



## OPERATION TIPS NEG

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## INTEL – AFF OUTLINE

The United States Federal Government Should Reinstate Operation TIPS.

**BUSH'S TERRORIST PREVENTION AND INFORMATION SYSTEM, ALSO KNOWN AS OPERATION TIPS, AIMED AT THE CREATION OF ONE MILLION SPIES LOCATED THROUGHOUT THE UNITED STATES, COMPOSED OF MAIL DELIVERY PERSONS, TRUCK DRIVERS, AND OTHER PUBLIC WORKERS—HOWEVER, BUSH SCALED BACK OPERATION TIPS TO MAINTAIN RIGHTS CREDIBILITY AFTER CONTINUOUS PRESSURE FROM RIGHTS GROUPS AND ACTIVISTS  
THIS BACKPEDALING IS INDICATIVE OF BUSH'S RELIANCE ON HUMAN RIGHTS RHETORIC TO MAINTAIN A STRONG DEPICTION OF HIS ADMINISTRATION IN THE FACE OF PUBLIC OUTCRY**

**LA TIMES, TERRORISM TIP NETWORK SCALED BACK, 2002**

**OPERATION TIPS WAS THE FORMAL MANIFESTATION OF OTHER DOMESTIC SPYING PROGRAMS--EVEN WITH THE DISSOLUTION OF THIS PROGRAM, GOVERNMENT SANCTIONED SPYING IS BEING COVERTLY CARRIED OUT THROUGH OTHER PROGRAMS, ALLOWING BUSH TO MAINTAIN CREDIBILITY WHILE FURTHER AN AGENDA AIMED AT INSIDIOUS CONTROL**

**MARILYN YOUNG, PF OF HIST @ NY U, PERMANENT WAR, PROJ MUSE, 2005**

## CONTENTION TWO: RHETORIC

**BUSH DEPLOYS HUMAN RIGHTS AS A JUSTIFICATION FOR INTERVENTION--THE POST-SEPTEMBER 11TH WORLD REVOLVES AROUND PROTECTION OF THE NATION TO MAINTAIN A LIBERAL DEMOCRATIC POLITICAL PHILOSOPHY WITH THE FOCUS ON "HOMELAND SECURITY" AND HUMAN RIGHTS--THIS IS AN IDEAL PLACE TO BEGIN OUR CRITICISM OR RISK CONTINUAL INTERVENTION, CONTINUAL ACTION WITHIN THE COORDINATES OF THE CURRENT ETHICAL ERA WILL MAINTAIN A SYSTEM OF DOMINATION BASED AROUND THE PREVENTION OF A HOLOCAUST AND MAINTANENCE OF RIGHTS BY ANY MEANS NECESSARY**

**PAUL TREANOR, POLI SCI @ U OF AMSTERDAM, WHO IS BEHIND HUMAN RIGHTS WATCH?, <http://www.hartford-hwp.com/archives/27a/090.html>, 2003**

## INTEL – AFF OUTLINE

**INTERVENTION AND WAR IN THE NAME OF HUMAN RIGHTS WOULD KILL 10 MILLION PEOPLE EASILY, PUTTING MANY MORE LIVES AT STAKE OVER A STRUGGLE MANIFEST IN THE CURRENT BUSH ADMINISTRATION IDEOLOGY OF VIOLENT SELF MAINTAINENCE--WE MUST CRITICISE AND FIGHT THE IDEOLOGY WHICH MAINTAINS A "HOLOCAUST JUSTIFICATION" OR SUBMIT TO GLOBAL INTERVENTIONISM**

PAUL TREANOR, POLI SCI @ U OF AMSTERDAM, WHY FORGET THE HOLOCAUST?, <http://web.inter.nl.net/users/Paul.Treanor/forget.html>, 2006

**HUMAN RIGHTS CONCRETIZE WESTERN IMPERIALISM ALLOWING GLOBAL HOMO-SACER--HUMAN RIGHTS WHITEWASH ALL NEO-COLONIAL VIOLENCE CARRIED OUT BY THE U.S.**

SLAVOJ ZIZEK, AGAINST HUMAN RIGHTS, NEW LEFT REVIEW 34, JULY-AUGUST, 2005

**THIS LEADS TO AN UPSURGE OF MILITARY SOPHISTICATION LEADING TO TOTAL ANNIHILATION--LEGITIMATE COLONIALISM GENERATES UNCHECKED ABILITY TO CARRY OUT MILITARY GLOBALIZATION**

FRED DALLMAYR, PF GOV AND INTL STUDIES, "THE UNDERSIDE OF MODERNITY: ADORNO, HEIDEGGER, AND DUSSEL", CONSTELLATIONS, VOL. 11, ISSUE 1, MARCH, 2K4

## CONTENTION THREE: IDEOLOGY

**ITS NOT WHAT IS SAID, BUT WHO SAYS IT AND WHY THEY SAY IT--THE SAME IS TRUE OF CURRENT U.S. POLITICS WHICH REVOLVES AROUND PATHOLOGICAL CLAIMS AGAINST SADDAM--A RELIANCE ON PATHOLOGICAL CLAIMS IGNORES THE FUNCTION OF IDEOLOGY IN SHAPING OUR ACTIONS AND DISCOURSES--OPERATION TIPS IS THE BEST STARTING POINT FOR A CRITICISM OF BUSH'S IDEOLOGY BECAUSE OF ITS COVERT NATURE AND RELIANCE ON HUMAN RIGHTS RHETORIC**

SLAVOJ ZIZEK, PF @ EGS, IRAQ: THE BORROWED KETTLE, pg. 55-8, 2002

**CRITICISM OF IDEOLOGY MUST NOT BEGIN WITH THE SPECIFIC RHETORIC USED, BUT THE REASON FOR WHICH IT IS USED AND WHAT IT IS MANIPULATED TO JUSTIFY AND CONSTRUCT**

SLAVOJ ZIZEK, PF AT EGS, THE IRAQ WAR: WHERE IS THE TRUE DANGER, 2003

## OTHER INTEL:

All of their add-ons are more kritiky things that they either don't have solvency for or they link back to the human rights arguments.

Žižek writes nearly the entire file, so they'll try to kritik any "policy"-oriented stuff you try to run against them with his arguments. If you win the framework you should win the debate, so make sure you've got your framework file ready to go.



## STRATEGY SHEET

Topicality is topicality. The argument is on the word “service,” that having the option to call if you see something suspicious doesn’t qualify.

The Affirmative is kinda weak on internal links, so the case defense should be able to take those out. They only read one advantage in the 1AC and it’s based off of human rights being used to justify US imperialism. One, they can’t solve, their Treanor evidence talks about the holocaust... Two, there’s case stuff on the holocaust anyway.

On case offense, you have two options that *are* mutually exclusive. You have either the kritik and the sovereignty turns or the disad and the human rights turns. The Kritik + Sovereignty stuff just pairs up to say that the affirmative perpetuates the imperialism that it tries to prevent and the kritik can solve for imperialism/avoid the sovereignty turns, and the terrorism and human rights turns pair up to say that first, Operation TIPS will kill the war on terror and second, getting rid of universal human rights will make terrorism worse.

So, two options:

### KRITIK

TOPICALITY - SERVICE  
CASE DEFENSE  
HOLOCAUST DEFENSE  
AUTHOR INDICTS  
SOVEREIGNTY TURNS  
KRITIK OF HUMAN RIGHT KRITIKS

OR

### POLICY

TOPICALITY - SERVICE  
CASE DEFENSE  
HOLOCAUST DEFENSE  
AUTHOR INDICTS  
HUMAN RIGHTS TURNS  
FRAMEWORK (From any framework file)  
TERRORISM DA (Also from another [back]file)

Don’t run both, the sovereignty turns are based off of the war on terror so you don’t want to boost that...

Politics is also a viable option – the links on plan being unpopular are amazing, they’ll have to impact turn, so be ready for that. But politics can be a net benefit to the kritik as well, since it operates mostly through Human Rights NGOs.



## TOPICALITY – SERVICE

### 1. INTERPRETATION

**Definition of Service** – Citizen Corps volunteers work with their community, prepare preparedness plans and supply kits, form volunteer groups, and provide training opportunities.

**Citizen Corps website, no date cited** (<http://www.citizencorps.gov/ready/faq.shtml>, Accessed 8-10-06, dam)

Citizen Corps is an easy way for communities across America to engage every individual in preparing the homeland for any type of emergency or threat. When a state, tribe or local government participate in Citizen Corps, they are agreeing to 1) work with everyone in their community to get preparedness on the "radar screen". Citizens will develop household preparedness plans and disaster supply kits. They will form Neighborhood Watch groups, they will know what to do in times of emergencies; 2) provide emergency preparedness training opportunities to the citizens of their community. This could be in the form of first aid training, CPR, Community Emergency Response Team Training, or other forms of emergency response education and training; and 3) create opportunities in the community where citizens can engage in volunteer activities that support the first responders, disaster relief groups, and community safety organizations.

### 2. VIOLATION

a. **The Affirmative** only establishes a program that has people call in to report suspicious activity – they do not prepare kits, volunteer groups, or any traditional Citizen Corps work. They don't even *have* to call in.

**Randall, '02** (Kate, "Operation TIPS: Bush plan to recruit 1 million domestic spies," July 22, <http://www.wsws.org/articles/2002/jul2002/tips-j22.shtml>, dam)

Operation TIPS—the Terrorism Information and Prevention System—is one of the latest initiatives of the Bush administration's "war on terrorism." According to a statement posted as recently as last week on the government's web site, TIPS "will be a nationwide program giving millions of American truckers, letters carriers, train conductors, ship captains, utility employees, and others a formal way to report suspicious terrorist activity." The program is one component of the administration's USA Freedom Corps and Citizens Corps, announced by Bush in his State of the Union address last January, when he called for each American to donate two years, or 4,000 hours, in his or her lifetime to "the service of your neighbors and your nation." In the case of Operation TIPS, workers are being called upon to serve their neighbors by spying on them for the US Justice Department. Rachel King, legislative counsel for the American Civil Liberties Union, described it as "a program that will turn local cable or gas or electrical technicians into government-sanctioned Peeping Toms." So clearly does the proposal smack of police-state measures reminiscent of Nazi Germany or Stalin's GPU that a draft proposal last week from the House Select Committee on Homeland Security sought to block it, stating: "To ensure that no operation of the [Homeland Security] Department can be construed to promote citizens spying on one another, this draft will contain language to prohibit programs such as 'Operation TIPS.'" Following discussions with Homeland Security officials, the United States Postal Service announced that it would opt out of Operation TIPS, at least for now, eliminating letter carriers from the potential pool of spies. The scope of this new domestic spying program as envisaged by the Bush administration would be truly breathtaking. In its pilot stage, the plan calls for recruiting 1 million workers in ten as yet unnamed cities. The Citizens Corps web site has already begun accepting queries on the program and asks those interested to check back frequently for updates. Recruits are sought "whose routines make them well-positioned to recognize unusual events, to report suspicious activity." They are to receive special training.

### 3. STANDARDS

a. **Ground** – The aff interpretation crushes uniqueness for many disadvantages which are dependent on the number of people serving increasing, like spending, politics, and various internal trade-off disadvantages. Given the relatively small number of generic disadvantages on this topic any loss of disadvantage ground is a crushing blow to the negative unfairly skewing competitive equity.

b. **Limits**— The affirmative interpretation explodes the topic. It would allow any case that increased the number of peripheral people involved in programs. For example, if I show up to help a Peace Corps group build a house I might be participating in a program but I'm not SERVING in the Peace Corps. Our interpretation is fair – our Randall evidence indicates that Bush wants to make TIPS a huge program training 1 million people. If the plan specified that the Citizen Corps would have congress authorize funding to expand Citizen Corp to 100,000 people for purposes of training 1 million people to work in TIPS then the plan would be topical.

4. **Topicality and Extra topicality are a priori voting issues for reasons of fairness, education and jurisdiction.**

## CASE (SOLVENCY)

**Alternate Causalities – Interventionism is not a result of governmental action alone; they can't solve for NGOs, foundations, and the scholarly realm.**

**Treanor, studied Political Science at the University of Amsterdam, '03** (Paul, "Who is Behind Human Rights Watch?" <http://www.hartford-hwp.com/archives/27a/090.html>, dam)

For a century there has been a strong interventionist belief in the United States—although it competes with widespread isolationism. In recent years attitudes hardened: human-rights interventionism became a consensus among the 'foreign policy elite' even before September 11. Human Rights Watch itself is part of that elite, which includes government departments, foundations, NGO's and academics. It is certainly not an association of 'concerned private citizens'. HRW board members include present and past government employees, and overlapping directorates link it to the major foreign policy lobbies in the US. Cynically summarised, Human Rights Watch is a joint venture of George Soros and the State Department.

**Empirically denied – Žižek also cites the Neighborhood Watch as a program that could promote rights discourse; this program went into effect and we haven't been able to solve.**

**Žižek, philosopher at the University of Ljubljana, '02** (Slavoj, Iraq: The Borrowed Kettle, p.55-58, dam)

Operation TIPS will be phased in across the country to enable the system to build its capacity to receive an increasing volume of tips. It will be 'a nationwide program giving millions of American truckers, letter carriers, train conductors, ship captains, utility employees, and others a formal way to report suspicious terrorist activity', says the citizencorps.gov website. Involving one million workers in ten cities during the pilot stage, Operation TIPS will be 'a national reporting system. . . Every participant in this new program will be given an Operation TIPS information sticker to be affixed to the cab of their vehicle or placed in some other public location so that the toll-free number is readily available.' **Along the same lines**, back in 2002, John Ashcroft unveiled a new and expanded mission for the Neighborhood Watch Program. Hitherto, Neighborhood Watch has been a fairly low-key crime-prevention tool focused on break-ins and burglaries; now, the Bush administration has earmarked it for a broader role, surveillance in the service of the 'war on terror', asking neighborhood groups to report on people who are 'unfamiliar', or act in ways that are 'suspicious', or 'not normal'. When we focus on such measures, however, we should completely reject the standard liberal attitude of criticizing them principally as threats to individual freedom, in accordance with the sterile Question 'How much freedom should we sacrifice in our defence of freedom against the terrorist threat?' - at this level, we should fully and shamelessly endorse the good old 'totalitarian' Jacobin motto: 'No freedom for the enemies of freedom!' From a radical emancipatory perspective, is 'freedom' actually the highest and most untouchable point of reference? On the contrary, is the notion of freedom not so deeply enmeshed in structurally necessary ambiguities that it should *always* be viewed with elementary suspicion? Think of all the confusion caused by the standard Marxist attempts to oppose a 'merely formal' freedom to 'actual' freedom, against which it was easy for liberals to demonstrate how 'actual freedom' is in effect no freedom at all – how freedom is in its very essence, formal. Take Etienne Balibar's neologism *egaliberte* ('equality'), which tries to resolve the tired liberal dilemma 'more equality or more freedom?' by means of a truly Freudian symptomatic formation-condensation worthy of Heinrich Heine's famous pun 'famillionaire'. Indeed, is not 'egaliberte' ultimately a dream equivalent to that of a millionaire treating us in a 'familiar(kind and gentle, human)' way?

## REMEMBERING THE HOLOCAUST GOOD

**First, the defense: Today's historians do not remember the holocaust in an attempt to gain universal meaning from it. Memorialization reprocesses the past and allows us to form our own identities.**

Eisenstein, '99 (Paul, Holocaust Memory and Hegel, History & Memory, Winter/Fall, v11 n2 p5-36, dam)

We have passed from a historical literature conditioned by a few grand visions to a body of writing shaped by discrete, not necessarily interconnecting perspectives. By and large, it seems to me, in the first two decades after the Holocaust writers were preoccupied with the search for a single key—something that would unlock the mystery of the massacre of European Jewry. Since then, historians have moved more cautiously, guided by a variety of research agendas. With significant exceptions, historical writers today are uncomfortable with the frameworks they have inherited. They spend much of their time pointing to variety, paradoxes, complexities, and contradiction. Their writing is less informed by single, unitary perspectives than it was with their predecessors, and they have advanced our knowledge on many smaller fronts, in contrast to the massive, coordinated campaigns of those who went before. 15 In noting the unease historical writers have with their own frameworks, Marrus is in fact noting the ascendancy of a postmodern/ poststructuralist sensibility when it comes to the encounter with history, and the primary feature of this sensibility is precisely the avoidance of totalizing—i.e. the refusal of any position of supreme mastery. This is why so many historiographic accounts now seek to foreground their own inadequacy and why a sense of minimalism or understatement pervades so many memoirs and literary representations of the Holocaust. Rather than setting up theories, most of us spend our time deconstructing them, [End Page 12] and this latter gesture is taken by poststructuralists, new historians and pluralist humanists alike as the ethical position. In short, the totalizing gestures that are part and parcel of the Hegelian subject appear to replicate a certain fascist gesture and to evade the fundamental trauma of the Holocaust by recouping some meaning from it. As Dominick LaCapra suggests, every good historian today, far from being a universal subject, occupies only a "subject position" into which he/she must continually inquire and reflect upon critically and self-critically. 16 The result is a practice of memory that is decidedly against totalizing and the closure presumed to come with it. Instead, memorialization is for LaCapra a perpetual effort at "working-through" the Holocaust in an "attempt to counteract the projective reprocessing of the past through which we deny certain of its features and act out our own desires for selfconfirming or identity-forming meaning."

**Then the offense: First, the rhetoric of Holocaust denial can spillover to cause direct suffering, racism, and repression.**

Yonover, Professor of Law at Valparaiso University School of Law, '96 (Geri, 101 Dick. L. Rev. 71, Lexis, dam)

If Elie Wiesel is correct, to deny the Holocaust is to defame the dead n35 and to cause direct suffering to the survivors of the Death Camps, their children and grandchildren, as well as to the relatives of those who died. The connection between anti-Semitism and Holocaust denial and the creation of a climate which fosters [\*78] animosity, racial hatred, and repression is not tenuous. The language of Holocaust denial can be termed group defamation. n36 Rhetoric can often trigger action. Speech can turn into conduct. Words can migrate into "sticks and stones" which do, indeed, harm us. It is no accident that German narrative depicting Jews as evil preceded and justified the Nazi genocide. n37



## REMEMBERING THE HOLOCAUST GOOD

**And second, forgetting the holocaust will lead to a second annihilation. Memory and truth can keep this from happening.**

**Yonover, Professor of Law at Valparaiso University School of Law, '96 (Geri, 101 Dick. L. Rev. 71, Lexis, dam)**

Anti-Semitic language and Holocaust denial are a form of hate speech. n149 Holocaust denial fits squarely within the crux of the IIED tort: conduct or speech, "which in the eyes of decent [people] in a civilized community is considered outrageous and intolerable." n150 A university or school should aspire to be the most civilized community. Thus, hate speech emanating from the professoriate is particularly loathsome in a community of scholars. Courts, too, have recognized that the outrageousness and extremity of a defendant's conduct or speech must be examined, not in vacuo, but in the milieu in which it occurs. n151 If the academy's special [\*94] role is to pursue truth vigorously and to transmit knowledge, then neither goal is served by Holocaust denial. Although attempts have been made to criminalize such speech n152 or to subject the professor to academic discipline or dismissal, n153 neither method recognizes the special distress caused by Holocaust denial that can be experienced by survivors and their families, as well as by relatives of the millions of Jews who were put to death in the concentration camps. By relying on the IIED tort, a survivor or a relative of a survivor or victim can bear witness and confront those who would deny us our past, terrible though it was. To paraphrase George Santayana, those who would deny the past, condemn us to a second annihilation. Knowledge, memory and truth are what save us. Lessons from history must not be unlearned. Thus, we can reaffirm our commitment "to never again permit the occurrence of another Holocaust." n154



## SOVEREIGNTY TURN

**Justifying the war on terror through Operation TIPS will legitimize sovereignty and mimic the very violence it is trying to prevent.**

**Giroux, Global TV Network Chair Professorship at McMaster University, '06** (Henry, Comparative Studies of South Asia, Africa and the Middle East, v26 n2 p163-177, dam)

As war becomes the foundation for an empire-driven foreign policy in the United States, real and symbolic violence combine with a number of antidemocratic tendencies to make the world more dangerous and the promise of global democracy difficult to imagine in the current historical moment. Ultrationalistic imagery of empire disseminated by a largely right-wing media, now an echo chamber for the Bush administration, has made militaristic symbols widespread throughout American culture, reasserting racial hierarchies associated with earlier forms of colonialism. The language of patriotic correctness and religious fanaticism replaces the language of social justice and equality, bespeaking the enduring attraction if not "rehabilitation of fascist ideas and principles."<sup>3</sup> Indeed, war and warriors have become the most endearing models of national greatness. As the United States invokes jingoistic and antidemocratic policies through a notion of sovereignty legitimized as a never-ending war on terrorism, global democracy is now compromised. Rejecting any form of internationalism at odds with its own global interests, the United States is currently refashioning a notion of sovereignty defined through a biopolitics in which "daily life and the functioning of power [have] been permeated with the threat and violence of warfare."<sup>4</sup> Human beings are no longer protected by domestic and international law, and state violence becomes the defining feature of the imperial rogue state. As an instrument of unchecked biopower, law and violence become indistinguishable, and sovereignty is reduced to waging a war on terrorism that mimics the very terror it claims to be fighting. Within this notion of sovereignty, state violence is organized around the mutually determining forces of security and terrorism, which increasingly "form a single deadly system, in which they justify and legitimate each other's actions."<sup>5</sup> Whereas the Clinton administration situated its key positions in the Treasury Department, "the new Bush administration looks to its defense experts—Cheney, Rumsfeld, and [Rice]—to shape international policy, and relies upon a Christian order at home."<sup>6</sup> Within this view of sovereignty and power, Bush and his advisers well understood "the connection between internal and external order. They intuitively accepted Arendt's view that empire abroad entails tyranny at home, but state it differently. Military activity abroad requires military-like discipline at home."<sup>7</sup>

**This expansion of biopower and US sovereignty endanger the future of democracy and are being used to support wars and violence around the world; turns the case.**

**Giroux, Global TV Network Chair Professorship at McMaster University, '06** (Henry, Comparative Studies of South Asia, Africa and the Middle East, v26 n2 p163-177, dam)

While it would be ludicrous to suggest that the United States either represents a mirror image of fascist ideology or mimics the systemic racialized terror of Nazi Germany, it is not unreasonable, as Hannah Arendt urged in *The Origins of Totalitarianism*, to learn to recognize how different elements of fascism crystallize in different historical periods into new forms of authoritarianism. Such antidemocratic elements combine in often unpredictable ways, and I believe they can be found currently in many of the political practices, values, and policies that [End Page 164] characterize U.S. sovereignty under the Bush administration. Unchecked power at the top of the political hierarchy is increasingly matched by an aggressive attack on dissent throughout the body politic and fuels both a war abroad and a war at home. The economic and militaristic powers of global capital—spearheaded by U.S. corporations and political interests—appear uncurbed by traditional forms of national and international sovereignty, the implications of which are captured in David Harvey's serviceable phrase "accumulation by dispossession." Entire populations are now seen as disposable, marking a dangerous moment for the promise of a global democracy.<sup>8</sup> The discourse of liberty, equality, and freedom that emerged with modernity seems to have lost even its residual value as the central project of democracy. State sovereignty is no longer organized around the struggle for life but an insatiable quest for the accumulation of capital, leading to what Achille Mbembe calls "necropolitics," or the destruction of human bodies.<sup>9</sup> War, violence, and death have become the principal elements shaping the biopolitics of the new authoritarianism that is emerging in the United States and increasingly extending its reach into broader global spheres, from Iraq to a vast array of military outposts and prisons around the world.

## SOVEREIGNTY LINK EXT.

**Both terrorism and counterterrorism efforts are simply examples of attempting to retain state sovereignty.**

**i, Frances Myers Ball Professor of Philosophical Theology at the University of Virginia, '02** (John, "Sovereignty, Empire, Capital, and Terror," The South Atlantic Quarterly, Spring, v101 n2 p305-323, dam)

A perpetual war against terrorism can be seen as an effort to resolve the crisis of state sovereignty in the face of globalization. Since in a real sense both the Western and the different Islamic state forms face the same crisis, one can go further and say that both terrorism and counterterrorism, which [End Page 314] will quickly become commingled and indistinguishable, are attempts to resolve this crisis. To see globalization on one side and anti-globalization on the other (as Baudrillard perhaps tends to do) is too simple.

**The executive branch's tendency to take the rights of non-citizens away spreads biopower across the world; it amounts to stripping their status as humans.**

**Houen, Lecturer in Modern Literature and American Studies in the Department of English Literature at the University of Sheffield, '06** (Alex, "Sovereignty, Biopolitics, and the Use of Literature: Michel Foucault and Kathy Acker." Theory & Event, v9 n1, dam)

In light of these recent developments, I want to argue that there are two divergent strands of power emerging from the US: on the one hand, an executive administration acting against established laws in order to revive the sovereign's power over life, death, and exceptions; on the other hand, a disciplinary-juridical apparatus acting against the federal executive to extend its own jurisdiction over foreign territories and individuals. The contest between these two strands is literally a matter of fighting for power over the same foreign bodies, and to that extent they both contribute to spreading biopower globally. Admittedly, it is the Bush administration's resuscitation of sovereignty that has, to date, succeeded in retaining the upper hand. I would argue that effectively it is also succeeding in solving the question posed by Foucault at the end of Society Must be Defended: "How can one both make a biopower function and exercise the rights of war, the rights of murder and the function of death, without becoming racist?" (SMD, 263). By ratifying the category of "unlawful combatant," the US administration is not characterising its "non-citizen" enemy as a specific race or nationality. Rather, as someone declared to be waging war outside established laws and without state backing, the unlawful combatant is configured as anti-state, anti-national, and anti-political, and so cannot be seen as a political citizen. And without the rights of a political subject, such human "non-citizens" are stripped of the rights to be human, while the question of whether they will live or die is held in suspension. That is to say, not only is their status as human suspended, so is their existence as living being. And in that respect, the exercise of sovereignty here has not been a matter of "taking life" so much as producing a state of suspended animation, a state of being that is neither alive nor dead, but latent. Furthermore, the longer such unlawful combatants are deemed a threat, the longer the new sovereignty can justify its powers of suspension. Indefinite detention is thus an infinite prolongation of sovereignty's resuscitated power.

## SOVEREIGNTY LINK EXT.

**The War on Terror is perpetuating the systems of sovereignty and transnational biopower that cause the impacts of the case.**

**Houen, Lecturer in Modern Literature and American Studies in the Department of English Literature at the University of Sheffield, '06** (Alex, "Sovereignty, Biopolitics, and the Use of Literature: Michel Foucault and Kathy Acker." Theory & Event, v9 n1, dam)

So far I have been limiting my analysis of the "war on terror" to the current US administration, but I realize that other nation states have been making contributions of their own. To name but a few, the UK, Israel, Russia, and Australia have all used the "war on terror" as justification for adopting emergency measures to deal with terrorism. And aside from powers of detention, the new anti-terrorism measures have also introduced new state powers of surveillance over financial and communication networks, as well as powers over immigration and extradition. Counter to Hardt's and Negri's claim that biopower has largely subsumed state sovereignty, then, what we are witnessing in the "war on terror" is a growing *parallelism* of state sovereignty and transnational biopower. And the fact that various non-state, militant organizations also wage their wars through the same biopower networks is all the more reason why the "war on terror" is indicative of the extent to which the martial undercurrent of biopower has continued to suffuse all aspects of social relations. Just as the 11 September terrorists carried out their attacks on the World Trade Center by aiming US technology at the heart of economic and media networks, so the recent spate of hostage-taking in Iraq was conducted using internet broadcasting, thereby ensuring that the life of a single hostage can be figured as an example of networked life and exchanged for a host of economic and political demands. Not only are nation-state sovereignty and non-state militancy fighting over the same biopower networks, then, they are also becoming bound into a circuit of mutual exchange through these networks -- witness, for example, the hostage-takers in Iraq dressing their hostages in orange jump-suits like those worn by the Guantanamo Bay detainees. Taking all of this into account, Foucault's statement that "War is the motor behind institutions and order" (*SMD*, 51) has never been more apposite, for the "war on terror" is permeating not just state institutions but the very networks of biopower that permeate our lives to different degrees around the world.



## **A2: WE SOLVE SOVEREIGNTY**

**(\_) Even if you're able to begin solving for all sovereignty, the impacts of this turn will happen far more quickly than your timeframe. Furthermore, Žižek's overidentification is supposed to be done without revealing your intentions—for all that time you spend waiting for sovereignty to break down, Operation TIPS continues and perpetuates US sovereignty and your own impacts.**

## HUMAN RIGHTS TURNS

**We must give support to failed states to prevent the incubation of terrorism; human rights support can help.**

**Marrouchi, Associate Professor, Ph.D., University of Toronto, '03** (Mustapha, "Introduction: Colonialism, Imperialism, Terrorism," College Literature, Winter, p6-55, dam)

It is hard for anyone who witnessed the events of September 11 to convey without being explicit the yearning for peace in the world, but that is what the writer must do. In the process, one of the incongruities at which one's slow-moving mind balks is the combination of two forms of life that Max Weber thinks are immiscible: the symbolic-religious and the calculating-rational (Mills 1990, 45). "Obviously," Lorraine Daston perceptively adds, "those who carried out the attacks on 11 September practiced both, and simultaneously. It took painstaking planning, meshed co-ordination of people and objects, and a strategic eye for opportunities. This is means-end rationality with a vengeance. It also took a steely commitment to an ideal powerful enough to motivate suicide and mass murder" (2001, 21). Granted. The question, however, remains open: What is it to be done to avoid drugging ourselves and subjecting our children's minds to the addictive mix of fantasy and propaganda, the nonstop ads that pass for a culture? Talk of punishing states that "harbor" terrorism is simplistic and misleading. It is more accurate to say that failed states incubate terrorism. Therefore, bullying these states, ignoring the need of weak governments for domestic political support, will be devastatingly counterproductive. That Americans now see their own destiny at risk in such distant goings-on is a direct result of their callous foreign policy, a foreign policy that ought to be reviewed and seriously revised if the U.S. Government is to regain any respect at all in the world.

**US withdrawal from human rights promotion will lead to an increase in terrorism and unrest.**

**Marrouchi, Associate Professor, Ph.D., University of Toronto, '03** (Mustapha, "Introduction: Colonialism, Imperialism, Terrorism," College Literature, Winter, p6-55, dam)

The only international treaties the U.S. signs and honors are those it can both draft and impose on other countries. The agreement on Intellectual Property Rights is a case in point. "World bullies," Mary Beard writes, "even if their heart is in the right place, will in the end pay the price" (2001, 20). It is only now that the results of American imperialism are working their way out into actuality, for the resultant absence of any secular alternative, means that popular revolt and resistance in the Third World have nowhere to go but into religious and fanatic forms. As the U.S. war against terrorism spreads, more unrest is almost certain; far from closing things down, U.S. power is likely to stir them up in ways that may not be containable as witness the rejection of offers of a UN Security Council resolution authorizing the war [End Page 9] on terrorism, preferring instead to rely on an extended claim of self-defense. Moreover, the U.S. government has forged new alliances with illiberal regimes in Pakistan, Kyrgyzstan, Tajikistan, Uzbekistan, Saudi Arabia, Jordan, and Egypt reversing years of effort to promote human rights and freedom of speech (Byer, 2002, 14). In an age of increasing interdependence and co-operation, Bush and his hyena-like advisers (from tight iron pants Rice to cold-blooded Rumsfeld) are deliberately out of step with most of the world.



## **A2: HUMAN RIGHTS SUCK**

(\_) Our evidence is much more specific on this point. Žižek only says that human rights perpetuate US imperialism but never gives an impact, and your impact author gives no warrants as to why imperialism is bad. Our Marrouchi evidence gives one specific instance of why US involvement is good, and that's in order to prevent terrorism. If we withdraw, states will begin to fail, Iraq proves. These failed states are exactly what foster terrorism – in attempting to break down US imperialism, you doom the world to a nuclear explosion.

## TREANOR

**Their own author would disagree with their plan; he believes terrorism is necessary to change the political order.**

**Treanor, studied Political Science at the University of Amsterdam, '03** (Paul, "The ethics of terror," <http://web.inter.nl.net/users/Paul.Treanor/terror-ethics.html>, dam)

Specifically, terrorism is necessary for innovations in the geopolitical order. In such cases there is no question of an alternative mechanism, and the historical record is clear: borders are changed, and states are dissolved and formed, by force of arms. I emphasised in the petition the deep hypocrisy of the European leaders, who condemn geopolitical violence as 'terrorism', while their own states were established in the same way. I quoted the funeral oration by the Irish premier Bertie Ahern, for the IRA-man Kevin Barry - arrested by your predecessors in the British police, and executed. After 90 years, and often less, the secessionist terrorist becomes the fallen hero of the nation, and the barbaric terror becomes the heroic struggle for freedom. Most of the current EU member states established their sovereignty by force in the last 200 years. None of them existed in their present borders in 1800. Croatia, which today became an official candidate for EU membership, secured its independence at the cost of hundreds of thousands of dead in the 1940's, and into the mid-1990's. And yet its premier would, like Bertie Ahern after his oration for Kevin Barry, denounce violence for political ends.

**Their author believes it is ethically inconsistent to prevent terrorism when the preventing nations were built on histories of violence.**

**Treanor, studied Political Science at the University of Amsterdam, '03** (Paul, "Legalize Terrorism," <http://web.inter.nl.net/users/Paul.Treanor/terrorism.html>, dam)

The older nation states themselves came into existence by force and conquest. The core of the present Netherlands was conquered, step by step, by the Counts of Holland and their successors. Even Amsterdam, the present capital, was once an independent state. The catholic southern provinces were later simply annexed, by the troops of the Estates-General of Holland. No democratic process of any kind is visible in the formation of the Netherlands: the 'demos' of the present Netherlands democracy was assembled by force. All the great nation states of western Europe arose in this way: France was conquered from the Duchy of Orléans, the United Kingdom from southern England, Spain from Aragon and Castille. If violence is not legitimate, then these states are not legitimate. It is ethically inconsistent, that they now forbid others to change state boundaries by force.

**Injustice against minorities in a democracy make terrorism necessary.**

**Treanor, studied Political Science at the University of Amsterdam, '03** (Paul, "The ethics of terror," <http://web.inter.nl.net/users/Paul.Treanor/terror-ethics.html>, dam)

Majority injustice against weak minorities necessitates terrorism. The introduction of genital inspections, for certain ethnic groups in the Netherlands, is a classic example of how a majority can humiliate a marginalised minority, within a democracy. The inspections are targeted against Somali's, possibly also Egyptians and Sudanese. (Britain is considering similar measures). Any parent who belongs to these ethnic groups will be required, purely on the basis of their ethnic origin, to present their daughters for annual genital inspection. If they refuse they could be jailed as sex abusers, for the refusal will be taken as evidence of female genital mutilation. The ostensible aim is to protect children, but anti-immigrant parties support the measure, knowing it will deter Somali immigration. It is deeply humiliating for parents, possibly traumatic for their daughters, and it creates a climate of fear among Somali's. And they can do nothing about it: they have no unified political organisation, they are generally unpopular, and their media image has been reduced to the mutilation issue. So Somali parents face this dilemma: *surrender your daughters to be traumatised, or go to jail as a sex abuser and lose all your children.* Neither democracy, not the rule of law will protect them from this: the average Dutch judge would treat a Somali plaintiff with contempt.

## ŽIŽEK – 1NC

**First, human rights should not simply be dismissed, they are necessary to prevent politics from devolving into a fight of particular interests.**

**Žižek, philosopher at the University of Ljubljana, '05** (Slavoj, New Left Review 34, "Against Human Rights," July-August, <http://www.newleftreview.net/?page=article&view=2573>, dam)

Rancière has proposed a very elegant solution to the antinomy between human rights, belonging to 'man as such', and the politicization of citizens. While human rights cannot be posited as an unhistorical 'essentialist' Beyond with regard to the contingent sphere of political struggles, as universal 'natural rights of man' exempted from history, neither should they be dismissed as a reified fetish, the product of concrete historical processes of the politicization of citizens. The gap between the universality of human rights and the political rights of citizens is thus not a gap between the universality of man and a specific political sphere. Rather, it 'separates the whole of the community from itself'. [16] Far from being pre-political, 'universal human rights' designate the precise space of politicization proper; what they amount to is the right to universality as such—the right of a political agent to assert its radical non-coincidence with itself (in its particular identity), to posit itself as the 'supernumerary', the one with no proper place in the social edifice; and thus as an agent of universality of the social itself. The paradox is therefore a very precise one, and symmetrical to the paradox of universal human rights as the rights of those reduced to inhumanity. At the very moment when we try to conceive the political rights of citizens without reference to a universal 'meta-political' human rights, we lose politics itself; that is to say, we reduce politics to a 'post-political' play of negotiation of particular interests.

**Second, Žižek's alternative is nihilistic and undermines our ability to resist the system.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107, dam)

In this article we want to suggest that whilst Žižek's recent work is intellectually 'radical', this is not, despite appearances to the contrary, a radicalism that left politics can draw sustenance or hope from. Žižek does not offer an alternative that is genuinely progressive or transformative, but only the negativity of what Raoul Vaneigem terms 'active nihilism' (1967: 178). This negativity 'breaks' with the present but undermines rather than generates a meaningful politics of resistance to the system. What Žižek delivers falls short of its promise. In our view, therefore, his position should be opposed by those genuinely concerned with advancing left radical goals and a meaningful resistance to the neoliberal status quo.



## ŽIŽEK – 1NC

**Third, Žižek's alternative provides a way for academics to "fight" the system while being able to retain their privileged lives. These individual acts work against the emancipation of oppressed groups.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

How can one overcome capitalism without the ability or capacity to imagine an alternative? Žižek's answer relies on his extension of Lacanian clinical principles into social analysis. For Žižek, every social system contains a Symbolic (social institutions, law, etc.), an Imaginary (the ideologies, fantasies and 'pseudo-concrete images' which sustain this system), and a Real, a group which is 'extimate' to (intimately present in, but necessarily external to) the system, a 'part of no part' which must be repressed or disavowed for the system to function. Žižek identifies this group with the symptom in psychoanalysis, terming it the 'social symptom'. Just as a patient in psychoanalysis should identify with his or her symptom to cure neuroses, so political radicals should identify with the social symptom to achieve radical change. This involves a 'statement of solidarity' which takes the form 'We are all them', the excluded non-part – for instance, 'We are all Sarajevans' or 'We are all illegal immigrants' (Žižek, 1999: 231). By identifying with the symptom one becomes, for Žižek, a 'proletarian', and therefore 'touched by Grace'.<sup>11</sup> Thus even academics can perform an authentic Act while retaining their own accustomed lifestyle simply by identifying with the anathemas thrown at them by others. Since the social symptom is the embodiment of the 'inherent impossibility' of society, identification with it allows one, paradoxically, to recover a radical politics which is rendered unthinkable and impossible by the present socio-symbolic system. Identification with the symptom is not an external act of solidarity. Žižek does not accept a division between individual and social psychology, so he believes identifying with the social symptom also disrupts one's own psychological structure. This identification involves neither the self-emancipation of this group nor a struggle in support of its specific demands, but rather a personal act from the standpoint of this group, which substitutes for it and even goes against its particular demands in pursuit of its ascribed Truth (Butler et al., 2000: 125; Žižek, 2001a: 5).

**Fourth, Overidentification with the system fails – either their overconformity is just a gateway to oppression, or their attempts to impose criteria undermine the authenticity of their act.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

Regarding social structures, furthermore, Z iz ek consistently prefers overconformity to resistance. For him, disidentification with one's ideologically- defined role is not subversive; rather, 'an ideological edifice can be undermined by a too-literal identification' (Z iz ek, 1997a: 22). Escapism and ideas of an autonomous self are identical with ideology because they make intolerable conditions 'liveable' (Butler et al., 2000: 104); even petty resistance is a 'condition of possibility' of the system (Z iz ek, 1997a: 20), a supplement which sustains it. To be free of the present, one should renounce 'the transgressive fantasmic supplement that attaches us to it', and attach oneself instead to the public discourse which power officially promotes (see, for example, Butler et al., 2000: 220; Z iz ek, 2000: 149). So how does Zizek distinguish his 'leftist' politics from 'rightist' alternatives which would equally meet the formal criteria of an Act? To resolve this dilemma he introduces the idea of the 'false Act' (or 'rightist suspension of the ethical') to deal with this problem. False acts, such as the Nazi seizure of power and the bombing of Afghanistan, have the formal structure of an Act, but are false because they involve impotent acting-out against a pseudoenemy, and therefore do not traverse the actual social fantasy (see, for example, Butler et al., 2000: 126–7; Z iz ek, 2001c: 4). Their function, rather, is to preserve the system through the acting-out. One can tell a true Act from a false Act by assessing whether an act is truly negative, i.e. negates all prior standards, and by whether it emerges from a single 'touchy nodal point . . . which decides where one truly stands' (Butler et al., 2000: 125).<sup>19</sup> This is problematic because Z iz ek here introduces external criteria while elsewhere stating that the Act must negate all such criteria. Furthermore, if the authenticity of an Act is dependent on an empirical assessment of where the actual social void is, then Z iz ek's account of the Act as the assertion of a Truth over and against the facts is undermined.

## ŽIŽEK – 1NC

**Fifth, Žižek's theories are anti-Semitic, anti-feminist, and formulate a world that is impossible for humans to change.**

**Breger, Assistant Professor of Germanic Studies at Indiana University, Bloomington, '01** (Claudia, The Leader's Two Bodies: Slavoj Žižek's Postmodern Political Theology, Diacritics, Spring, v31 n1 p73-90, dam)

As the metaphor of "exegesis" may suggest, I am arguing that Žižek's theory establishes a theological frame of reference. 5 His "wild, multilingual discourse machinery" [Wetzel 209] functions as a theological commentary on the body of Lacanian "holy scripture." By politicizing his "holy" Lacan through a frame deeply affected by the philosophy of German idealism, notably Hegel—a philosophical "common ground" of his Marxism and his psychoanalysis—Žižek turns the transcendental frame of Lacanian [End Page 74] psychoanalysis into a vehicle of a political theology. Its central figure, the totalitarian leader, is modeled after the premodern concept of the king analyzed by Ernst Kantorowicz in his 1957 study, The King's Two Bodies. According to Kantorowicz, the doubling of the monarch's body historically served to guarantee the continuity of the "body politic" of monarchical power in the succession of mortal, "natural" bodies on the throne. Juridically elaborated in Tudor England, the concept had its precursors and parallels in a variety of images and ideas developed in medieval continental philosophy, notably the early christological concept of the king. Kantorowicz described his work as A Study in Medieval Political Theology, and albeit careful not to overtly politicize his historical endeavor, he located his medieval and early modern material in the genealogy of modern political theology with its fascist implications [viii; Kantorowicz alludes to Carl Schmitt here]. By elaborating the image of the totalitarian leader with regard to "the king's two bodies," Žižek not only effects the move of actualization implied by Kantorowicz, but he also reenacts the theological gesture of legitimation that Kantorowicz analyzes. Developed in the 1990s, Žižek's "political theology" is clearly marked by postmodern thought: it is characterized both by an affirmation of the performative enactment of authority and a constitutive ambivalence toward its figures—by which it remains nonetheless obsessed. As I will argue, Žižek outlines a world eternally ruled by a monstrous, earthbound Lord, a world not open to human agency and political change. Because the authoritarian shape of his vision is constitutively tied up with **anti-Semitic and antifeminist phantasms**, it is especially problematic.

**Finally, Lacanian political theorizing is eternally flawed. Lacan intended his work to be taken ontologically, any politics based off of it is an attempt to rationalize already-accepted assumptions.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

As should by now be clear, the central claims of Lacanian theory are ontological rather than political. Indeed, since Lacan's work deals with politics only very occasionally, the entire project of using Lacan politically is fraught with hazards. With rare exceptions, Lacanian theorists put ontology in the driving seat, allowing it to guide their political theorising. Political discourse and events are subsumed into a prior theoretical framework in a manner more reminiscent of an attempt to confirm already-accepted assumptions than of an attempt to assess the theory itself. Among the authors discussed here, Žižek takes this the furthest: the stuff of theory is 'notions', which have a reality above and beyond any referent, so that, if reality does not conform to the notions, it is 'so much the worse for reality' (in Butler, Laclau and Žižek 2000, 244). The selection and interpretation of examples, whether in concrete analysis of political discourse or in theoretical exegesis, is often selective in a way which appears to confirm the general theory only because inconvenient counterexamples are ignored. The entire edifice often appears wholly a priori and non-falsifiable, and the case for its acceptance is extremely vague. Most often, the imperative to adopt a Lacanian as opposed to (say) a Rawlsian or an orthodox Marxist approach is couched in terms of dogmatically-posed demands that one accept the idea of constitutive lack. A failure to do so is simply denounced as 'shirking', 'blindness', 'inability to accept' and so on. In this way, Lacanian theory renders itself almost immune to analytical critique on terms it would find acceptable. Furthermore, a slippage frequently emerges between the external 'acceptance' of antagonism and its subjective encouragement. For instance, Ernesto Laclau calls for a 'symbolisation of impossibility as such as a positive value' (in Butler, Laclau and Žižek 2000, 1999, original emphasis).

## EXT #2 – THE ACT CAN'T SOLVE

### *SOLVES SYMPTOMS NOT CAUSE*

**Žižek's acts require a suspension of ethical standards that cannot alter the system. The Act would cure the disease but leave the symptoms intact, leaving a system that is just as oppressive. One's position in the system would be negated.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

An Act is symbolic death, creatio ex nihilo, and self-grounded.<sup>17</sup> It is the outcome of 'an ethics grounded in reference to the traumatic Real which resists symbolisation', i.e. to 'an injunction which cannot be grounded in ontology' (Žižek, 1997a: 213–14), a 'self-referential abyss' (Žižek, 1997a: 223), an excessive gesture irreducible to human considerations and necessarily arbitrary (as in Žižek, 2000: 155; 1999: 96). The suspension of ethical, epistemological and political standards is thus not merely a necessary consequence of a Žižekian Act – it is a defining feature. Such a suspension is necessary so a new system can be built from nothing, and anything short of a full Act remains on enemy terrain (see also, respectively, Žižek, 2000: 155; Butler et al., 2000: 126). The choice of the term 'suspension' is revealing, for although in Žižek's account the surface structure of the social system is changed during such a 'suspension', the deep structure of the social system as set out in Lacanian theory is not (and cannot be) changed, altered or reformed. So an Act shatters capitalism, but it leaves intact many of its most objectionable features, including social exclusion, violence, naturalization, reification and myths, all of which are for Žižek primordial, ever-present and necessary in any society.<sup>18</sup> Further, since the Act involves submission to a Cause and a Leader, it cannot destroy the authoritarian structure of capitalism: 'often, one does need a leader in order to be able to "do the impossible". . . subordination to [the leader] is the highest act of freedom' (Žižek, 2001b: 246–7). So, while an Act may destroy the specific articulations of oppression within the present system (e.g. the identification of the Real with illegal immigrants), it necessarily produces a system which is equally oppressive. Third, an Act involves going through 'symbolic destitution'. Through an Act, 'the subject accepts the void of his [sic] nonexistence' (Žižek, 1999: 281). It is the anti-ideological gesture par excellence by means of which I renounce the hidden treasure within myself and fully admit my dependence on the externality of symbolic apparatuses – that is, fully assume the fact that my selfexperience of a subject who was already there prior to the external process of interpellation is a retrospective misrecognition brought about by the process of interpellation. (Butler et al., 2000: 134) Žižek uses an example from the film *The Usual Suspects* where the hero shoots his family to give him a pretext for chasing the gang who held them hostage. This is the 'crazy', impossible choice of, in a way, shooting at himself, at that which is most precious to himself', through which the subject gains a 'space of free decision' by 'cutting himself loose from the precious object through whose possession the enemy kept him in check', and clears the terrain for a new beginning (Butler et al., 2000: 122–3). Through an Act, one negates one's position in the social system and destroys the person one was before. The concept of the Act is therefore paligenetic: one destroys one's former self to go through a moment of rebirth, but a rebirth grounded on a desire for Nothingness rather than on any particular programme of change (Žižek, 2000: 166–7). For Žižek 'the only legitimation of revolution is negative, the will to break with the Past', and revolutionaries should not have positive conceptions of an alternative to be realized (Butler et al., 2000: 131). Ruthlessness is characteristic of the Act: Žižek hates soft-heartedness because it 'blurs the subject's pure ethical stance' and calls for an Act 'impervious to any call of the Other' (Žižek, 2001b: 111, 175).

## EXT #2 – THE ACT CAN'T SOLVE

### *SOLVES SYMPTOMS NOT CAUSE*

**The Act will inevitably fail to construct a better world. The system can be changed but existence will remain the same.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

The centrality of the idea of betrayal and of the revolution which 'commits suicide' reveals another crucial problem with the nihilistic variety of Lacanianism. Since the basic structure of existence is unchangeable and the purpose of an Act is to accept (not to change) it, Lacanian revolutionism must stop short of the claim that a better world can be constructed. To be sure, an existing master-signifier can be replaced with a new one, but the basic structure of existence—including, crucially, the central role of violence, antagonism and exclusion—is beyond question. Žižek's failure to supplement his radical existential claims and his radical posturing with a substantive radical politics is not, therefore, an accident, as is often assumed. It reflects an underlying conservatism apparent in even the most radical-seeming versions of Lacanianism. For such theories, the crucial point is the celebration of lack, and specific political issues are subordinate to this goal. Even the specific policies of existing regimes are acceptable if they can be reformulated in a manner compatible with a belief in the primacy of lack. To take a recent example, Žižek denounced the American invasion of Afghanistan, but his demand for an alternative stops at the limits of the emotional investments of the participants: 'the punishment of those responsible' for September 11th should be done in a spirit of 'sad duty', not 'exhilarating retaliation' (2002, 244). Politics does not change, only its symbolic and libidinal inscription. The scathing denunciations Žižek makes of other theorists are therefore much like Mouffe's remarks on Rawls: because of Lacanians' tendency to establish themselves as a sect outside the mainstream, the remarks can involve a radical challenge to established categories, but the political issues at stake are rarely very substantial. Since, furthermore, the Act or Event cannot establish a better world, the case for performing it becomes extremely weak. The point of the Russian and French revolutions for their participants and advocates was to build a new world which would overcome the exclusions and blockages of older systems. If, however, the new world cannot be better than the old, and if all the problems of the present must either return or be replaced by structurally similar problems, there seems little reason to risk revolution—especially the highly violent and dangerous kind preached by Žižek—rather than to tolerate the status quo. The case for the Act becomes almost religious: it is performed because it has a cleansing, freeing effect on the subject who undergoes it. This hardly seems, however, a solid basis for a political project. The problem is intensified when one takes into account the slippery manoeuvres required in order for the likes of Žižek and Badiou to keep their categories of a true Act/Event in line with their political preferences (for instance, to keep Lenin in and Hitler out).

## EXT #2 – THE ACT CAN'T SOLVE

### *SOLVES SYMPTOMS NOT CAUSE*

**A Lacanian revolution cannot change the world; it must eventually restore the Symbolic, and is therefore useless.**

**Robinson and Tormey, PhD in Political Theory, '04** (Andrew & Simon, School of Politics at the University of Nottingham, "What is Not to be Done! Everything you wanted to know about Lenin, and (sadly) weren't afraid to ask Žižek," <http://homepage.ntlworld.com/simon.tormey/articles/Žižeklenin.pdf>, dam)

Žižek's position on the relationship between Lenin and his successors is ambiguous. With occasional exceptions, he maintains that it was Lenin's and not Stalin's politics which was an authentic Act. There are even instances where he demonstrates Lenin's 'authenticity' by contrasting the two. However, the fact that the revolution was 'betrayed', that it (or its successors) ate its own children and created a new Master and a new Order through horrific purges in contradiction to its own goals, does not seem to make Žižek stop and think about whether this is indeed a model to be 'repeated'. Rather, such a 'suicidal' end is to be celebrated as evidence of the authenticity of the Leninist Act (TS 194). A revolution compatible with Lacanian assumptions cannot be extensively transformative; it can suspend the symbolic order, but must later restore it. Thus, Žižek identifies, not with the transformative agenda of State and Revolution (mentioned only for its strategic claims and voluntarism), nor for early reforms such as workers' control of factories, democratisation of the army and political decentralisation (which hardly figure in his account)<sup>12</sup>, but rather, with Lenin's determination to restore order even at the cost of abandoning such transformations. Lenin is to be praised for accepting 'the burden of taking over', taking 'responsibility for the smooth running of the social edifice' and becoming the 'One who assumes the ultimate responsibility, including a ruthless readiness to break the letter of the law... to guarantee the system's survival' (TS 237). This appears to be necessary because of a gap which separates revolutionary enthusiasm from Žižek's ultimate goal: to leave 'traces in the inertia of the social edifice' (RG 7). The 'heroic' dimension of revolution occurs when the 'Stalinist ritual, the empty flattery which "holds together" the community', which is 'a dimension... probably essential to language as such', 'necessarily' replaces the revolutionary moment. This is a betrayal, but, for Žižek, such betrayal is necessary (SOI 211). Indeed, Žižek also seems to value the Party as an organisational form because it is a collectivity of a certain kind, identifying as an embodiment of Truth so that taking the true path without the Party is the greatest falsehood (RG 188). It is not, for Žižek, to be regretted that the revolution ended in a new Order and a new Master, rather than a more extensive opening. The master-signifier is, so to speak, 'what it means' to take power. It is, after all, only via the master-signifier, and the resultant logic of 'us and them', that antagonism can be converted into power (Gilead 60).

**Any new social opening produced by a revolution will eventually reaffirm the fixed structure. An Act simply produces a new Master and a new Order, it cannot change Lacanian theory.**

**Robinson and Tormey, PhD in Political Theory, '04** (Andrew & Simon, School of Politics at the University of Nottingham, "What is Not to be Done! Everything you wanted to know about Lenin, and (sadly) weren't afraid to ask Žižek," <http://homepage.ntlworld.com/simon.tormey/articles/Žižeklenin.pdf>, dam)

In the context of Žižek's theoretical assumptions, this should not be surprising. One should recall that, in Lacanian theory, alienation and antagonism are constitutive, so that the utopian hopes of a revolutionary moment must inevitably be 'betrayed', and the new social opening, while it may alter the 'social constellation' by installing a new master-signifier in place of the old, must ultimately reaffirm the fixed structure posited by the theorist. Žižek's recent work has shown a slight weakening of this Lacanian position, with the idea of the Real as a terrifying negativity problematised a little (e.g. WDR 31-2) and his emancipatory themes extended into a rejection of the 'utterly pessimistic anti-Marxist perspective' of accepting the necessity of the 'Stalinist Thermidor' (RG 307)<sup>13</sup>, it is hard to see how he could abandon his basic conservatism without losing the core of his theoretical project. It is, after all, impossible to reconcile 'constitutive lack' with any revolutionary endeavour which is not more-or-less abortive. The role of an Act is to install a new master-signifier in the place of the old - it is supposed to produce a new Master and a new Order - and however radical an Act, it is unable to touch the structural core of Lacanian theory (the one 'a priori' it does not 'suspend'). One might say, in parody of Nietzsche: 'God is dead; long live God!'

## EXT #2 – THE ACT CAN'T SOLVE

### *ERASURE OF THE LEADER*

**Žižek's act can do nothing to solve society's problems; the leader would be erased in order to refound the social order.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

So the Act is a rebirth – but a rebirth as what? The parallel with Lacan's concept of 'traversing the fantasy' is crucial because, for Lacan, there is no escape from the symbolic order or the Law of the Master. We are trapped in the existing world, complete with its dislocation, lack, alienation and antagonism, and no transcendence can overcome the deep structure of this world, which is fixed at the level of subject-formation. The most we can hope for is to go from incapable neurosis to mere alienated subjectivity. In Žižek's politics, therefore, a fundamental social transformation is impossible. After the break initiated by an Act, a system similar to the present one is restored; the subject undergoes identification with a Cause, leading to a new 'proper symbolic Prohibition' revitalized by the process of rebirth (Žižek, 1999: 154, 368), enabling one 'effectively to realize the necessary pragmatic measures' (Žižek, 1997b: 72–3), which may be the same ones as today. It is on this ground that Žižek is relaxed about supporting measures that, far from challenging or undermining the status quo, give added support to it – as, for example, in his refusal to denounce structural adjustment policies (Žižek, 1996: 32). This is all because, in his view, it is possible to start a 'new life', but only by replacing one symbolic fiction with another (Žižek, 1999: 331). As a Lacanian, Žižek is opposed to any idea of realizing utopian 'fullness' and thus in escaping the vicissitudes of the political qua antagonism. Any change in the basic structure of existence, whereby one may overcome dislocation and disorientation, is out of the question. However, he also rejects practical solutions to problems as a mere displacement (Žižek, 1999: 383–4). So an Act neither solves concrete problems nor achieves drastic improvements; it merely removes blockages to existing modes of thought and action. It transforms the 'constellation which generates social symptoms' (Butler et al., 2000: 124), shifting exclusion from one group to another, but it does not achieve either drastic or moderate concrete changes. It 'means that we accept the vicious circle of revolving around the object [the Real] and find jouissance in it, renouncing the myth that jouissance is amassed somewhere else' (Žižek, 1988: 109–10). It also offers those who take part in it a 'dimension of Otherness, that moment when the absolute appears in all its fragility', a 'brief apparition of a future utopian Otherness to which every authentic revolutionary stance should cling' (Žižek, 2000: 159–60). This absolute, however, can only be glimpsed. The leader, Act and Cause must be betrayed so the social order can be refounded. The leader, or 'mediator', 'must erase himself [sic] from the picture' (Žižek, 2001b: 50), retreating to the horizon of the social to haunt history as spectre or phantasy (Žižek, 2000: 64). Every Great Man must be betrayed so he can assume his fame and thereby become compatible with the status quo (Žižek, 1999: 90–1, 316); once one glimpses the sublime Universal, therefore, one must commit suicide – as Žižek claims the Bolshevik Party did, via the Stalinist purges (1997c).

## EXT #2 – THE ACT CAN'T SOLVE

### *SITS AND JUDGES*

**The Act creates a gulf between positive revolutionary movements and itself; Žižek simply judges political movements without ever creating one that can actually effect change.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

As useful as such a reading is, this is not, we would argue, the Žižek who emerges on closer examination. Regarding where radicals should proceed from 'here and now', his work offers little to celebrate. The relevance of a politics based on formal structural categories instead of lived historical processes, which measures 'radicalism' not by concrete achievements but by how abruptly one rejects the existing symbolic order, is questionable. The concept of the Act is, we think, metaphysical, not political, leading to a rejection of most forms of resistance. For Žižek, objections to official ideologies which stop short of an Act are 'the very form of ideology' (Žižek, 1997a: 21), and the gap between 'complaint' and Acts is 'insurmountable' (Žižek, 1999: 361). So protest politics 'fits the existing power relations' and carnivals are 'a false transgression which stabilizes the power edifice' (Žižek, 1999: 230; 1997a: 73). This position misreads past revolutionary movements – including the decades-long revolutionary process in Russia – and offers little for the development of left strategies aiming to challenge the existing system. What Žižek establishes, we would argue, is a radical break between his own theory and any effective left politics, much of which – as we have shown – he peremptorily dismisses. The concept of the Act is a recipe for creating a desert around oneself while sitting in judgement on actual political movements which always fall short of one's ideal criteria.

**Lacanian "radical" theory is focused on security and discourse; when it comes to practicality, it can do nothing.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

There is more than an accidental relationship between the mythical operation of the concept of "constitutive lack" and Lacanians' conservative and pragmatist politics. Myth is a way of reducing thought to the present: the isolated signs which are included in the mythical gesture are thereby attached to extra-historical abstractions. On an analytical level, Lacanian theory can be very "radical", unscrupulously exposing the underlying relations and assumptions concealed beneath officially-sanctioned discourse. This radicalism, however, never translates into political conclusions: as shown above, a radical rejection of anti-b"crime" rhetoric turns into an endorsement of punishment, and a radical critique of neo-liberalism turns into a pragmatist endorsement of structural adjustment. It is as if there is a magical barrier between theory and politics which insulates the latter from the former. One should recall a remark once made by Wilhelm Reich: 'You plead for happiness in life, but security means more to you'133. Lacanians have a "radical" theory oriented towards happiness, but politically, their primary concern is security. As long as they are engaged in politically ineffectual critique, Lacanians will denounce and criticize the social system, but once it comes to practical problems, the "order not to think" becomes operative.

## EXT #2 – THE ACT CAN'T SOLVE

### *WE CAN NEVER SOLVE*

**There is no way to change the current social order. Overidentification will not be able to shatter anything, we simply have to come to terms with violence and antagonism, we can never solve for it.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

The repression of the Real is necessary for every symbolic edifice, but, since the Real is itself 'impossible' and must remain out of reach, there is for Lacanians no way to avoid establishing a symbolic order. Lacanian politics therefore arises on the basis of assumptions of the inevitability of a recurring structure of discourse, a structure which is reactive, exclusionary and founded on negativity. This structure is reworked and articulated in various ways by different political Lacanians. In Badiou's work, for instance, the symbolic order is the order of 'opinion', polite everyday discourse and normal science. Every such symbolic system is haunted by a void which is its Real. For Laclau and Mouffe, political stability requires the construction of a political order, but this order is necessarily haunted by the constitutivity of antagonism, so that every political order must be established through exclusion and violence. Mouffe's latest book remains firmly within this agenda, declaring that antagonism as a dimension of social life is 'ineradicable' (2000, 21). Žižek similarly declares that there must always be social exclusion and what he calls 'enemies of the people' (in Butler, Laclau and Žižek 2000, 92). It is this necessity of antagonism, and the resultant impossibility of 'spontaneous' self-awareness, that provides the theoretical basis for Žižek's celebration of the imposition of control by a state and a party (2002, 187, 259). For Lacanians, the return of the Real is always a disruptive, almost revolutionary event which shatters the entire social totality constructed around its exclusion. Every social order, therefore, has a single touchy 'nodal point' which it must maintain, or else it will collapse. Since the exclusion of a Real element is supposed to be necessary, Lacanians urge that one reconcile oneself to the inevitability of lack. Lacanian politics is therefore about coming to terms with violence, exclusion and antagonism, not about resolving or removing these. The acceptance of lack takes the form of an Act or Event, in which the myth of subjective completeness is rejected and the incompleteness of the self is embraced.

**Žižek's alternatives are suicidal attempts to socially transform a system which is inevitable.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

Žižek's many books, supposedly on a diversity of different subjects, turn out on closer inspection to be a series of arguments culminating in his concept of the Act as a suicidal, terroristic gesture which utterly smashes both the self and the symbolic order and which, in doing so, creates the possibility of alternatives to a world which seems inevitable. As he puts it in Contingency, Hegemony, Universality, 'today's "mad dance", the dynamic proliferation of multiple shifting identities ... awaits its resolution in a new form of Terror' (in Butler, Laclau and Žižek 2000, 326, cf. Žižek and Lenin 2002, 311). The terror Žižek seeks is that of a radical gesture through which one 'chooses the impossible', identifying with the excluded/repressed element in a situation while simultaneously destituting oneself symbolically. It is a gesture of 'shooting at' or 'beating' oneself, thereby revealing one's excremental essence and breaking out of the constraints imposed by an oppressive reality (2002, 253–254). Such a choice of the impossible, by defying the 'forced choice' of acceptance of the existing master-signifier, is supposed to be the first (perhaps the only) step to social transformation. On the surface, this seems quite revolutionary, and Žižek has been quick to associate himself with Marxism and Leninism. For Žižek, the Lenin signifier stands for the Act itself, for the moment when 'the games are over' and for the singular figure who is able to 'articulate the truth' of a crisis or catastrophe (ibid., 11, 310–311, 4).



## EXT #2 - THE ACT CAN'T SOLVE

### *LACK IS INEVITABLE*

**Lacanian theory accepts that lack is inevitable and produces conflict and exclusion. This rules out any possibility of improvement of the status quo.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

The basic claim of Lacanian theory is that identity - whether individual or social - is founded on a lack. Therefore, social relations are always irreducibly concerned with antagonism, conflict, strife and exclusion. Chantal Mouffe, for instance, writes of 'the primary reality of strife in social life'<sup>4</sup>, while Slavoj Žižek seeks an 'ethics grounded in reference to the traumatic Real which resists symbolization'<sup>5</sup>. 'Lack ("castration") is original; enjoyment constitutes itself as "stolen"'<sup>6</sup>. According to Stavrakakis, the Real is 'inherent in human experience' and 'doesn't stop not being written'<sup>7</sup>. Hence, the primary element of social life is a negativity which prevents the emergence of any social "whole". In Mouffe's words, 'society is the illusion... that hides the struggle and antagonism behind the scenes', putting the 'harsh reality' of antagonism behind a 'protective veil'<sup>8</sup>. For Newman, 'war is the reality', whereas 'society is the illusion... that hides the struggle and antagonism behind the scenes'<sup>9</sup>. For Stavrakakis, 'personal trauma, social crisis and political rupture are constant characteristics of human experience'<sup>10</sup>. Such claims have political consequences, because they rule out the possibility of achieving substantial improvements (whether "reformist" or "revolutionary") in any area on which this fundamental negativity bears. The dimension of antagonism is, after all, 'ineradicable'<sup>11</sup>. Instead of the imperative to overcome antagonism which one finds in forms as diverse as Marxian revolution and deliberative democracy, Lacanian political theory posits as the central political imperative a demand that one "accept" the underlying lack and the constitutive character of antagonism. While the various authors disagree about the means of achieving this, they agree on its desirability. Lacanian theory thus entails an ethical commitment to create conflict and antagonism. This ethics mostly expresses itself via a detour into ontology: the ethical imperative is to 'accept' or 'grasp' the truth of the primacy of lack, and the accusation against opponents is that they fall into some kind of fallacy (illusion, delusion, blindness, failure to accept, and so on). At other times, however, one finds a direct ethical advocacy of exclusion and conflict as almost goods in themselves.



## EXT #2 – THE ACT CAN'T SOLVE

### *DOMINANT ELITES*

**Zizek's alternative is unable to change the status quo – it merely changes the system, not the abusive characteristics or the dominant elites.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

It is in this pragmatism that the ambiguity of Lacanian political theory resides, for, while on a theoretical level it is based on an almost sectarian "radicalism", denouncing everything that exists for its complicity in illusions and guilt for the present, its "alternative" is little different from what it condemns (the assumption apparently being that the "symbolic" change in the psychological coordinates of attachments in reality is directly effective, a claim assumed – wrongly – to follow from the claim that social reality is constructed discursively). Just like in the process of psychoanalytic cure, nothing actually changes on the level of specific characteristics. The only change is in how one relates to the characteristics, a process Žižek terms 'dotting the "i's"' in reality, recognizing and thereby installing necessity<sup>32</sup>. All that changes, in other words, is the interpretation: as long as they are reconceived as expressions of constitutive lack, the old politics are acceptable. Thus, Žižek claims that de Gaulle's "Act" succeeded by allowing him 'effectively to realize the necessary pragmatic measures' which others pursued unsuccessfully<sup>33</sup>. More recent examples of Žižek's pragmatism include that his alternative to the U.S. war in Afghanistan is only that 'the punishment of those responsible' should be done in a spirit of 'sad duty', not 'exhilarating retaliation'<sup>34</sup>, and his "solution" to the Palestine-Israel crisis, which is NATO control of the occupied territories<sup>35</sup>. If this is the case for Žižek, the ultra-"radical" "Marxist-Leninist" Lacanian, it is so much the more so for his more moderate adversaries. Jason Glynos, for instance, offers a SWn uncompromizing critique of the construction of guilt and innocence in anti-"crime" rhetoric, demanding that demonization of deviants be abandoned, only to insist as an afterthought that, 'of course, this... does not mean that their offences should go unpunished'<sup>36</sup>. Lacanian theory tends, therefore, to produce an "anything goes" attitude to state action: because everything else is contingent, nothing is to limit the practical consideration of tactics by dominant elites.

## EXT #2 – THE ACT CAN'T SOLVE

### *PARTICULAR LOSSES*

**Lacanian rejection of particularities means they cannot address particular losses, leaving an alternative of only “shadows and specters.”**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, “The Political Theory of Constitutive Lack: A Critique,” Theory & Event, v8 n1, dam)

Lacanian analysis consists mainly of an exercise in projection. As a result, Lacanian "explanations" often look more propagandistic or pedagogical than explanatory. A particular case is dealt with only in order to, and to the extent that it can, confirm the already-formulated structural theory. Judith Butler criticizes Žižek's method on the grounds that 'theory is applied to its examples', as if 'already true, prior to its exemplification'. 'The theory is articulated on its self-sufficiency, and then shifts register only for the pedagogical purpose of illustrating an already accomplished truth'. It is therefore 'a theoretical fetish that disavows the conditions of its own emergence'<sup>52</sup>. She alleges that Lacanian psychoanalysis 'becomes a theological project' and also 'a way to avoid the rather messy psychic and social entanglement' involved in studying specific cases<sup>53</sup>. Similarly, Dominick LaCapra objects to the idea of constitutive lack because specific 'losses cannot be adequately addressed when they are enveloped in an overly generalised discourse of absence... Conversely, absence at a "foundational" level cannot simply be derived from particular historical losses'<sup>54</sup>. Attacking 'the long story of conflating absence with loss that becomes constitutive instead of historical'<sup>55</sup>, he accuses several theorists of eliding the difference between absence and loss, with 'confusing and dubious results', including a 'tendency to avoid addressing historical problems, including losses, in sufficiently specific terms', and a tendency to 'enshroud, perhaps even to etherealise, them in a generalised discourse of absence'<sup>56</sup>. Daniel Bensaïd draws out the political consequences of the projection of absolutes into politics. 'The fetishism of the absolute event involves... a suppression of historical intelligibility, necessary to its depoliticization'. The space from which politics is evacuated 'becomes... a suitable place for abstractions, delusions and hypostases'. Instead of actual social forces, there are 'shadows and spectres'<sup>57</sup>.

## EXT #2 – THE ACT CAN'T SOLVE

### *THE INEXPLICABLE*

**Lacanian psychoanalysis is simply an attempt to explain the inexplicable. Žižek's masochistic attempts to criticize the system lead to self-blockage and an "interminable melancholy."**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

Guattari's critique of psychoanalysis makes clear the myths which underlie it. 'Psychoanalysis transforms and deforms the unconscious by forcing it to pass through the grid of its system of inscription and representation. For psychoanalysis, the unconscious is always already there, genetically programmed, structured, and finalized on objectives of conformity to social norms'<sup>104</sup>. Similarly, Reich has already exposed a predecessor of the idea of "constitutive lack" - the Freudian "death instinct" - as a denial that "I don't know". It is, he says, a metaphysical attempt to explain as yet inexplicable phenomena, an attempt which gets in the way of fact-finding about these phenomena<sup>105</sup>. He provides a detailed clinical rebuttal of the idea of the "death instinct" which is equally apt as an attack on Lacanians (who seem unaware of Reich's intervention). In Reich's view, the masochistic tendencies Freud associates with the "death instinct" are secondary drives arising from anxiety, and are attributable to 'the disastrous effect of social conditions on the biopsychic apparatus. This entailed the necessity of criticizing the social conditions which created the neuroses - a necessity which the hypothesis of a biological will to suffer had circumvented'<sup>106</sup>. The idea of the "death instinct" leads to a cultural philosophy in which suffering is assumed to be inevitable, whereas Reich's alternative - to attribute neurosis to frustrations with origins in the social system - leads to a critical sociological stance<sup>107</sup>. The relevance of Reich's critique to the political theory of constitutive lack is striking. The "death instinct" is connected to an idea of primordial masochism which, in the form of "aphanisis" or "subjective destitution", recurs throughout Lacanian political theory. Žižek in particular advocates masochism, in the guise of "shooting at" or "beating" oneself, as a radical gesture which reveals the essence of the self and breaks the constraints of an oppressive reality<sup>108</sup>, although the masochistic gesture is present in all Lacanian theorists. The death instinct is typified by Žižek as a pathological (in the Kantian sense), contingent attitude which finds satisfaction in the process of self-blockage<sup>109</sup>. It is identical with the Lacanian concept of jouissance or enjoyment. For him, 'enjoyment (jouissance) is not to be equated with pleasure: enjoyment is precisely "pleasure in unpleasure"; it designates the paradoxical satisfaction procured by a painful encounter with a Thing that perturbs the equilibrium of the pleasure principle. In other words, enjoyment is located "beyond the pleasure principle"'<sup>110</sup>. It is also the core of the self, since enjoyment is 'the only "substance" acknowledged by psychoanalysis', and 'the subject fully "exists" only through enjoyment'<sup>111</sup>. Primordial masochism is therefore central to the Lacanian concept of the Real, which depends on there being a universal moment at which active desire - sometimes given the slightly misleading name of the "pleasure principle" - is suspended, not for a greater or delayed pleasure, but out of a direct desire for unpleasure (i.e. a primary reactive desire). Furthermore, this reactive desire is supposed to be ontologically prior to active desire. Dominick LaCapra offers a similar but distinct critique to my own, claiming that Lacanian and similar theories induce a post-traumatic compulsion repetition or an 'endless, quasi-transcendental grieving that may be indistinguishable from interminable melancholy'<sup>112</sup>.

## EXT #2 – THE ACT CAN'T SOLVE

### *MASTER-SIGNIFIER*

**Zizek's insistence on a Master-Signifier perpetuates a closes system of language and is only an illusion. Such an order is impossible.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

The gap between the two kinds of contingency is also suggested by the Lacanian insistence on the "need" for a master-signifier (or "nodal point"), i.e. a particular signifier which fills the position of universality, a 'symbolic injunction which relies only on its own act of enunciation'<sup>116</sup>. It is through such a gesture that one establishes a logic of sameness, and such a logic seems to be desired by Lacanians. Butler remarks that Žižek's text is a 'project of mastery' and a discourse of the law in which 'the "contingency" of language is mastered in and by a textual practice which speaks as the law'. He demands a "New Harmony", sustained by a newly emerged Master-Signifier'<sup>117</sup>. This insistence on a master-signifier is an anti-contingent gesture, especially in its rejection of the multiordinality of language. It is, after all, this multiordinality (the possibility of making a statement about any other statement) which renders language an open rather than a closed system. The "need" for a master-signifier seems to be a "need" to restore an illusion of closure, the "need" for metacommunication to operate in a repressive rather than an open way. This "need" arises because the mythical concept of "constitutive lack" is located in an entire mythical narrative in which it relates to other abstractions. In the work of Laclau and Mouffe, this expresses itself in the demand for a "hegemonic" agent who contingently expresses the idea of social order "as such". One should recall that such an order is impossible, since antagonism is constitutive of social relations, and that the hegemonic gesture therefore requires an exclusion. Thus, the establishment of a hegemonic master-signifier is merely a useful illusion. The alternative to demanding a master-signifier - an illusion of order where there is none - would be to reject the pursuit of the ordering function itself, and to embrace a "rhizomatic" politics which goes beyond this pursuit. In Laclau and Mouffe's work, however, the "need" for a social order, and a state to embody it, is never questioned, and, even in Zizek's texts, the "Act" which smashes the social order is to be followed by a necessary restoration of order<sup>118</sup>. This necessity is derived ontologically: people are, says Žižek, 'in need of firm roots'<sup>119</sup>. The tautological gesture of establishing a master-signifier by retrospectively positing conditions of an object as its components, thereby 'blocking any further inquiry into the social meaning' of what it quilts (i.e. repressive metacommunication), is a structural necessity<sup>120</sup>. This is because 'discourse itself is in its fundamental structure "authoritarian"'. The role of the analyst is not to challenge the place of the master, but to occupy it in such a way as to expose its underlying contingency<sup>121</sup>. The master-signifier, also termed the One, demonstrates the centrality of a logic of place in Lacanian theory. Lacanians assume that constitutive lack necessitates the construction of a positive space which a particular agent can fill (albeit contingently), which embodies the emptiness/negativity as such. Therefore, the commitment to master-signifiers and the state involves a continuation of an essentialist image of positivity, with "lack" operating structurally as the master-signifier of Lacanian theory itself (not as a subversion of positivity, but as a particular positive element).

### EXT #3 – THE ACT UNDERMINES OTHER ALTS

**Political change can never emerge out of nothing – all previous revolutions have required a pre-existing culture. All of Žižek's examples have simply led to repression of the Act.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

In our view, Žižek is justified in advocating a transformative stance given the structural causes of many of the issues he confronts, but he is wrong to posit such a stance as a radical break constituted ex nihilo. Far from being the disavowed supplement of capitalism, the space for thinking the not-real which is opened by imaginaries and 'petty resistances' is, we think, a prerequisite to building a more active resistance and, ultimately, any substantial social transformation. As the cultural anthropologist James Scott shows in a series of case studies, political revolutions tend to emerge through the radicalization of existing demands and resistances – not as pure Acts occurring out of nothing. Even when they are incomprehensible from the standpoint of 'normal', conformist bystanders, they are a product of the development of subterranean resistances and counterhegemonies among subaltern groups (see, for example, Scott, 1990: 179–82). This is to say that social change does not come from nothing, but rather requires the pre-existence of a counter-culture involving nonconformist ideas and practices. As Gramsci puts it, before coming into existence a new society must be 'ideally active' in the minds of those struggling for change (Gramsci, 1985: 39). The history of resistance thus gives little reason to support Žižek's politics of the Act. The ability to Act in the manner described by Žižek is largely absent from the subaltern strata. Mary Kay Letourneau (let us recall) did not transform society; rather, her 'Act' was repressed and she was jailed. In another case discussed by Žižek (2001b: 74–5), a group of Siberian miners is said to accomplish an Act – by getting massacred. Since Acts are not even on Žižek's terms socially effective, they cannot help the worst-off, let alone transform society. Žižek's assumption of the effectiveness of Acts thus rests on a confusion between individual and social levels of analysis and between clinical therapy and political action. Vaneigem eerily foresees Žižek's 'Act' when he argues against 'active nihilism'. The transition from this 'wasteland of the suicide and the solitary killer' to revolutionary politics requires the repetition of negation in a different register, connected to a positive project to change the world and relying on the imaginaries Žižek denounces, the carnival spirit and the ability to dream (Vaneigem, 1967 [1994]: 111).

### EXT #3 – THE ALT UNDERMINES OTHER ALTS *“DON'T THINK”*

Zizek's claim to a pre-ontological dimension precludes our ability to negate – all he would say is “You're wrong.” This is effectively telling us not to think.

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, “The Political Theory of Constitutive Lack: A Critique,” Theory & Event, v8 n1, dam)

Lacanian theory, like Barthesian myths, involves a prior idea of a structural matrix which is not open to change in the light of the instances to which it is applied. Žižek's writes of a 'pre-ontological dimension which precedes and eludes the construction of reality'<sup>42</sup>, while Laclau suggests there is a formal structure of any chain of equivalences which necessitates the logic of hegemony<sup>43</sup>. Specific analyses are referred back to this underlying structure as its necessary expressions, without apparently being able to alter it; for instance, 'those who triggered the process of democratization in eastern Europe... are not those who today enjoy its fruits, not because of a simple usurpation... but because of a deeper structural logic'<sup>44</sup>. In most instances, the mythical operation of the idea of "constitutive lack" is implicit, revealed only by a rhetoric of denunciation. For instance, Mouffe accuses liberalism of an 'incapacity... to grasp... the irreducible character of antagonism'<sup>45</sup>, while Žižek claims that a 'dimension' is 'lost' in Butler's work because of her failure to conceive of "trouble" as constitutive of "gender"<sup>46</sup>. This language of "denial" which is invoked to silence critics is a clear example of Barthes's "order not to think": one is not to think about the idea of "constitutive lack", one is simply to "accept" it, under pain of invalidation. If someone else disagrees, s/he can simply be told that there is something crucial missing from her/his theory. Indeed, critics are as likely to be accused of being "dangerous" as to be accused of being wrong.

### EXT #3 – THE ACT UNDERMINES OTHER ALTS “UTOPIANISM”

**Lacanian political theory is hostile to the “utopianism” that is necessary to transformative activity.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, “The Political Theory of Constitutive Lack: A Critique,” Theory & Event, v8 n1, dam)

There is a danger of a stultifying conservatism arising from within Lacanian political theory, echoing the 'terrifying conservatism' Deleuze suggests is active in any reduction of history to negativity<sup>136</sup>. The addition of an "always" to contemporary evils amounts to a "pessimism of the will", or a "repressive reduction of thought to the present". Stavrakakis, for instance, claims that attempts to find causes and thereby to solve problems are always fantasmatic<sup>137</sup>, while Žižek states that an object which is perceived as blocking something does nothing but materialize the already-operative constitutive lack<sup>138</sup>. While this does not strictly entail the necessity of a conservative attitude to the possibility of any specific reform, it creates a danger of discursive slippage and hostility to "utopianism" which could have conservative consequences. Even if Lacanians believe in surplus/contingent as well as constitutive lack, there are no standards for distinguishing the two. If one cannot tell which social blockages result from constitutive lack and which are contingent, how can one know they are not all of the latter type? And even if constitutive lack exists, Lacanian theory runs a risk of "misdiagnoses" which have a neophobe or even reactionary effect. To take an imagined example, a Lacanian living in France in 1788 would probably conclude that democracy is a utopian fantasmatic ideal and would settle for a pragmatic reinterpretation of the ancien regime. Laclau and Mouffe's hostility to workers' councils and Žižek's insistence on the need for a state and a Party<sup>139</sup> exemplify this neophobe tendency. The pervasive negativity and cynicism of Lacanian theory offers little basis for constructive activity. Instead of radical transformation, one is left with a pragmatics of "containment" which involves a conservative de-problematization of the worst aspects of the status quo. The inactivity it counsels would make its claims a self-fulfilling prophecy by acting as a barrier to transformative activity.



## EXT #4 – THE ACT MAKES THINGS WORSE

**Žižek's pursuing of the impossible leads to a glorification of conflict, terror, militarism, and war.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

Z i z ek does not offer much by way of a positive social agenda. He does not have anything approximating to a 'programme', nor a model of the kind of society he seeks, nor a theory of the construction of alternatives in the present. Indeed, the more one looks at the matter, the more difficult it becomes to pin Žižek down to any 'line' or 'position'. He seems at first sight to regard social transformation not as something 'possible' to be theorized and advanced, but as a fundamental 'impossibility' because the influence of the dominant symbolic system is so great that it makes alternatives unthinkable. 7 A fundamental transformation, however, is clearly the only answer to the otherwise compelling vision of contemporary crisis Žižek offers. Can he escape this contradiction? His attempt to do so revolves around a reclassification of 'impossibility' as an active element in generating action. Asserting or pursuing the impossible becomes in Žižek's account not only possible but desirable. So how then can the left advance its 'impossible' politics? How is a now 'impossible' model of class struggle to be transformed into a politics relevant to the present period? As becomes evident, 'class struggle' is not for Žižek an empirical referent and even less a category of Marxisant sociological analysis, but a synonym for the Lacanian Real. A progressive endorsement of 'class struggle' means positing the lack of a common horizon and assuming or asserting the insolubility of political conflict.<sup>8</sup> It therefore involves a glorification of conflict, antagonism, terror and a militaristic logic of carving the field into good and bad sides, as a good in itself (see, for example, the discussion in Z i z ek, 2000: 57, 126). Žižek celebrates war because it 'undermines the complacency of our daily routine' by introducing 'meaningless sacrifice and destruction' (Žižek, 1999: 105). He fears being trapped by a suffocating social peace or Good and so calls on people to take a 'militant, divisive position' of 'assertion of the Truth that enthuses them' (Žižek, 2001b: 237–8).<sup>9</sup> The content of this Truth is, however, a secondary issue. For Žižek, Truth has nothing to do with truth claims and the field of 'knowledge'. Truth is an event which 'just happens', and in which 'the thing itself' is 'disclosed to us as what it is'.<sup>10</sup> Truth is therefore the exaggeration which distorts any balanced system. A 'truth-effect' occurs whenever a work produces a strong emotional reaction, and it need not be identified with empirical accuracy: lies and distortions can have a 'truth-effect', and factual truth can cover the disavowal of desire and the Real.

**The individual nature of the Act would put an authoritarian leader in power who would be just as tyrannical as the original.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

Furthermore, despite Žižek's emphasis on politics, his discussion of the Act remains resolutely individualist – as befits its clinical origins. Žižek's examples of Acts are nearly all isolated actions by individuals, such as Mary Kay Letourneau's defiance of juridical pressure to end a relationship with a youth, a soldier in Full Metal Jacket killing his drill sergeant and himself, and the acts of Stalinist bureaucrats who rewrote history knowing they would later be purged (Žižek, 1997a: 21; 1999: 385–7; 2001b: 98–9). Even the Russian Revolution becomes for Žižek a set of individual choices by Lenin, Stalin and the aforementioned bureaucrats, as opposed to the culmination of mass actions involving thousands of ordinary men and women. This is problematic as a basis for understanding previous social transformations, and even more so as a recommendation for the future. The new subject Žižek envisages is an authoritarian leader, someone capable of the 'inherently terroristic' action of 'redefining the rules of the game' (Žižek, 1999: 377). We would argue that this is a conservative, if not reactionary, position. Donald Rooum's cartoon character Wildcat surely grasps the essence of left radical ambition rather better when he states, 'I don't just want freedom from the capitalists. I also want freedom from people fit to take over' (Rooum, 1991: 24).

#### EXT #4 – THE ACT MAKES THINGS WORSE

**Žižek's alternative is perpetually conservative; it supports domination, accepts pain, and supports militarism, all while alienating the groups that could actually push movements forward.**

**Robinson and Tormey, '05** (Andrew and Simon, PhDs from the University of Nottingham, "A Ticklish Subject? Žižek and the Future of Left Radicalism," Thesis Eleven, n80 p94-107)

Žižek's politics are not merely impossible but, as we have shown, potentially despotic, and also – between support for a Master, acceptance of pain and alienation, militarism and the restoration of order – tendentially conservative. Such a politics, if adopted in practice, could only discredit progressive movements and further alienate those they seek to mobilize. We would argue that a transformative politics should be theorized instead as a process of transformation, an a-linear, rhizomatic, multiform plurality of resistances, initiatives and, indeed, acts which are sometimes spectacular and carnivalesque, sometimes prefigurative, sometimes subterranean, sometimes rooted in institutional change and reform and, under certain circumstances, directly transformative.

**Zizek's critique of capitalism leads to advocacy of violence in order to shatter the superstructure. This also leads to acceptance of social exclusion and violence, and means Zizek's alternative can change nothing.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

Žižek's anti-capitalism has won him friends in leftist circles, but the capitalism to which he objects is not the capitalism of classical Marxist critique. One could, indeed, question whether Žižek is attacking capitalism (as opposed to liberalism) at all. His "capitalism" is a stultifying world of suffocating Good which is unbearable precisely because it lacks the dimension of violence and antagonism. It is, he says, 'boring', 'repetitive' and 'perverse' because it lacks the 'properly political' attitude of 'Us against Them'<sup>20</sup>. It therefore eliminates the element of unconditional attachment to an unattainable Thing or Real, an element which is the core of humanity<sup>21</sup>. It delivers what Žižek fears most: a 'pallid and anaemic, self-satisfied, tolerant peaceful daily life'. To rectify this situation, there is a need for suffocating Good to be destroyed by diabolical Evil<sup>22</sup>. 'Why not violence?' he rhetorically asks. 'Horrible as it may sound, I think it's a useful antidote to all the aseptic, frustrating, politically correct pacifism'<sup>23</sup>. There must always be social exclusion, and 'enemies of the people'<sup>24</sup>. The resulting politics involves an 'ethical duty' to accomplish an Act which shatters the social edifice by undermining the fantasies which sustain it<sup>25</sup>. As with Mouffe, this is both a duty and an acceptance of necessity. 'By traversing the fantasy the subject accepts the void of his nonexistence'<sup>26</sup>. On a political level, this kind of stance leads to an acceptance of social exclusion which negates compassion for its victims. The resultant inhumanity finds its most extreme expression in Žižek's work, where 'today's "mad dance", the dynamic proliferation of multiple shifting identities... awaits its resolution in a new form of Terror'<sup>27</sup>. It is also present, however, in the toned-down exclusionism of authors such as Mouffe. Hence, democracy depends on 'the possibility of drawing a frontier between "us" and "them"', and 'always entails relations of inclusion-exclusion'<sup>28</sup>. 'No state or political order... can exist without some form of exclusion' experienced by its victims as coercion and violence<sup>29</sup>, and, since Mouffe assumes a state to be necessary, this means that one must endorse exclusion and violence. (The supposed necessity of the state is derived from the supposed need for a master-signifier or nodal point to stabilize identity and avoid psychosis, either for individuals or for societies). What is at stake in the division between these two trends in Lacanian political theory is akin to the distinction Vaneigem draws between "active" and "passive" nihilism<sup>30</sup>. The Laclauian trend involves an implied ironic distance from any specific project, which maintains awareness of its contingency; overall, however, it reinforces conformity by insisting on an institutional mediation which overcodes all the "articulations". The Žižekian version is committed to a more violent and passionate affirmation of negativity, but one which ultimately changes very little. The function of the Žižekian "Act" is to dissolve the self, producing a historical event. "After the revolution", however, everything stays much the same. For all its radical pretensions, Žižek's politics can be summed up in his attitude to neo-liberalism: 'If it works, why not try a dose of it?'<sup>31</sup>. The phenomena which are denounced in Lacanian theory are invariably readmitted in its "small print", and this leads to a theory which renounces both effectiveness and political radicalism.

## EXT #5 – LACANIAN THEORY IS FLAWED

**Lacanian political theory is heavily based in an attempt to justify a theory by applying it to already accepted examples. This creates a short-circuit between theory and politics that cannot be reconciled.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

Butler, for her part, is not sufficiently committed to an ontology of lack to accept the other protagonists' inability to provide substantial argumentation for their positions. She calls Lacanian theory a 'theoretical fetish', because the 'theory is applied to its examples', as if 'already true, prior to its exemplification'. Articulated on its own self-sufficiency, it shifts its basis to concrete matters only for pedagogical purposes (in Butler, Laclau and Žižek 2000, 26–27). She suggests, quite accurately, that the Lacanian project is in a certain sense 'a theological project', and that its heavy reliance on a priori assumptions impedes its ability to engage with practical political issues, using simplification and a priori reasoning to 'avoid the rather messy psychic and social entanglement' involved in studying specific political cases (ibid., 155–156). She could perhaps have added that, in practice, the switch between ontology and politics is usually accomplished by the transmutation of single instances into universal facts by means of a liberal deployment of words such as 'always', 'all', 'never' and 'necessity'; it is by this specific discursive move that the short-circuit between 'theology' and politics is achieved. Butler questions the political motivations involved in such practices. 'Are we using the categories to understand the phenomena, or marshalling the phenomena to shore up the categories "in the name of the father" [i.e. the master-signifier]?' (ibid., 152).

**Lacanian focus on lack eventually rebounds on itself by attempting to offer that which it claims to be impossible.**

**Robinson, PhD in Political Theory, '04** (Andrew, School of Politics at the University of Nottingham, "The Politics of Lack," British Journal of Politics & International Relations, v6 n2 p259, dam)

The books discussed here thus tend to suggest that it is not possible to derive an original, distinct and attractive political agenda from Lacanian politics. Lacanian theorists have proven themselves more able to generate detailed restatements and applications of ontological positions than to offer a substantive framework for political theorising, and the moment of critique in Lacanian analyses is typically stronger than, and eclipsed by, the positive theory on offer. Such problems express a deeper difficulty with the entire approach: the essentialisation of lack. Because they treat it on an ontological level, aside from particular instances of conflict and of scarcity, Lacanians tend to reify the concept of lack (and its synonyms such as antagonism and negativity) into a metaphysical entity which exerts a positive force in the world. They therefore take a contradictory position, offering precisely the kind of complete theory-without-remainder they declare to be impossible by re-inscribing the remainder as a positive element given the name of negativity. If there is to be a post-structuralist approach to politics which offers an alternative to other influential approaches, it will have to emerge from somewhere other than such an ontology of lack.



**EXT #5 – LACANIAN THEORY IS FLAWED**  
***DOUBLE BIND***

**Lacanian theory is faced with a double bind; either it is universal and precisely the kind of superstructure it attempts to bring down or it is particular and therefore unable to solve.**

**Robinson, PhD in Political Theory, '05** (Andrew, School of Politics at the University of Nottingham, "The Political Theory of Constitutive Lack: A Critique," Theory & Event, v8 n1, dam)

The idea of "constitutive lack" is supposed to entail a rejection of neutral and universal standpoints, and it is this rejection which constructs it as an "anti-essentialist" position. In practice, however, Lacanian restore the idea of a universal framework through the backdoor. Beneath the idea that "there is no neutral universality" lurks a claim to know precisely such a "neutral universality" and to claim a privileged position on this basis. A consistent belief in contingency and "anti-essentialism" entails scepticism about the idea of constitutive lack. After all, how does one know that the appearance that 'experience' shows lack to be constitutive reflects an underlying universality, as opposed to the contingent or even simulated effects of a particular discourse or episteme? Alongside its opponents, shouldn't Lacanian theory also be haunted by its own fallibility and incompleteness? There is a paradox in the idea of radical choice, for it is unclear whether Lacanians believe this should be applied reflexively. Is the choice of Lacanian theory itself an ungrounded Decision? If so, the theory loses the universalist status it implicitly claims. If not, it would seem to be the kind of structural theory it attacks. A complete structural theory would seem to assume an extra-contingent standpoint, even if the structure includes a reference to constitutive lack. Such a theory would seem to be a radical negation of the incompleteness of "I don't know".

## POLITICS LINKS

**Both the media and the public hate Operation TIPS; empirically proven.**

**USA Today, '03** (Amitai Etzioni, member of USA Today's board of contributors, October 28, p23A, dam)

Operation TIPS. It all started when Bush called for Americans to volunteer 4,000 hours during their lives. As part of the new volunteerism initiative, USA Freedom Corps was launched to provide opportunities for Americans to help protect the country from terrorists. One of the duties of the volunteers -- and other good citizens -- was to report any suspicious behavior to authorities, an idea the White House dubbed Operation TIPS. It enraged the critics, the media and a large segment of the public. Americans feared that every mail carrier, UPS driver and meter reader would be peeking into their living rooms and that, in effect, we were being asked to spy on one another. TIPS was killed by Congress.

**Democrats and Republicans alike hate TIPS; Bush's political capital would be devastated.**

**Eggen, Washington Post Staff Writer, '02** (Dan, Washington Post, November 24, pA11, dam)

The Justice Department's Operation TIPS program, which would have enlisted tens of thousands of truckers, bus drivers and other workers as citizen spies, was doomed before it began. The Homeland Security package approved by the Senate last week and slated to be signed by President Bush includes language explicitly prohibiting the government from implementing the controversial initiative. It was hounded by criticism from civil libertarians and targeted for elimination by key lawmakers. The ill-fated program was first announced by Bush in March as part of a package of "Citizen Corps" initiatives aimed at getting regular Americans involved in fighting terrorism. But as details about the program began to leak out, parties as divergent as the American Civil Liberties Union and House Majority Leader Richard K. Arney (R-Tex.) rallied to condemn the effort. They argued it would encourage citizens to snoop on one another while doing little to safeguard the nation. The initiative quickly became a public-relations disaster for Attorney General John D. Ashcroft and other Bush administration officials. It served as a symbol for anti-terrorism policies that many Democrats and civil liberties groups considered heavy-handed.

**Even the religious base hates such stringent anti-terrorism policies.**

**Lewis, New York Times legal reporter, '02** (Neil, The New York Times, "Ashcroft's Terrorism Policies Dismay Some Conservatives," July 23, dam)

Many religious conservatives who were most instrumental in pressing President Bush to appoint John Ashcroft as attorney general now say they have become deeply troubled by his actions as the leading public figure in the law enforcement drive against terrorism. Their dismay comes as several Bush advisers have begun complaining that Mr. Ashcroft, with his lifelong politician's fondness for attention, has projected himself too often and too forcefully. More significantly, they say privately that he seems to be overstating the evidence of terrorist threats. Most striking, however, is how some conservatives who were Mr. Ashcroft's biggest promoters for his cabinet appointment after he lost his re-election to the Senate in 2000 have lost enthusiasm. They cite his anti-terrorist positions as enhancing the kind of government power that they instinctively oppose. "His religious base is now quite troubled by what he's done," said Grover Norquist, a conservative strategist and president of Americans for Tax Reform.



## FOUCAULT LINK

**The state cannot be used to fight the threat to human rights; this encourages passive acceptance of state power.**

**Stammers, '95** (John, lecturer of politics at the University of Sussex, Human Rights Quarterly, August, v17 n3 p488-508, dam)

Recognizing that human rights and states are intimately intertwined might seem an unremarkable observation. Yet, putting all these points together, what we have is a debate on human rights that is highly state [End Page 506] centric, where there is little space for thinking about human rights in any other way. This, I would suggest, is tremendously problematic. Because state power is a problem, a "standard threat," 52 there is a danger that the state centrism of the debate feeds and reinforces that problem. Specifically, proposed statist solutions to human rights problems might have a negative effect, insofar as they might encourage a passive acceptance of state power. Furthermore, the state centrism of the human rights debate is indicative of a top-down way of thinking about human rights. The state is at the top, human beings at the bottom, and the statism guiding the debates is both a symptom and a cause of such thinking. Not only is this elitist, it is also disabling. It constrains the potential for popular mobilization around human rights issues and points any mobilizations that do occur towards nothing other than the state. The late John Vincent said that campaigns for human rights must be subversive, 53 but subversion and the state are strange bedfellows. In terms of challenging existing power relations, the deeply embedded statism of the social democratic approach results in losing sight of one of the principal targets. Private economic power poses a standard threat to human rights and needs to be directly challenged as such.



## CURRENT CITIZEN CORPS BUDGET

**CitizenCorps was appropriated \$19 million for use in fiscal year 2006.**

**Foresman, May 24, 2006** (George, Under Secretary, House Government Reform Committee, 2006 Hurricane Season Preparedness, CQ Congressional Testimony, dam)

The DHS Ready Campaigns and Citizen Corp are also launching public awareness initiatives. I'm sure the Committee would like to know that the Ready Campaign is about to launch a public awareness campaign which will include former Presidents Bush and Clinton. Over 2006, the Citizen Corps will spend \$19 million for: developing and implementing plans to achieve citizen preparedness and participation; conducting public education and outreach; ensuring clear emergency communications with the public; and, and developing training programs for the public. Through the Department's Ready.gov website, individuals can access critical preparedness information. The Ready Campaign is providing specific populations with tailored packages of hazard-specific preparedness information.

**Citizen Corps is requesting an extra \$16 million for fiscal year 2007 – the total appropriation would be \$35 million.**

**Foresman, May 30, 2006** (George, Under Secretary, House Appropriations Committee, Fiscal 2007 Appropriations: Homeland Security, CQ Congressional Testimony, dam)

The FY 2007 request also includes \$35 million for the **Citizens Corps** Program. This represents a \$15 million increase over FY 2006. I would like to take this opportunity to stress the importance of citizen preparedness. Citizen preparedness is essential to our preparedness as a nation. Recent outside surveys indicate that citizens are concerned about the threats facing the nation and are willing to participate to make their communities safer. Unfortunately, too many Americans have low awareness of local emergency plans, are not involved in local emergency drills, and are not adequately prepared at home. The increase in funding will help change the culture to ensure that everyone takes an active role in his or her safety and to increase the collaboration between citizens and emergency responders.



## 1NC SHELL

### A. UNIQUENESS – The United States will win the war on terror now.

**Chicago Sun-Times, July 16, 2006** (Larry Schweikart, "Why We Will Win the War on Terror," p.l/n, dam)

Beyond Iraq, the United States will win the War on Terror because it's what Americans do: we win military conflicts. Leftists love to point to Vietnam. But was that a "war," or a battle within the Cold War, which we won? Americans win wars because, despite the claims of Sen. Richard Durbin, we have an unusual and almost distinct concern for the sanctity of life -- ours, and our enemy's. We take better care of prisoners than most combatants, and unlike any I've ever encountered, we make more efforts to rescue our own. We win wars because, despite the claims of the left, our soldiers come from every sector, every lifestyle and every part of American society (ZIP code studies have proved this). Our troops are simply the best trained, ever, which virtually all military analysts agree is the most important ingredient in successful military operations. There is a myth of the War on Terror that we "can't beat an ideology," and "terrorism is an ideology, not a state." It seems to me we defeated three much more powerful ideologies in the 20th century alone -- fascism, bushido-ism and communism. Another myth says we've "never fought a war like this." Quite the contrary, in the Filipino Insurrection and subsequent Moro Wars, we not only fought a guerrilla/terrorist enemy very much like al-Qaida (the Moros were even Muslims who practiced beheading their enemies), but the leader, Emilio Aguinaldo (like Zarqawi) stated that his goal was not to defeat the U.S. militarily but to affect the outcome of the 1900 election. Both of our enemies failed, and al-Qaida will continue to fail. Just as in the skies over Europe, where our bombers, by becoming a giant sky-borne "roach motel" absorbed 30 percent of the total Nazi war effort, we have set up a "roach motel" in Iraq and are killing terrorists by the bushel.

### B. LINK – Operation TIPS will be counterproductive to the war on terror – following millions of tips will make it impossible to find the real threats.

**Levy, senior fellow in constitutional studies at the Cato Institute, '02** (Robert A., Cato Institute, "I Spy," July 18, <http://www.cato.org/research/articles/levy-020718.html>, dam)

What's worse, the program almost certainly won't work. In fact, it is more likely to be counterproductive. With limited resources to battle terrorists, federal, state, and local authorities definitely don't need an avalanche of worthless tips. Maybe there will be a nugget or two of useful information somewhere in the heap. But law-enforcement officials won't ever get to the nuggets without wading through the rubbish. Naturally, that's not to say citizens should keep it to themselves when they observe suspect behavior in plain view. But the answer isn't a legion of federal emissaries serving essentially as undercover agents. Terrorists are not stupid. They will not invite a letter carrier in to spot the latest weaponry. That means the meter readers and letter carriers will, for the most part, be observing ordinary Americans doing ordinary things. The fear is that more zealous or malevolent informants will somehow find a national-security risk lurking behind everyday conduct — an assessment that will occasionally be driven by outright prejudice or personal vendetta.





## 1NC SHELL

### C. IMPACT – Terrorism threatens the survival of civilization.

**Alexander, Director of the Potomac Institute for Policy Studies' International Center for Terrorism Studies, '03**  
(Yonah, "Terrorism Myths and Realities," Washington Times, August 28)

Last week's brutal suicide bombings in Baghdad and Jerusalem have once again illustrated dramatically that the international community failed, thus far at least, to understand the magnitude and implications of the terrorist threats to the very survival of civilization itself. Even the United States and Israel have for decades tended to regard terrorism as a mere tactical nuisance or irritant rather than a critical strategic challenge to their national security concerns. It is not surprising, therefore, that on September 11, 2001, Americans were stunned by the unprecedented tragedy of 19 al Qaeda terrorists striking a devastating blow at the center of the nation's commercial and military powers. Likewise, Israel and its citizens, despite the collapse of the Oslo Agreements of 1993 and numerous acts of terrorism triggered by the second intifada that began almost three years ago, are still "shocked" by each suicide attack at a time of intensive diplomatic efforts to revive the moribund peace process through the now revoked cease-fire arrangements (hudna). Why are the United States and Israel, as well as scores of other countries affected by the universal nightmare of modern terrorism surprised by new terrorist "surprises"? There are many reasons, including misunderstanding of the manifold specific factors that contribute to terrorism's expansion, such as lack of a universal definition of terrorism, the religionization of politics, double standards of morality, weak punishment of terrorists, and the exploitation of the media by terrorist propaganda and psychological warfare. Unlike their historical counterparts, contemporary terrorists have introduced a new scale of violence in terms of conventional and unconventional threats and impact. The internationalization and brutalization of current and future terrorism make it clear we have entered an Age of Super Terrorism (e.g. biological, chemical, radiological, nuclear and cyber) with its serious implications concerning national, regional and global security concerns.

## **2NC/1NR OVERVIEW**

**We're going to win the war on terror with our current programs, but if we pass Operation TIPS it will simply overwhelm the intelligence community. If they have to investigate every time the local plumber thinks there's a funny smell coming from the kitchen they're never going to be able to get to what's important. This will push us to a point where we won't be able to stop future terrorist attacks, and this will threaten our survival.**

**This will outweigh the Affirmative on four points:**

- 1) Magnitude – They only claim to solve for US imperialism, not the world's. A terrorist attack can put everyone in the world in danger.**
- 2) Timeframe – Imperialism has been around for ages and we haven't all imploded yet. Operation TIPS will immediately be put into effect and will have an immediate effect on our intelligence community.**
- 3) Probability – Again, imperialism has never and will never lead to our extinction. Terrorist attacks have happened before and are likely to happen again.**
- 4) The D/A Turns the Case – This is empirically proven; the last terrorist attack led to a chain of events that forced us into Iraq today, and a future terrorist attack will just push our President to invade another country, perpetuating the cycle of imperialism.**



## TERRORISM LINK EXT.

**Excessive actions to fight the war on terrorism are unnecessary and simply generate more terrorist attacks.**

**Eland, Senior fellow and director of the Center on Peace and Liberty at the Independent Institute in Oakland, California, '03** (Ivan, "Bush's War and the State of Civil Liberties," Mediterranean Quarterly, Fall, v14 n4 p158-175, dam)

If the administration had not used the 11 September attacks to expand U.S. influence overseas (for example, U.S. military involvement in Central Asia, Georgia, and the Philippines) and to carry out a vendetta against Iraq and had instead carried out a more quiet campaign against only al Qaeda and used mainly the terrorism-as-crime model, its efforts would have been much more successful. Conducting an excessively broad, high-profile war against terrorism merely generates more anti-U.S. terrorist attacks via the blowback effect and makes it more difficult for the intelligence services of other nations (especially those of Arab and Islamic countries) to cooperate with U.S. intelligence in tracking down al Qaeda. More important, a nation on a war footing is more likely to take unneeded, draconian actions at home to spy on its own people in the name of fighting terrorism. But even before the Patriot Act was enacted, the intelligence and law enforcement communities had more than adequate means to track down al Qaeda members. If the Bush administration had attempted to dampen the public thirst for revenge [End Page 170] after 11 September—instead of whipping the public into a frenzy as an opportunity to destroy other enemies (Iraq)—and had adopted the quieter terrorism-as-crime approach, there would have been much less pressure to implement new strictures on civil liberties that actually impede the fight against al Qaeda.

**They won't be able to solve – the government cannot coordinate its intelligence community.**

**Eland, Senior fellow and director of the Center on Peace and Liberty at the Independent Institute in Oakland, California, '03** (Ivan, "Bush's War and the State of Civil Liberties," Mediterranean Quarterly, Fall, v14 n4 p158-175, dam)

Before enacting new antiterrorism legislation that curbs civil liberties, politicians rarely analyze whether previous restrictions on such liberties have been effective (for example, the Antiterrorism and Effective Death Penalty Act signed into law in 1996 after the first World Trade Center bombing in 1993 and the Oklahoma City bombing in 1995), or whether intelligence and law enforcement officials were negligent or incompetent in preventing the terrorist attack. Tim Lynch of the Cato Institute perceptively asks, "If the government cannot discipline itself for dereliction, negligence, incompetence, poor performance, and corruption, why in the world should it be rewarded with additional funds and additional powers?"<sup>18</sup> After 11 September, Congress never paused to consider that the increased law enforcement powers in the 1996 law had failed to prevent the attacks on the Pentagon and the World Trade Center. In addition, Congress passed the Patriot Act before investigations showed that incompetence at the Federal Bureau of Investigation, and its failure to adequately coordinate with the intelligence community, impaired the government's ability to prevent the attack. If we continue to reward failure with higher budgets and more powers, we are in for more of the same.



### **TERRORISM LINK EXT.**

**Supporting intrusive terrorism policies deters other countries from providing future aid in terrorism prevention.**

**Eland, Senior fellow and director of the Center on Peace and Liberty at the Independent Institute in Oakland, California, '03** (Ivan, "Bush's War and the State of Civil Liberties," Mediterranean Quarterly, Fall, v14 n4 p158-175, dam)

Also, the fight against al Qaeda critically depends on the cooperation of foreign intelligence, law enforcement, and judicial organizations. In many countries, the United States just does not have the information needed to locate, apprehend, and extradite al Qaeda suspects. When the United States erodes the due process rights of both citizens and noncitizens, other nations are reluctant to hand over suspected terrorists (particularly their own nationals). For example, the Europeans have expressed a reluctance to turn suspects over to U.S. military tribunals because those bodies lack due process safeguards. The American Bar Association alluded to such possible negative reactions from foreign governments by recommending that Congress and the executive branch consider how U.S. policies adopted toward "enemy combatants" may affect the response of other countries to future terrorist attacks.

## 1NC SHELL

**Debates between universality and relativism such as the one you support by rejecting universality without providing an alternative simply serve to hide the real goals of the cultural elite—they promote sovereign power and discourage women's, children's, and sexuality rights while serving political interests.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The characterization of the debate between Northern and Southern states as a dispute about universality and cultural relativity obfuscates many issues of fundamental importance. As I have argued, the dualized characterization of the debate conceals many commonalities between the two sides, particularly in their acceptance that at least a core of human rights is universal. As human rights advocate Michael Davis observes, even the sovereign-centric Peoples Republic of China conceded more about universal human rights in the Bangkok Declaration and its statements in Vienna than it attacked, n57 and postcolonial theorist Admantia Pollis notes that the West made "major concessions" about the primacy of state sovereignty. n58 Also hidden is the ongoing unanimity within and between both camps that no new human rights will be recognized, an accord which has held strong throughout the WCHR and FWCW. This agreement protects the interests of the elites of all nation-states from, for example, the erosion of sovereign power by the recognition of universal indigenous rights, and the reduction of male, heterosexual privilege by the inclusion of women's, children's and sexuality rights in the category of fundamental human rights. In short, arguments of cultural difference and of universality, while important in themselves, are being used to serve a variety of macroeconomic, social, and political interests. n59

**Both sides of the human rights debate are grounded in their need to entrench their capitalist imperialist societies; turns the case.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

In the view of Kausikan, the "disproportionate" response from Northern states to the cultural relativist arguments of many Southern states is the outcome of fears and insecurities stirred by the economic success of Asian states in the post-Cold War environment. n63 He remarks that "the problems are particularly acute for those Western societies that define themselves in relation to a universal mission." n64 Thus, the anxiety of the universalist North, in response to post-Cold War contestations and rearrangements of global power, manifests itself in human rights arguments about cultural relativity and universality. At the same time, the Southern states, who most vehemently promote cultural relativity, seem largely motivated by a desire to limit international scrutiny of their authoritarian regimes. Their assertion that autocratic governance is consistent with Asian values disguises the reality that it is essential to Asian-style capitalism. The emphasis of the relativists on "bearing in mind the significance of national and regional particularities, and various historical, cultural and religious backgrounds" n65 is not a commitment to challenging dualized technologies of sameness and difference, and the patterns of domination that such binaries normalize. The relativist argument simply promotes a reversal of the dualisms. As philosopher Pheng Cheah notes, the difference championed by the Bangkok Declaration is not the same as the diversity of Asian peoples. n66 Thus, the cultural relativist challenge to universality bears no resemblance to a transformative commitment [\*15] to multiplicity and antidiscipline, or to local and transnational solidarities.

## 1NC SHELL

**The Alternative: Expose the commonalities between the two sides of the universality debate by having human rights NGOs bring local knowledges to the fore and destabilize the closure brought about by the binary opposition.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The strategy of rejecting universalizing knowledge claims is based on the Foucauldian recognition of the productive relationship between knowledge and power. To contest the foundational assumptions of the universality debates is to bring into question the claims to Truth that are being produced and reveal their allegiances to power. As I have argued, the debate is largely a contest between two universalizing forms of capital, one side (the North) reliant on confirmation of the supremacy of the Standards of Europe and the other side (the South, particularly Asian states) intent on reversing the dualism that has constructed its secondary status as the Other of Europe. The debate is shaped by the interests of nation-states and has focused on a rearrangement of the global hierarchies produced by modernity, not on their rejection. A transformative strategy would seek to disrupt the polarized and absolute configurations of the debates by refusing to participate on those terms. Human rights NGOs are one means of bringing local knowledges to the fore in order to confound the certainties of the dominant positions and destabilize the closure brought about by the binary opposition. This strategy involves exposing the cultural allegiances and imperialist potential of the universalist arguments, bringing to light the narrowness of the diversity promoted by the cultural relativist position and revealing the many commonalities between the two sides. Such a strategy would lend transparency to state-based elite interests being served by the debate and to the multitude of local interests erased by it, and open the possibility of new paradigms for understanding context and diversity. Transformative dialogue needs to draw on the productive tension between local and global knowledges, a tension which is [\*38] glaringly absent from the globally dominated present debates. **Encouraging local communities to participate in the debate on their own terms, whatever those terms might be, is one way of bringing this tension to the fore.** For example, non-elite groups might be empowered to have control of agenda-setting, determine the questions of importance, and run meetings according to procedures that they understand. Integral to the success of dialogue between the local and the global is the ethical struggle in which participants take responsibility for developing mechanisms which enable them to identify voices that have hitherto been marginalized or erased and to address inequalities in power. In these ways, the process toward reunderstanding universality and human dignity in context can be commenced. The emphasis is on the human potential for questioning and change and the continuing productivity of the dialogue, rather than on reaching agreement whereby everyone endorses a grand design.



## **2NC/1NR OVERVIEW**

**In attempting to solve for the United States' imperialist tendencies, the affirmative makes a crucial mistake in overidentifying with the system. Without being able to identify themselves as reformists the state will simply subsume their attempts to change the ideologies of the state. And even if they are able to stop the United States imperialist tendencies, they simply open the way for the relativist East to use their justifications to perpetuate the same abuse; even if they solve 100% of the case, the kritik solves 200%. The Universalist – Relativist dichotomy can only be broken by the revealing of local knowledges from the outskirts of modernity that will teach alternative systems that the present simply oppresses. Without breaking down this dichotomy they simply perpetuate the same system of imperialism that they are trying to prevent.**

### LINK EXT (PLAN CAN'T SOLVE)

**By simply replacing the idea of universalism with the idea of relativism and by rejecting US imperialism in the name of protecting the right of other countries to govern themselves the plan simply reproduces the binary and domination.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The strategies for change produced at the two boundaries rely on different analyses of power. The resistant knowledges associated with the first boundary, between Europe's Standard and its Other, produce egalitarian strategies based on modern conceptions of power as centralized, monolithic, and dualistic. n85 These egalitarian strategies emphasize the way macropolitical global categories shape and subjugate the sign of the Other. Also, the struggle for change focuses on the goal of either replacing the centralized Standard with another or increasing its inclusionary scope. For example, strategies aimed at achieving the equal participation of women or ensuring equitable geographical representation in decisionmaking forums remain uncritical of the form of the decisionmaking structures in which they aim to participate. In so doing, such strategies legitimate the very structures that reproduce dominating forms of power.

**The form of the universality debate itself promotes a dichotomy that makes it impossible for transformative alternatives to be sought.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

In the assertion of their respective claims to universal Truth, both sides of the universality debate are employing dualized and hierarchized concepts of difference. This means that the form of the debate is itself problematic because it structures the discussion in terms of polar claims which suit the competition between dominating global regimes of power by silencing transformative alternatives. As a result, the important issues of global diversity are clouded and silenced, and the dichotomy between universality and cultural relativity is confirmed as a True antithesis. As Rao says, "geopolitical borders are erased and a multitude of cultures are collapsed into two falsely unified packages, one bearing the stamp of human rights and the other lacking it." N75 Each side depends on the other for the generation of its own identity and meaning, and thus, paradoxically, both are reliant on the shared assumptions of modernity. The dualized form of debate illustrates the extent of the hegemonic hold of Europe in the world today wherein difference is recognizable only if it is coextensive with the European imagination. As [\*18] Indian Subaltern Studies n76 scholar Ranajit Guha argues, all other difference is relegated to a shadow world of superstition, randomness, or criminality because it is incommensurable with the European frame. n77 Therefore, as long as the debate remains uncritical of modernity, the dualistic Standard of Europe will prevail. We need to move on from the choice of arguing sameness or difference to a deeper understanding of modern mechanisms of power in order to extricate ourselves from the grip of dominant knowledges and formulate transformative strategies.



## IMPACT EXT

**Modernity's universalist egalitarianism has reduced the state's obligations to social well-being and encouraged economic disparity.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

Rethinking, from the margins of modern human rights orthodoxy, the way in which universality and difference are conceived is an important transformative project. This project is especially urgent in the post-Cold War environment in which European knowledges have reasserted their universal applicability and promoted the egalitarian ideals of modernity as the foundation of a new world order based on freedom. Yet, the egalitarianism of modernity has supported the globalization of capital, which has sponsored reduced state obligations with respect to economic and social rights and deepened the economic disparities between North and South. Poststructural thinking articulates in a new way a crisis of confidence in modernity's claim to universal Truth, building on the longstanding critiques of many groups on the margins of modernity.

**The human rights debate simply masks other pressing issues, including patriarchy, true human rights, and the right to economic and social equality.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

In this way, the human rights debate is inextricably linked to a global struggle over Truth that has been precipitated by post-Cold War shifts in power. In the transition from one constellation of dominating global power to another, the human rights discourse shaped by the Cold War is an important site of struggle. The opposition constructed between universality and cultural relativity is politically coded to advance the interests of competing claims to "genuine" universal knowledge. The debate diverts attention from pressing issues, like those of challenging masculinist domination, of realizing the interdependence and indivisibility of the Cold War inspired generations of human rights, of implementing the right to development as something more than opening state borders to transnational capital, and of achieving global economic and social justice. The debate functions as a means of obscuring the issues of power and depoliticizing the struggle for economic dominance that is taking place. Understood in this way, the universalists are defending Europe's dominance and the relativists are seeking to reverse the duality that presently constitutes the South as Europe's Other.

### ALT – REFUSING HIERARCHIES

**Refusing hierarchies can split attention from human rights battles and open the way to allow other movements to take root and flourish. Developing coalitional strategies can reinforce the indivisibility of human rights and break down the North-South binary.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The second transformative strategy is the refusal of hierarchical arrangements of human rights. The Cold War generational development of human rights law reflected and confirmed dominant arrangements of global power. This hierarchy, as well as the duality which the universality debates are ostensibly contesting, places Europe at the pinnacle of global development. A reimagining of the categories of human rights from the margins involves developing coalitional and intersectional strategies within each category of human rights, as well as across the terrain of them all, with the goal of achieving their indivisibility. This strategy also necessarily entails refusing the hierarchy of North and South. Promoting the interdependence and indivisibility of human rights is a tactic that already has a place in mainstream human rights rhetoric. The question is how to realize it in practice. The new commitments to indivisibility that accompanied the end of the Cold War have, in fact, veiled a contraction in states' obligations with respect to second and third generation human rights. In particular, the social justice potential of the right to development has been severely compromised by the way in which both Northern and Southern versions of global capital have used the development agenda to promote free market agendas. While the realization of human dignity can hardly be divorced from achieving economic rights and social justice, the modern [\*39] language of individual human rights has diverted attention from addressing this fundamental issue. Transformative dialogue must rebuild most human rights movements from the ground up in order to anchor them in an ethical commitment to global social and economic justice. Human rights struggles have largely been shaped by the categories of the generational developments of human rights. Consequently, these struggles have predominated in the area of civil and political rights. Movements for social and economic rights, as well as solidarity rights, have tended to identify themselves as aid or economic development lobbies instead of using the language of human rights. n145 This focus needs to change and, as with the first strategy, the productive tensions between local and global knowledges are important in this endeavor. We in the West understand so little about how counterhierarchies might function. The building of transformative forms of universality involves disengaging human rights discourse from the dominant regimes of power and coming to grips with the material aspects of justice. The starting point must be the manifold, embodied, non-elite subjects of human rights law who understand dignity in particularized yet multiple ways.

## ALT – RESISTING DUALISMS

**Linking with various resisting attempts can resist the dualism between the two modern knowledges and break down the patriarchal, racist, heterosexist, imperialist universality of the West.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The third strategy is to resist the posing of the debate in dualistic alternatives and to link with the various attempts by feminist, critical race, and queer theorists to create a single politics out of multiple differences. Modern knowledges' claim of Truth in their insulation from the contingencies of human diversity has confirmed the masculinist, racist, heterosexist, and imperialist Standards of Europe as universal. Contesting this Truth requires building a transformative paradigm that recognizes difference as an issue of power and encourages solidarity in difference rather than in the sameness of identity politics. Disrupting the dualisms of the universality debates might commence with renaming the central issue as one of plural literacies, or at least of cultural diversity rather than relativity. Doing so would dispense with the dualistic Standard that is implicit in the notion of relativity. Such a renaming would help to make the power struggles of [\*40] the present debates transparent and reduce their momentum by the assertion of nondominating forms of power. Multiple conceptions of difference and specificity, as alternatives to the comparative hierarchies of cultural relativity, need to be introduced. This approach links with the strategy of promoting the indivisibility of human rights in that rejecting the generational hierarchy involves replacing dualistic notions of difference with an integrated but fluid network of interconnections. Transformative dialogue must pay particular attention to the productive tension between the individual and her or his community and the identification of strategic commonalities as alternatives to the dualized notions of difference from which the elites of the global community have benefitted. Mohanty has similarly suggested such a rethinking of sociality as a strategic approach. n146 This approach involves an ethical commitment to assert the world's multiple literacies and address the disparities in power that dyadic difference has naturalized.

## ALT – DECENTERING THE STATE

**The state is the entity that subjugates the diversity that could possibly change the system. Recognizing overlapping systems of sovereignty would encourage NGOs to participate in human rights movements, bringing local knowledges to the forefront. Coalitions are necessary.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The strategy to decenter the nation-state is an inescapable component of a transformative rethinking of universality and difference. The self-evidence of the state as the preeminent subject of international law has proved to be an effective means of instituting Europe's hegemony. The entity of the nation-state has erased diversities of "We, the Peoples of the United Nations" n147 that cannot be represented by the National. It has subjugated diversities against which the Nation is defined and, thus, silenced and thwarted a multiplicity of local resistances and affinities from within states and across them. The centralized institutions of the nation-state have organized, and depend upon, the power relations of differences, including those based on gender, class, race, culture, and sexuality. n148 States provide an important defense against the potential totalitarianism of the international order, as Koskenniemi has [\*41] argued. n149 At the same time, a transformative dialogue would work towards new conceptions of the state. As Robert Malley and his colleagues suggest, this reconceptualization would involve divesting states of their fixed territory and constant population. It would require envisaging a state . . . as constructed, boundless, and open, a constellation of authoritative behaviours, or authoritative exercises of jurisdiction. . . . It has no permanent inside and outside, no identifiable interests. . . . It elicits a different mapping of the world . . . [in which the state becomes] a forum for the competition of particular claims brought by persons whose own movements and contacts may crisscross the globe. n150 Foucault too suggests that the state is not a unity but a "composite reality," made possible by the tactics of modern governance, and much more tenuous than we think. n151 Feminist international lawyer Karen Knop takes this idea a step further by outlining ways in which recognizing the limited or overlapping nature of state sovereignties could enhance the participation of non-state groups in international law. n152 Transformative dialogue seeks to ensure that the voices of non-National affinities and oppositions assume a central role in the current debates. Despite the present power of states, transnational and intranational human rights movements have assumed increasing importance and influence in the U.N. system as NGOs, but they are in continual danger of having their local accountabilities and ethical principles compromised by the financial and discursive capacity of states to shape their agendas. n153 In human rights discourse, this danger is particularly acute because, as states are the greatest violators of [\*42] human rights, states' power to determine what constitutes a right and a violation is strongly defended. Coalitional strategies are obviously crucial in increasing the power of local knowledges in the context of the present state-centric global. Without coalitional interventions, the current universality debates will remain in the hands of nation-states. Indigenous peoples have led the way in developing coalitional strategies with their efforts to influence the drafting of a Declaration concerning indigenous rights. n154 Most other NGOs in the U.N. system have yet to realize the importance of strategic unity and cooperation. Transnational coalitions and interventions have become even more imperative in the post-Cold War economic environment as new forms of supranational capital emerge in the context of an embryonic polity that is ill-equipped to demand accountability and mobilize resistance.

## ALT – RESISTING LEGAL IMPERIALISM

**The law can be used, just not in the way the affirmative uses it. By simply bowing to the legal order the affirmative re-entrenches the imperialist system. If we begin to use the softening standards of justice in international law to reform the system, we can begin to build a transformative paradigm.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The final transformative strategy is to recognize the limitations of law as a means of change. The snowballing of international human rights instruments and claims since 1945 has corresponded with a general increase in the legalization of life in the West. n155 In Foucault's view, turning to law in search of protection from modern disciplinary forms of power is a blind alley because law is less powerful than discipline. n156 Smart, however, argues that the two forms of power are complementary. n157 Both Foucault and Smart believe that legal discourse offers, at best, limited and precarious tools for transformative challenge. Furthermore, human rights activist Rajni Kothari warns that the strategy of human rights tends to depoliticize the understanding of an issue by deflecting attention from the structural sources and patterns [\*43] of violations and focusing narrowly on particular instances of atrocities committed by the state. n158 A transformative strategy seeks to introduce marginal and incommensurable knowledges to the universality debates and refuse the singular definition of the issue as a question of law. Political, social and economic counterknowledges must be brought into the debates to assist in the contestation of legal Truths and the deconstruction of legal unity. Moreover, we must be careful that the discourse of rights does not silence other languages--of needs, obligations, community, empowerment, ethics, economic justice, and material equity. n159 These extralegal, local languages may have been what Foucault meant when he suggested we turn to the possibility of a new form of "antidisciplinary" right. n160 At the same time, the power of law cannot be ignored. It must be utilized as well as challenged. As Cheah has pointed out, "an outright realist dismissal of human rights denies their very real enabling force in the current conjuncture." n161 Yet the seduction of law's claim to power is moderated when we remember that law has legitimated particular hierarchies of knowledge and silenced or erased others. Law has also extended legal (global) power by replacing nonlegal (local) mechanisms that also protect and promote human dignity. Thus, law is an important site of struggle which must be simultaneously engaged and critiqued in the project of rethinking and resisting dominating notions of universality. In the context of transformative dialogue, we must develop a more contextually-responsive, open-ended and ethically-accountable legal order. The current debates provide an opportunity to explore and advance this goal. Formal legal knowledge characterizes justice as an outcome of the abstractions of reason and order, in contrast to more substantive and situated notions of human dignity. Yet, as Koskeniemi notes, the resort to more contextually-determined legal standards is increasingly apparent in mainstream international legal practice where [\*44] the standards of equity, justice, and general principles of law are assuming a more prominent role. n162 Liberal international lawyer Thomas Franck also emphasizes the importance of the soft standards of fairness and justice in international law. n163 One challenge for human rights theorists and activists is to make critical links with such developments in order to build a transformative paradigm that responds to human multiplicity, rejects the privileging of elite human experience, resists the creation and subjugation of its converse in an Other, and guards against the erasure of its incommensurabilities.



## **A2: WE'RE THE KRITIK**

**(\_) Nope. You don't provide an alternative aside from rejecting the universality of human rights. This is the relativist position and you feed right into the dichotomy. You also simply give in to the state instead of attempting to reform it. Žižek can't guarantee that overidentification can work, and if you have to pretend you agree with the system you will not be able to change it.**

## A2: WE BREAK THE DICHOTOMY

**Even if you succeed in breaking down the entire universalist view of human rights, the inherent binary form of language will ensure that as long as relativism exists, universalism will have to exist as well.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

In modernity, language is understood as a way of giving nomenclature to preexisting meaning. The work of structuralist linguist [\*20] Ferdinand de Saussure fundamentally challenged this view in the 1950s and revealed how language creates meaning through patterns of dualistic relationships between "signs." n80 The meaning of a sign emerges from the contrasting meaning of other signs which it is not. For example, the meaning of the universal North is dependent on the contrasting concept of the different (nonuniversal) South. Poststructural linguist Jacques Derrida takes this analysis a step further by showing how the binaries which create meaning/knowledge are invested with the power hierarchy of domination (the Standard) and subordination (its Other). n81 Derrida also emphasizes that both sides of the dualisms created by language exist in a codependent relationship. n82 Therefore, the concept of dominant Man depends on its contrast with the subjugated idea of Woman, and vice versa; and the notion of the "civilized" Occident relies on the "undeveloped" status of the Orient, and vice versa. Derrida highlights the violence that is involved in the exclusionary force used to marginalize, debase, or disqualify the subordinated term. n83 Yet, while the secondary sign is subordinated and to some extent excluded by the positive value attributed to the primary term, it is not erased or completely silenced because it plays a necessary role as an antithesis in the construction of meaning in the dominant discourse.

**All they can succeed in doing is moving the boundary between the universal and the relativist views; this just reinforces patriarchal norms.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

The dualisms that constitute meaning, with which Derrida is concerned and to which Scott also refers, provide one location for modernity's construction of exclusionary boundaries. This boundary lies between the dominant sign and its subordinated Other. The duality of universality and cultural relativity creates one such boundary. It is at this boundary that the egalitarian equality strategies of modernity arise. Such strategies seek to expand what is included in the universal by broadening what is considered the same as the Standards of Europe. [\*21] As I have argued in the previous Part, in assuming that universal knowledge is possible, such strategies leave the dominant Standard of Europe unchallenged. But the Derridean insight, that the dualities are interdependent, adds a further dimension to our understanding of this problem. The codependence of the dualism, for example, that of universality and difference (nonuniversality), is actually reproduced by strategies that merely shift the boundaries of the universal. This is so despite the amelioration, material or symbolic, of the disadvantage of at least some in the subjugated category who become included in the dominant idea (the universal) as a result of the movement of the boundary. While the duality remains intact, the strategy ultimately reinforces the dominance of European masculinist norms, even though it might alter their content. Recognizing the interdependence of egalitarian strategies and the hierarchies of modernity is one way to understand the limits of such change and illustrate the need for reimagining difference in nondualistic paradigms.

## A2: YOU USE THE STATE

**Local knowledges do not have to be of the state, they can open space for dialogue within and beyond it.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

Turning to the first issue, the problem of the relationship between the local and the global has always been present in human rights law. However, to assert the local in a transformative paradigm is not to claim greater authenticity or validity for certain knowledges over others. Nor is the meaning of local equivalent to the nation-state as it is often understood in international law. Instead, local knowledges can be found in many locations that are not necessarily territorially defined. For example, the locality of women's or sexuality movements or of subaltern peoples may traverse many territorially local constituencies, and may even be transnational in certain instances. In this way, transformative universality opens spaces for dialogue within and beyond the nation-state, in transnational as well as intranational solidarities. It also readmits the embodied and situated subject to human rights discourse; displacing the preconstituted, universal Subject (Man) of modernity. A transformative notion of local might be likened to international legal theorist James Boyle's image of the unreified expression of politics that would accompany a rejection of the Enlightenment search for essences in international law. n141 Rather than addressing the imponderables of the relationship between local and global knowledges by searching for an absolute statement, the relationship should be recognized as one of the productive intersections which are integral to transformative dialogue. As postcolonial feminist Chantal Mouffe explains this process, "universalism is not rejected but particularized." n142



## A2: PERM

**OVERVIEW: The Permutation will never be able to work. Dianne Otto agrees that the way to solve is not radical objection, the state's weak points can and should be used. For example, non-governmental organizations can help bring attention to the local knowledges and government classifications can help organize and unite the grassroots movements. However, the affirmative engages itself in an extreme instance of governmental power; millions of people will be drawn into this attempt to "overidentify" and the alternative will not be able to overcome this.**

**First, they simply give in to the system; our alternative evidence proves that only local action coupled with reformist legal action can solve.**

**Second, working from the second boundary can confront and resist the dominant knowledges directly. Working from within the system will only subject local knowledges to erasure and colonization, circumventing solvency.**

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97 (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)**

Unlike modern analyses of power, poststructural analyses confront the issues of hegemony and multiplicity directly. Transformative theories of power are produced by resistant knowledges associated with the second boundary that exists at the margins of modernity, between modernity and what is incommensurable with it. In contrast to modern theories of centralized power, a poststructural [\*23] framework like Foucault's theorizes power as dispersed and circulating unevenly in discursive networks throughout the entire social fabric. n87 Exploring the transformative potential of incommensurable knowledges relies on what Foucault has called an "ascending" analysis of power. n88 Such an analysis credits local antidisciplinary knowledges, which initially lack any relationship with the assumptions of Europe, with the power to resist dominant knowledges. Foucault did not make it clear how the multiplicity of local knowledges can survive modernity's tactics of erasure, colonization, and discipline and become harnessed and coordinated into networks powerful enough to challenge dominant forms of power. Although this question was not part of Foucault's project, it lies at the center of poststructural inquiry. It is the question posed by postcolonial feminist Gayatri Chakravorty Spivak about whether the subaltern can "speak." n89 The answer, within modernity, is that she cannot because her incommensurability makes her an absence. Thus, only at the margins of modernity does the subaltern have the potential to speak. Third World feminist Chandra Mohanty refers to such transformative knowledge as the "plural consciousness" of the "borderlands," n90 where the dualistic thinking of modernity might be denaturalized n91 and possibly transcended. In contrasting modern egalitarianism and transformative strategies from the margins of modernity, I construct to some extent a false duality. Recognizing their different emancipatory potential is an important strategic insight, but it should not be allowed to overshadow the ways in which the two types of resistant knowledges might cooperate to influence strategies for change. For example, critical race theorist and feminist Angela Harris suggests that the task for critical race theory (CRT) is to develop in the tension between modernism and postmodernism, "to continually rebuild modernism in the light of [\*24] postmodernist critique." n92 Echoing the views of many other CRT scholars, she observes that "for people of color, as well as for other oppressed groups, modern concepts of truth, justice, and objectivity have always been both indispensable and inadequate." n93 Thus, while the global category of Race has had many empowering effects in mobilizing racebased solidarities and having an impact upon the modern discourse of rights, it has also failed in the project of realizing the egalitarian promises of the Enlightenment.



## A2: PERM

And, prefer our evidence, it is comparative. Modern knowledge *can* be used to supplement and organize the alternative, but the governmental action the affirmative takes isn't this kind of knowledge; it links back to the kritik.

**Otto, senior lecturer in law at the University of Melbourne, Australia, '97** (Dianne, 29 Colum. Human Rights L. Rev. 1, Lexis, dam)

Second, in addition to forefronting the local and global operations and distributions of power, a key issue in building transformative human rights strategies is that of rethinking modernity's dualistic and hierarchical construction of difference. This issue can also be tackled by drawing on a combination of modern and poststructural knowledges. To start with, we need to acknowledge that categorical thinking enables us to communicate and to act. Without [\*28] classifications and comparisons, we are left with a world of infinite sui generis items and without a basis for making judgments of justice, ethics, or rights. n107 Yet categories also always exclude other possibilities by obscuring the multiple strands that make up the whole and the ways in which the strands interrelate. n108 Therefore the issue is not one of dispensing with abstractions or of refining them until they are "correct." It is, rather, of continually questioning which categories we use in human rights discourse and contesting the power that is attributed to them by modernity's dual constructions of Standard and Other, or commensurability and erasure. However, poststructural analyses suggest we can go farther than continually questioning dualistic categories and reject dichotomous thinking itself. Scott reasons that because power is constructed on difference, it must be challenged from that premise. As she says, the only alternative . . . is to refuse to oppose equality to difference and insist continually on differences--differences as the condition of individual and collective identities, differences as the constant challenge to the fixing of those identities . . . differences as the very meaning of equality itself.



## **A2: DIANNE IS CRAZY**

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## **A2: RHETORIC NOT KEY**

**(\_) Their Žižek evidence is worthless on this, all it says is that even if the rhetoric is bad, the ideology behind it is worse. We claim that both are wrong and we can change this. Our kritik's impact doesn't stem off the fact that they're talking, it critiques the idea that they want to rid human rights' universality by working directly through the state.**



## A2: ABUSE OF FIAT

\_\_\_\_\_ **A2: United States Federal Government** – The Resolution is there to guide the Affirmative. If anything, as the negative we shouldn't be defending USFG action.

\_\_\_\_\_ **Counter-Interpretation** – Fiat that can be supported by a solvency advocate is legitimate. This takes out their research and education standards.

\_\_\_\_\_ **Real World** – Our type of fiat is just as real world as yours. Do you really think the USFG is going to pass your plan any time soon? Check out your inherency cards.

\_\_\_\_\_ **Better for Education** – We're learning about several different actors, why should we be limited to simply the USFG?

\_\_\_\_\_ **Helps Clash** – We increase the amount of ground we can clash on. This should encourage strategic thinking, you should be able to think of what cards to argue against our position.

### DEFENSE:

\_\_\_\_\_ **Negation Theory** – The Affirmative's job is to present a plan to argue over, the negative's job is to say either that plan is bad, or another plan is better and can't be done at the same time.

\_\_\_\_\_ **Skew is Inevitable** -- The Negative gets the entire block, the Affirmative gets infinite prep time and the final speech, the Negative gets Kritiks, the Affirmative gets the final speech, faster debaters can spread you out, smarter debaters can just play with your head. Debate will always be tilted to one side, this just makes the activity that much more interesting.

\_\_\_\_\_ **Infinite Prep Time Checks** – The Aff gets an infinite amount of prep time to get their aff ready, they should be able to defend against anything.

\_\_\_\_\_ **Time Skew** – Theory is a huge time suck. It doesn't teach us anything and it's only here to make us waste time on it.

\_\_\_\_\_ **No Abuse** – Until they can prove a specific instance of in round abuse, you can't vote on it. Potential abuse won't apply in any other rounds.

\_\_\_\_\_ **Abuse Isn't a Voter** – This encourages teams to undercover other arguments in order to attempt to "prove" abuse. Punish them for this, the better candidate will never lose the job just because s/he cut in line.

\_\_\_\_\_ **Abuse Good** – Forces them to think on their feet and prepare for their speeches better. We're never going to be unpredictable, they will always make arguments relating to ours.

\_\_\_\_\_ **Reject the Argument, not the Team** – At worst, just discard the argument and evaluate the other areas of the debate. We still win.

\_\_\_\_\_ **Vote Neg** -- We're the only ones who are doing any kind of impact analysis on the theory flow. Even if you grant them several areas of the theory debate, as long as we win that one standard outweighs and we win that particular standard, we should win the theory debate.



## **A2: ADD-ONS**

- 1. No Plan Solvency – You give no evidence as to why your particular instance of attempting to break down the universality of human rights will be able to solve for your advantage.**
- 2. Cross-Apply our Breger '01 from the case flow– The world Žižek describes is impossible to change, and any attempt to do so from within the system will simply fail.**
- 3. We Solve – Our kritik does the same thing your plan attempts to do—change ideologies—and more. Any offense that you can attempt to claim will simply be another reason to prefer the kritik, which can solve for global ideologies, over the plan, which can only solve for US imperialism.**