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#### The silence of the aff on the question of how colonialism was produced condemns their project to reifying colonialism- the call to come before decolonization bases the aff’s moral system on the continued benefit of genocidal occupation AND it’s a sequencing question- blackness must FIRST be informed by the historical, material, and fixed realities of the Native subject

Morgensen 2010

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

#### Feminist strategies fail in the context of native women, misunderstand racism and its impact on the erasure of native women’s identity, we need a starting point from a indigenous perspective

Maracle ‘02

[Lee, Women Studies at University of Windsor, Leader in personal and cultural reclamation and international expert on Canadian First Nations culture and history, I AM WOMEN, Raincoast Books, 5.31.2002. //wyo-hdm]

I USED TO consider myself a liberated woman. I woke up at the bottom of the mine shaft one morning, darkness above me, screaming, "I'm not like the rest. . . I'm not an alcoholic ... a skid row bum ... a stupid Native," ad nauseum. **Each time I confronted white colonial society I had to convince them of my validity as a human being. It was the attempt to convince them that made me realize that I was still a slave.** It was this enslavement which moved me to retrace my own desertion. In these pages I recount the colour of traitorousness and my decision to reconnect myself to all of us struggling to remove the burden of a recent colonial history. Striving I drank heartily of the settler's wine learned his language well; gazed with awe at his success no pretty woman was I, nor clever wit did possess « My striving went to naught it was the trying that shames me now. Until March 1982, feminism, indeed womanhood itself, was meaningless to me. **Racist ideology** had **define**d **womanhood for the Native woman as nonexistent, therefore neither the woman question nor the European rebel's response held any meaning** for me. Ignorance is no crime. But **when you trot your ignorance before the world as though it were part of some profound truth, that is a crime.** I apologize to Robert Mendoza's wife and all the Native women who watched the video that I made in San Francisco for International Women's Day in 1978. You must have been personally offended by my denial of my own womanhood. I will forever remember Robert's sensitive reply to my remark that it was irrelevant that I was a woman. In a phone call in which he praised my understanding of the colonial process, he added: 'Couldn't you see that perhaps it was because you were Native and a woman that your insight was so powerful?" His modest indignation sharpens the deep remorse I now feel tor those women who had to watch, red-faced, while this traitor blurted into a microphone, in front of a multitude of non-Native women, that it mattered not that I was a Native woman. 'C Was such a great video, a great presentation . . . Don't you that you could have taken responsibility for being a woman and inspired our sisters, just a little, with the fact that Clsive understanding that you have acquired was due, at ln Part> to the fact that you were a Native woman?" Robert And^ Pleaded into the Phone from Pasmaquoddy, Maine. rem Words °f my granny echoed in my ears . . . "You will"m 6r what YOU need to know when the time comes." (Ah, Robert, don't you see, I could not have done that, not then.) Before 1961, **we were "wards of the government," children in the eyes of the law. We objected and became, henceforth, people. Born of this objection was the Native question—the forerunner of Native self-government, the Native land question**, etc. **The woman question still did not exist for us.** Not then.I responded, like so many other women, as a person without sexuality. **Native women do not** even **like the words "women's liberation" and even now it burns** my back. **How could I resist the reduction of women to sex objects when I had not been considered sexually desirable, even as an object?** We have been the object of sexual release for white males whose appetites are too gross for their own delicate women**.** I woke up**. I AM WOMAN! Not the woman on the billboard for whom physical work is damning, for whom nothingness, physical oblivion is idyllic. But a woman for whom mobility, muscular movement, physical prowess are equal to the sensuous pleasure of being alive. The dead alone do nothing. Paraplegics move. I want to move.** I want to look across the table in my own kitchen and see, in the brown eyes of the man who shares my life, the beauty of my own reflection. More. **I want to look across my kitchen table at the women of colour who share my life and see the genius of their minds, uncluttered by white opinion**. I want to sit with my grown daughters and experience the wonderment of our mutual affection. I want us to set the standard for judging our brilliance, our beauty and our passions. **Whereas Native men have been victims of the age-old racist remark "lazy drunken Indian," about Native women white folks ask, "Do they have feelings?**" How many times do you hear from our own brothers, "Indian women don't whine and cry around, nag or complain." At least not "real" or "true" Indian women**. Embodied in that kind of language is the negation of our femininity—the denial of our womanhood. And, let us admit it, beneath such a remark isn't there just a little coercion to behave and take without complaint whatever our brothers think "we have it coming** "? I used to believe such attempts at enforcing docility in women. Worse, I was convinced that love, passion/compassion were inventions of white folks. I believed that we never loved, Wept, laughed or fought with each other. Divorce was unheard id we then merely accept our wifely obligations to men ' C Way a horse or an ox accepts yoke and bridle? I think not. •-'- denial of Native womanhood is the reduction of the dic° C Pe°ple to a sub-human level. Animals beget animals. The 8 °f PatrUrchy demand that beneath the Native male e Natlve female. **The dictates of racism are that Native men are beneath white women and Native females are not fit to be referred to as women.** No one makes the mistake of referring to us as ordinary women. **White women invite us to speak if the issue of racism or Native people**. We are there to teach, to sensitize them or to serve them in some way. **We are expected to retain our position well below them, as their servants. We are not, as a matter of course, invited as an integral part of "their movement"—the women's movement. I am not now, nor am I likely to be, considered an authority on women in general by the white women's movement in this country. If I am asked to write, my topic as Native** whatever, and like as not**, the request comes replete with an outline and the do's and don'ts of what I may or may not say. Should I venture out on my own and deal with women as a whole and not in segregated Native fashion, the invitations stop coming. I am not interested in gaining entry to the doors of the "white women's movement.**" I would look just a little ridiculous sitting in their living rooms saying "we this and we that." Besides, it is such a small movement. I say this for those Native women who think that they may find equal relations among white women and who think that there may be some solace to be found in those relations. **We are slaves with our own consent.** As women, we do not support each other. We look at males when they speak and stare off into space when a woman steps assertively into the breach of leadership. Men who stand up and passionately articulate our aspirations about sovereignty are revered as powerful leaders; women who do so are "intimidating." We mock the liberation of women. I too am guilty of acceding to the erasure of our womanhood. I actually wrote articles with just the kind of strictures that today sicken me. No more. I used to be uncomfortable being with women. I can remember saying to a close friend of mine that I had more men friends than women. She nodded, yes, unoffended, but neither of us could think of a single male to whom we could say the converse without offending his manhood. We both had become complicit in the erasure of ourselves as women, as Natives. We have done enough to help Europeans wipe us off the face of the earth. Every day we trade our treasured women friends for the men in our lives. We even trade our sisters. **Let Wounded Knee be the last time that they erased us from the world of the living. Let us all blossom beautiful and productive.** 3. Isn't Love a Given?

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

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

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

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

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

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

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

## 2

**Observation One: Interp**

**First, our interpretation: debate is an agonistic field of play where participants must accept the constraints of agreeing to switch-sides on the topic by reading a topical affirmative when they are aff and negating the topic when they are negative.**

**Second, are our link arguments. The aff team fails to engage in this process in three ways:**

1. **Advocating a definitive course of action as indicated by the words ‘resolved’ and ‘should’[[1]](#footnote-1), rather they have you endorse a fluid system of constant criticism.**

**RESOLVED” EXPRESSES INTENT TO IMPLEMENT THE PLAN**

American Heritage Dictionary 2K

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

To find a solution to; solve …

To bring to a usually successful conclusion

**“SHOULD” DENOTES AN EXPECTATION OF ENACTING A PLAN**

American Heritage Dictionary **–** 2K

[www.dictionary.com]

3 Used to express probability or expectation

1. **Not defending the agent of the resolution, which is the government of the United States based in D.C.[[2]](#footnote-2)**

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

Webster’s Guide to Grammar and Writing **2K**

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

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

**THE U.S.F.G. is three branches of government**

Microsoft Encarta Online Encyclopedia **2K** [http://encarta.msn.com]

Supreme Court of the United States, highest court in the United States and the chief authority in the judicial branch, one of three branches of the United States federal government.

**OUR DEFINITION EXCLUDES ACTION BY SMALLER POLITICAL GROUPS OR INDIVIDUALS.**

Black’s Law DictionarySeventh Edition Ed. Bryan A. Garner (chief) **‘**99

Federal government **1.** A national government that exercises some degree of control over smaller political units that have surrendered some degree of power in exchange for the right to participate in national political matters.

1. **Not defending an increasing statutory or judicial restrictions on the Presidential war power authority of the President of the United States**

**Observation Two: The impacts**

**There are three net benefits to this interpretation of debate:**

**First, MORAL disagreement: Effective moral deliberation requires that all parties be willing to submit to a RECIPROCAL process of agonistic disagreement. Without switch-side debate, there can be no method of dealing with the practical constraints that surround any persuasive context. EVEN IF the affirmative wins there is merit to considering their case, their abandonment of of switch-side debate leaves us unable to speak to problems of power, violence and inequality**

**Gutmann & Thompson 96**

[Amy & Dennis, President of Penn State and Professor of Political Philosophy at Harvard, Democracy and Disagreement, p. 1//wyo-tjc]

OF THE **CHALLENGES** that American **democracy faces today**, none **is** more formidable than the problem of **moral disagreement**. Neither the theory nor the practice of democratic politics has so far found an adequate way to cope with conflicts about fundamental values. We address the challenge of moral disagreement here by developing a conception of democracy that secures a central place for moral discussion in political life. Along with a growing number of other political theorists, we call this conception deliberative democracy. The core idea is simple: **when citizens** or their representatives **disagree morally, they should continue to reason together to reach mutually acceptable decisions.** But the meaning and implications of the idea are complex. Although the idea has a long history, it is still in search of a theory. We do not claim that this book provides a comprehensive theory of deliberative democracy, but we do hope that it contributes toward its future development by showing the kind of delib-eration that is possible and desirable in the face of moral disagreement in democracies. Some scholars have criticized liberal political theory for neglecting moral deliberation. Others have analyzed the philosophical foundations of deliberative democracy, and still others have begun to explore institutional reforms that would promote deliberation. Yet nearly all of them stop at the point where deliberation itself begins. None has systematically examined the substance of deliberation—the theoretical principles that should guide moral argument and their implications for actual moral disagreements about public policy. That is our subject, and it takes us into the everyday forums of democratic politics, where moral argument regularly appears but where theoretical analysis too rarely goes. **Deliberative democracy involves reasoning about politics**, and nothing has been more controversial in political philosophy than the nature of reason in politics. **We do not believe that these controversies have to be settled before deliberative principles can guide the practice of democracy**. Since on occasion citizens and their representatives already engage in the kind of reasoning that those principles recommend, deliberative democracy simply asks that they do so more consistently and comprehensively. The best way to prove the value of this kind of reasoning is to show its role in arguments about specific principles and policies, and its contribu¬tion to actual political debates. That is also ultimately the best justification for our conception of deliberative democracy itself. But to forestall pos¬sible misunderstandings of our conception of deliberative democracy, we offer some preliminary remarks about the scope and method of this book. The aim of the **moral reasoning that our deliberative democracy pre-scribes** falls between impartiality, which **requires** something like altruism, and prudence, which demands no more than enlightened self-interest. Its first principle is **reciprocity**, the subject of Chapter 2, but no less essential are the other principles developed in later chapters. **When citizens reason reciprocally, they seek fair terms** **of social cooperation** for their own sake; they try to **find mutually acceptable ways of resolving moral disagreements**. The precise content of **reciprocity** is difficult to determine in theory, but its general countenance is familiar enough in practice. It **can be seen in** the **difference** between **acting in one's self-interest** (say, taking advantage of a legal loophole or a lucky break) **and** **acting fairly** (following rules in the spirit that one expects others to adopt). In many of the controversies dis-cussed later in the book, the possibility of any morally acceptable resolution depends on citizens' reasoning beyond their narrow self-interest and considering what can be justified to people who reasonably disagree with them. Even though the quality of deliberation and the conditions under which it is conducted are far from ideal in the controversies we consider, the fact that in each case some citizens and some officials make arguments consistent with reciprocity suggests that a deliberative perspective is not Utopian. To clarify what **reciprocity might demand** under non-ideal conditions, we develop a **distinction between** **deliberative and nondeliberative disa-greement.** Citizens who reason reciprocally can **recognize** that **a position** **is** **worthy** **of moral respect** **even** **when they think it morally wrong.** They can believe that a moderate pro-life position on abortion, for example, is morally respectable even though they think it morally mistaken. (The abortion example—to which we often return in the book—is meant to be illustrative. For readers who deny that there is any room for deliberative disagreement on abortion, other political controversies can make the same point.) The presence of deliberative disagreement has important implications for how citizens treat one another and for what policies they should adopt. When a **disagreement is not deliberative** (for example, about a policy to legalize discrimination against blacks and women), citizens do not have any obligations of mutual respect toward their opponents. In deliberative disagreement (for example, about legalizing abortion), **citizens** **should try to accommodate the moral convictions** of their opponents to the greatest extent possible, without compromising their own moral convictions. We call this kind of accommodation an economy of moral disagreement, and believe that, though neglected in theory and practice, it is essential to a morally robust democratic life. Although both of us have devoted some of our professional life to urging these ideas on public officials and our fellow citizens in forums of practical politics, this book is primarily the product of scholarly rather than political deliberation. Insofar as it reaches beyond the academic community, it is addressed to citizens and officials in their more reflective frame of mind. Given its academic origins, some readers may be inclined to complain that only professors could be so unrealistic as to believe that moral reasoning can help solve political problems. But such a complaint would misrepresent our aims. To begin with, we do not think that academic discussion (whether in scholarly journals or college classrooms) is a model for moral deliberation in politics. **Academic discussion need not aim at justifying a practical decision, as deliberation must**. Partly for this reason, **academic discussion is likely to be insensitive to the contexts of ordinary politics**: the pressures of power, the problems of inequality, the demands of diversity, the exigencies of persuasion. Some critics **of deliberative democracy show a similar insensitivity when they judge actual** political **deliberations** by the standards of ideal philosophical reflection. Actual deliberation is inevitably defective, but so is philosophical reflection practiced in politics. The appropriate comparison is between the ideals of democratic deliberation and philosophical reflection, or between the application of each in the non-ideal circumstances of politics. We do not assume that politics should be a realm where the logical syllogism rules. Nor do we expect even the more appropriate standard of mutual respect always to prevail in politics. A deliberative perspective sometimes justifies bargaining, negotiation, force, and even violence. It is partly **because moral argument has so much unrealized potential in dem-ocratic politics** that we believe it **deserves more attention**. Because its place in politics is so precarious, the need to find it a more secure home and to nourish its development is all the more pressing. Yet because it is also already part of our common experience, we have reason to hope that it can survive and even prosper if philosophers along with citizens and public officials better appreciate its value in politics. Some readers may still wonder why deliberation should have such a prominent place in democracy. Surely, they may say, citizens should care more about the justice of public policies than the process by which they are adopted, at least so long as the process is basically fair and at least minimally democratic. **One of our main aims** in this book **is to cast doubt on the dichotomy between policies and process** that this concern assumes. Having good reason as individuals to believe that a policy is just does not mean that collectively as citizens we have sufficient justification to legislate on the basis of those reasons. The **moral authority of collective judgments about policy depends in part on the moral quality of the process by which citizens collectively reach those judgments**. Deliberation is the most appropriate way for citizens collectively to resolve their moral disagreements not only about policies but also about the process by which policies should be adopted. **Deliberation is not only a means to an end, but also a means for deciding what means are morally required to pursue our common ends**.

#### Simulated national security law debates preserve agency and enhance decision-making---avoids cooption

Laura K. Donohue 13, Associate Professor of Law, Georgetown Law, 4/11, “National Security Law Pedagogy and the Role of Simulations”, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

**SWITCH-SIDE DEBATE: The net-benefits are epistemic because prepared, competitive discourse and listening to both sides of an argument is a prerequisite for critical reasoning, and ontological because it affirms a method of living that is the only antidote to the violence of the affirmative’s universalist dogma, which is root of violence and genocide**

**Roberts-Miller 3**

[Patricia, Associate Professor of Rhetoric at UT Austin, “Fighting Without Hatred: Hannah Arendt ' s Agonistic Rhetoric”, p. asp//wyo-tjc]

Totalitarianism and the Competitive Space of Agonism Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism and Eichmann in Jerusalem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that **the common world** of deliberate and joint action **is fragmented into** **solipsistic and unreflective behavior**. In an especially lovely passage, she says that in mass society **people are** all **imprisoned** **in the subjectivity of their own singular experience**, which does not cease to be singular if the same experience is multiplied innumerable times. **The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective**. (Human 58) What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because **obsession with one's own self** and the particularities of one's life **prevents** one from engaging in conscious, deliberate, **collective action**. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. **Self-obsession**, even (especially?) **when coupled with isolation** **from** one' s **community** is **far** **from apolitical**; **it has** political **consequences**. Perhaps a better way to put it is that it is political **precisely because it aspires to be apolitical**. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social." Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, but not act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibility for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody. It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitarian systems, Arendt's **solution is** the **playful and competitive space of agonism**; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a **competitive space** in which one **competes for recognition, precedence, and acclaim**" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives. Furthermore, the **competition is not ruthless;** it **does not imply a willingness to triumph at all costs. Instead**, it **involves** something like **having** such **a passion for ideas and politics that one is willing to take risks**. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. **This is a risk in that one might lose;** advancing an argument means that one must be open to the criticisms others will make of it. The situation is **agonistic not because the participants** manufacture or **seek conflict, but because conflict is a necessary consequence of difference** This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does not propose a public realm of neutral, rational beings who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity. Eichmann perfectly exemplified what Arendt famously called the "banality of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems (Pitkin 87). Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes, Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87) Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social. Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorb¬ing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4). Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slo¬gans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies. Arendt grants that there are people who willed the Holocaust, but she insists that **totalitarian systems** **result not** so much **from** the **Hitlers** or Stalins **as from the bureaucrats who may or may not agree with** the established **ideology but** who **enforce** the **rules** **for no stronger motive than a desire to avoid trouble** with their superiors (see Eichmann and Life). **They do not think about what they do. One might prevent such occurrences**—or, at least, resist the modern tendency toward totalitarian¬ism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38). By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that **Heidegger represented** just such a professional thinker for Arendt, and his **embrace of Nazism** **epitomized** the **genuine dangers such "thinking" can pose** (see Arendt's "Heidegger"). "**Thinking" is not typified by** the **isolated** **con¬templation** of philosophers; it requires the arguments of others and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others: **Political thought is representative**. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. **The more** people's **standpoints** I have **present** in my mind while I am pondering a given issue, and the **better I can imagine how I would feel and think if I were in their place,** the stronger will be my capacity for represen¬tative thinking and the more valid my final conclusions, my opinion. ("Truth" 241) **There are two points to emphasize** in this wonderful passage. First, **one does not get these standpoints in one's mind through imagining them, but through listening to them;** thus, **good thinking requires that one hear the arguments of other people.** Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, **this view presumes that speech matters**. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed. Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists tha^ the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defe ated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259). Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the j unctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. In Eichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how **truth** functions **does not fall anywhere in the three-part expeditio so prevalent in both rhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts**: "Freedom of opinion is a farce unless factual information is guaranteed" (238). The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking.

#### Third, Engaging the state is critical to the ability of citizens to break into the project of solving global challenges: It relies on an existing internationalist state and refocuses its energies through citizen participation in national institutions that solve for war as well as environmental and social challenges

**Sassen 2009**

[ColumbiaUniversity, istheauthorof TheGlobalCity (2ndedn, Princeton, 2001), Territory, Authority, Rights: From Medieval to Global Assemblages (Princeton, 2008) and A Sociology of Globalisation (Norton,2007), among others, 2009, The Potential for a Progressive State?, uwyo//amp]

Using state power for a new global politics These post-1980s trends towards **a greater interaction of national andglobal dynamics are not part of some unidirectional historical progres-sion**. There have been times in the past when they may have been as strong in certain aspects as they are today (Sassen, 2008a: chapter 3). But **the current positioning of national states is distinctive precisely because** 270 Saskia Sassen **the national state has become the most powerful complex organizational entity in the world, and because it is a resource that citizens, confined largely to the national, can aim at governing and using to develop novel political agendas. It is this mix of the national and the global that is so full of potential. The national state is one particular form of state: at the other end of this variable the state can be conceived of as a technical administrative capability that could escape the historic bounds of narrow nationalisms that have marked the state historically**, or colonialism as the only form of internationalism that states have enacted**. Stripping the state of the particularity of this historical legacy gives me more analytic freedom in conceptualising these processes and opens up the possibility of the denationalised state**.As particular components of national states become the institutional home for the operation of some of the dynamics that are central to glob-alisation they undergo change that is difficult to register or name. In my own work I have found useful the notion of an incipient denation-alising of specific components of national states, i.e. components that function as such institutional homes. **The question for research then becomes what is actually ‘national’ in some of the institutional compo-nents of states linked to the implementation and regulation of economic globalisation. The hypothesis here would be that some components of national institutions, even though formally national, are not national in the sense in which we have constructed the meaning of that term overthe last hundred years.This partial**, often highly specialised or at least particularised**, dena-tionalisation can also take place in domains other than that of economic globalisation, notably the more recent developments in the humanrights regime which allow national courts to sue foreign firms and dictators, or which grant undocumented immigrants certain rights. Denationalisation is, thus, multivalent: it endogenises global agendas of many different types of actors, not only corporate firms and financial markets, but also human rights and environmental objectives. Those confined to the national can use national state institutions as a bridge into global politics. This is one kind of radical politics**, and only one kind, **that would use the capacities of hopefully increasingly denationalized states. The existence and the strengthening of global civil society organ-isations becomes strategic in this context. In all of this lie the possibilities of moving towards new types of joint global action by denationalized states–coalitions of the willing focused not on war but on environmental and social justice projects.**

**Observation Three: Voting Issue**

**Vote negative to reject the affirmative’s dogmatic refusal to subject themselves to the constraints of switch-side debate.**

**First, BOUNDED CREATIVITY outweighs: You should embrace a model of debate that strikes a balance between predictability and creativity— preparing to debate within a common framework enhances education because it maximizes testing of ideas. That’s also a reason to SEVERLY DISCOUNT their impact claims because those claims have not been submitted to rigorous testing.**

**Goodin 03**

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

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

## Case

#### Feminist essentialism replicates racism and gender binaries due to the lack of focus on intersectionality, leads to irreparable psychic violence committed against racial and ethnic minorities, permanently preventing coalition building

Dixon 8

[DIXON, S.J.D. Candidate, Harvard Law School, 2008

Rosalind, MAIN ARTICLE: FEMINIST DISAGREEMENT (COMPARATIVELY) RECAST, 31 Harv. J.L. & Gender 277]

The downsides to feminists carrying a brief for women will be present in an intersectional and post-structural/post-modern account no matter how "strategic," provisional, or "non-foundational" the invocation of essentialist concepts is made. [154](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=3c548315491d35ef85c46da9ad2b950e&docnum=4&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=2a3992391e2152403a5b606521bef109&focBudTerms=&focBudSel=all#n154) In an intersectional account, the harm of deferred justice cannot be avoided by the purely contextual, provisional nature of what it means to carry a brief for women. Deferring feminist legal reform aimed at black women or poor women not only leads to pain and death for those women, [155](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=3c548315491d35ef85c46da9ad2b950e&docnum=4&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=2a3992391e2152403a5b606521bef109&focBudTerms=&focBudSel=all#n155) it can also legitimate the elements of the current race and class  system that lead to their subordination in ways that make that injustice more difficult to contest. [156](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=3c548315491d35ef85c46da9ad2b950e&docnum=4&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=2a3992391e2152403a5b606521bef109&focBudTerms=&focBudSel=all#n156) Similarly, the harms of psychic pain and feminist betrayal are harms that are experienced in the here and now by black women in ways that cannot be remedied by future feminist reforms that take a different contextual focus that is more sensitive to black women's experience. In fact, the sense of psychic pain inflicted on black women by strategic essentialism may be sufficiently acute as to lead black women to sever their connection to the feminist legal project permanently. [157](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=3c548315491d35ef85c46da9ad2b950e&docnum=4&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=2a3992391e2152403a5b606521bef109&focBudTerms=&focBudSel=all#n157) For post-structural/post-modern feminists, strategic essentialism will also have long-lasting effects, because "strategies always have meanings that exceed the purposes for which they are intended." [158](http://www.lexis.com/research/retrieve?y=&dom1=&dom2=&dom3=&dom4=&dom5=&crnPrh=&crnSah=&crnSch=&crnLgh=&crnSumm=&crnCt=&cc=&crnCh=&crnGc=&shepSummary=&crnFmt=&shepStateKey=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&fpSetup=0&brand=&_m=3c548315491d35ef85c46da9ad2b950e&docnum=4&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=2a3992391e2152403a5b606521bef109&focBudTerms=&focBudSel=all#n158) Most importantly, post-structural feminists suggest that strategic essentialism will co-opt feminists and their allies into actively legitimating the binarized sex and gender framework that they, more than anyone else, must resist if they are ever to succeed in subverting the current sources of gender injustice.   
Strategic essentialism thus not only fails to connect intersectional and post-structural/post-modern feminisms to older feminisms in an effective way, but also actively ignores the insights they offer in a way which compounds the current pattern of tuning out to feminism. New ways of connecting newer and older feminist theories are therefore required, if current patterns of selective tuning out to feminism are to be countered via this method.

#### Feminism gets coopted by the right-furthers the politicization of the female body and employs a politics that relies on heternormative practices for political legitimacy

Berlant 94

[Lauren Berlant “America, Fat, the Fetus” Boundary 2, Vol. 21, # 3. (Autumn, 1994), pp. 145-195 Dept. of Eng & Lit @ Univ of Chicago]

Most Anglo-American feminist work on the politics of fetal personhood has focused on its theft of the meaning of gender, maternity, and childbirth from women. Rosalind Petchesky, Paula Treichler, Faye Ginsburg, Emily Martin, Rayna Rapp, Zillah Eisenstein, Barbara Duden, Marilyn Strathern, and many others have performed critical analyses crucial to this one.' They have explicated profoundly the ways in which new technologies and new modes of representation, such as fetal imaging, have created a nationwide competition between the mother and the fetus that the fetus, framed as a helpless, choiceless victim, will always lose-at least without the installation of surrogate legal and technological systems to substitute for the mother's dangerous body and fallen will. And they collectively have established a powerful argument for redefining the conditions of gendered identity in America according to the difference that the capacity to reproduce makes in the woman's access to sociality, power, and value. In addition to witnessing the politics of woman's discipline to the norms of proper motherhood, it is important to recount this moment as a case study in the process of nation-formation and its reliance on manipulations of the identity form to occlude the centrality of reproduction to the processes by which the nation rejuvinates itself? In this light, the pregnant woman is the main legitimate space in which the category female converts into a national category and changes the meaning of citizenship-not just citizenship as a juridical category but also as a horizon of social practice and aspiration. One reason the revitalization of this category is so crucial now is that pro-life rhetoric has seen the relation between nature and nation as central to its sacred logics. Citizenship is the category in which these two formations are supposed to merge, but the arguments for their relation differ in different contexts. First, the narrative of natural development from gendered womanhood to pregnancy and motherhood has provided one of the few transformational lexicons of the body and identity we have. It has framed womanhood in a natural narrative movement of the body, starting at the moment a child is sexed female and moving to her inscription in public heterosexuality, her ascension to reproduction, and her commitment to performing the abstract values of instrumental empathy and service that have characterized norms of female fulfillment. Some antifeminist anti-abortion activists view the modern woman as no longer trained in or committed to the rigors of natural femininity; pregnancy appears not only to threaten a rupture in a traditional notion of the continuity between feminine value and motherhood but threatens the national future as well.

#### Organicism DA- Condemns queer bodies to abjection in the search for organic female purity

Bray 01

["Not woman enough: Irigaray’s culture of difference" Feminist Theory December 2001 vol. 2 no. 3 311-327 Prof @ Murdoch Univ Accessed at sagepub]

<pg. 320-21>

As Gomel comments: Equality equals sameness which is a delusion, since male and female bodies are so manifestly different. . . . Egalitarian society is therefore the worst kind of tyranny since it violates the law of nature inscribed in ‘corporeal morphology’. (1998: 218) Gomel’s point is that Irigaray conflates biology and ideology, a move which she reads as typical of anti-democratic politics which rely upon the idea of the organic state. For Gomel, Irigaray’s repeated invocation of nature and natural law is politically dangerous. Irigaray’s project can be read as part of a wider post-Romantic opposition to the Enlightenment and the alienating effects of industrialization. A post-Romantic organicist ideology, which privileges nature and feeling over culture and reason, and which idealizes maternity and the feminine, has informed a range of reactionary aesthetic and political systems. As Gomel has pointed out, Irigaray’s romanticization of the maternal body as the source of a redemptive opening into a new culture, can be understood within the context of such systems. For Gomel, ‘Irigaray’s vision is, in fact, closer to the political ideal of the organic state than to the traditional goals of women’s liberation’ (1998: 213). Gomel suggests there are many parallels between fascist celebrations of the organic state and Irigaray’s culture of difference. The parallels Gomel has discovered between fascist texts and Irigaray’s work are not, in her own words, . . . due to any direct influence but are the result of the same underlying ideological structure which is the opposition of organic/mechanical. In fascist discourse, it is translated into terms of race, in Irigaray into terms of gender. Both have precedents in the organicist vision and the appeal to ‘life’ which had a long post-Romantic history. (1998: 214) The organicist vision of a natural world order which characterizes postRomantic discourses depends upon an assumption that modern culture is essentially corrupt, and that such corruption depends upon the repression of the natural, instinctive body. Such critiques of the Enlightenment frequently idealized a lost Nature in order to oppose what were perceived to be the pathological effects of industrialization. Democracy, egalitarianism, science, technology and instrumental rationality were often collapsed as symptoms of the same death-driven and alienating corruption of Nature. It is also worth noting that the idealization of the feminine as a redemptive force has a history within modernity. Indeed, this very position informed a number of apocalyptic discourses in the late 19th century (Keller, 1996: 224–72). If culture is described as self-destructive and masculine then it hardly seems surprising that women, the feminine and the maternal will come to occupy the space of redemption in apocalyptic discourses. Moreover, if culture is the product of a masculinity that is pathological precisely because it disavows or silences women’s sexual difference, then sexual difference becomes overvalued as a redemptive, purifying and healing force.

#### Realism solves the impact-insists on diplomacy, humility, and resolving conflict in a non-violent manner if at all possible

Murray 97

[Alastair J.H. Murray, Politics Department, University of Wales Swansea, Reconstructing Realism, 1997, p. 192//uwyokb]

Consequently, it is not surprising that the third strut of this feminist epistemology, a broader notion of national security, seems unnecessary. Acknowledging the interdependence of human security in an age of nuclear holocaust and environmental degeneration would hardly seem to be a preserve of feminism. What of everything that George Kennan has said on this subject over the last forty years. Nor can we accept the notion that we need to redefine conflict resolution to focus more on mutually beneficial outcomes, when realism is deeply concerned with the amelioration of difference by diplomacy. What of the nine points with which Morgenthau concludes Politics among Nations? Nor can we accept the notion that “maternal thinking” and a female, contextual morality are required to attempt to confine conflict to non-violent means. A persistent theme of realism is that humility of self and toleration of others are the foremost moral imperatives, that conflict should not be permitted to become an ideological war of absolutes in which all enemies are monsters, all actions are legitimate, and all peaces are but punitive armistices. One ultimately has to question the need for a specifically feminist theory of international relations. We currently do not have two radically opposed standpoints, masculine and feminine, but a unified human standpoint which, with modifications, serves us reasonably well.

# 2NC

## FW

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

**Glover 10**

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

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

**The state is the only solvent site for radical politics-Neo-liberalism has ironically poised states to deemphasize nationalism and turn their projects to a global humanist agenda, no corporate power can match the complexity and resources of a state. Second, Engaging the state solves every impact: [Climate change, economic violence/injustice, war, other environmental catastrophes, racism, etc.]**

**Sassen 2009**

[ColumbiaUniversity, istheauthorof TheGlobalCity (2ndedn, Princeton, 2001), Territory, Authority, Rights: From Medieval to Global Assemblages (Princeton, 2008) and A Sociology of Globalisation (Norton,2007), among others, 2009, The Potential for a Progressive State?, uwyo//amp]

Power is made, and hence can be unmade. **The work of making power varies across time and space. And so does the success, effectiveness and durability of this work of making. This means also that powerlessness is constructed.** Powerlessness is not simply the absence of power or mere victimhood, as is so often believed. Hence **it is variable rather than fixed**. From there, then, comes the possibility that powerlessness can range from **elementary to complex.** This variability does not sim-ply depend on the characteristics of individuals: the settings also matter.For instance, the powerlessness of a specific undocumented immigrantwill be quite elementary in the context of a California commercial farmbut can become complex in a city like New York or Los Angeles. In thatcomplexity of powerlessness lies the possibility of a politics.Here I examine one particular aspect of a larger project that seeks to recode power and powerlessness (Sassen, 2008a, 2008b). It is the fact that **corporate economic globalization is far more dependent on national states and national spaces than the typical arguments in the globali-sation scholarship allow for. This is one way of researching the limits of power,** in this case, **corporate global power**. The work of national states has been far more important than is usually recognised. **Much has been said about the USA and the UK as the key states producing the design for the new standards and legalities needed to ensure pro-tections and guarantees for global firms and markets**. 2 But here it is 263 264 Saskia Sassen important to emphasise **that the imposed ‘consensus’ in the commu-nity of states to further globalisation is not merely a political decision: ite ntails specific types of work by a large number of distinct state insti-tutions in each of the 150 plus countries that have joined (willinglyor not) the global economy.** Legislative items, executive orders, adher-ence to new technical standards, and so on, will have to be producedthrough the particular institutional and political structures of each state**.**All these states worked at it, and in that process installed global logicsdeep inside their national institution. Precisely because of this**, I see a possible radical politics in using state capacities for a politics not only of resistance, but of remaking without the violence of armed conflict, without war**.I argue that **neo-liberal globalisation has**, ironically, **forced specific state institutions to learn how to do global work and has produced a par-ticular type of state authority and power, one geared to global projects.States have historically been nationalist.** One challenge for a radical pol-itics today is to **get states to redeploy that learning and that particular type of power towards the pursuit of alternative global projects–towardsan alternative globalisation. We need to push states to use that learn-ing and emergent global power for projects aiming at social justice andhuman security** in its many different settings. **It will take political action to get states to reorient their international work away from the corporate global economy and from war**. These global agendas include e**liminating economic violence, strengthening human rights, protecting the envi-ronment, fighting racisms and intolerance. None of these is likely tobe achieved fully. But we can do better with our massive resources.** Theworld need not be this grim.**Any working state is a complex organisation with major capacities to handle an enormous variety of challenges and disparate political alignments**. **Not even the richest corporation is as complex a capabil-ity as a working state**. Pity that just about most states are in the handof regressive forces when it comes to the larger agendas that wouldhumanise the world. If we add to this organisational complexity thefact that **states have shown a willingness to be more internationalist**,albeit on the wrong terrain, **it becomes clear that states are key actorsto address our global challenges, from the environment to socially justeconomic development. We cannot give up on this type of capabil-ity. We need to reorient these vast organisations within each country towards addressing these urgent challenges, some of which can onlyb e addressed through collaborations and concerted action among a majority of states**.

### Limits Good

**Bounded knowledge is good – debate should be maintained as a disciplinary space- key to unlocking critically pedagogies potential for social justice**

**McArthur 10**

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Holyrood Road, Edinburgh EH8 8AQ, UK Studies in Higher Education Vol. 35, No. 3, May 2010 ebsco DA: 5-24-13//wyoccd)

Giroux’s **critical pedagogy rests upon a commitment to** public spaces for learning, where diverse forms of **knowledge can be exchanged and developed; where students and teachers engage critically with those knowledges,** and with one another; and through which genuine democratic ideals can be pursued. **Disciplines are regarded as antithetical to these aims, because they are considered closed, elitist and to perpetuate conservative forms of relationships and types of knowledge. Thus, critical pedagogy seeks, instead, to escape disciplinary boundaries and build interdisciplinary spaces in which such public and political realms can exist and prosper**. Looking anew at disciplines I suggest that there is an alternative view of disciplines to that outlined above. In this view disciplines are complex, contested and permeable spaces. I further propose that, **if critical pedagogues** such as Giroux can, in Proust’s term, **look with new eyes at disciplines, they will hopefully see dynamic and safe structures that could provide real and robust allies in the fight to protect higher education from narrow, largely economic, interpretations of its role, and instead promote higher education as a democratic space which supports greater social justice.** In this section I seek to encourage this new look at disciplines by first outlining my conception of them as complex, contested and permeable structures, in contrast to Giroux’s perspective of disciplines as static, elitist and limiting. Secondly, I argue **that interdisciplinarity and disciplinarity should be thought of as complementary spaces, rather than alternatives**. Finally, I discuss how **the act of looking anew at disciplines may help critical pedagogy strengthen its own theoretical and practical stances. If critical pedagogy is to challenge narrow commercial and commodified conceptualisations of higher education, it needs to refocus on its commitment to action, rather than pure theory,** and looking anew at disciplines as potential allies may be a first step in doing this. Disciplines: complex, contested and permeable I am not arguing that disciplines have not at various times acted conservatively or have not valued stasis over change. Certainly, at different times, disciplinary structures have proven effective homes for forces resistant to change – both epistemologically and politically. Many of us can no doubt relate to the description of ‘the food-fights that go on within disciplines’, and ‘the most absurd yet intense and devastating attempts to expel from the center and marginalize people whose perspectives are different’ (Bérubé and Nelson 1995, 192). My argument, instead, is that these examples or snapshots of experience do not tell the whole story about the dynamic nature of disciplinarity. Those who take a long-term historical view of the development of disciplines, such as the authors of the essays within Anderson and Valente’s (2002) volume on Disciplinarity at the fin de siècle, reveal the degree of change, debate and contestation – of evolution, fracturing and succession – within such disciplinary structures. Thus, the editors state: ‘what has often been lacking in our current disciplinary debates is a longer perspective that would enable us to understand better their historical conditions and developments’ (1). Taking this long view is, I suggest, essential to looking anew at disciplines. **It is also rather paradoxical that critical pedagogues accuse disciplines of privileging certain forms of knowledge; critical pedagogy does this too. Such privileging is indeed, surely part of the inherently political nature of pedagogy?** What is crucial are the choices made between different forms of knowledge, the awareness of such choices, and the motivations for and outcomes of these choices. **If** Giroux’s **critical pedagogy could take a sufficiently long-term view of the development of disciplines, this would afford a better understanding of their intrinsically dynamic nature. Without this long view, there is the danger of falling into the trap of** what Plotnitsky (2002, 75) describes as **‘extreme epistemological conservatism’** in one’s analysis of disciplines. In his illuminating account of the development of quantum physics, Plotnitsky explores the link between disciplinarity and radicality. He argues that non-classical epistemology, ways of knowing that differ from that upon which the discipline has previously been based, form part of the ongoing development of a discipline such as physics. Indeed, ‘**Radicality becomes the condition of disciplinarity rather than, as it may appear at first sight and as it is often argued by the proponents of classical theories, being in conflict with it**’ (2002, 49). In contrast, Giroux appears to suggest that only in interdisciplinary fields such as cultural studies can non-classical or alternative forms of knowledge be brought together with more traditional epistemologies (Aronowitz and Giroux 1991; Giroux 1992). Giroux’s position is based upon his strong association of disciplines with canonical forms of knowledge and a rigid adherence to textual authority. The alternative is to see disciplines as Davidson (2004) does; as spaces with boundaries that are ‘flexible, culturally determined, interdependent and relative to time’ (302). Parker’s (2002) concept of ‘new disciplinarity’, encompassing a distinction between subjects and disciplines, helps illuminate the emancipatory potential of disciplinary spaces. She describes subjects as groupings which ‘can be reduced to common transferable and equivalent subject-specific skills’ (375), with an emphasis on ‘the end product, and skills and competencies’ that aggregate over set periods (375). It is true that subjects are inclusive, in the sense that nearly anyone can take part in studying them, but, as Parker argues, they are also passive – ‘they are taught, learned, delivered’ (374). In contrast, Parker views a discipline as something that is ‘practiced and engaged with’ (375). Disciplines are ongoing, evolving communities. Subjects permit only transmissive or bankable knowledge, while disciplines allow for transgressive and creative approaches. **Disciplines offer spaces for students and teachers to interact critically. Disciplines can encompass diverse and shifting knowledge communities.** Giroux’s fear that disciplines impose particular forms of knowledge, discourse and learning on students is not without foundation. However, I argue it is based on examples of poor practice, rather than anything inherent to the nature of academic disciplines. Disciplines are, and should be, sites of contestation and challenge; of competing and conflicting ‘takes’ on knowledge. What disciplines have internally in common is a shared discourse in which to undertake such conflict, and to do so with rigour. In her discussion of attitudes to disciplinarity among French academics, Donahue (2004) observes that: ‘They accounted for its contestatory nature, describing their own research groups as negotiated, arguing back-and-forth, and suggesting that this contested nature is part of what students must learn to navigate’ (68).

### Topical Version

#### A limited topic over war powers authority is key to solving the harms of the 1AC – it allows for an engaged public that can expose the hypocrisy of the federal government – only focus on specific policy questions can actualize change by making it relevant to policy-makers – the aff is more likely to cause disengagement and moral quietude than actual change

**Mellor 13**

The Australian National University, ANU College of Asia and the Pacific, Department Of International Relations,   
“Why policy relevance is a moral necessity: Just war theory, impact, and UAVs,” European University Institute, Paper Prepared for BISA Conference 2013, DOA: 8-14-13

**This** section of the paper **considers** more generally **the need for** just war **theorists to engage with policy debate** **about the use of force**, **as** **well as to engage with the** more **fundamental moral and philosophical principles** of the just war tradition. **It draws on** John **Kelsay’s** **conception of just war thinking as being a social practice**,35 **as well as on** Michael **Walzer’s understanding of the role of the social critic in society**.36 It argues that the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.”37 Kelsay argues that: **[T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force** . . . **citizens who choose to speak in just war terms express commitments** . . . [i**]n the process of giving and asking for** **reasons for going to war**, **those who argue** in just war terms **seek to influence policy** **by persuading others that their analysis provides a way to express and fulfil the desire that military actions be** both **wise and just.38** He also argues that “**good just war thinking involves continuous and complete deliberation**, in the sense that one attends to all the standard criteria at war’s inception, at its end, and **throughout the course of the conflict**.”39 **This** is important as it **highlights the need for** just war **scholars to engage** **with the ongoing operations in war and the specific policies that are involved**. **The question of** **whether a particular** war is just or unjust, and the question of whether a particular **weapon (like drones**) **can be used in accordance with the jus in bello criteria**, only **cover a part of the overall justice of the war**. **Without an engagement with the reality of war**, **in** **terms of the policies used** in waging it, **it is impossible to engage with the “moral reality of war,”40 in terms of being able to discuss it and judge it in moral terms** Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. The just war theorist, **as a social critic, must be involved with his or her own society and its practices**. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 the just war **theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted**.**42 It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to** **demonstrate** its **hypocrisy** **and to show the gap that exists** between its practice and its values.43 **The tradition** itself **provides a set of** **values and principles and**, as argued by Cian O’Driscoll, **constitutes a “language of engagement**” **to spur participation in public and political debate**.44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 **These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force**.46 **By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis. Engaging with the reality of war requires** recognising that war is, as Clausewitz stated, **a continuation of policy**. **War**, according to Clausewitz, **is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued**.47 **Engagement and political debate are morally necessary** **as the alternative is disengagement and moral quietude**, **which is a sacrifice of the obligations of citizenship**.48 **This engagement must bring** just war **theorists into contact with the policy makers** **and** **will require work that is** accessible and **relevant to policy makers**, **however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power.** **By engaging in detail** **with the policies being pursued** and their concordance or otherwise with **the principles of the just war tradition the policy-makers will be forced to account for their decisions and justify them in just war language.** **In contrast to the view**, **suggested** by Kenneth **Anderson, that “the public cannot be made part of the debate**” **and that “[w]e are** necessarily **committed into the hands of our political leadership**”,49 it is incumbent upon just war theorists to ensure that the public are informed and are capable of holding their political leaders to account. **To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility**. As Walzer has argued, it is precisely because it is “our country” that we are “especially obligated to criticise its policies.”51 This paper has discussed the empirics of the policies of drone strikes in the ongoing conflict with those associate with al Qaeda. It has demonstrated that there are significant moral questions raised by the just war tradition regarding some aspects of these policies and it has argued that, thus far, just **war scholars have not paid sufficient attention or engaged in sufficient detail with the policy implications of drone use.** **As such it has been argued that it is necessary for just war theorists to engage more directly with these issues and to ensure that their work is policy relevant**, **not in a utilitarian sense of abdicating from speaking the truth in the face of power**, **but by forcing policy makers to justify** their **actions according to the principles of the just war tradition, principles which they invoke themselves in formulating policy.** **By highlighting hypocrisy and providing the tools and language** **for the interpretation of action**, **the just war tradition provides the basis for the public engagement and political activism that are necessary for democratic politics.52**

### Disengaging Bad

#### switch-side debate is INTERESTED: a method of argumentation outweighs a method of knowledge or research because things like fiat, switching-sides and constraints on the topic are useful 'suspensions of disbelief' that can enable a better argumentative environment. There is a distinction between SWITCHING-SIDES on a topic and TAKING ANY POSSIBLE POSITION- Spanos conflates the two

#### Third, it links to the dogmatism disadvantage: dismissing debate because it is 'murderous' undermines our ability to debate meaningfully about debate. All logics can be pursued too far and it is Spanos’ unwillingness to submit to devil’s advocacy that is the true mark of fascism, which is Miller-Roberts.

## Case

#### Sexual difference mimes its founding violence by monopolizing exclusion-reproduces violent binaries and excludes questions of race, class, and anthropocentrism

Butler 04

[Butler, Professor of Rhetoric at Berkeley, 2004, Judith, “Bodies That Matter,” Engaging with Irigaray, Ed. Burke, Schor, Whitford, p.p. 160-162]

So perhaps here is the return of essentialism, in the notion of a "feminine in language"? And yet, she continues by suggesting that miming is that very operation of the feminine in language. To mime means to participate in precisely that which is mimed, and if the language mimed is the language of phallogocentrism, then this is only a specifically feminine language to the extent that the feminine is radically implicated in the very terms of a phallogocentrism it seeks to rework. The quotation continues, "[to play with mimesis means] 'to unveil' the fact that, if women are such good mimics, it is because they are not simply resorbed in this function. They also remain elsewhere: another case of the persistence of 'matter.' " They mime phallogocentrism, but they also expose what is covered over by the mimetic self-replication of that discourse. For Irigaray what is broken with and covered over is the linguistic operation of metonymy, a closeness and proximity that appears to be the linguistic residue of the initial proximity of mother and infant. It is this metonymic excess in every mime, indeed, in every metaphorical substitution, that is understood to disrupt the seamless repetition of the phallogocentric norm. To claim, though, as Irigaray does, that the logic of identity is potentially disruptible by the insurgence of metonymy, and then to identify this metonymy with the repressed and insurgent feminine, is to consolidate the place of the feminine in and as the irruptive chora, that which cannot be figured, but which is necessary for any figuration. That is, of course, to figure this chora nevertheless, and in such a way, that the feminine is "always" the outside and the outside is "always" the feminine. This is a move that at once positions the feminine as the unthematizable, the nonfigurable, but that, in identifying the feminine with that position, thematizes and figures, and so makes use of the phallogocentric exercise to produce this identity that "is" the nonidentical. There are good reasons, however, to reject the notion that the feminine monopolizes the sphere of the excluded here. Indeed, to enforce such a monopoly redoubles the effect of foreclosure performed by the phallogocentric discourse itself, one that "mimes" its founding violence in a way that works against the explicit claim to have found a linguistic site in metonymy that works as disruption. After all, Plato's scenography of intelligibility depends on the exclusion of women, slaves, children, and animals, where slaves are characterized as those who do not speak his language, and who, in not speaking his language, are considered diminished in their capacity for reason. This xenophobic exclusion operates through the production of racialized Others, and those whose "natures" are considered less rational by virtue of their appointed task in the process of laboring to reproduce the conditions of private life. This domain of the less than rational human bounds the figure of human reason, producing that "man" as one who is without a childhood; is not a primate, and so relieved of the necessity of eating, defecating, living and dying; one who is not a slave, but always a property holder; one whose language remains originary and untranslatable. This is a figure of disembodiment, but one that is nevertheless a figure of a body, a bodying forth of a masculinized rationality, the figure of a male body that is not a body, a figure in crisis, a figure that enacts a crisis it cannot fully control. This figuration of masculine reason as disembodied body is one whose imaginary morphology is crafted through the exclusion of other possible bodies. This is a materialization of reason that operates through the dematerialization of other bodies, for the feminine, strictly speaking, has no morphe, no morphology, no contour, for it is that which contributes to the contouring of things but is itself undifferentiated, without boundary. The body that is reason dematerializes the bodies that may not properly stand for reason or its replicas, and yet this is a figure in crisis, for this body of reason is itself the phantasmatic dematerialization of masculinity, one that requires that women and slaves, children and animals be the body, perform the bodily functions, that it will not perform.43 Irigaray does not always help matters here, for she fails to follow through the metonymic link between women and these other Others, idealizing and appropriating the "elsewhere" as the feminine. But what is the "elsewhere" of Irigaray's "elsewhere"? If the feminine is not the only or primary kind of being that is excluded from the economy of masculinist reason, what and who is excluded in the course of Irigaray's analysis? Improper Entry: Protocols of Sexual Difference The above analysis has considered not the materiality of sex but the sex of materiality. In other words, it has traced materiality as the site at which a certain drama of sexual difference plays itself out. The point of such an exposition is not only to warn against an easy return to the materiality of the body or the materiality of sex but to show that to invoke matter is to invoke a sedimented history of sexual hierarchy and sexual erasures, which should surely be an object of feminist inquiry but would be quite problematic as a ground of feminist theory. To return to matter requires that we return to matter as a sign that in its redoublings and contradictions enacts an inchoate drama of sexual difference.

#### Sex Difference feminism homogenizes the experiences of woman, inverting power relations and locking society into binary thinking

Mohanty 86

[Chandra Talpade Mohanty, postcolonial and transnational feminist theorist, 1986, Under Western Eyes, http://blog.lib.umn.edu/raim0007/RaeSpot/under%20wstrn%20eyes.pdf)

What does this imply about the structure and functioning of power relations? The setting up of the commonality of third world women's struggles across classes and cultures against a general notion of oppression (primarily the group in power—i.e., men) necessitates the assumption of what Michel Foucault calls the "juridico-discursive" model of power," the principle features of which are: "a negative relation" (limit and lack); an "insistence on the rule" (which forms a binary system); a "cycle of prohibition"; the "logic of censorship"; and a "uniformity" of the apparatus functioning at different levels. Feminist discourse on the third world which assumes a homogeneous category—or group—called women necessarily operates through the setting up of originary power divisions. Power relations are structured in terms of a source of power and a cumulative reaction to power. Opposition is a generalized phenomenon created as a response to power—which, in turn, is possessed by certain groups of people. The major problem with such a definition of power is that it locks all revolutionary struggles into binary structures—possessing power versus being powerless. Women are powerless, unified groups. If the struggle for a just society is seen in terms of the move from powerless to powerful for women as a group, and this is the implication in feminist discourse which structures sexual difference in terms of the division between the sexes, then the new society would be structurally identical to the existing organization of power relations, constituting itself as a simple inversion of what exists. If relations of domination and exploitation are defined in terms of binary divisions—groups which dominate and groups which are dominated—surely the implication is that the accession to power of women as a group is sufficient to dismantle the existing organization of relations? But women as a group are not in some sense essentially superior or infallible. The crux of the problem lies in that initial assumption of women as a homogeneous group or category ("the oppressed"), a familiar assumption in Western radical and liberal feminisms."

#### Heteronormativity D/A-Privileges heterosexuality as the only locus of ethics, reduces all oppression as symptomatic of a failed romantic relationship between men and women

Bray 01

"Not woman enough: Irigaray’s culture of difference" Feminist Theory December 2001 vol. 2 no. 3 311-327 Prof @ Murdoch Univ Accessed at sagepub   
<pg. 315-16> (MI)

However, Irigaray not only reduces humanity to two sexes. A further simplification occurs when we recognize that the men and women who compose this world are stereotypical heterosexuals. In the essay, *An Ethics of Sexual Difference*, Irigaray writes that ‘A nontraditional fecund encounter between the sexes barely exists’ (1993b: 6). She goes on to suggest forging ‘an alliance between the divine and the mortal, such that the sexual encounter would be a festive celebration and not a disguised or polemical form of the master–slave relationship’ (1993b: 17). The fact that not all sex is heterosexual and that not all heterosexual sex is unsatisfying for women is apparently beside the point. By conjuring up what really amounts to a stereotypical image of the traditional suburban couple in order to champion her vision of a radical culture of sexual difference, Irigaray retains a conservative blindness to the complexity of female desire and to the historical shifts in sexual relationships. Rather, Irigaray idealizes the revolutionary potential of a type of sublime heterosexual desire unmarked by racial or class differences in order to offer up her vision of a more natural culture of sexual difference. As Judith Butler also argues, Irigaray’s intense focus on the heterosexual couple has ‘actually made heterosexuality into the privileged locus of ethics, as if heterosexual relations . . . were somehow more ethical, more other-directed, less narcissistic than anything else’ (Cheah and Grosz, 1998: 28). Indeed, in many of Irigaray’s essays, the creation of a loving exchange between men and women is presented as the goal of her oppositional culture of difference.1 It is as though the apparent poverty of heterosexual love is the origin of the maladies of a culture of phallocentric sameness. Social and economic oppression is diagnosed as symptomatic of psychosexual repression and the failure of a loving and ethical relationship between men and women.

#### Sex difference politics ignores the complexities of human identity, including race and class, and delineates those who prioritize such concerns as “not woman enough”

Bray 01

["Not woman enough: Irigaray’s culture of difference" Feminist Theory December 2001 vol. 2 no. 3 311-327 Prof @ Murdoch Univ Accessed at sagepub]

Despite the mannered complexity of Irigaray’s writing, the world that she describes is surprisingly simplistic. Irigaray’s radical oppositional politics are dependent upon a particular description of the centre, of those cultural and sexual practices which apparently make up the lives of the majority of men and women who live in the world. In other words, in order to offer up a culture of difference as a radical antidote to the maladies of modernity, Irigaray describes a fictional culture of phallocentric sameness, a conservative ‘homosocial economy’ in which women are merely the objects of exchange among men. In this culture, the pathological psyches of heterosexual men dominate and repress women who remain passive, silenced and alienated from the specificities of their own desires. Phallocentric sameness is understood to be an expression of the masculine imaginary, the masculine libidinal economy. It is only when the maternal imaginary has been recuperated that a culture of difference will come into being and the maladies of a phallocentric modernity will be healed. This is, of course, in itself a simplification of Irigaray’s worldview but it is one which is largely true of her writing. One of the problems of such a worldview is that it excludes a multitude of differences, of which class and race are among the more powerful, in order to offer up sexual difference as the only difference which matters. Sexual difference gains in importance, the more the specificity of these other differences are excluded or reduced to the sameness of phallocentrism. Sexual difference is an immediate natural given and it is a real and irreducible component of the universal. The whole of human kind is composed of men and women and of nothing else. The problem of race is, in fact, a secondary problem – except from a geographical point of view? – which means we cannot see the wood for the trees, and the same goes for other cultural diversities – religious, economic and political ones. (Irigaray, 1996: 47) In this context, to define oneself as more than just a woman, as a complex being caught up in the material effects of race, class, ethnicity or subcultural affiliations is to be not woman enough. More recently, Gail Schwab argues that Irigaray’s model of sexual difference is the basis for ‘the future development of a new ethical order’ which moves beyond other cultural differences: ‘sexual difference therefore constitutes for Irigaray a universal, one whose shape is global and therefore outreaches racial, ethnic, religious and political differences of any kind’ (1998: 78). As Drucilla Cornell argues, to privilege sexual difference is to risk reducing the importance of racial and class difference (1998: 30). Such a move can only make sense when one occupies a space of privilege in which sexual difference is the only challenge one faces.

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### OV

#### Ow/s the aff- violence committed against Native people must be understood as qualitatively different than the marginalizations that occur to other minority groups- key to recognizing the colonialist privilege these groups seek to attain on stolen land

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

In this article, Sandy Marie Anglas Grande outlines the tensions between American Indian epistemology and critical pedagogy. She asserts that the deep structures of critical pedagogy fail to consider an Indigenous perspective. In arguing that American Indian scholars should reshape and reimagine critical pedagogy, Grande also calls for critical theorists to reexamine their epistemological foundations. Looking through these two lenses of critical theory and Indigenous scholarship, Grande begins to redefine concepts of democracy, identity, and social justice. Until Indians resolve for themselves a comfortable modern identity that can be used to energize reservation institutions, radical changes will not be of much assistance. (Deloria & Lytle, 1984, p. 266) Our struggle at the moment is to continue to survive and work toward a time when we can replace the need for being preoccupied with survival with a more responsible and peaceful way of living within communities and with the everchanging landscape that will ever be our only home. (Warrior, 1995, p. 126) Broadly speaking, this article focuses on the intersection between dominant modes of critical pedagogy' and American Indian intellectualism.2 At present, critical theories are often indiscriminately employed to explain the sociopolitical conditions of all marginalized peoples. As a result, many Indigenous scholars view the current liberatory project as simply the latest in a long line of political endeavors that fails to consider American Indians as a unique populations Thus, while critical pedagogy may have propelled mainstream educational theory and practice along the path of social justice, I argue that it has muted and thus marginalized the distinctive concerns of American Indian intellectualism and education. As such, I argue further that the particular history of imperialism enacted upon Indigenous peoples requires a reevaluation of dominant views of democracy and social justice, and of the universal validity of such emancipatory projects - including critical pedagogy. It is not that critical pedagogy is irrelevant to Indigenous peoples, as they clearly experience oppression, but rather that the deep structures of the "pedagogy of oppression" fail to consider American Indians as a categorically different population, virtually incomparable to other minority groups. To assert this is not to advocate any kind of hierarchy of oppression but merely to call attention to the fundamental difference of what it means to be a sovereign and tribal people within the geopolitical confines of the United States.

### Link

#### Second, Deconstruction erases the objective truth of sovereignty and Native histories – perm can’t solve because it denies the possibility of objective truth in the name of radical sexual politics, thereby erasing the facticity of the genocide of the Native American

Gorelova, 2009 (Olena, “Postmodernism, native American literature, and Issues of sovereignty.” http://etd.lib.montana.edu/etd/2009/gorelova/GorelovaO0509.pdf, online, MB)

Postmodernism is all about bringing margins into the play and rejecting grand narratives. Michael Dear and Gregg Wassmansdorf point out in *Postmodern Consequences* that postmodernists learn to contextualize and reject meta-theories in favor of undecidability and microexplanations and renounce the universal truth. Nevertheless, Craig Womack’s statement that there is Native American truth and it is worth looking for (Womack 4) seems to be more convincing, especially in terms of quest for sovereignty and re-establishment of Native histories and their validity. It is way too premature for Native scholars to deconstruct history when we haven’t yet constructed it. We need, for example, to recover the nineteenth century, especially in terms of understanding what Native writers were up to during that time and how their struggles have evolved toward what Indian writers can say in print today, as well as foundational principles they provide for an indigenous criticism. (Womack 3) Deconstructing history and identity would negate the whole purpose of American Indian literature, which, by many scholars, is identified as a support of sovereignty. Postmodernism deconstructs identity and gets rid of Native American points of view, thus putting Native perspective as well as Native narrative and story out of existence. Womack points out that postmodernism has a “tendency to decenter everything, including the legitimacy of a Native perspective” (Womack 6). Therefore, on the one hand, it undermines the ideology of the dominant mainstream society by ridding it of the notion of “alien other” and introducing it into the positive world of differences. On the other hand, the loss of center leads to the loss of meaning and history, therefore devaluing Native perspective as well as five hundred years of colonization that is still ongoing.

#### Sixth, feminism, even when diversified, sustains colonialism and white supremacy

Grande 4 (Sandy, Associate Professor of Education at Connecticut College, Ph.D., “Red Pedagogy”, pg. 124-126)

I feel compelled to begin by stating: I am not a feminist. Rather, I am indigena}¶ While, like other indigenous women, I recognize the invaluable contributions¶ that feminists have made to both critical theory and praxis in education,¶ I also believe the well-documented failure of whitestream feminists to¶ engage race and acknowledge the complicity of white women in the history¶ of domination positions it alongside other colonialist discourses. Indeed the¶ colonialist project could not have flourished without the active participation¶ of white women; therefore, as Annette M. Jaimes notes (1992, 311-344),¶ some American Indian women continue to hold white women in disdain as¶ they are first and foremost perceived as constituents of the same white¶ supremacy and colonialism that oppresses all Indians. Thus, in contrast to¶ dominant modes of feminist critique that locate women's oppression in the¶ structures of patriarchy, this analysis is premised on the understanding that¶ the collective oppression of indigenous women is primarily an effect of¶ colonialism—a multidimensional force underwritten by Western Christianity,¶ defined by white supremacy, and fueled by global capitalism.¶ To begin, it is necessary to map the complex and contradictory terrain of¶ both feminist theory and indigenous women. Just as the political space of¶ feminism is multifarious, so is the sociocultural space occupied by women¶ who identify as "American Indian." As Devon Mihesuah (1998) notes, American¶ Indian women differ in everything from blood-quantum to skin color,¶ and from religious affiliation to "opinions about what it means to be Indian."¶ Interfaced with such diversity, however, Indian women share commonalities¶ that extend beyond their gender—most significantly, the struggles against¶ genocide, cultural imperialism, and assimilation.¶ While these common experiences do not constitute a shared American Indian¶ history or contemporary reality, nor does the heterogeneity of experience¶ preclude the power and existence of grand narratives (e.g., colonization, capitalism,¶ the Enlightenment). Critical scholar Henry Giroux (1997) maintains¶ that "grand narratives" interface with the heterogeneity of experience, providing¶ for the historical and relational placement of different groups within¶ some "common project." In other words, while indigenous women may indeed¶ differ in everything "from blood-quantum to skin color," their shared experience¶ as "conquered peoples" historically and relationally places them¶ within the "common project" of colonization (Mihesuah 1998, 38). Furthermore,¶ it is this placement that connects the lives and experiences of indigenous¶ women (the colonized) to each other while it distinguishes them from¶ white women (the colonizers).¶ Generally speaking, such "binaries" (colonizer/colonized) are anathema to¶ "mainstream" feminism, dismissed as everything from essentialist and universalizing¶ to masculinist and coercive (Lather 1998). Insofar as this dismissal erases their lived experience, indigenous women view it as a rhetorical¶ device that not only relativizes difference but also conveniently allows¶ white women to deny their complicity in the colonialist project. Indeed,¶ "mainstream" feminists have been widely critiqued for failing to acknowledge¶ their privilege and the historical significance of racial and class differences¶ among women. Women of color, in particular, have taken issue with¶ their presumptions of a universal "sisterhood" and unproblematized patriarchy.¶ On this point, bell hooks (1989, 19-20) is worth quoting at length:¶ Ideologically, thinking in this direction enables Western women, especially privileged¶ white women, to suggest that racism and class exploitation are merely an¶ offspring of the parent system: patriarchy. Within the feminist movement in the¶ West, this has led to the assumption of resisting patriarchal domination as a¶ more legitimate feminist action than resisting racism and other forms of domination.¶ Such thinking prevails despite radical critiques made by black women¶ and women of color who question this proposition. To speculate that an oppositional¶ division between men and women existed in early human communities is¶ to impose on the past, on these non-white groups, a worldview that fits all too¶ neatly within contemporary feminist paradigms that name man as the enemy and¶ woman as the victim.¶ hooks's critique resonates deeply for indigenous women who continue to assert¶ the historical-material "difference" of their experiences. Indeed, this¶ analysis joins the voices of indigenous with African-American and other "labeled¶ women" working to create awareness of the interlocking systems of¶ domination, particularly those forces that have empowered white women "to¶ act as exploiters and oppressors" (hooks 1989, 603).¶ The historical divide between white and subaltern women suggests that¶ what has long passed as "mainstream" feminism is actually whitestream¶ feminism,2 that is, a feminist discourse that is not only dominated by white¶ women but also principally structured on the basis of white, middle-class¶ experience, serving their ethnopolitical interests and capital investments.¶ Currently, however, the critique of feminism as a whitestream discourse is¶ viewed as "passe," a "well-rehearsed argument" that no longer holds validity.¶ 3 While women of color and other marginalized women have long critiqued¶ the racist underpinnings of whitestream feminism, I am not convinced¶ that the discourse has fundamentally changed. Thus, on some level,¶ this analysis serves as a test of my own doubts about this supposed transformation.¶ There is no mistaking that the contemporary terrain of feminism is broadly¶ diverse." Even a cursory examination of the field reveals a multiplicity of contemporary¶ feminisms: liberal, postmodern, post-structural, Marxist, critical race, socialist, lesbian, womanist, and transnational feminisms. Upon closer examination,¶ however, it becomes apparent that there is little if any intersection¶ among these feminisms. In other words, women of color tend be the ones writing¶ about race and feminism, lesbi-bi-transgendered women about sexuality¶ and feminism, working-class women about class and feminism, and middleclass¶ heterosexual women about a depoliticized feminism. Thus, it isn't that the¶ feminist discourse has intrinsically diversified, but rather has simply evolved to¶ be more pluralistic, "inviting" different voices at the same time the existing¶ axes of power are retained. More pointedly, contemporary feminism is a ghettoized¶ terrain, marked by an uneven playing field wherein whitestream feminists¶ commandeer "the center," and subaltern women, the margins. This reality¶ calls into question the self-proclaimed death of whitestream feminism,¶ (re)inviting examinations of the field from a variety of perspectives.

**The active exclusion of Native America knowledge from academia makes Euro-American exploitation possible by silencing their perspective—this historical amnesia dooms us to future error replication**

**Dei 2** (George Sefa, Professor of Sociology and Equity Studies@ Ontario Institute for Studies in Education of the University of Toronto, “Rethinking the Role of Indigenous Knowledges in the Academy,” The Research Network for New Approaches to Lifelong Learning, <http://www.nall.ca/res/58GeorgeDei.pdf> //)

Ultimately, **we have to consider the role of Indigenous knowledges in the academy as** primarily **one of ‘resistance’ to** Eurocentrism; that is, resistance to the dominance of **Eurocentric knowledge as the only valid way of knowing**. **It is** resistance to Eurocentricism masquerading as a universal body of thought. I interpret resistance as referring to the social actions and practices of subordinate groups (and their allies) that contest hegemonic social formations and knowledges, as well as unravel and dislodge strategies of domination (Haynes and Prakash 1991: 3). Kellner (1995: 42) cautions against the ‘fetishization of resistance’. Abu-Lughod (1990) also reminds us of “...the tendency to romanticize resistance, to read all forms of resistance as signs of the ineffectiveness of systems of power and the resilience and creativity of the human spirit in its refusal to be dominated” (cited in Moore, 1997:89). My use of resistance is closer to Parry’s (1994) who points to Frantz Fanon and Amy Cesaire’s work and their “...**unwilling**ness **to abstract resistance from** its moment of performance” (p. 179) [cited in Moore, 1997: 89]. Moore (1997) correctly alludes to the “...importance of **historical**, cultural **and geographical specificity** to any understanding of resistance” (p. 89). He further understands the limitation of placing the focus on the ‘intentions’ of, rather on than the consequences of, everyday human action and social practice (p. 89). Moore (1997) holds that we must explore alternative conceptions of resistance, “...**[r]ather than measuring resistance against a yardstick of widespread** social and **political** economic **transformation, the micro-politics of tactical manoeuvers**... [**take**] **center stage**” (p. 90). In other words, we must view resistance in the academy as collective actions and strategies for procedural and incremental change. **Resistance starts by using received knowledges to ask critical questions about the nature of the social order**. **Resistance** also **means seeing ‘small acts’ as cumulative and significant for** social **change**. As one of my Caribbean-born, African graduate students wrote, “...I can’t tell you how affirming it is to see ‘patois’ in the books I am evaluating for my thesis. A few years ago, this would never have been possible...The fact that these languages make their way into texts at all is a phenomenal act of resistance. Of course, I realize that the use of local languages outside their appropriate contexts opens up a whole new set of challenges” (Lawson 1998). In thinking of Indigenous knowledges as ‘resistance knowledge’ we must acknowledge how easy it is to be complicit in the reproduction of hegemonic Eurocentric and colonized knowledges in the academy. **By failing to speak out** about Indigenous knowledges **we have become complicit in the** continued **marginalization and negation of such knowledges** in the academy. The integration (that is, centering) of Indigenous knowledges into the curricular, instructional and pedagogical practices of Western academies cannot be an unquestioned exercise. We must consider how power-saturated issues of academic social relations are used to validate different knowledges to serve particular interests. Of course, we must also be wary and critical of the integration of Indigenous knowledges into the academy if it is pursued to serve the interests of the modern state and corporate capital. **We must be concerned about the exploitative tendencies of Western academies** in order to affirm the status quo. Indigenous knowledges should be critical and oppositional in order to rupture stable knowledge. However, **our** caution and **cynicism should not lead to us to claim a separate space for Indigenous knowledges in/outside the academy**. **We must be careful that our academic practice** and politics **do not feed on the marginality of Indigenous knowledges**. **Maintaining a separate space** for Indigenous knowledge **feeds on the problematic idea that Indigenous** ways of knowing/**knowledges sit in a pristine fashion outside of the effects of other bodies of knowledge**. In fact, varied knowledge forms belong in the academy. Hence, we must understand our individual and collective academic complicities in creating this marginality by our failure to speak about multiple knowledges in curricular, instructional, pedagogic and textual practices. We must center the varied, alternative and sometimes oppositional discourses and knowledges systems in our academic communicative and pedagogical practices.

### AT: Perm

#### Third, There is no permutation- Women are constructed as subjects of life within the biopolitical regime of colonialism whereas Natives are subjects of death- this understanding conditioned and informs politics, we are the only prerequisite

Smith 10 (Andrea “Queer Theory and Native Studies: The Heteronormativity of Settler Colonialism” GLQ: A Journal of Lesbian and Gay Studies, Volume 16, Number 1-2, 2010, pp. 42-68 (Article) //)

Thus normative futurity depends on an “origin story.” The future is legitimated as a continuation of the past. Here I am reminded of how I have often heard Native activists say, “Let us not work on domestic or other forms of gender violence now, we must work on survival issues ﬁrst.”25 Of course, since Native women are the women most likely to be killed by acts of gender violence in the United States, they are clearly not surviving. The many works on Native women and feminism that say that we are “American Indian women in that order,” that position gender justice as something to be addressed after decolonization, all speak to how this politics of futurity sacriﬁces the lives of women and those who are not gender nor-mative for the indeﬁnitely postponed postcolonial future. As Denetdale notes, the Native nationhood that becomes articulated under this strategy of futurity is one that supports heteropatriarchy, U.S. imperialism, antiblack racism, and capital- ism. As Edelman states: “Political programs are programmed to reify difference and thus to secure in the form of the future, the order of the same.”26 Edelman calls us to queer “social organization as such” to show how our efforts to secure a better future for our children lead us to excuse injustice in the present.27 At the same time, however, this subjectless critique has its limits with regard to decolonization. For instance, Edelman’s analysis lapses into a vulgar construc- tionism by creating a fantasy that there can actually be a politics without a political program that does not always reinstantiate what it deconstructs, that does not always also in some way reafﬁrm the order of the same. Edelman’s “anti-oppositional” politics in the context of multinational capitalism and empire ensures the continu- ation of that status quo by disabling collective struggle designed to dismantle these systems. That is, it seems difﬁcult to dismantle multinational capitalism, settler colonialism, white supremacy, and heteropatriarchy without some kind of politi- cal program, however provisional it may be. Here, Native studies can temper this subjectless critique by engaging queer of color critique in particular. José Esteban Muñoz notes, for example, that an anti-oppositional politic ultimately opts out of relationality and politics. “Relationality is not pretty, but the option of simply opting out of it . . . is imaginable only if one can frame queerness as a singular abstraction that can be subtracted and isolated from a larger social matrix.”28 Furthermore, an anti-oppositional politic can quickly lapse into a leftist cynicism, in which all politics are dismissed as “reproductive” with no disruptive potential. This cynicism then becomes an apology for maintaining the status quo. As Muñoz argues: “The here and now is simply not enough. Queerness should and could be about a desire for another way of being in both the world and time, a desire that resists mandates to accept that which is not enough.”29 A politics of “opting out” clearly privileges those who are relatively more comfortable under the current situation. For indigenous peoples, however, who face genocide, as well as all peoples subjected to conditions of starvation, violence, and war, opting out is simply not an option. The question then arises, who will be left when we opt out of a struggle against white supremacy, settler colonialism, and capitalism? Those most imme- diately sacriﬁced in this “anti-oppositional” politic are indigenous peoples, poor peoples, and all those whose lives are under immediate attack. Thus, while Edel- man contends that the Child can be analytically separated from actual children, Muñoz demonstrates that Edelman’s Child is nonetheless a disavowed white Child. “The future is the stuff of some kids. Racialized kids, queer kids, are not the sovereign princes of futurity. [Edelman’s] framing nonetheless accepts and repro- duces this monolithic future of the child that is indeed always already white.”30 An indigenous critique must question the value of “no future” in the con-text of genocide, where Native peoples have already been determined by settler colonialism to have no future. If the goal of queerness is to challenge the repro- duction of the social order, then the Native child may already be queered. For instance, Colonel John Chivington, the leader of the famous massacre at Sand Creek, charged his followers to not only kill Native adults but to mutilate their reproductive organs and to kill their children because “nits make lice.”31 In this context, the Native Child is not the guarantor of the reproductive future of white supremacy; it is the nit that undoes it. In addition, while both “tradition” and “the future” must be critically engaged, it does not follow that they can be dismissed. As with identity, the notion of a tradition-free subject simply reinstantiates the notion of a liberal subject who is free from past encumbrances. As Elizabeth Povinelli’s work suggests, the liberal subject articulates itself as an autological subject that is completely self- determining over and against the “genealogical” subject (i.e., the indigenous sub- ject) trapped within tradition, determined by the past and the future.32 Essentially then, this call for “no future” relies on a primitivizing discourse that positions the [white] queer subject in relation to a premodern subject who is locked in history. The “Native” serves as the origin story that generates the autonomous present for the white queer subject.

#### Fifth, the permutation is the colonialist status quo, stripping the alternative of its intellectualism and adding the native identity as just another marginalized voice

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

Corporate Commodification

The forces of both ethnic fraud and cultural encroachment operate to create a climate ripe for the corporate commodification of American Indianness. While this commodification takes many forms, it is perhaps most visible in the marketing of Indian narratives, particularly publishing, in which literary/cultural forms of Indian intellectualism have been historically favored over critical forms. For instance, Indigenous scholar Elizabeth Cook-Lynn (1998) questions why the same editors and agents who solicit her "life story" also routinely reject her scholarly work. She writes, "While I may have a reasonable understanding why a state-run university press would not want to publish research that has little good to say about America's relationship to tribes.... I am at a loss to explain why anyone would be more interested in my life story (which for one thing is quite unremarkable)" (p. 121). The explanation, of course, is that the marketable narrative is that which subscribes to the Whitestream notion of Indian as romantic figure, and not Indian as scholar and social critic. Such a predisposition works to favor not only cultural/literary forms of American Indian intellectualism over critical forms, but also the work of "fraudulent" Indians over that of "legitimate" American Indian scholars. Cook-Lynn (1998) argues that, just as the rights to our land remain in the hands of the Whitestream government, the rights to our stories remain in non-Indian enclaves. Deloria (1998) similarly contends that what passes in the academic world as legitimate scholarship on American Indians is often the product of average scholars (often White) advocating a predetermined anti-Indian agenda2 and "fraudulent" Indians. That such work has been allowed to corner the market raises the question of who controls access to the intellectual property of American Indian peoples. Deloria himself asks, "Who is it that has made such people as Adolph Hungry Wolf, Jamake Highwater, Joseph Epes Brown, Su Bear, Rolling Thunder, Wallace Black Elk, John Redtail Freesoul, Lynn Andrews, and Dhyani Ywahoo the spokespeople of American Indians?" (p. 79). He responds by naming Whitestream America as both patron and peddler of the Hollywood Indian. He writes, "They [the fraudulent Indians] represent the intense desire of Whites to create in their own minds an Indian they want to believe in" (p. 79). As such, the market is flooded with tragic stories of lost cultures, intimate narratives of "frontier life," and quasi-historic accounts of the Native Americans' plight. Such stories are told and retold as part of America's dark and distant past, a bygone era of misguided faith where cultural genocide is depicted as an egregious but perhaps unavoidable consequence of the country's manifest destiny toward democracy. While I would never argue that stories depicting the truth of Native peoples' tragic experiences (e.g., Indian boarding schools, the Trail of Tears) do not deserve a central place in the telling of American history, such accounts become problematic in the wider context of Whitestream consumption of Indian history. Why are these stories the ones most often presented as the prime-time programs in the commodified literary network of Indian history? What is gained by focusing on these particular aspects of White domination and Indian subjugation? I argue that such stories serve several purposes, none of which contributes to the emancipatory project of American Indians. First, by propagating the romantic image of American Indians and concomitantly marginalizing the work of Indigenous intellectuals and social critics, Whitestream publishers maintain control over the epistemic frames that define Indians, and thus over the fund of available knowledge on American Indians. Second, such control is underwritten by the understanding that American Indian intellectualism exists as a threat to the myth of the everevolving democratization of Indian-White relations, and to the notion that cultural genocide is a remnant of America's dark and distant past. Third, the often oversimplified accounts of Indian history, framed in good-v.-badguy terms, allow the consumer to fault rogue groups of dogmatic missionaries and wayward military officers for the slow but steady erosion of Indigenous life, thereby distancing themselves and mainstream government from the ongoing project of cultural genocide. Finally, the focus on Indian history allows the Whitestream to avoid issues facing American Indians in the twenty-first century. As a result, Indians as a modern people remain invisible, allowing a wide array of distorted myths to flourish as contemporary reality - for example, that all the "real" Indians are extinct, that the surviving Indians are all alcoholic-drug addicts who have forsaken traditional ways to become budding capitalists, gaming entrepreneurs, and casino owners - and find their way into public discourse. At the same time these images are circulated, the intensive, ongoing court battles over land, natural resources, and federal recognition are ignored, fueling the great lie of twenty-first century democracy - that America's "Indian problem" has long been solved. Discussion. The forces of identity appropriation, cultural encroachment, and corporate commodification pressure American Indian communities to employ essentialist tactics and construct relatively fixed notions of identity, and to render the concepts of fluidity and transgression highly problematic. It is evident from the examples above that the notion of fluid boundaries has never worked to the advantage of Indigenous peoples: federal agencies have invoked the language of fluid or unstable identities as the rationale for dismantling the structures of tribal life and creating greater dependency on the U.S. government; Whitestream America has seized its message to declare open season on Indians, thereby appropriating Native lands, culture, spiritual practices, history, and literature; and Whitestream academics have now employed the language of postmodern fluidity to unwittingly transmute centuries of war between Indigenous peoples and their respective nation-states into a "genetic and cultural dialogue" (Valle & Torres, 1995, p. 141). Thus, in spite of its aspirations to social justice, the notion of a new cultural democracy based on the ideal of mestizaje represents a rather ominous threat to American Indian communities.

#### The permutation makes the use of identity as a site of resistance impossible

Teuton, 2001 (Sean, “Placing Ancestor’s postmodernism, realism and American Indian identity in James’s Welch’s winter in the blood” AIQ Vol 25, #4, 2001, project must, mb)

Perhaps in response to the insularity of the essentialist position, many Native intellectuals in the 1990s, such as Kimberly Blaeser, Louis Owens, and Gerald Vizenor, have been drawn to what is often called “poststructuralism” in linguistics and literary studies or, more generally, “postmodernism.”6 Postmodernism is a theoretical position through which French theorists in the late 1960s began to question the reliability of knowledge production in conditions of unequal class relations. Adapting this theory in order to critique power in a cultural and social context, U.S. postmodernist scholars explore, for example, how imperialist discourses distort representations of minoritized cultures. In the study of American Indian peoples, scholars influenced by postmodernism interrogate often-colonialist disciplines such as anthropology to reveal how historical and cultural attachments at times shape observers’ conclusions regarding Native lifeways. Native scholars implementing postmodernism explain how the racial construction of the misnomer Indian is historically tainted with colonialist coercion, and thus they deconstruct this identifying category. “The use of the word ‘Indian’ is postmodern, a navigational conception, a colonial invention, a simulation in sound and transcription,” writes Anishinaabe scholar Gerald Vizenor.7 But the challenge to confront the use of delimiting categories of analysis such as “race” is also a call to deconstruct other knowledge products such as cultural identity—because postmodernism is in the end a view of knowledge. While postmodernist theory promises to challenge dominating constructions of Native identity, as a principle, it also necessarily demands the dismantling of all identities, those not only external but also internal to in- digenous cultures. The postmodernist exposes how the construct called “identity” cannot avoid the use of power to subdue internal differences to invent a stable “subjectivity.” In this contemporary cultural theory, the individual is actually incoherent and fragmented though she or he may sustain the illusion of coherence. Post- modernists theorizing alterity typically deconstruct the self to reveal a matrix of power that inescapably distorts knowledge. In this view, a category of identity such as “Anishinaabe person,” which must inevitably exclude in order to identify culturally, is constructed by the very oppressive forces it hopes to resist. Judith Butler, an influential postmodernist, doubts the viability of an oppositional politics based on identity because categories of subjectivity are inevitably unstable: “The domains of political and linguistic ‘representation’ set out in advance the criterion by which subjects themselves are formed, with the result that representation is extended only to what can be acknowledged as a subject.” 8 Postmodernists tend to consider identities an illegitimate way of organizing one’s view of the world because identities are constructed from necessarily sub- jective personal experience. Jonathan Culler explains this poststructuralist view in his often cited epistemological thesis on experience in On Deconstruction: For a woman to read as a woman is not to repeat an identity or experience that is given but to play a role she constructs with reference to her iden- tity as a woman, which is also a construct, so that the series can continue: a woman reading as a woman reading as a woman. The noncoincidence reveals an interval, a division within a woman or within any reading sub- ject and the “experience” of that subject.9 The “interval” Culler identifies exposes a division within the self, a site of epistemic slippage that makes experience unreliable. In the prevailing discourse of postmodernism, experience cannot be a source of objective knowledge, for it is mediated by social and linguistic signification.

1. ### “Resolved” implies a policy or legislative decision

   Jeff Parcher, former debate coach at Georgetown, Feb 2001 http://www.ndtceda.com/archives/200102/0790.html

   Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconceivable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution. Affirmative and negative are the equivalents of 'yes' or 'no' - which, of course, are answers to a question.

   And Should denotes an expectation of enacting a plan  
   American Heritage Dictionary 2000 (Dictionary.com)  
   should. The will to do something or have something take place: I shall go out if I feel like it [↑](#footnote-ref-1)
2. Federal government is the central government in Washington DC  
   Encarta Online 2005,   
     
   United States (Government), the combination of federal, state, and local laws, bodies, and agencies that is responsible for carrying out the operations of the United States. The federal government of the United

   States is centered in Washington, D.C. [↑](#footnote-ref-2)