in the largest systematic murder of human beings ever seen. However, the rulers of society have found that naked force is often most economically used in conjunction with ideologies of domination and control which **provide a legitimizing explanation** for the oppressive nature of society. Racism is such a construct and it came into being as **a social relation which condoned and secured the initial genocidal** processes of capitalist accumulation--the founding stones of contemporary bourgeois society. While it is widely accepted that the embryonic capitalist class came to power in the great bourgeois revolutions of the 17th and 18th centuries, what is comparatively less well known is the crucial role that chattel slavery and the plunder of the "New World" played in calling this class into being and providing the "primitive accumulation of capital" necessary to launch and sustain industrialization in Europe. The accidental "discovery" of the Western Hemisphere by the mass murderer Christopher Columbus in 1492 changed everything for the rival economic and political interests of the European states. The looting and pillaging of the "New World" destabilized the European social order, as Spain raised huge armies and built armadas with the unending streams of gold and silver coming from the "New World", the spending of which devalued the currency reserves of its rivals. The only way Portugal, England, Holland, and France could stay ahead in the regional power games of Europe was to embark on their own colonial ventures. In addition to the extraction of precious minerals and the looting and pillaging of indigenous societies, European merchant-adventurers realized that substantial profits could also be made through the production of cash crops on the fertile lands surrounding the Caribbean sea. The only problem was that as the indigenous population either fled from enslavement or perished from the diseases and deprivations of the Europeans, there was no one left to raise the sugar, tobacco, cotton, indigo, and other tropical cash crops that were so profitable. A system of waged labour would not work for the simple reason that with plentiful land and easy means of subsistence surrounding them, colonists would naturally prefer small scale homesteading instead of labouring for their masters. As the planter Emanuel Downing of Massachusetts put it in 1645: "I do not see how we can thrive until we get a stock of slaves sufficient to do all our business, for our children's children will hardly see this great continent filled with people so that our servants will still desire freedom to plant for themselves, and not stay but for very great wages." Capitalistic social relations have always been based on compulsion, and they require as a precondition that **workers possess nothing** but their capacity to labour. The would-be developers of the wealth of the "New World" thus turned to forced labour in complete contradiction to all the theories of bourgeois economists because unfree labour was the only kind of labour applicable to the concrete situation in the Americas. Although slavery is now, and has almost always been equated with unfree Black labour, it was not always, or even predominantly so. Capitalists **looked first to their own societies** in order to find the population to labour in servitude on the large-scale plantations necessary for tropical cash crop production. Eric Williams, in his groundbreaking work Capitalism and Slavery, noted that in the early stages of colonialism "white slavery was the historic base upon which Negro [sic] slavery was constructed." Between 1607 and 1783 over a quarter million "white" indentured servants arrived in the British colonies alone where they were set to work in the agricultural and industrial processes of the time. The shipping companies, ports, and trading routes established for the transport of the poor, "criminal", and lumpen elements of European society were to form the backbone of the future slave trade of Africans. Slavery became an exclusively Black institution due to the dynamics of class struggle as repeated multi-ethnic rebellions of African slaves and indentured European servants **led the slaveholders to seek strategies to divide and conquer**. The fact that an African slave could be purchased for life with the same amount of money that it would cost to buy an indentured servant for 10 years, and that the African's skin color would function as an instrument of social control by making it easier to track down runaway slaves in a land where all whites were free wage labourers and all Black people slaves**, provided further incentives for this system of racial classification**. In the colonies where there was an insufficient free white population to provide a counterbalance to potential slave insurgencies, such as on the Caribbean islands, an elaborate hierarchy of racial privilege was built up, with the lighter skinned "mulattos" admitted to the ranks of free men where they often owned slaves themselves. **The concept of a "white race" never really existed before the economic systems of early capitalism made it a necessary social construct to aid in the repression of enslaved Africans**. Xenophobia and hostility towards those who were different than one's own immediate family, clan, or tribe were certainly evident, and discrimination based on religious status was also widespread but the development of modern "scientific" racism with its view that there are physically distinct "races" within humanity, with distinct attributes and characteristics **is peculiar to the conquest of the Americas, the rise of slavery, and the imperialist domination of the entire world.** Racism provided a convenient way to explain the subordinate position of Africans and other victims of Euro-colonialism, while at the same time providing an apparatus upon which to structure the granting of special privileges to sectors of the working class admitted as members of the "white race". As David McNally has noted, one of the key component of modern racism was its utility in resolving the contradiction as to how the modern European societies in which the bourgeoisie had come to power through promising "freedom" and "equality" were so reliant on slave labour and murderous, yet highly profitable colonial adventures. The development of a concept like racism allowed whole sections of the world's population to be "excommunicated" from humankind, and then be murdered or worked to death with a clear conscience for the profit of the capitalist class.

### Affect

#### The affective bounty provided of the ballot creates a proximity to the political in which the affirmative’s oppression becomes a heroic moment for the judge---this continues the circulation of survival narratives upon which capitalist social life thrives---the process of attatchement becomes that which we pin our political hopes

Lauren Berlant 11, prof at U Chicago, Cruel Optimism, 174-8

So even if, in these two films, the promise of familial love is the convey­ ance for the incitement to misrecognize the bad life as a good one, this is also a story about the conditions under which fantasy takes the most conservative shape on the bottom of so many class structures. The adults want to pass the promise of the promise on to their children.14 That may be the children's only sure inheritance-fantasy as the only capital assuredly pass­ able from one contingent space to another. And of course here, as every­ where, the gendered division of labor mediates the attritions of capital and the intimate spaces in which the labor of living is imagined beyond the urgencies of necessity. As Gayatri Spivak writes of another example, "This is not the old particularism/universalism debate. It is the emergence of the generalized value form, global commensurability in the field of gender. All the diversity of daily life escapes this, yet it is inescapable." ts Rosetta and La Promesse are training differently gendered children to take up a position not within normative institutions of intimacy but within something proximate to them. The hypervigilance required to maintain this proximity is the main visceral scene of post-Fordist affect. The fantasy of intimacy that will make one feel normal (as opposed to making one able to secure the conditions of dependable reciprocal life) provides a false logic of commensurateness and continuity between everyday appearance and a whole set of abstract value­ generating relations. The aesthetic of the potentially good enough love enables crisis to feel ordinary and less of a threat than the affective bounty that makes it worth risking being amid capitalist social life.

But in the Dardennes' mise en scene, normative intimacy has been worn down to the nub of the formal and the gestural. The emotions associated with intimacy, like tenderness, are most easily assumed as scavenging strate­ gies that the children are compelled to develop to get by. Igor acts genuinely sweet to the old woman whose wallet he steals in the opening scene; Rosetta

[175]

acts in loving and protective ways toward her mother, whom she also beats for manifesting nonnormative appetites. Roger appeals to Igor for loyalty, although he has also lied to him, beat him, and destroyed his opportunity to be a kid and to cultivate a different life (also involving building things: but go-carts that move, not houses that require property). Yet Roger can still say, "The house, this whole thing, it's all for you!" To which Igor can only say, "Shut up! Shut up!" because there is no story to counter Roger with, no proof that it wasn't love, or that love was a bad idea. Apparently, the register of love is what there is to work with, when you are managing belonging to worlds that have no obligation to you.

But this is why optimism for belonging in a scene ofp otential reciprocity amid tragic impediments is, in these films, not merely cruel, even in its repe­ titions. The endings of these films tie the audience in identificatory knots of vicarious reciprocity that extend in affective and formal ways beyond the actual episode. Rosetta approaches her final shots having just had to quit her hard-won job in order to take care of her degenerating mother. She is miser­ able and defeated by her daughterly love and her commitment to not living outside the loop of a reciprocity whose feeling feels legitimate to her.

At the end, we see her dragging a big canister of gas. It is unclear whether she is about to commit suicide by asphyxiation, or to make a go of things the way she always does, and it doesn't matter: her body collapses in exhaus­ tion as Riquet arrives. Riquet-whom she has previously beaten up, left to drown, turned in as a thief, and had a strange, unsteady, asexual night with, a night that ends with her sleeping, not alone, but whispering intimately with herself.16 Riquet-who is stalking her in revenge for taking his job. He is the only resource for potential reciprocity she has. As the film closes, Rosetta weeps, looking off-screen toward he who is only a proximate friend, in the hope of stimulating his compassionate impulse to rescue her. And the film cuts to darkness.

Likewise, the close of La Promesse involves a scene of wishful gallantry. In the train station, just as Assita is about to escape Belgium, Igor's father, Igor, and the whole shoddy mess, Igor confesses one part of his secret. Perversely fullfilling and breaking "the promise" after which the picture is named, he gambles that revealing Amidou's death will keep Assita there, and indeed it binds her and her child to him and to the local scene of danger, violence, and poverty for the indefinite future. In the final shot, they walk away from the camera, together and not together, and as they become smaller the film cuts sharply to black. Both of these works thus end engendering in the audience [176]a kind of normativity hangover, a residue of the optimism of their advocacy for achieving whatever it was for which the protagonists were scavenging. Because Rosetta and Igor are cut off from the normal, the spectators become holders of the promise.

In classic Hollywood cinema and much of queer theory, such expectant "families we choose" endings would make these films, generically, come­ dies, and the anxieties we feel on the way would be just the effects of the conventional obstacles genres put out there that threaten the genre's fail­ ure.17 In Foucault's rendering, such scenes of communicative tears and confession would mark the children's ascension into sexuality, that is, into the place where desiring acts evince the youths' subjugation to the clarifying taxonomic machinery of familial and social discipline. In La Promesse and Rosetta it is where they become sexual, but such evocations of the two clari­ fying institutions of social intelligibility, genre and gender, would mishear the tonalities of these particular episodes. In these scenarios, sexuality is not only an accession to being intelligible, but also a performance of affective avarice, a demand for a feeling fix that would inject a *sense* of normality.

What does it mean to want a sense of something rather than something? In the emergent regime of privatization that provokes aggressive fantasies of affective social confirmation in proximity to the political often without being in its register, genre shifts can point to new ways of apprehending improvisations within the ordinary. In the Dardennes' films, the formal achievement of genre and gender suggests not success but survival, a survival reeking of something that partakes of the new generic hybrid, situation tra9edy: the marriage between tragedy and situation comedy where people are fated to express their flaws episodically, over and over, without learning, changing, being relieved, becoming better, or dying.18 In the situation comedy, personality is figured as a limited set of repetitions that will inevitably [177] appear in new situations-but what makes them comic and not tragic is that in this genre's imaginary, the world has the kind of room for us that enables us to endure. In contrast, in the situation tragedy, one moves between having a little and being ejected from the social, where life is lived on the outside of value, in terrifying nonp laces where one is a squatter, trying to make an event in which one will matter to something or someone, even as a famil­ iar joke (in the situation tragedy, protagonists often try heart-wrenchingly to live as though they are in a situation comedy).19 In reinventing some ver­ sion of the couple, the family, or the love link, at the end, Rosetta and Igor are repeating a desire they have fancied and longed for throughout: a desire simply and minimally to be in the game. Not controlling the conditions of labor, they take up positions within sexuality that at least enable a feeling of vague normalcy that can be derived on the fly, in a do-it-yourself (DIY) fash­ ion. They do this in gestures that try to force a sense of obligation in someone, which will just have to stand in as the achievement of their desire for acknowledgment and a way of life.

Thus, we see forming here submission to necessity in the guise of desire; a passionate attachment to a world in which they have no controlling share; and aggression, an insistence on being proximate to the thing. If these motives stand as the promise of the scene that will provide them that holding feeling they want, the proof that it's worth investing in these forms is not too demanding. There is a very low evidentiary bar. The key here is proximity; ownership has been relinquished as the children's fantasy. The geopolitical space of fantasy is not a nation or a plot of land secured by a deed but a neighborhood. And just as both films feature careers involving soldering and sewing, techniques that bind parts to bigger wholes, they restage at the close our protagonists' coercive appeal to a relative stranger for rescue and reciprocity, and all the stranger has to do is to be near, to stick around. [178]

That this is an appeal to a proximate normativity is signified by their spatial placement outside the home (in a terminal, on the ground) but never very far afield at all; they are all in proximity to the natal and fantasmatic home, in the end. And, affectively speaking, is Riquet not a man on whom the silent Rosetta must depend; and is Assita not a motherfsisterfloverffriend forced by Igor, by his sweet downcast eyes and aphonia, to submit?

Normalcy's embrace can only flicker, therefore, in the Dardennes' ren­ dering of the contemporary historical moment. Each time it looks as though a reciprocal relation has been forged, the temporal and monetary economy in which the experience of belonging can be enjoyed is interrupted by other needs, the needs of others that seem always to take priority. Nonetheless, in the context of material and parental deprivation, Rosetta and Igor crowd the cramped space of any potentially transitional moment to maintain, for one more minute, their optimism about having a thing, a life, a scene of practices of belonging and dignity that can be iterated, repeated, and depended on without much being looked forward to.

So, what does it mean that the endings of these films solicit audience desire one more time for the protagonists to receive, finally, the help they seek because it feels like their last chance to experience, through openness to another, a good change amid the violence and numbing everywhere present? Since "at all costs" is no metaphor from this perch on the bottom of the class structure, here fantasy and survival are indistinguishable effects of the affects' own informal economy. To be made to *desire* a normativity hangover trains the audience in cruel optimism.

#### recognition of suffering becomes a pain soothing ritual which requires continual repetition and entextualization---survival is slowly recoded as freedom and necessity is cast as desire

Lauren Berlant 98, Professor of English, University of Chicago, Poor Eliza, American Literature, 70;3, Jstor

Usually the citation of the Uncle Tom form involves questions about whether intimacy between and among races is possible in the United States. These questions are frequently played out through love plots in which heterosexual intimacy and gender norms are also deemed fragile. This casts sexual difference and the conventional hierarchies of value associated with it in the U.S. as vaguely analogous to the scene of racial difference, wherein visible corporeal distinctiveness is explained as something between species and cultural difference. The King and I supplements these conventions and reveals their e-m- beddedness in economic and imperial relations by having the King and Tuptim imaginatively enter the War between the States through Lincoln and Stowe. Where they are concerned, the activity of citation marks a desire for identification and translation across nations, lexicons, and systems of hierarchy. It also marks the mobility of categories of privilege and subordination: for example, the King is imperially vulnerable but sexually strong, while Leonowens's lines of privilege are the inverse. For both figures, identification across radically different cultures involves a serious ambition to act courageously, to learn to become something radically different than one is. But the will to appropriate difference to explicate and transform the scene of one's own desire necessarily involves distortion, mistranslation, and misrecognition. In The King and I, as in Uncle Tom's Cabin and many other texts of sentimental politics, the play between various matrices of "difference" produces comedy amidst calamity, making a sort of slapstick of survival. But the desire for vernacularization, the making local of a nonlocal phenomenon, is a serious one as well.3

The political tradition of sentimentality ultimately equates the vernacular with the human: in its imaginary, crises of the heart and of the body's dignity produce events that, properly publicized, can topple great nations and other patriarchal institutions if an effective and redemptive linkage can be constructed between the privileged and the socially abject. Uncle Tom's Cabin is an archive people come to out of a political optimism that the revolution in mass subjectivity for which it stands might be borrowed for the transformation of other unjust social institutions. The novel's very citation is a sign that an aesthetic work can be powerful enough to move the people who read it into identifying against their own interests. In so doing, the text of sentimental politics figures a radical challenge to the bodies and body politic hailed by it. The artwork is shown to be as potentially power- ful as a nation or any world-saturating system: it makes and remakes subjects.

Yet the forces of distortion in the world of feeling politics put into play by the citation of Uncle Tom are as likely to justify ongoing forms of domination as to give form and language to impulses toward resistance.4 In The King and I, as in many melodramas, the soundtrack tells this story first, and then the plot follows. Frustrated by the King's imperiousness, Leonowens begins to think of him as a barbarian. But his head wife, Lady Thiang, sings to her: the King "will not always say, / What you would have him say, / But now and then he'll say / Something wonderful."5 Because he believes in his "dreams" and makes himself vulnerable through that belief, he is, it is suggested, worth loving. He is, in that sense, like a woman, and indeed his, patri- archal authoritarianism is revealed as mere bluster. As a result, the King takes on the sacred aura of a sentimental heroine, complete with sacrificial death. This plot turn marks a classic moment of politico- sentimental pedagogy. Although he is a tyrant, the King's story de- mands sympathy, and then empathy, from the women who surround him. Here they become stand-in figures for the audience, witnessing his death as a process of dramatic detheatricalization. As the play progresses and the King is "humanized" by feeling and therefore put less on display as a body, the narrative loses focus on the systemic violence of the King's acts. Violence must be taken offstage tactically in order to produce startling and transformative lines of empathy, but this empathy is mainly directed toward the pain of the privileged for being enslaved by a system of barbarous power in which they were destined, somehow, to be caught.

Can we say something general, then, about the contradictions deliberately or inevitably animated by politically motivated deployments of sentimental rhetoric? Here is a hypothesis: when sentimentality meets politics, it uses personal stories to tell of structural effects, but in so doing it risks thwarting its very attempt to perform rhetorically a scene of pain that must be soothed politically. Because the ideology of true feeling cannot admit the nonuniversality of pain, its cases become all jumbled together and the ethical imperative toward social transformation is replaced by a civic-minded but passive ideal of empathy. The political as a place of acts oriented toward publicness becomes replaced by a world of private thoughts, leanings, and gestures. Suffering, in this personal-public context, becomes answered by survival, which is then recoded as freedom. Meanwhile, we lose the original impulse behind sentimental politics, which is to see the individual effects of mass social violence as different from the causes, which are impersonal and depersonalizing.

Thus far, I have focused on the general processes of identification through entextualization that sentimental culture promotes as a way of acknowledging and actually exploiting apparently irreducible social differences to produce a universalism around, especially, modes of suffering or painful feeling. Two other ways of entering the rhetorical conventions of true feeling in the U.S. political sphere also contribute to its symbolic valence: its relation to the feminine and to femininity as a way of living; and its relation to capitalist culture, both at the juncture where abstract relations of value are sublimated into and represented by particular kinds of subaltern bodies and at the place where the magical autonomy of the commodity form (the mirror of the stereotype) is positioned as the disembodied solution to the experience of social negativity or isolation.6 I will return to the commodity in the next section.

### 2nc alt card

#### The alt doesn’t reject the concept of race, so most of the aff’s offense doesn’t apply---the question is which conceptual tool should we use that can best explain the mechanisms through which a multiplicity of oppressions, like racism, occur

Peter Mclaren 4, Education and Urban Schooling Division prof, UCLA—and Valerie Scatamburlo-D'Annibale; University of Windsor, Educational Philosophy and Theory, Vol. 36, No. 2, 2004, [www.freireproject.org/articles/node%2065/RCGS/class\_dismissed-val-peter.10.pdf](http://www.freireproject.org/articles/node%2065/RCGS/class_dismissed-val-peter.10.pdf)

Contrary to what many have claimed, Marxist theory does not relegate categories of ‘difference’ to the conceptual mausoleum; rather, it has sought to reanimate these categories by interrogating how they are refracted through material relations of power and privilege and linked to relations of production. Moreover, it has emphasized and insisted that the wider political and economic system in which they are embedded needs to be thoroughly understood in all its complexity. Indeed, Marx made clear how constructions of race and ethnicity ‘are implicated in the circulation process of variable capital.’ To the extent that ‘gender, race, and ethnicity are all understood as social constructions rather than as essentialist categories’ the effect of exploring their insertion into the ‘circulation of variable capital (including positioning within the internal heterogeneity of collective labor and hence, within the division of labor and the class system)’ must be interpreted as a ‘powerful force reconstructing them in distinctly capitalist ways’ (Harvey, 2000, p. 106). Unlike contemporary narratives which tend to focus on one or another form of oppression, the irrefragable power of historical materialism resides in its ability to reveal (1) how forms of oppression based on categories of difference do not possess relative autonomy from class relations but rather constitute the ways in which oppression is lived/experienced within a class-based system; and (2) how all forms of social oppression function within an overarching capitalist system.

This framework must be further distinguished from those that invoke the terms ‘classism’ and/or ‘class elitism’ to (ostensibly) foreground the idea that ‘class matters’ (cf. hooks, 2000) since we agree with Gimenez (2001, p. 24) that ‘class is not simply another ideology legitimating oppression.’ Rather, class denotes ‘exploitative relations between people mediated by their relations to the means of production.’ To marginalize such a conceptualization of class is to conﬂate an individual’s objective location in the intersection of structures of inequality with people’s subjective understandings of who they really are based on their ‘experiences.’

Another caveat. In making such a claim, we are not renouncing the concept of experience. On the contrary, we believe it is imperative to retain the category of lived experience as a reference point in light of misguided post-Marxist critiques which imply that all forms of Marxian class analysis are dismissive of subjectivity. We are not, however, advocating the uncritical fetishization of ‘experience’ that tends to assume that experience somehow guarantees the authenticity of knowledge and which often treats experience as self-explanatory, transparent, and solely individual. Rather, we advance a framework that seeks to make connections between seemingly isolated situations and/or particular experiences by exploring how they are constituted in, and circumscribed by, broader historical and social circumstances. Experiential understandings, in and of themselves, are suspect because, dialectically, they constitute a unity of opposites—they are at once unique, speciﬁc, and personal, but also thoroughly partial, social, and the products of historical forces about which individuals may know little or nothing (Gimenez, 2001). In this sense, a rich description of immediate experience in terms of consciousness of a particular form of oppression (racial or otherwise) can be an appropriate and indispensable point of departure. Such an understanding, however, can easily become an isolated ‘difference’ prison unless it transcends the immediate perceived point of oppression, confronts the social system in which it is rooted, and expands into a complex and multifaceted analysis (of forms of social mediation) that is capable of mapping out the general organization of social relations. That, however, requires a broad class-based approach.—

Having a concept of class helps us to see the network of social relations constituting an overall social organization which both implicates and cuts through racialization/ethnicization and gender… [a] radical political economy [class] perspective emphasizing exploitation, dispossession and survival takes the issues of … diversity [and difference] beyond questions of conscious identity such as culture and ideology, or of a paradigm of homogeneity and heterogeneity … or of ethical imperatives with respect to the ‘other’. (Bannerji, 2000, pp. 7, 19)

A radical political economy framework is crucial since various ‘culturalist’ perspectives seem to diminish the role of political economy and class forces in shaping the ediﬁce of ‘the social’—including the shifting constellations and meanings of ‘difference.’ Furthermore, none of the ‘differences’ valorized in culturalist narratives alone, and certainly not ‘race’ by itself can explain the massive transformation of the structure of capitalism in recent years. We agree with Meyerson (2000) that ‘race’ is not an adequate explanatory category on its own and that the use of ‘race’ as a descriptive or analytical category has serious consequences for the way in which social life is presumed to be constituted and organized. The category of ‘race’—the conceptual framework that the oppressed often employ to interpret their experiences of inequality ‘often clouds the concrete reality of class, and blurs the actual structure of power and privilege.’ In this regard, ‘race’ is all too often a ‘barrier to understanding the central role of class in shaping personal and collective outcomes within a capitalist society’ (Marable, 1995, pp. 8, 226). In many ways, the use of ‘race’ has become an analytical trap precisely when it has been employed in antiseptic isolation from the messy terrain of historical and material relations. This, of course, does not imply that we ignore racism and racial oppression; rather, an analytical shift from ‘race’ to a plural conceptualization of ‘racisms’ and their historical articulations is necessary (cf. McLaren & Torres, 1999). However, it is important to note that ‘race’ doesn’t explain racism and forms of racial oppression. Those relations are best understood within the context of class rule, as Bannerji, Kovel, Marable and Meyerson imply—but that compels us to forge a conceptual shift in theorizing, which entails (among other things) moving beyond the ideology of ‘difference’ and ‘race’ as the dominant prisms for understanding exploitation and oppression. We are aware of some potential implications for white Marxist criticalists to unwittingly support racist practices in their criticisms of ‘race-ﬁrst’ positions articulated in the social sciences. In those instances, white criticalists wrongly go on ‘high alert’ in placing theorists of color under special surveillance for downplaying an analysis of capitalism and class. These activities on the part of white criticalists must be condemned, as must be efforts to stress class analysis primarily as a means of creating a white vanguard position in the struggle against capitalism. Our position is one that attempts to link practices of racial oppression to the central, totalizing dynamics of capitalist society in order to resist white supremacist capitalist patriarchy more fully.7

We have argued that it is virtually impossible to conceptualize class without attending to the forms and contents of difference, but we insist that this does not imply that class struggle is now outdated by the politics of difference. As Jameson (1998, p. 136) notes, we are now in the midst of returning to the ‘most fundamental form of class struggle’ in light of current global conditions. Today’s climate suggests that class struggle is ‘not yet a thing of the past’ and that those who seek to undermine its centrality are not only ‘morally callous’ and ‘seriously out of touch with reality’ but also largely blind to the ‘needs of the large mass of people who are barely surviving capital’s newly-honed mechanisms of globalized greed’ (Harvey, 1998, pp. 7–9). In our view, a more comprehensive and politically useful understanding of the contemporary historical juncture necessitates foregrounding class analysis and the primacy of the working class as the fundamental agent of change.8

This does not render as ‘secondary’ the concerns of those marginalized by race, ethnicity, etc. as is routinely charged by post-Marxists. It is often assumed that foregrounding capitalist social relations necessarilyundermines the importance of attending to ‘difference’ and/or trivializes struggles against racism, etc., in favor of an abstractly deﬁned class-based politics typically identiﬁed as ‘white.’ Yet, such formulations rest on a bizarre but generally unspoken logic that assumes that racial and ethnic ‘minorities’ are only conjuncturally related to the working class. This stance is patently absurd since the concept of the ‘working class’ is undoubtedly comprised of men and women of different races, ethnicities, etc. (Mitter, 1997). A good deal of post-Marxist critique is subtly racist (not to mention essentialist) insofar as it implies that ‘people of color’ could not possibly be concerned with issues beyond those related to their ‘racial’ or ‘ethnic’ ‘difference.’ This posits ‘people of color’ as single-minded, one-dimensional caricatures and assumes that their working lives are less crucial to their self-understanding (and survival) than is the case with their ‘white male’ counterparts.9 It also ignores ‘the fact that class is an ineradicable dimension of everybody’s lives’ (Gimenez, 2001, p. 2) and that social oppression is much more than tangentially linked to class background and the exploitative relations of production. On this topic, Meyerson (2000) is worth quoting at length:

Marxism properly interpreted emphasizes the primacy of class in a number of senses. One of course is the primacy of the working class as a revolutionary agent—a primacy which does not render women and people of color ‘secondary.’ This view assumes that ‘working class’ means white—this division between a white working class and all the others, whose identity (along with a corresponding social theory to explain that identity) is thereby viewed as either primarily one of gender and race or hybrid … [T]he primacy of class means … that building a multiracial, multi-gendered international working-class organization or organizations should be the goal of any revolutionary movement so that the primacy of class puts the ﬁght against racism and sexism at the center. The intelligibility of this position is rooted in the explanatory primacy of class analysis for understanding the structural determinants of race, gender, and class oppression.

Oppression is multiple and intersecting but its causes are not.

The cohesiveness of this position suggests that forms of exploitation and oppression are related internally to the extent that they are located in the same totality— one which is currently deﬁned by capitalist class rule. Capitalism is an overarching totality that is, unfortunately, becoming increasingly invisible in post-Marxist ‘discursive’ narratives that valorize ‘difference’ as a primary explanatory construct.

## FW

### AT: Law Bad

#### Lu directly responds to this --- legal orientation is good and limits aren’t policing, they are just basic guidelines to ensure the best discussion – that’s Steinberg

#### The law is produced and maintained by the production of cultural narratives and assumptions---engagement with legal structures is vital to alter those cultural norms---this turns their offense because it’s directly in the interests of the powerful for law to be seen as narrow and exclusionary---the more activists refuse to engage with the legal system, the more the powerful consolidate their control. This proves there’s a topical version of the aff, and only that version solves their offense.

Linda H. Edwards 13, the E.L. Cord Foundation Professor of Law, William S. Boyd School of Law, University of Nevada Las Vegas, Fall/Winter 2013, “Where Do the Prophets Stand? Hamdi, Myth, and the Master's Tools,” Connecticut Public Interest Law Journal, 13 Conn. Pub. Int. L.J. 43, p. lexis

I. Introduction

Imagine an ancient walled city. Inside the walls, the city's inhabitants busily go about their work. They have routines. They have a common language. They do not always agree with each other, but they meet in common places and use accepted methods and procedures to decide the city's issues. Outside the wall stands a small group of prophets. The prophets have messages for the city's people, and they are trying to be heard over the city's walls. Occasionally a few city dwellers become aware that someone is shouting from outside the walls, but the words fall strangely on city dwellers' ears. The distant voices, barely audible, are lost among the background sounds of ongoing city life. Occasionally, a city leader looks over the walls, notices the prophets, and lobs a verbal assault in their direction, but city life is unaffected. Year after year, the prophets speak, and year after year, the city ignores them.

Does this image of the ancient walled city and the prophets excluded from it describe the relationship of oppositionists with law? Have people like Patricia Williams, Robin West, Kimberle Crenshaw, Richard Delgado, Mari Matsuda, and the late Derrick Bell been standing outside the gates for over thirty years, critiquing the city of law and the work of its inhabitants? Many traditionalist n1 leaders seem to think so. Inside the city, they have been going about their work unaffected, n2 using the same language and methods they learned from their mentors. Occasionally a traditionalist defender reacts to the prophets, usually with name-calling derision. Consider this from Richard Posner:

[\*44]

What is most arresting about critical race theory is that . . . it turns its back on the Western tradition of rational inquiry, forswearing analysis for narrative. Rather than marshal logical arguments and empirical data, critical race theorists tell stories - fictional, science-fictional, autobiographical, anecdotal - designed to expose the pervasive and debilitating racism of America today. By repudiating reasoned argumentation, the storytellers reinforce stereotypes about the intellectual capacities of nonwhites. n3

Posner goes on, using terms like "lunatic core," "postmodernist virus," "loony Afrocentrism," and "goofy ideas and irresponsible dicta." n4 He calls critical race theorists "whiners and wolf-criers," coming across as "labile and intellectually limited." n5 He says, "Their grasp of social reality is weak; their diagnoses are inaccurate; their suggested cures . . . are tried and true failures. Their lodgment in the law schools is a disgrace to legal education, which lacks the moral courage and the intellectual self-confidence to pronounce a minority movement's scholarship bunk." n6 Having hurled his attack over the city walls, he goes back to his own work, unaffected by oppositionist critique.

Posner and other traditionalists thus maintain that oppositionists stand outside the gates of law. If they are on law faculties, they should not be. n7 Whether this view is accurate depends, in large part, on what we mean by law. Some of history's best scholars and judges have been tramping around in that field for a long time, so one might wonder how much ground remains untrod. Still, we need to find some new territory, because we are far from a satisfactory answer. What's worse is that we do not seem able to have a productive conversation, as Posner demonstrates. The loudest traditionalist voices ridicule both critical theory's narrative methods, n8 and critical theorists themselves. n9 To the traditionalist eye, critical theorists repudiate traditional legal discourse as nothing more than domination and power politics. n10 It is as if the two camps are speaking [\*45] different languages. In fact, in some important ways, they are.

The twenty-fifth anniversary of the publication of Peter Goodrich's Legal Discourse: Studies in Linguistics, Rhetoric and Legal Analysis n11 offers an appropriate opportunity to revisit this topic. This article's modest goal is to suggest that narrative theory and cognitive science n12 can help traditionalists better understand the language of critical theory n13 - specifically, why critical theory insists on telling stories and why those narrative critiques are legitimately a part of law. n14 Since the article's primary goal is to speak to traditionalists, it begins by using what Posner wants-logical argument-to "reason" its way to the conclusion that critical theory critiques law from the inside. A key part of that deductive argument is the premise that cultural myths and other master stories operate at a largely hidden and unconscious level beneath the language of traditional law talk. To explain and demonstrate that premise, the article offers a short course in myth and then looks at the role of one myth-the myth of redemptive violence-in legal decision-making. The article explains the myth and how it is pervasively reinforced through movies, video games, and other media and then shows how it affected the deliberations in Hamdi v. Rumsfeld, the saga of an American citizen imprisoned without due process by his own government. n15

Deductive argument cannot be the end of the matter, however, because naive reliance on "reason" is actually the antithesis of this article's primary point and certainly inconsistent with critical theory itself. What we mean by "law" is not a matter of some seemingly preordained logical structure- [\*46] this one or any other. Rather, it is a matter of human choice, and as with all matters of human choice, it is driven by contested values, frames, power, and politics. This article, therefore, offers some non-deductive reasons for choosing to define "law" broadly enough to include critical theory's critiques. First, though, a deductive argument:

II. Defining "Law" Deductively: A Four-step Dance

A. Step One: Law includes legal outcomes and the articulated reasons for those outcomes.

To start simply, law includes constitutions, statutes, regulations, and judicial decisions. Traditional law talk interprets and applies these texts using a cadre of traditional methods: semantic interpretation of authoritative text; reliance on canons of statutory construction; the use of careful or creative analogies; and the support of relevant social policy, economic theory, or moral principle. n16 These methods have long been treated as legitimately part of "law" because they claim to account for legal results, shaping how the law is applied and how it may change. When lawyers and judges use these methods, no one would dispute that they are using the methods of the law. When Richard Posner finishes his tirade against critical race theory and returns to his normal daily work, these are his tools. n17

B. Step Two: These tools are the stated reasons for legal decisions, but they do not fully or fundamentally account for legal outcomes.

As both oppositionists and rhetoricians have pointed out, legal results are not simply the result of adherence to authority or policy. n18 Rather, they are the product of underlying values and assumptions about human nature [\*47] and the world, what Peter Goodrich calls "preconstructions, preferred meanings, rhetorical and ideological dimensions." n19 Among these preconstructions are the cultural myths, n20 metaphors, and meta-narratives that frame the way those in power see the world. Far more effectively than authorities or policies, these implicit but largely unrecognized n21 frames (values, assumptions, social and political structures) account for where we are and how we got here. n22 Thus, myths and other frames operate silently but powerfully beneath traditional law talk about objective reasons.

C. Step Three: If cultural myths and other preconstructions guide and constrain legal decisions (step two), then surely these preconstructions are also part of law.

It would be a curious position to say that law includes the reasons that claim- perhaps inaccurately-to account for legal results but not the actual, though unstated, reasons for those same legal results. n23 Powerful forces cultivate these preconstructions and are simultaneously captured by them, as will be discussed below. Their problematic operation is or should be a target of oppositionist critique of law. n24 Dominant myths and other such frames have been instrumental in building and maintaining the master's house and are among the master's most important tools. n25 Therefore, logically, they are part of "law," just as the unseen foundation is part of a house.

D. Step Four: If myths and other stories are part of law when used implicitly by the masters in making law (step three), they are surely part of law when used explicitly by those who critique law.

Quite rightly, early oppositional critique used those same tools-especially stories-to challenge the way the world looks to those inhabiting the halls of power. n26 The turn to narrative was part of the early brilliance of critical theory, made at a time when few others had realized the significance of narrative in law. Are these myths, metaphors, and outsider stories part of law? If narrative is part of law when it is used by the dominant group to justify particular legal results (step three), it is surely also part of law when used by critical theory to critique those same results. It would seem, then, that Goodrich is right. n27 Oppositional critique is within law, not external to it.

The key difference between traditional law-talk and oppositionist critique is that those controlling myths, metaphors, and meta-narratives are kept implicit in traditional law-talk. We don't speak of those things. We confine the discourse to rationalist, scientific, putatively objective language. As oppositionists and rhetoricians have pointed out, it is in the interests of those in power to limit law to this "self-protective" view. But to oppositionists and at least some rhetoricians, such traditional law talk is [\*49] only an attempt to justify a result chosen for other and often unstated reasons. n28 In a way comparable to a psychoanalyst looking for what lies beneath an explicit behavior, oppositionists try to look deeper to ask what is really going on. Is that permissible in the discourse community? Can such things be said inside the wall? Law is clearly, even in the most traditionalist view, the product of argument. I will contend here that justificatory argument in rationalist objectivist language is half of an argument with oppositionist critique constituting the other half. For law to progress, for it to live in dynamic tension, we need both sides of the argument inside the wall. The rationalists are free to deny and refute oppositionist critique, but not to silence or exile it.

Like any deductive argument, this little four-step dance is subject to challenge at several key points. It might be vulnerable in step two, for instance, in the face of skepticism about admitting a legal role for the myths and other frames that support the power of the dominant group. It is certainly vulnerable in step three, for one could fairly say that once we include in "law" the largely unconscious cultural frames that operate within us, then law includes everything and the question loses its meaning. Perhaps these more foundational but unconscious myths and other frames are not part of law because their effects are ubiquitous, defining, and constraining our views of the world in every part of life. One might argue, then, that oppositionist critique both originates from outside law and critiques something other than law. n29 With these two legitimate challenges on the table, it is fair to require me to say more about the legal role of myths and other frames and about what is at stake when we choose a definition for law.