## Off

### Fw

#### Interpretation – affirmative teams should have to defend hypothetical implementation of topical plan that increases prohibitions of anti-competitive business practices by the private sector by at least expanding the scope of core antitrust laws.

#### 1—“Core antitrust laws” are the Sherman, Clayton, and FTC Acts.

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At the federal level, there are three core antitrust laws: (1) the Sherman Act, in which Section 1 outlaws “every contract, combination, or conspiracy in [unreasonable] restraint of trade,” and Section 2 outlaws any “monopolization, attempted monopolization, or conspiracy or combination to monopolize”;1 (2) the Federal Trade Commission Act, which prohibits “unfair methods of competition” and “unfair or deceptive acts or practices”;2 and (3) Section 7 of the Clayton Act, which prohibits mergers and acquisitions where the effect “may be substantially to lessen competition, or to tend to create a monopoly.”3 Criminal violations of the Sherman Act carry a maximum penalty of a $100 million fine for corporations, and a maximum penalty of 10 years in prison and a $1 million fine for individuals. A prevailing plaintiff in a civil suit can recover treble damages and attorneys’ fees. But federal law currently does not provide for civil penalties when the government brings an antitrust case, only injunctive relief.

#### 2—“Prohibition” is a legal restriction.

Duhaime’s Law Dictionary N.D. –  Referred to by the Oxford University law library (Bodleian), School of Law, University of Oxford, Oxford, England, as a recommended research resource for law students (“Prohibition Definition”, Duhaime’s Law Dictionary, <https://www.duhaime.org/Legal-Dictionary/Term/Prohibition>, No Date)

Prohibition Definition:

A legal restriction against the use of something or against certain conduct.

#### Violation – the aff doesn’t defend the end point of increasing prohibitions that expand the scope of core antitrust laws

#### Prefer our interpretation:

#### 1---Fairness – the aff interp destroys it – not requiring a plan text decks stasis by allowing aff teams to change the 1AC throughout the debate, explodes the burden of negative research by unlimiting it to anything tangentially related to the resolution, and nullifies all topic-specific neg prep by forcing teams to rely on concessionary ground

#### 2---Truth Testing – only a topic with predictable limits produces clash-filled debates, which is the only internal link to any benefit debate can offer – rigorously testing positions allows debaters to improve their own advocacies and how to defend them, which creates more ethical and effective worldviews – but that becomes impossible without specific resolutional ties

#### Our model of debate doesn’t trade off with personal convictions, but it does make debaters stronger advocates

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(Derek, “Towards an Action-oriented Science Curriculum,” Journal for Activist Science & Technology Education, Vol. 1, No. 1)

\*\*note: SSI = socioscientific issues

Politicization of science education can be achieved by giving students the opportunity to confront real world issues that have a scientific, technological or environmental dimension. By grounding content in socially and personally relevant contexts, an issues-based approach can provide the motivation that is absent from current abstract, de-contextualized approaches and can form a base from which students can construct understanding that is personally relevant, meaningful and important. It can provide increased opportunities for active learning, inquiry-based learning, collaborative learning and direct experience of the situatedness and multidimensionality of scientific and technological practice. In the Western contemporary world, technology is all pervasive; its social and environmental impact is clear; its disconcerting social implications and disturbing moral-ethical dilemmas are made apparent almost every day in popular newspapers, TV news bulletins and Internet postings. In many ways, it is much easier to recognize how technology is determined by the sociocultural context in which it is located than to see how science is driven by such factors. It is much easier to see the environmental impact of technology than to see the ways in which science impacts on society and environment. For these kinds of reasons, it makes good sense to use problems and issues in technology and engineering as the major vehicles for contextualizing the science curriculum. This is categorically not an argument against teaching science; rather, it is an argument for teaching the science that informs an understanding of everyday technological problems and may assist students in reaching tentative solutions about where they stand on key SSI.

#### Framework has to be a voting issue – integrity of the game is a precondition for voting, and we’ve all implicitly agreed fairness is good by abiding by other norms like speech times and order – not voting for fairness causes judge biases which are worse

#### All arguments are framework arguments---exclusion args rely on a false dichotomy because debate requires continual judgment about which arguments are persuasive and which can be dismissed even though this usually happens implicitly---the role of the negative is always to say that it was bad for the aff to say what they did--- we don’t have the power to impose a norm, only to persuade you that their argumentative practices should be rejected

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

Lets first examine the claim that my book is "unwittingly" inviting a resurrection of the "Enlightenment-equals-totalitarianism position." How, one wonders, could a book promoting argument and debate, and promoting reason-giving practices as a kind of common ground that should prevail over assertions of cultural authenticity, somehow come to be seen as a dangerous resurgence of bad Enlightenment? Robbins tells us why: I want "argument on my own terms"-that is, I want to impose reason on people, which is a form of power and oppression. But what can this possibly mean? Arguments stand or fall based on whether they are successful and persuasive, even an argument in favor of argument. It simply is not the case that an argument in favor of the importance of reasoned debate to liberal democracy is tantamount to oppressive power. To assume so is to assume, in the manner of Theodor Adorno and Max Horkheimer, that reason is itself violent, inherently, and that it will always mask power and enforce exclusions. But to assume this is to assume the very view of Enlightenment reason that Robbins claims we are "thankfully" well rid of. (I leave to the side the idea that any individual can proclaim that a debate is over, thankfully or not.) But perhaps Robbins will say, "I am not imagining that your argument is directly oppressive, but that what you argue for would be, if it were enforced." Yet my book doesn't imagine or suggest it is enforceable; I simply argue in favor of, I promote, an ethos of argument within a liberal democratic and proceduralist framework. As much as Robbins would like to think so, neither I nor the books I write can be cast as an arm of the police. Robbins wants to imagine a far more direct line of influence from criticism to political reality, however, and this is why it can be such a bad thing to suggest norms of argument. Watch as the gloves come off: Faced with the prospect of submitting to her version of argument roughly, Habermass version-and of being thus authorized to disagree only about other, smaller things, some may feel that there will have been an end to argument, or an end to the arguments they find most interesting. With current events in mind, I would be surprised if there were no recourse to the metaphor of a regular army facing a guerilla insurrection, hinting that Anderson wants to force her opponents to dress in uniform, reside in well-demarcated camps and capitals that can be bombed, fight by the rules of states (whether the states themselves abide by these rules or not), and so on-in short, that she wants to get the battle onto a terrain where her side will be assured of having the upper hand. Lets leave to the side the fact that this is a disowned hypothetical criticism. (As in, "Well, okay, yes, those are my gloves, but those are somebody elses hands they will have come off of.") Because far more interesting, actually, is the sudden elevation of stakes. It is a symptom of the sorry state of affairs in our profession that it plays out repeatedly this tragicomic tendency to give a grandiose political meaning to every object it analyzes or confronts. We have evidence of how desperate the situation is when we see it in a critic as thoughtful as Bruce Robbins, where it emerges as the need to allegorize a point about an argument in such a way that it gets cast as the equivalent of war atrocities. It is especially ironic in light of the fact that to the extent that I do give examples of the importance of liberal democratic proceduralism, I invoke the disregard of the protocols of international adjudication in the days leading up to the invasion of Iraq; I also speak about concerns with voting transparency. It is hard for me to see how my argument about proceduralism can be associated with the policies of the Bush administration when that administration has exhibited a flagrant disregard of democratic procedure and the rule of law. I happen to think that a renewed focus on proceduralism is a timely venture, which is why I spend so much time discussing it in my final chapter. But I hasten to add that I am not interested in imagining that proceduralism is the sole political response to the needs of cultural criticism in our time: my goal in the book is to argue for a liberal democratic culture of argument, and to suggest ways in which argument is not served by trumping appeals to identity and charismatic authority. I fully admit that my examples are less political events than academic debates; for those uninterested in the shape of intellectual arguments, and eager for more direct and sustained discussion of contemporary politics, the approach will disappoint. Moreover, there will always be a tendency for a proceduralist to under-specify substance, and that is partly a principled decision, since the point is that agreements, compromises, and policies get worked out through the communicative and political process. My book is mainly concentrated on evaluating forms of arguments and appeals to ethos, both those that count as a form of trump card or distortion, and those that flesh out an understanding of argument as a universalist practice. There is an intermittent appeal to larger concerns in the political democratic culture, and that is because I see connections between the ideal of argument and the ideal of deliberative democracy. But there is clearly, and indeed necessarily, significant room for further elaboration here. There is a way to make Robbins’s point more narrowly which would run something like this: Anderson has a very restricted notion of how argument should play out, or appear, within academic culture, given the heavy emphasis on logical consistency and normative coherence and explicitness. This conception of argument is too narrow (and hence authoritarian). To this I would reply simply that logical consistency and normative coherence and explicitness do not exhaust the possible forms, modes, and strategies of argumentation. There is a distinction to be made between the identification of moves that stultify or disarm argument, and an insistence on some sort of single manner of reasoned argument. The former I am entirely committed to; the latter not at all, despite the fact that I obviously favor a certain style of argument, and even despite the fact that I am philosophically committed to the claims of the theory of communicative reason. I do address the issue of diverse forms and modes of argument in the first and last chapters of the book (as I discuss above), but it seems that a more direct reflection on the books own mode of argumentation might have provided the occasion for a fuller treatment of the issues that trouble Robbins. Different genres within academe have different conventions, of course, and we can and do make decisions all the time about what rises to the level of cogency within specific academic venues, and what doesn't. Some of those judgments have to do with protocols of argument. The book review, for example, is judged according to whether the reviewer responsibly represents the scholarship under discussion, seems to have a good grasp of the body of scholarship it belongs to, and convincingly and fairly points out strengths and weaknesses. The book forum is a bit looser-one expects responsible representation of the scholarship under discussion, but it can be more selectively focused on a key set of issues. And one expects a bit of provocation, in order to make the exchange readable and dramatic. But of course in a forum exchange there is an implicit norm of argument, a tendency to judge whether a particular participant is making a strong or a weak case in light of the competing claims at play. Much of our time in the profession is taken with judging the quality of all manner of academic performance, and much of it has to do with norms of argument, however much Robbins may worry about their potentially coercive nature.

### Frame Subtraction

#### Links

#### 1 – Ballot – The 1AC’s value stands on its own---responding to it with judgement and the ballot is a hollow validation that siphons off political energy and draws them into the oppressive gaze of the academy---vote Negative to decline affirmation

Phillips 99 – Dr. Kendall R. Phillips, Professor of Communication at Central Missouri State University, PhD in Speech Communication from Pennsylvania State University, MA in Speech Communication from Central Missouri State University, BS in Psychology and Sociology from Southwest Baptist University, “Rhetoric, Resistance, and Criticism: A Response to Sloop and Ono”, Philosophy & Rhetoric, Volume 32, Number 1, p. 96-101

My concern with this movement centers around an issue that Sloop and Ono seem to take as a given, namely, the role of the critic. On one hand, calling for the systematic investigation of existing marginalized discourses is a natural extension both of critical rhetoric (see McKerrow 1989, 1991) and of the general ideological turn in criticism (see Wander 1983). On the other hand, the ease of transition from criticism in the service of resistance to criticism of resistance may obscure the need to address some fundamental issues regarding the general function of rhetorical criticism in an uncertain and contentious world. Beyond licensing the critic to engage in political struggle, Sloop and Ono advocate the pursuit of covert resistant discourses. Such a move not only stretches our understanding of rhetoric and criticism, but also alters significantly the relationship between critic and out- law. Critical interrogation of dominant discursive practices in the service of political/cultural reform is supplanted in favor of positioning covert out- law communities as objects of investigation. Invited to seek out subversive discourses, the critic is positioned as the active agent of change and the out-law discourse becomes merely instrumental. Rather than academic criticism acting in service of everyday acts of resistance, everyday acts of resistance are put into the service of academic criticism. Rhetorical resistance That we are "caught within conflicting logics of justice that are culturally struggled over" (Sloop and Ono 1997, 50) and that rhetoric is employed in these struggles seems an uncontroversial statement. Despite the theoretical miasma surrounding judgment, Sloop and Ono accurately note, the material process of rendering judgments (and of disputing the logics of litigation) continues in the world of actually practiced discourse. In the materially contested world, rhetoric is utilized both by those seeking to secure the grounds of dominant judgment and by those seeking to undermine or supplant dominant cultural logics with some out-law notion of justice. The distinction between these two cultural groups, "in-law" and out- law, however, deserves some consideration prior to any discussion of the role of the critic as implied in the out-law discourse project. The discourse of the dominant or those within the bounds of superordinate logics of litigation is reminiscent of Michel De Certeau's (1984) strategic discourse. For De Certeau, strategies are utilized by those who have authority by virtue of their proper position. Strategies exploit the institutionally guaranteed background consensus by which power relations (and litigations) are maintained and advanced. In contrast, tactics are utilized by those having no proper place of authority within the discursive economy who must seek opportunities whereby the discourse of the dominant might be undermined and contested. To extend Sloop and Ono's definition, out-law discourses are those that can (and, by their analysis, do) take advantage of situations (e.g., race riots) to disrupt the regularity of dominant cultural groups. The ongoing struggle between strategically instituted cultural dominants and the "out-law always lurk[ing] in the distance" (66) is acknowledged, even celebrated, by Sloop and Ono. What their acknowledgment fails to provide, however, is a clear need for critical intervention. Indeed, quite the reverse is presented: It is the critic (particularly the left-leaning critic) who needs out-law discourse. While the struggles over justice, equality, and freedom have gone on, the left-leaning critics are those who have theoretically excluded themselves from the disputes. The study of out-law dis- courses, then, provides a means to reinvigorate the intellectual and re-institute (academic) leftist thinking into popular political struggles (53-54). Thus, Sloop and Ono's project incorporates three types of rhetoric: the rhetoric of the in-law, presumably the traditional object of critical attention; the rhetoric of the out-law, the study of which may transform our understanding of judgment as well as reinvigorate leftist democratic critiques; and the rhetoric of the critics who, having lost their political po- tency, can exploit the discourse of the out-law to promote ideological struggles. It is to this critical rhetoric that I now turn. Resistance criticism Sloop and Ono (1997) clearly state the relationship they envision between the rhetorical critic and out-law discourse: "Ultimately, we will argue that the role of critical rhetoricians is to produce 'materialist conceptions of judgment,' using out-law judgments to disrupt dominant logics of judgment" (54; emphasis added). Here the critic seeks out vernacular discourse (60), focuses on the methods and values embodied in these communities (62), listens to and evaluates the out-law community (62-63), and chooses appropriate discourses for the purpose of disrupting dominant practices (63). Essentially, it is the critic who seeks out marginalized discourses and returns them to the center for the purpose of provoking dominant cultural groups (63). Despite acknowledging the efficacy of out-law discourses, Sloop and Ono assume that the critiques generated and presented by the out-law community have only minimal effect. The irony, and indeed arrogance, of this assumption is evident when they claim: "There are cases, however, when, without the prompting of academic critics, out-law discourses serve local purposes at times and at others resonate within dominant discourses, disrupting sedimented ways of thinking, transforming dominant forms of judgment" (60; emphasis added). Sloop and Ono seem to suggest that such locally generated critiques are the exception, whereas the political efficacy of the academic critic is the rule. This seems an odd claim, given that the justification for their out-law discourse project is the lack of politically viable academic critique and the perceived potency of out-law conceptions of judgment. Their suggestion that out-law communities are in need of the academic critic contradicts not only the already disruptive nature of existing out-law discourses (the grounds for using out-law discourse), but also the impotence of contemporary critical discourse (the warrant for studying out-law discourse). By this I do not mean that the critiques and theories generated by academically instituted intellectuals have not been incorporated into subversive discourses. Just as out-law discourses inevitably mount critiques of dominant logics, so, too, the perspectives on rhetoric and criticism generated by academics are used in resistance movements. Feminist critiques of patriarchy, queer theories of homophobia, postcolonial interrogations of race have found their way into the service of resistant groups. The key distinction I wish to make is that the existence of criticism (academic or self-generated) in resistance does not necessitate Sloop and Ono's move to a criticism of resistance. What Sloop and Ono fail to offer is an adequate argument for "taking public speaking out of the streets and studying it in the classroom, for treating it less as an expression of protest" (Wander 1983, 3) and more as an object for analysis and reproduction within the political economy of the academy. Philip Wander made a similar charge against Herbert Wicheln's early critical project, and this concern should remain at the forefront of any discussion aimed at expanding the scope and function of criticism. Sloop and Ono offer numerous directives for the critic without addressing whether the critic should be examining out-law discourses in the first place. While it is too early to suggest any definitive answer to the question of criticism of resistance, some preliminary arguments as to why critics should not pursue out-law discourses can be offered: (1) Hidden out-law discourses may have good reasons to stay hidden. Sloop and Ono specifically instruct us that "the logic of the out-law must constantly be searched for, brought forth" (66) and used to disrupt dominant practices. But are we to believe that all out-law discourses are prepared to mount such a challenge to the dominant cultural logic? Or, indeed, that the members of out-law communities are prepared to be brought into the arena of public surveillance in the service of reconstituting logics of litigation? It seems highly unlikely that all divergent cultural groups have developed equally, or that all members of these groups share Sloop and Ono's "imperial impulse" (51) to promote their conceptions and practices of justice. (2) Academic critical discourse is not transparent. Here I allude to the overall problem of translation (see Foucault 1994; Lyotard 1988; Lyotard and Thebaud 1985; Zabus 1995) as an extension of the previous concern. Critical discourse cannot become the medium of commensurability for divergent language games. Are we to believe that the "use" of out-law dis- course by critics to disrupt dominant practices can fail to do violence to these diverse/divergent logics? Are out-law discourses merely tools to be exploited and discarded in the pursuit of returning leftist academic dis- course to the center? (3) Perhaps the academic translation of out-law discourse could be true to the internal logic of the out-law community. And, perhaps the re-presentation of out-law logic within the academic community will bestow a degree of legitimacy on the out-law community. Nonetheless, the effect of legitimizing out-law discourse is unknown and potentially destructive. In an effort to siphon the political energy of out-law discourse into academic practice, we may ultimately destroy the dissatisfaction that serves as a cathexis for these out-law discourses. It seems possible that academic recognition might take the place of struggle for material opportunities (see Fraser 1997). But, will academic legitimation create any material changes in the conditions of out-law communities? I mean to suggest, not that it is better to allow the out-law community to suffer for its cause, but rather that incorporating the struggle into an (admittedly) impotent academic critique does not offer a prima facie alternative. (4) Criticism of resistance denies the practical and theoretical importance of opportunity. Returning to De Certeau's notion of tactics, the crucial element of these discursive moves is their use of opportunity to disrupt the proper authority of the dominant. The kairos of intervention provides the key to undermining "in-law" discourses. But when is the "right moment in time" for the academic reproduction of out-law discourse? Mapping the points of resistance (ala Foucault and Biesecker) entails interrogating "in-law" discourses for their incongruities and contradictions, not turning the academic gaze upon those communities waiting for an opportunity. Out-laws do not lurk in the forefront (66), hoping to be exposed by academic critics; they wait for the right moment for their disruption. Rhetoricians can provide rhetorical instructions for seeking opportunities and for exploiting these opportunities (literally making the culturally weaker argument the stronger), but this does not justify interrogating (intervening in) the cultural logics of the marginalized. The concerns raised here are not designed to dismiss Sloop and Ono's provocative essay. The divergent critical logic they outline deserves careful consideration within the critical community, and it is my hope that the concerns I raise may help to further problematize the relationship between resistance and rhetorical criticism. Rhetorical criticism As I have suggested, my purpose is to use the provocative nature of Sloop and Ono's project to extend disputes regarding the ends of rhetorical criticism. Diverging perspectives on the ends of criticism have been categorized by Barbara Warnick (1992) as falling along four general lines: artist, analyst, audience, and advocate. Leah Ceccarelli (1997) discerns similar categories around the aesthetic, epistemic, and political ends of rhetorical criticism. The out-law discourse project presents clear ties to the notion of critic as advocate. For Sloop and Ono, the critic is an interested party, discerning (and at times disputing) the underlying values and forces contained within a discourse. Additionally, however, the out-law discourse critic is an analyst focusing on the hidden, aberrant texts of the out-law and "rendering] an incoherent or esoteric text comprehensible" (Warnick 1992, 233). Now, I am not suggesting that a critic must serve only one function or that the roles of advocate and analyst are mutually exclusive; rather, these entanglings of power (political ends) and knowledge (epistemic ends) are inevitable. My concern is that we not neglect the complexity of these entanglements. Turning covert out-law discourses into objects of our analyses runs the risk of subjecting them both to the gaze of the dominant and to the power relations of the academy. As the works of Michel Foucault (especially 1979, 1980) aptly illustrate, practices presented as extending such noble goals as emancipation and humanity may endow institutions of confinement and objectification. Any justification for studying out-law dis- course because doing so may extend our political usefulness in the pursuit of emancipatory goals must not obscure the already existing power relations authorizing such studies. Our attempts to extend our domains of knowledge and expertise (authority) must not be pursued unreflexively.

#### 2-- The Aff deploys the phrase “monopoly”. This terminology originates from a neoliberal lexicon. It *occludes the aff’s alternate perspectives on the world* AND simultaneously *secures a system of neoliberal violence*.

Saltman ‘7

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In education, neoliberalism has pervasively infiltrated with radical implications, remaking educational practical judgment and forwarding the privatization and deregulation program. The steady rise of privatization and the shift to business language and logic can be understood through the extent to which neoliberal ideals have succeeded in taking over educational debates. Neoliberalism appears in the now common sense framing of education through presumed ideals of upward individual economic mobility (the promise of cashing in knowledge for jobs) and the social ideals of global economic competition. In this view national survival hinges upon educational preparation for international economic supremacy. The preposterousness of this assumption comes as school kids rather than corporate executives are being blamed for the global economic race to the bottom. The "TINA" thesis (There Is No Alternative to the Market) that has come to dominate politics throughout much of the world has infected educational thought as omnipresent market terms such as "accountability," "choice," "efficiency," "competition," "monopoly," and "performance" frame educational debates. Nebulous terms borrowed from the business world such as "achievement," "excellence," and "best practices" conceal ongoing struggles over competing values, visions, and ideological perspectives. (Achieve what? Excel at what? Best practices for whom? And says who?) The only questions left on reform agendas appear to be how to best enforce knowledge and curriculum conducive to individual upward mobility within the economy and national economic interest as it contributes to a corporately managed model of globalization as perceived from the perspective of business. This is a dominant and now commonplace view of education propagated by such influential writers as Thomas Friedman in his books and New York Times columns, and such influential grant-givers as the Bill and Melinda Gates Foundation.

#### It’s irrelevant if this deployment of neoliberal terms was intentional OR even a disingenuous deployment that aspired to K neolib. Speech acts grow more potent when such deployments are removed.

Kipnis ‘7

Andrew Kipnis - Senior Fellow and Professor Andrew Kipnis in The Department of Anthropology, The Australian National University – “Neoliberalism reified: suzhi discourse and tropes of neoliberalism in the People's Republic of China” - Journal of the Royal Anthropological Institute (N.S.) 13,383-400 - #E&F – modified for language that may offend - obtained via J-Stor database.

Another problem is that neoliberal policies, *however defined*, may be sincerely or disingenously pursued. Often enough, powerful *social actors* ~~mouth~~ (deploy) neoliberal slogans or ideology of one form or another in a crass attempt to grab power or exploit others. There may be no intention of actually enacting neoliberal policy or striving for neoliberal goals. This issue should be of crucial interest to those who believe (as the author of this article does not) that neoliberalism is systemic in the contemporary world. If neoliberalism is a systemic 'discourse' (as some governmen-tality theorists would have it), then it reproduces itself by producing 'responsibilized' subject/citizens who re-create neoliberal institutions. From this vantage, disingenuous applications of neoliberal discourse would thus work to undermine neoliberal-ism. But if neoliberalism is an 'ideology' that serves merely to mask the true workings of class domination, then disingenuous applications of neoliberal ideas are central to the reproduction of neoliberalism. In such a case, the actual production of autonomous, responsible citizen/subjects would undermine neoliberalism. Few who write as if neoliberalism were systemic in the contemporary world demonstrate awareness of this contradiction.

#### Our Alt: We can defend the rest of their advocacy and negate only certain parts. 2NR consolidation is the best alt:

#### One – no plan means any part of the 1AC can become the nexus question by the 2AR, we should reciprocally get to conditionally critique their frames and narrow the debate to parts of disagreement by the 2NR.

#### Two – – Praxis: our model teaches a form of engagement that corrects flaws in political strategies. Rejecting our approach is normatively worse for the Aff’s own cause.

Williams ’15 Douglas Williams is a third-generation organizer, He earned his BA in Political Science at the University of Minnesota at Morris and his MPA at the University of Missouri Columbia, where he was also a Thurgood Marshall Fellow and a Stanley Botner Fellow. He is currently a doctoral student in political science at Wayne State University in Detroit, where his research centers around public policy as it relates to disadvantaged communities and the labor movement. From the article: “The Dead End of Identity Politics” - From: The South Lawn - March 10, 2015 – Internally quoting Freddie DeBoer, Lecturer, Purdue University. DeBoer holds a PhD in Rhetoric and Composition from Purdue and an MA in English, concentration in Writing and Rhetoric from The University of Rhode Island, Modified for potentially objectionable language. In one instance a capital “B” was adjusted to a lower case “b” in a manner that boosted readability, but did not alter context. https://thesouthlawn.org/2015/03/10/the-dead-end-of-identity-politics/

Freddie DeBoer makes a great point in his piece on what he calls “critique drift“: “This all largely descends from a related condition: many in the broad online left have adopted a norm where being an ally means that you never critique people who are presumed to be speaking from your side, and especially if they are seen as speaking from a position of greater oppression. I understand the need for solidarity, I understand the problem of undermining and derailing, and I recognize why people feel strongly that those who have traditionally been silenced should be given a position of privilege in our conversations. B(b)ut critique drift demonstrates why a healthy, functioning political movement can’t forbid tactical criticism of those with whom you largely agree. Because critical vocabulary and political arguments are common intellectual property which gain or lose power based on their communal use, never criticizing those who misuse them ultimately disarms (hampers) the left. Refusing to say ‘*this* is a real thing, but you are not being fair or helpful in making *that* accusation right now’ alienates potential allies, contributes to the burgeoning backlash against social justice politics, and prevents us from making the most accurate, cogent critique possible.” ----- (Williams is now no longer quoting DeBoer) Look, I am Black. Also, sometimes, I can be wrong. Those two things are not mutually exclusive, and yet we have gotten to a point where any critique of tactics used by oppressed communities can result in being deemed “sexist/racist/insert oppression here-ist” and cast out of the Social Justice Magic Circle. And listen, maybe that is cool with some folks. Maybe the revolution that so many of these types speak about will simply consist of everyone spontaneously coming to consciousness and there will be no need for coalitions, give-and-take, or contact with people who do not know every word or phrase that these groups use as some sort of litmus test for the unwashed. But for the rest of us who reside in a reality-based world, where every social interaction is not tailored for your idiosyncratic indignations, we know that casting folks out for the tiniest of offenses will lead to a Left that will forever be marginalized and ineffective. I have stated before that the kind of people who put out these lists and engage in the kind of identitarian caterwauling that has become rote copy on the Internet might actually want that, as a world where left-wing activism is made potent and transformative will be one where they cannot simply take comfort in their cocoon of self-righteousness. But damn them when I can turn on my computer and ~~see~~ one Black person after another being gunned down by police. Damn them when we have a president that can sit there with a straight face and speak the words of freedom and liberation while using the power at his disposal to deny those very concepts to others. And damn them when we can get thousands of words on Patricia Arquette drunk at a party or how it is privileged to not like the same musicians that they do, but we cannot seem to get any thoughts on how the biggest moment for communities of color since the 1960s is being squandered in a hail of intergenerational squabbling. And do not even get me started on people writing articles that malign long-standing activist organizations without a whiff of evidence that there has been any wrongdoing on their part.

#### Three – contingent agreement is good: negating the whole aff makes only the most extreme stances strategic, like prejudice is good. We should debate framing strategies rather than impact turns to injustice

#### Four – its fair: frame subtraction auto gives the aff ground – just defend the stances of the 1AC. All our links are net benefits to this Alt and it applies to other frames that we’ve critiqued.

## On

#### Market concentration has destroyed Black institutions, leaving Black communities dependent on white institutions like banks and insurance companies- that’s a disad to the aff that collapses solvency. Vigorous antitrust enforcement empirically solves

Feldman, 17 -- New America researcher-reporter

[Brian, "The number of black-owned businesses has plummeted since the 1970s. Here's why.," Washington Monthly, 2017, https://washingtonmonthly.com/magazine/marchaprilmay-2017/the-decline-of-black-business/, accessed 7-29-2021]

A closer look at the numbers, however, reveals that these pioneering companies are the exception to a far more alarming trend. The last thirty years also have brought the wholesale collapse of black-owned independent businesses and financial institutions that once anchored black communities across the country. In 1985, sixty black-owned banks were providing financial services to their communities; today, just twenty-three remain. In eleven states that headquartered black-owned banks in 1994, not a single one is still in business. Of the fifty black-owned insurance companies that operated during the 1980s, today just two remain. Over the same period, tens of thousands of black-owned retail establishments and local service companies also have disappeared, having gone out of business or been acquired by larger companies. Reflecting these developments, working-age black Americans have become far less likely to be their own boss than in the 1990s. The per capita number of black employers, for example, declined by some 12 percent just between 1997 and 2014. What’s behind these trends, and what’s the implication for American society as a whole? To be sure, at least some of this entrepreneurial decline reflects positive economic developments. A slowly rising share of black Americans now hold white-collar salaried jobs and have more options for employment beyond running their own businesses. The movement of millions of black families to integrated suburbs over the last forty years also is a welcome trend, even if one effect has been to weaken the viability of the many black-owned independent businesses left behind in historically black neighborhoods. But the decline in entrepreneurship and business ownership among black Americans also is cause for concern. One reason is that it largely reflects not the opening of new avenues of upward mobility, but rather the foreclosing of opportunity. Rates of business ownership and entrepreneurship are falling among black citizens for much the same reason they are declining among whites and Latinos. As large retailers and financial institutions comprise an ever-bigger slice of the national economy, the possibility of starting and maintaining an independent business has dropped. The Washington Monthly has addressed the role of market concentration in suppressing opportunity and in displacing local economies in depth (see, for example, “The Slow-Motion Collapse of American Entrepreneurship,” July/August 2012, and “Bloom and Bust,” November/December 2015). Other studies, including a report published last year by President Obama’s Council of Economic Advisors, have substantiated these developments. The role of market concentration in depressing black-owned businesses is also troubling because of the critical role that such enterprises have played in organizing and financing the struggle for civil rights in America. In the 1950s and ’60s, black Americans employed by whites, including professionals like teachers, often faced dismissal if they joined the civil rights movement, whereas those who owned their own independent business had much greater freedom to resist. This is a largely forgotten history, but one that is gaining new urgency for all Americans in the age of Donald Trump. It shows the crucial way in which advancing and protecting basic civil rights can depend not only on moral and physical courage, but also on possessing the economic independence to stand up to concentrated power. The decline of black-owned independent businesses traces to many causes, but a major one that has been little noted was the decline in the enforcement of anti-monopoly and fair trade laws beginning in the late 1970s. Under both Democratic and Republican administrations, a few firms that in previous decades would never have been allowed to merge or grow so large came to dominate almost every sector of the economy. This change has hurt all independent businesses, but the effects have disproportionately hit black business owners. Marcellus Andrews, Bucknell University professor of economics, says that pulling back on anti-monopoly enforcement was a “catastrophic intellectual and political policy mistake,” and that for the black community, the “presumed price advantages of concentration often do not translate into better economic opportunities.” A case in point is the decline of black-owned financial institutions, including banks and insurance companies. “Mainstream insurers went after black insurance companies for their top personnel to sell their products,” says Wichita State professor Robert Weems Jr. When MetLife bought United Mutual Life Insurance Company in 1993, this was the end of the sixty-three-year existence of the last black-owned insurance company in the Northeast. Black Enterprise called the 1990s “a virtual bloodbath” for the black insurance industry, noting that from 1989 to 1999, the number of black-owned insurers declined by 68 percent. Parks Sausage—which many readers of a certain age may remember for its jingle “More Parks Sausages, Mom, please”—also serves as an example of how market concentration led to the decline of black-owned independent businesses. Founded in 1951 by Henry Parks Jr., the Baltimore-based company grew into a multimillion-dollar operation, selling pork products from New England to Virginia. In 1969, Parks took the company public, making the 200-employee firm the first black-owned business on the New York Stock Exchange. Yet by the 1990s, after a turbulent series of ownership changes, the company had fallen into bankruptcy. In 1996, two black Americans, the former football stars Franco Harris and Lydell Mitchell, attempted to revive the company, but faced an increasingly consolidated meatpacking industry in which the four largest meatpackers controlled 78 percent of the market. As Harris put it, before selling out, “it’s been hard to get distribution.” Much the same story occurs with black-owned grocers. In 1969, J. Bruce Llewellyn grew ten Bronx supermarkets into the nation’s largest minority-owned retail business. By the 1990s, however, a retreat from antitrust enforcement and other fair trade laws permitted a few giant corporations like Walmart to engage in anticompetitive behaviors that in previous decades would have resulted in civil and criminal prosecution. These included undermining the pricing power of suppliers and loss leading, or the practice of selling below cost in order to drive competitors out of business. In 1999, Llewellyn sold his last remaining stores to the Dayton-Hudson Corporation, now known as the Target Corporation. In 1986, a top executive at Revlon made a prediction about the future of the beauty and hair care industry. “In the next couple of years,” he told Newsweek, “the black-owned businesses will disappear. They’ll all be sold to white companies.” The prediction proved accurate. In 1993, IVAX Corp. purchased Johnson Products Co., the thirty-nine-year-old maker of Ultra Sheen, beginning a decade-long series of acquisitions that wiped out remaining black ownership in the hair care industry. One consequence was fewer new hair care products for black customers. Funds once channeled into research and development, University at Buffalo professor Robert Mark Silverman explains, now were accrued as profits by the larger firms. Much the same has happened to black-owned firms in the entertainment, communications, and publishing sectors. In response to the merger wave, the founder of Black Entertainment Television, Robert Johnson, told an audience at an investment conference in 1997, “You cannot get big anymore by being 100 percent black-owned anything.” Four years later, Viacom bought out BET for $2.34 billion. In 2005, Time Warner acquired Essence Communications Partners, the publisher of the then-leading black women’s magazine, Essence. Meanwhile, “small enterprises,” writes the business scholar John Sibley Butler, “could not compete with the expansion of larger retail chains, shopping malls, and franchises which developed.” Black-owned funeral homes are a prime example. During the civil rights era, writes author Suzanne Smith in her book To Serve the Living, “funeral directors were usually among the few black individuals in any town or city who were economically independent and not beholden to the local white power structure.” Yet, today, black-owned independent funeral homes are an imperiled institution, as national chains like Service Corporation International muscle out more and more businesses. Charlotte Clark, a black funeral home owner in Roanoke, Alabama, explains that these companies “buy local folks’ funeral parlors but leave up the signs and play it off like there’s been no change, but call the shots from elsewhere.” The National Funeral Directors and Morticians Association, which represents black funeral directors, has seen its membership decrease by 40 percent since 1997. Reflecting on the past three decades, Bob Dickerson, CEO of the Birmingham Business Resource Center in Alabama, says, “Had our institutions and businesses been maintained, had that money been plowed back into our communities, it could have meant a world of difference.” The role of market concentration in driving down the number of black-owned independent businesses becomes all the more concerning when one considers some mostly forgotten history. In principles, people, and tactics, the fight for black civil rights, going back to before the Civil War, was often deeply intertwined and aligned with America’s anti-monopoly traditions. An early example is the Free Soil Party. Emerging in the 1840s, its members opposed slavery on moral grounds. They also opposed all forms of monopoly power as a threat to liberty, including its most terrible manifestation: the monopoly of slave owners over slaves. Marching under the banner of “Free Soil, Free Speech, Free Labor, and Free Men,” the movement focused on granting equal citizenship to all Americans, in large part by promoting the then-radical idea of giving black freedmen and slaves the right to own the land on which they labored. Free Soilers proposed breaking up land monopolies and dividing western lands into 50-to-100-acre homesteads that would grant white and black families independence. As the antebellum history scholar Jonathan Earle explains, “Opponents of aristocracy, land monopoly, and slavery saw yeoman farming and inalienable landownership as the true opposites of servitude.” It was therefore no surprise when Helen Douglass, the wife of the Free Soiler and abolitionist Frederick Douglass, wrote that his opposition against any type of coercion “not only made him a foe to American slavery, but also to all forms of monopoly.” After the Civil War, passage of the Fourteenth Amendment, which outlawed racially discriminatory laws like the Black Codes, depended in no small part on white supporters who saw it as a means of prohibiting all grants of monopoly or class privilege. An 1866 article in the Boston Daily Advertiser said it “[threw] the same shield over the black man as over the white, over the humble as over the powerful.” In fact, one of the earliest applications of the law was by a group of independent Louisiana butchers who argued that a state-sanctioned twenty-five-year slaughterhouse monopoly violated the Fourteenth Amendment. During Reconstruction, the relationship between black political enfranchisement and economic independence gained strength. Abolitionists in Congress passed the Southern Homestead Act, which promised to replace the monopoly of slavery with the creation of a black yeomanry secured with grants of free land. Like General William Tecumseh Sherman’s Special Field Order No. 15, with its promise of “forty acres of tillable ground” to newly freed slaves, it fell victim to white backlash and sectional compromise, and was rescinded. Nevertheless, by the 1890s, black Americans who owned or aspired to own their own land joined with independent white farmers in the multiracial Populist Party, in states including Georgia and Texas. The natural alliance between supporters of black civil rights and opponents of monopoly, though strained by race-baiting demagogues, especially during the darkest days of Jim Crow, would endure. As a 1913 editorial by the National Association for the Advancement of Colored People (NAACP) put it, the Emancipation Proclamation and the legacy of the Free Soil movement “gave black men not simply physical freedom, but it attempted to give them political freedom and economic freedom and social freedom. It knew then, as it knows now, that no people can be free unless they have the right to vote, the right to land and capital, and the right to choose their friends.” To be sure, many black leaders during this era recognized that economic independence was a necessary but not sufficient condition for securing full rights as citizens. Unlike their white counterparts, independent black business owners were vulnerable to the brutality of lynching, to voter suppression at the polls, and to the plundering of black business districts by white supremacists. Yet many black leaders nonetheless saw that the fight for racial justice also required expanded economic independence, which in turn depended on containing market concentration. In the early twentieth century, groups like the National Negro Business League, for instance, supported anti–chain store legislation as a way to preserve black Americans’ economic self-sufficiency and freedom. As an editorial in the black newspaper New Journal and Guide bemoaned, “Chain stores are constantly draining every dollar, every week, from all of our Southern communities . . . never putting any of it back so that the communities can use it again.” Indeed, many black leaders supported these laws, even though the Ku Klux Klan and many racist white populists also championed them for their own reasons. In 1928, W. E. B. Du Bois validated the black community’s embrace of anti-monopolism when he wrote, “To ask the individual colored man . . . to sell meat, shoes, candy, books, cigars, clothes or fruit in competition with the chain store, is to ask him to commit slow but almost inevitable economic suicide.” In 1932, the Associated Negro Press and the National Negro Business League, with the cooperation of the U.S. Department of Commerce, printed a newspaper column called “Business and Industry.” One article in the series noted that “an embarrassing problem confronts the 70,000 or more Negro-owned individual enterprises in the U.S. today[:] . . . Big Business, which so perceptibly handicaps the small industrial business units in which category Negro enterprise unquestionably belongs.” Coming into the New Deal era, the federal government adopted many policies that enormously benefited whites but did little or nothing to help black Americans. The Federal Housing Authority engaged in redlining, the destructive practice of refusing to issue mortgages in predominately black neighborhoods. The Wagner Act left black workers still unable to join unions. Black agricultural and domestic laborers couldn’t reap the benefits of Social Security. “Roosevelt’s New Deal,” Ta-Nehisi Coates has argued, “rested on the foundation of Jim Crow.” But the expansion of anti-monopoly laws that also occurred during this period provided one important exception to this pattern. These measures included stepped-up antitrust enforcement, along with new fair trade laws, like the Robinson-Patman Act of 1936 and the Miller-Tydings Act of 1937, that prevented dominant firms from exploiting their market power. Combined with anti–chain store measures passed in twenty-seven states, the new legal and regulatory constraints on market concentration benefited independent enterprise, including black-owned independent businesses. Between 1935 to 1939 the number of black-owned retail stores increased by 31 percent and the number of black employees hired by black-owned retail stores grew by 14.5 percent. Into the 1940s, black leaders battled segregation while continuing to advocate for anti-monopoly laws. In August 1941, the student organization Negro Youth published a list of demands from the National Defense Program, including “that the Attorney General investigate and prosecute all violations of the Sherman Antitrust laws.” In response to a 1947 New York fair trade law that prohibited loss leading, a coalition of black wholesale grocers declared that the law “will afford additional protection to the small businessman, be he Negro or white.” Independent business owners also played a key role in financing civil rights protests, especially during their peak in the 1950s and ’60s. In Tallahassee, black grocery store owner Daniel Speed bankrolled a bus boycott similar to that in Montgomery, and his shop served as a meeting ground for black leaders. In Biloxi, Gilbert R. Mason, owner of Modern Drug Store, led a “wade-in” against the whites-only section of a federally funded Gulf Coast beach. In his autobiography, Mason wrote, “Pharmacists represented an economically independent class of black businessmen who might have been thought difficult for the white establishment to control. In many cases, the black-owned pharmacy was itself a nexus in black communities.” Funeral home owners emerged as another powerful bloc of civil rights activists. In 1956, funeral home owner William Shortridge cofounded the Alabama Christian Movement for Human Rights, a group that sought to end employment discrimination and abolish segregation in public accommodations. A. G. Gaston, who built his business empire as the owner of the Smith and Gaston Funeral Home, threatened to transfer his accounts from a white-owned bank unless it removed a “Whites Only” sign from a water fountain. In 1963, he lent Martin Luther King Jr. a room at his Gaston Motel. Soon known as the “War Room,” it was there that King decided to submit himself to arrest in Birmingham, a galvanizing moment in the civil rights movement. King himself connected part of the civil rights movement with the struggle against market concentration. While giving a talk in 1961 to students at the Southern Baptist Theological Seminary in Louisville, King drew parallels between the Sherman Antitrust Act and discrimination in public accommodations, noting, “This is what is said in the Sherman [Antitrust] Act, that if a business is in the public market it cannot deny access . . . [a]nd I think the same thing applies here . . . that a man should not have the right to say on the basis of color or religion, one cannot use a lunch counter that is open to everyone else in another racial group but not to these particular people; he has an obligation to the public.” In this era, support for the civil rights movement and opposition to monopoly were political stands often advocated by the same person. For instance, Justice Felix Frankfurter, who made anti-monopoly policy one of the causes of his life, served on the NAACP’s National Legal Committee while also being the first member of the Supreme Court to hire a black law clerk. New York Representative Emanuel Celler sponsored the Celler-Kefauver Act of 1950, a major anti-monopoly law, and also introduced the Civil Rights Act in the House. Sargent Shriver, the architect of Lyndon Johnson’s War on Poverty program, said at a dinner reception describing his vision for anti-discrimination laws and programs like Head Start, VISTA, and Job Corps, “The day may well come when Congress enacts a new Sherman Act for the social field—an antitrust law to ensure that . . . monopoly power is not used to expand and perpetuate itself.” Attorney General Robert F. Kennedy similarly drew a link between civil rights and anti-monopoly policy. “The principles of free enterprise which the antitrust laws are designed to protect and vindicate,” he said in 1961, “are economic ideals that underlie the whole structure of a free society.” Two years later, King, in his sermon “On Being a Good Neighbor,” echoed Kennedy’s vision when he said, “Our unswerving devotion to monopoly capitalism makes us concerned about the economic security of the captains of industry, and not the laboring men whose sweat and skills keep the wheels of industry rolling.” A seminal moment in the history of the civil rights movement came on a bloody Sunday in 1965 when Alabama state troopers attacked John Lewis and hundreds of others marching across the Edmund Pettus Bridge in support of voting rights. Here, too, the important link between black-owned independent businesses and civil rights was operating behind the scenes. Civil rights leader Amelia Boynton and her husband, Sam, for example, dedicated half the office space of their real estate and insurance company in Selma to host organizers from the Southern Christian Leadership Conference. Student Nonviolent Coordinating Committee founder Bernard LaFayette also set up an office in Selma because he knew that the black commercial class would provide a measure of protection for activists. Betty Boynton, the wife of Sam and Amelia’s son Bruce, explained in an interview, “School administrators fired teachers and workers who were sympathetic to the movement.” Indeed, one of the reasons so much of the activity of the civil rights movement was centered in Selma is that its strong community of black business owners offered critical logistical, financial, and other forms of support. The link between civil rights and anti-monopoly policy also was a matter of tactics. In 1961, the owners of ten independent medical practices used the Sherman Antitrust Act against sixty-one local hospitals and medical organizations in Chicago that barred black Americans from the medical staff. The suit claimed that the hospitals, which provided more than 75 percent of the city’s private hospital beds, discriminated against black physicians. The settlement slowly helped integrate black citizens into the medical profession. In 1964, Reginald Johnson, secretary of the National Urban League, encouraged the use of antitrust laws to break up housing segregation in the nation’s cities. Of the twenty million dwellings built since World War II, only 3 percent had been open to black families. “Widespread conspiracies in flagrant restraint of trade,” Johnson said, “have confined millions of the nation’s Negro citizens to lives of squalor, misery, and privation.” Antitrust actions taken by the American Civil Liberties Union, the NAACP Legal Defense and Educational Fund, and other organizations helped force desegregation of neighborhoods and realty boards in cities including Trenton, St. Louis, Pittsburgh, Akron, and New York City. Bruce Boynton even sought to join the Justice Department’s Antitrust Division to combat discrimination and fight for greater equality. In a 1964 interview with Jet he said, “I purposely picked Antitrust instead of the Civil Rights section because we have to get involved in other areas, too. . . . Negroes have to learn how to operate stores, as well as boycott them.” He never made it to the Justice Department but made history anyway. The Alabama Bar Association refused to grant him his law license because of his previous arrest for refusing to leave a “Whites Only” lunch counter. Boynton’s protest led to the Supreme Court case Boynton v. Virginia, which helped desegregate interstate bus travel. NAACP lawyer Thurgood Marshall, who was already famous for having successfully argued Brown v. Board of Education, represented Boynton in that case. As it happens, Marshall later became the nation’s first black Supreme Court justice and one of the Court’s last great defenders of anti-monopoly laws. Marshall grew up in the largely middle-class Druid Hill neighborhood of Baltimore, the grandson of two grocery owners, and as a young boy worked in their stores. Marshall’s philosophy, his biographer Juan Williams writes, “was the result of being the child of a proud, politically active, black, middle-class family that owned successful businesses and lived in an integrated neighborhood.” His greatest defense of the anti-monopoly vision came in the majority opinion he authored in United States v. Topco Associates, in which he argued that “antitrust laws, in general, and the Sherman Act, in particular, are the Magna Carta of free enterprise.” After the late 1970s, both Democrats and Republicans generally retreated from the long-standing tradition of using anti-monopoly laws to foster economic and political equality. Since then, successive administrations have evaluated mergers only for their “efficiency,” and by and large have resisted antitrust actions except in the most egregious instances of collusion and price fixing. The subsequent three decades of merger mania have brought steep increases in both market concentration and inequality. Some members of the black community applauded these changes. In a 1986 interview, Dr. William Bradford, chairman of the University of Maryland Finance Department, said, “Selling out will result in gaining future expansion opportunities. . . . [Black businesses] will move up the hierarchy and control more resources.” But other voices expressed worry. An editorial in the Atlanta Daily World noted, “Mergers don’t always make for better service or lower prices to the consumer, and one certain result of weakening the antitrust laws is more and more mergers.” Indeed, the number of mergers did keep growing, and in most instances involved smaller black-owned companies being bought out by larger firms controlled by whites. In 1988, MCA and Boston Ventures bought Motown Records for $61 million. In 1995, Shorebank Corporation acquired Chicago’s black-owned Drexel Bank. In 1999, the French advertising giant Publicis Groupe acquired 49 percent of the black-owned marketing firm Burrell Communications Group. In 2005, a group of white investors purchased the nation’s oldest black-owned bank, Consolidated Bank & Trust Co.

#### Mutual aid and waywardness can’t solve any of their harms

Harcourt 20 (Bernard E. Harcourt, Professor of Law and Political Science, Columbia University, “For Coöperation and the Abolition of Capital, Or, How to Get Beyond Our Extractive Punitive Society and Achieve a Just Society,” Columbia Public Law Research Paper No. 14-672, 9-1-2020, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3702010)

The theory of mutual aid can sometimes elide the structural failures that are the root cause of the problems that give rise to the very need for mutual aid. At other times, the concept of mutual aid comes too close to charitable work. It is problematic, for instance, that some proponents glorify mutual aid, arguing that it works better than state or top-down measures, and as a result (1) ignore the fact that the problems are the product of indifference and structural racism, poverty, classism, and gender discrimination, and (2) suggest that we would all be better off with no state interventions. Dean Spade gets to this in his essay, “Solidarity, Not Charity,” when he argues that most of the media stories about recent mutual aid efforts elide the structural causes of the problems; and when he argues that they feed into the rhetoric of small government.312 Another concern with mutual aid is that it only really addresses one small or tiny segment of coöperation, the sector that relates to charitable works, non-profit service, or what might be called public service—altruistic projects aimed at relieving the immediate effects of poverty and hunger and sickness. This raises several problems. First, it has an anarchist bent that may be detrimental to coöperation: the impetus and force of coöperatives and mutuals may well be that the individual workers and members drive the enterprise, and in this sense, many of these initiatives are bottom-up or grass-roots; but that does not signify in any way that there is no need for an organizational mechanism or regulatory framework to administer and ensure the smooth functioning of these initiatives. Coöperationism is not anarchism. It may devalue the dirigiste elements of the state (by, among other things, placing ultimate decision-making in the hands of elected members of coöperatives), but it does not do away with the state necessarily. Second, it takes a part for the whole: mutual aid is just one type of coöperationist enterprise, and it fits alongside housing and worker coöperatives, credit unions, mutuals, etc. Each one of these types of enterprise will have their own unique features. Mutual aid may appear to require less state intervention than worker coöperatives, but that is only because state regulation is often so hidden. It is pervasive in the mutual aid context: the state licenses food services and has OSHA regulations for the groceries where Invisible Hands’ Elkind shopped (Fairway Markets), as well as all kinds of worker and other regulations, FDA etc. And these differ from the kinds of regulations that would be necessary for banking through credit unions. Each one of these will need their own conceptualization, and we could never say that “mutual aid” governs those other areas—that makes far too many assumptions and simplifications about coöperationism. Third, mutual aid does not really address root causes, despite its oft-repeated claims: these mutual aid projects are more temporary remedies, than solutions to the problems. They are valiant forms of self-help, but they depend on some of us having enough money to volunteer and shop for others, for instance in the Invisible Hands initiative. They build solidarity and reorient our moral compass—all good—but do not resolve the structural problems that give rise to capitalist exploitation. When Tolentino writes in the New Yorker that “Both mutual aid and charity address the effects of inequality, but mutual aid is aimed at root causes—at the structures that created inequality in the first place,”313 I have to disagree. Other forms of coöperation will get at the root causes, but not the mutual aid projects. Tolentino links in the article to the Big Door Brigade.314 The Big Door Brigade is a project that Dean Spade has been involved with. 315 On its website, built by and maintained by him, Dean Spade explains: Mutual aid is when people get together to meet each other’s basic survival needs with a shared understanding that the systems we live under are not going to meet our needs and we can do it together RIGHT NOW! Mutual aid projects are a form of political participation in which people take responsibility for caring for one another and changing political conditions, not just through symbolic acts or putting pressure on their representatives in government, but by actually building new social relations that are more survivable. Most mutual aid projects are volunteer-based, with people jumping in to participate because they want to change what is going on right now, not wait to convince corporations or politicians to do the right thing.316 To be sure, mutual aid embraces a notion of people building new social relations and taking matters in their own hands and taking responsibility; but that is not the equivalent, I would argue, to addressing the structural problems of capitalist exploitation (unless, backing up to the first point, you are an anarchist). So again, more needs to be added to really address the root problems. This is not to impugn mutual aid in any way. There is a long and admirable history to mutual aid that goes back to the Black Panther Party’s free-breakfast program in the United States in the 1960s and well before; and that extends to ongoing initiatives like the groups that leave water in the desert for immigrants crossing the border (the No More Deaths collective).317 There is a strong parallel between mutual aid and Occupy Wall Street: the idea of prefiguring another form of democracy. Kaba talks about the practice of mutual aid as “prefiguring the world in which we want to live.”318 That was, as you will recall, a constant refrain of Occupy and of Judith Butler’s work on assembly.319 But mutual aid is only one small dimension of a society built on coöperation, one dimension which has its own peculiarities. It should not be built up to represent the whole. For one thing, it simply does not constitute a viable economic system for production and growth. Contemporary coöperationist enterprises do.

#### The world is not encoded by algorithmic accumulation.

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As established in the first section of this article, proponents of what I have heuristically defined as the “transformation thesis” have emphasised the revolutionary ruptures wrought by digital connectivity and datafication. Some of these proponents illustrate these changes using field specific case studies, as with Duffield’s (2018) suggestion that the transition to a “cybernetic episteme” is reflected in humanitarian practice. Other authors have taken a more abstract view, including Chandler’s (2018) discussion of new modes of governance in the digital era, or the post-humanist drive to reconceptualise “humanity” under conditions of technological entwinement (Cudworth and Hobden 2013). These assertions of macro-level transformation are also supported by network sociology, led principally by Manuel Castells (2010) analysis of how revolutions in information technology, economic globalisation and an emergent “space of flows” interact to produce a new kind of “network society”. This linkage of societal transformation to economic forces is also characteristic of more critical anti-capitalist perspectives, as with the Marxist critique of “cognitive capitalism” (Moulier-Boutang 2012; Zukerfeld 2017). Although these approaches differ in their conceptual frameworks, they are united in their ambition to highlight universal epistemic transformations brought about by technological change. One of the pitfalls of these totalising perspectives is the neglect of the particular in favour of the universal. For instance, networked thinking encourages assumptions about lateral transformation across socio-political fields that are connected to the digital universe. But not all spheres of social or political activity move at the same pace when they are exposed to technological innovation. Datafication and digitalisation are processes that have uneven impacts on different social and political fields. For example, the testimony of Facebook’s CEO Mark Zuckerberg to the Senate Judiciary and Commerce Committees in April 2018, where US lawmakers appeared confused by the social media giant’s basic business model, is a stark illustration of the gap that still exists between the world of Big Tech and the operating logics of mainstream democratic politics (Stewart 2018). Bigo and Bonelli (2019, 115) have found that even in the field of transnational intelligence, a sphere that could have much to gain from algorithmic techniques, technological expertise tends to be contracted out to third parties while traditional, human-sourced intelligence approaches remain dominant. Therefore, grasping for totalising processes risks ignoring the empirical specificity of divergent social microcosms. To remedy this blind side in transformationalist thinking, I assert the utility of applying Pierre Bourdieu’s field theory when conceptualising how certain spheres of social or political activity—including the field of global human rights advocacy discussed in the previous section—mediate pressures for epistemic transformation and potentially isolate technological changes and agents to the margins. Employing field theory, Ole Jacob Sending (2015, 11) sees global governance as divided into separate fields, where “actors compete with each other to be recognised as authorities on what is to be governed, how, and why”. Examples of such fields include international development, security, peacebuilding, humanitarianism, and human rights advocacy. However, each field varies in terms of its specific “rules of the game” (Bourdieu and Waquant 1992, 99). Fields are bounded, game-like social structures that are constituted by a unique constellation of actors. These actors struggle for authority according to the field’s principles of legitimation (Bourdieu 1989, 17). These principles of legitimation, which define a field’s cultural capital, are durable to the extent that dominant actors remain invested in their reproduction. Actors’ prolonged immersion in these fields subsequently shapes their own practical sensibilities, so that the field’s logics are internalised as common sense within the habitus (Bourdieu 1990, 53). It is the embedment of the field’s doxa (common sense) within the habitus of invested actors that makes fields durable and resistant to radical transformations. As seen in the previous section, the rules governing the human rights field are associated with its logic of political influence, persuasion, and moral authority. Critics of Bourdieusian field theory have argued that it is overly structuralist, reproductive, and cannot grasp “the ever-shifting constellations of actors, institutions, data and forms of expression that make up the expertise” (Waever and Leander 2018, 2). However, alternative approaches such as actor-network theory or assemblage-based theories fail to centralise the importance of social and political struggles between agents which are key in defining the trajectory of digitalisation and datafication. As Ruppert, Isin, and Bigo (2017, 3), “[d]ata does not happen through unstructured social practices but through structured and structuring fields in and through which various agents and their interests generate forms of expertise, interpretation, concepts, and methods that collectively function as fields of power and knowledge”. Similarly, “data is not an already given artefact that exists (which then needs to be mined, analysed, brokered) but an object of investment (in the broadest sense) that is produced by the competitive struggles of professionals who claim stakes in its meaning and functioning” (Bigo, Isin, and Ruppert 2019, 11). Technological change can influence the trajectory of different global political fields by enabling the entry of new types of actors (such as data consultants in the case of human rights advocacy), as well as by producing emergent sources of cultural capital and associated epistemic practices (such as expertise in geospatial imaging). As Bigo and Bonelli (2019, 120) have observed in the case of the transnational intelligence field, technological change can be accompanied by the growing influence of private companies who “have played a substantial role in the recruitment of IT specialists, network engineers, data analysts, integration platform software designers, language and coding specialists, cryptologists, and mathematicians tasked with creating or combining algorithms”. Such entryism can have a revolutionary effect if those new actors are able redefine a field’s organising logic, cultural capital, and principles of legitimation. For example, looking at the case of Sudan in the 1990s as an antecedent to the transformation of humanitarianism, Duffield (2018, 85) traces how donor governments asserted greater control over NGOs, who subsequently “seamlessly morphed into the ‘implementing partners’ of donor governments”. Alongside growing private sector partnerships, these developments stimulated the neoliberal re-alignment of the humanitarian field away from Third World solidarity and the progressive support for autonomous change and towards the governance of precarity. This exposed the field to an epistemic transformation that privileged datafication based on a “surveillance logic of command and control” (ibid., 168). However, not all global political fields are so structurally conducive to this kind of radical transformation. The example of the human rights advocacy field illustrates how a strong autonomous organising logic—a logic of persuasion—generates entrenched forms of field-specific cultural capital—qualitative and humanistic accounts of raw suffering that establish clear legal responsibilities. Actors can mobilise digital or data infrastructures to diversify the range of tools and media at their disposal, as illustrated by the (limited) use of geospatial technology, data visualisations in human rights reporting, and a growing reliance on social media platforms to engage audiences. However, they do not necessarily threaten the epistemic practices that are at the centre of human rights advocacy. This is because the transformative potential of new technologies and methods depends on their epistemic, political, social, or moral value in the eyes of the fields’ dominant actors. The integration of data-based approaches has been one of slow adaptation, not revolution, and technological specialists—often employed as third-party consultants rather than as full-time human rights professionals—remain at the margins. The Bourdieusian concept of habitus is also helpful in illuminating how fields with strong professional structures and specific educational and career trajectories can endow members with enduring dispositions that favour both the reproduction of existing epistemic practices and resistance to new ones. The habitus of human rights professionals is still primarily defined by legal, journalistic, and liberal-cosmopolitan moral/political dispositions, rather than technological expertise. So long as processes of doxic reproduction remain stable, the potential for epistemic transformation through datafication remains limited. Conclusion This article has cautioned against the analytical trend towards treating datafication as a general process acting to radically transform the epistemic and governance practices across global political fields. Because different social and political fields are unique social microcosms that contain divergent organising principles, readers should be wary of post-humanist analyses making totalising claims about alleged transformations in the human condition. The polemical teleology of transformationalism, an approach that is in vogue among Silicon Valley hype merchants like Elon Musk, public intellectuals, and a growing number of social scientists, is certainly attention grabbing, but it does not measure up against the actual way in which technological and methodological innovations are instituted within different fields of practice. International relations and global governance scholars working on the interstitial cross-roads between technology and various political or social lifeworlds need to be attentive to how digital and data transformations are mediated at the meso level of global politics. This article has demonstrated how epistemic transformation can be resisted at the meso level through observing changes and continuities among elite human rights organisations. Bourdieusian field theory, with its emphasis on legitimacy, social reproduction, and the durability of practical dispositions, offers a suitable framework for conceptualising the absence of epistemic rupture within the field of human rights advocacy. However, because digitalisation and datafication processes are mediated through the specific logics of a given field, more work needs to be done on examining how different organising principles shape the potentialities for epistemic transformation. Thus, in the future, more comparative empirical research will be needed to observe technological changes across different areas of global governance.

#### Government action is key—reform can pursue genuine equality - defeatist attitudes ensure that the world stays the same and cede politics.

Eddie S. GLAUDE Jr., Professor of African American Studies and Religion at Princeton and a PhD in Religion from Princeton, 16 [*Democracy in Black: How Race Still Enslaves*, p. 185-197]

CHANGE HOW WE VIEW GOVERNMENT For more than three decades, we have been bludgeoned with an idea of government that has little to no concern for the public good. Big government is bad, we are told. It is inefficient, and its bloated bureaucracies are prone to corruption. Even Democrats, especially since Bill Clinton, have taken up this view. For example, Obama says, "We don't need big government; we need smart government." For some on the right, big government is bad because it aims to distribute wealth to those who are lazy and undeserving. "Big government" is just a shorthand for dreaded entitlement programs-all too often coded language for race. In this view, "big government" is the primary agent of enforcing racial equality, taking hard-earned stuff from white Americans and giving it to undeserving others. Government cannot do such a thing, they argue, without infringing on the rights of white Americans. And even government-mandated redistribution will not solve the problem. As Barry Goldwater put the point in 1964, "No matter how we try, we cannot pass a law that will make you like me or me like you. The key to racial and religious tolerance lies not in laws alone but, ultimately, in the hearts of men." From this perspective, government plays no role in changing our racial habits. Why would we want to make it bigger? But Goldwater failed to realize that governmental indifference can harden hearts, and government action can create conditions that soften them. People's attitudes aren't static or untouchable. They are molded by the quality of interactions with others, and one of the great powers of government involves shaping those interactions-not determining them in any concrete sense, but defining the parameters within which people come to know each other and live together. Today, for example, most Americans don't believe women should be confined to the home raising children, or subjected to crude advances and sexist remarks by men. The women's-rights movement put pressure on the government, which in turn passed laws that helped change some of our beliefs about women. Similarly, the relative progress of the 1960s did not happen merely by using the blunt instruments of the law. Change emerged from the ways those laws, with grassroots pressure, created new patterns of interactions, and ultimately new habits. Neither Obama's election to the presidency nor my appointment as a Princeton professor would have happened were it not for these new patterns and habits. None of this happens overnight. It takes time and increasing vigilance to protect and secure change. I was talking with a dose friend and he mentioned a basic fact: that we were only fifteen years removed from the passage of the Voting Rights Act of 1965 when Ronald Reagan was elected president and Republicans began to dismantle the gains of the black freedom struggle. Civil rights legislation and the policies of the Great Society had just started to reshape our interactions when they started to be rolled back. We barely had a chance to imagine America anew-to pursue what full employment might look like, to let the abolition of the death penalty settle in, to question seriously the morality of putting people in prison cells, and to enact policies that would undo what the 1968 Kerner Commission described as "two Americas"­ before the attack on "big government" or, more precisely, the attack on racial equality was launched. The objective was to shrink the size of government ("to starve the beast") and to limit its domestic responsibilities to ensuring economic efficiency and national defense. Democrats eventually buckled, and this is the view of government, no matter who is in office, that we have today. It has become a kind of touchstone of faith among most Americans that government is wasteful and should be limited in its role-that it shouldn't intrude on our lives. Politicians aren't the only ones who hold this view. Many Americans do, too. Now we can't even imagine serious talk of things like full employment or the abolition of prisons. We have to change our view of government, especially when it comes to racial matters. Government policy ensured the vote for African Americans and dismantled legal segregation. Policy established a social safety net for the poor and elderly; it put in place the conditions for the growth of our cities. All of this didn't happen simply because of individual will or thanks to some abstract idea of America. It was tied up with our demands and expectations. Goldwater was wrong. So was Reagan. And, in many ways, so is Obama. Our racial habits are shaped by the kind of society in which we live, and our government plays a big role in shaping that society. As young children, our community offers us a way of seeing the world; it lets us know what is valuable and sacred, and what stands as virtuous behavior and what does not. When Michael Brown's body was left in the street for more than four hours, it sent a dear message about the value of black lives. When everything in our society says that we should be less concerned about black folk, that they are dangerous, that no specific policies can address their misery, we say to our children and to everyone else that these people are "less than"-that they fall outside of our moral concern. We say, without using the word, that they are niggers. One way to change that view is to enact policies that suggest otherwise. Or, to put it another way, to change our view of government, we must change our demands of government. For example, for the past fifty years African American unemployment has been twice that of white unemployment. The 2013 unemployment rate for African Americans stood at 13.1 percent, the highest annual black unemployment rate in more than seventy years. Social scientists do not generally agree on the causes of this trend. Some attribute it to the fact that African Americans are typically the "last hired and first fired." Others point to changes in the nature of the economy; still others point to overt racial discrimination in the labor market. No matter how we account for the numbers, the fact remains that most Americans see double-digit black unemployment as "normal." However, a large-scale, comprehensive jobs agenda with a living wage designed to put Americans, and explicitly African Americans, to work would go a long way toward uprooting the racial habits that inform such a view. It would counter the nonsense that currently stands as a reason for long-term black unemployment in public debate: black folk are lazy and don't want to work. If we hold the view that government plays a crucial role in ensuring the public good-if we believe that all Americans, no matter their race or class, can be vital contributors to our beloved community-then we reject the idea that some populations are disposable, that some people can languish in the shadows while the rest of us dance in the light. The question ''Am I my brother's or my sister's keeper?" is not just a question for the individual or a mantra to motivate the private sector. It is a question answered in the social arrangements that aim to secure the goods and values we most cherish as a community. In other words, we need an idea of government that reflects the value of all Americans, not just white Americans or a few people with a lot of money. We need government seriously committed to racial justice. As a nation, we can never pat ourselves on the back about racial matters. We have too much blood on our hands. Remembering that fact-our inheritance, as Wendell Berry said-does not amount to beating ourselves over the head, or wallowing in guilt, or trading in race cards. Remembering our national sins serves as a check and balance against national hubris. We're reminded of what we are capable of, and our eyes are trained to see that ugliness when it rears its head. But when we disremember-when we forget about the horrors of lynching, lose sight of how African Americans were locked into a dual labor market because of explicit racism, or ignore how we exported our racism around the world-we free ourselves from any sense of accountability. Concern for others and a sense of responsibility for the whole no longer matter. Cruelty and indifference become our calling cards. We have to isolate those areas in which long-standing trends of racial inequality short-circuit the life chances of African Americans. In addition to a jobs agenda, we need a comprehensive government response to the problems of public education and mass incarceration. And I do mean a government response. Private interests have overrun both areas, as privatization drives school reform (and the education of our children is lost in the boisterous battles between teachers' unions and private interests) and as big business makes enormous profits from the warehousing of black and brown people in prisons. Let's be clear: private interests or market-based strategies will not solve the problems we face as a country or bring about the kind of society we need. We have to push for massive government investment in early childhood education and in shifting the center of gravity of our society from punishment to restorative justice. We can begin to enact the latter reform by putting an end to the practice of jailing children. Full stop. We didn't jail children in the past. We don't need to now. In sum, government can help us go a long way toward uprooting racial habits with policies that support jobs with a living wage, which would help wipe out the historic double-digit gap between white and black unemployment; take an expansive approach to early childhood education, which social science research consistently says profoundly affects the life chances of black children; and dismantle the prison-industrial complex. We can no longer believe that disproportionately locking up black men and women constitutes an answer to social ills. This view of government cannot be dismissed as a naive pipe dream, because political considerations relentlessly attack our political imaginations and limit us to the status quo. We are told before we even open our mouths that this particular view won't work or that it will never see the light of day. We've heard enough of that around single payer health care reform and other progressive policies over the Obama years. Such defeatist attitudes conspire to limit our imaginations and make sure that the world stays as it is. But those of us who don't give a damn about the rules of the current political game must courageously organize, advocate, and insist on the moral and political significance of a more robust role for government. We have to change the terms of political debate. Something dramatic has to happen. American democracy has to be remade. John Dewey, the American philosopher, understood this: The very idea of democracy, the meaning of democracy, must be continually explored afresh; it has to be constantly discovered and rediscovered, remade and reorganized; while the political and economic and social institutions in which it is embodied have to be remade and reorganized to meet the changes that are going on in the development of new needs on the part of human beings and new resources for satisfying these needs. Dewey saw American democracy as an unfinished project. He knew that the aims and purposes of this country were not fixed forever in the founding documents, but the particular challenges of our moment required imaginative leaps on behalf of democracy itself. Otherwise, undemocratic forces might prevail; tyranny in the form of the almighty dollar and the relentless pursuit of it might overtake any commitment to the idea of the public good; and bad habits might diminish our moral imaginations. The remaking of America will not happen inside the Beltway. Too many there have too much invested in the status quo. A more robust idea of government will not emerge from the current political parties. Both are beholden to big money. Substantive change will have to come from us. Or, as the great civil rights leader Ella Baker said, "we are the leaders we've been looking for"-a model of leadership that scares the hell out of the Reverena Sharpton. We will have to challenge the status quo in the streets and at the ballot box. In short, it will take a full-blown democratic awakening to enact this revolution. On February 7, 2014, I flew to Raleigh, North Carolina, to join with tens of thousands of other like-minded people to protest the draconian laws passed by the North Carolina state legislature. Since 2010, while many people-especially black people-were still reeling from the 2008 recession/depression, Republicans eliminated Medicaid coverage for half a million North Carolinians, passed a voter-ID law designed to disenfranchise primarily African American voters, transferred $90 million from public schools to voucher schools and cut pre-K for 30,000 children, passed a law requiring women about to have an abortion to listen to the heartbeat of the fetus, repealed the earned income tax credit for 900,000 people, and constitutionally banned gay marriage. North Carolina Republicans had declared war. They represented clear examples of those who hold a view of government that hardens hearts and reinforces racial habits. I watched from afar as the Forward Together moral movement took shape in response. People from all across North Carolina organized and mobilized to take back the state from extremists. The state NAACP, with its charismatic leader, Reverend William Barber II, built a movement from the ground up to challenge what they took to be an allout assault on the moral and social fabric of the state. The movement was not simply a reaction to Tea Party Republicans. "We started this when the Democrats were in power," Barber said. "We put out the word. The state had not complied with the Leandro decision [a 1994 publiceducation-equity lawsuit]. We still had not given public employees collective bargaining rights. We didn't have a racial justice act." But the actions of the North Carolina GOP intensified the group's efforts. More than 900 people who engaged in nonviolent civil disobedience to protest the Republican agenda were arrested during the 2013 legislative session. Reverend Barber put out a call across the country for a massive march in February to launch the 2014 Forward Together campaign. Eighty thousand to 100,000 people answered. It was the largest mass demonstration in the South since the Selma march in 1965. I arrived early. It was cold, and clouds blocked the sun as organizers began to set up. A few people worked on their signs. One sign read PROTECT ALL N.C. CITIZENS with different examples of vulnerable groups written underneath (the mentally ill, the unemployed, teachers, the elderly, students, prisoners, the uninsured, minorities). I was struck from the beginning by the cross-section of people there. Old and young, straight and gay, black, white, and Latino all began to gather. I asked a few of them why they were marching. Leslie Boyd, a white woman from Asheville, North Carolina, told me about her son, Michael Danforth. He had suffered from a birth defect that made it next to impossible for him to get health insurance. He died in the hospital, and ever since, she has dedicated her life to health care activism. She started a small nonprofit called Western North Carolina Health Advocates, through which she met Reverend Barber. He asked her to join the movement. The cold weather drove me into the nearby McDonald's, where several people sipped coffee while they waited for the march to begin. I struck up a conversation with Martin Marshall from Atlanta, Georgia, and Ron Gray from Rock Hill, South Carolina. Martin told me a story about his childhood experiences with racism, about the wall that divided his white community from the black community, and how racism was still alive today. "Voter restrictions and access to health care " were · the reasons he was marching. Ron was less talkative. He said, "I will give you the short form: injustice. I am here because it is the right place to be." Sitting next to Martin and Ron was an older white couple, Bill and Betsy Crittendon from Chapel Hill, North Carolina. They were members of an interracial choir called the United Voices of Praise. They had been involved in interracial social issues for a number of years and found the "regressive policies that have come about in this state [to be] just awful, absolutely awful. They have completely reversed the course of this state." Mrs. Crittendon wasn't too optimistic that the march would change the minds of state legislators, but she and her husband understood the long-term significance of the march and the Forward Together movement. "People need to see and hear what this is all about .... Every step along the way is a building step [to clear] the way for justice issues." These were people from different walks of life who understood the common ground of suffering in this country. For them, that understanding did not require anyone to leave the particulars of their suffering at the door. Anti-racism remained a part of their advocacy whether they struggled for universal health care or a living wage. They joined with others to urge a fundamental change in North Carolina and the country that could help break down racial habits. Reverend Barber thinks of their efforts in this way: [It's] about showing people the intersectionality of their lives; the intersectionality of their moving together . ... We have a phrase: we is the most important word in the justice vocabulary. The issue is not what I can do, but what we can do when we stand together, fight together, pray together, and work together, and we feel movement together. As I finished the conversations in McDonald's, I looked outside. Busload after busload of people had begun to arrive. Before the march began, speakers rallied the crowd. The topics were wide-ranging, from LGBT concerns, the state of public education, issues of immigration and the status of undocumented workers, to racist voter-ID laws. It was an in-the-flesh performance of a multiracial, multi-issue coalition. And whenever someone shouted, "Forward together," the crowd replied, "Not one step back." Initially, to an outsider looking in, the moment resembled the traditional theater of contemporary American protest. A march serves as a moment of catharsis. People gather, tensions are released, folks go back to business as usual, and the men (and it is typically always men) who lead the march leverage the spotlight for personal gain. But a brief glance beneath the surface of this particular gathering revealed something much more expansive. The march was just the tip of an organizing iceberg. Reverend Barber declared, "The Moral March inaugurates a fresh year of grassroots empowerment, voter education, litigation, and nonviolent direct action." In other words, this march wasn't a culmination but a catalyst: it dramatized an organizing effort (which preceded the gathering) that encompassed the courtroom, the ballot box, and the streets. For Barber, the work of democracy doesn't happen through marches or backroom deals but through concerted efforts "to change the context in which power operates." Of course, voting matters. But democracy is about the commitment to get one's hands dirty, and that work is often selfless and thankless. At the heart of those efforts is a more robust conception of government-a belief that government has the capacity to transform lives through focused legislation-and an insistence that we shift the center of moral gravity in North Carolina and in the nation. Five demands guide this insistence: (1) secure pro-labor, anti-poverty policies that ensure economic sustainability; (2) provide well-funded, quality public education to all; (3) stand up for the health of every North Carolinian by promoting health care access and environmental justice across all the state's communities; (4) address the continuing inequalities in the criminal justice system and ensure equality under the law for every person, regardless of race, class, creed, documentation, or sexual preference; and (5) protect and expand voting rights for people of color, immigrants, the elderly, and students to safeguard fair democratic representation. Each demand carries with it an expectation of the role of government in safeguarding the public good and an affirmation of the dignity and standing of all Americans. If we were to embrace these demands as policy, we would be well on our way to a revolution of value. As we marched from historic Shaw University, the place where the Student Non-Violent Coordinating Committee was founded in April 1960, to the state capitol, Americans from all walks of life expressed a radically egalitarian vision of this country. This vision did not require African Americans to leave their experiences at the door. Alongside demands for marriage equality, cries for support of public education, and calls for a more robust commitment to labor, marchers embraced the call for an anti-racist politics. As Reverend Barber said, "Some people wanted us to emphasize poverty instead of race. But you have to speak the truth. [Race] can be the Achilles' heel of the movement or lend itself to your moral positioning." We have to confront white supremacy, or what Barber calls "the corruption of the spirit and the conscience," as a fundamental contradiction of American democracy, or face the consequences of our silence. As the march concluded, I stood amazed at the power of ordinary people. Thousands of people had come together, for a moment, to declare their commitment to a radical vision of democracy. This is what has been missing in contemporary American politics. Reverend Barber's inspiring remarks struck a chord that reached back to the nineteenthcentury abolitionists, black and white, who decided to become traitors in the name of American democracy. They turned their backs on the slave regime. Barber called us to do the same with the political extremists of our times. We need the kind of language that's not left or right or conservative or liberal, but moral, fusion language that says look: it's extreme and immoral to suppress the right to vote. It's extreme and immoral to deny Medicaid for millions of poor people. . .. It's extreme and immoral to raise taxes on the working poor by cutting earned income taxes and to raise taxes on the poor and middle class in order to cut taxes for the wealthy. It's extreme and immoral to use power to cut off poor people's water in Detroit. That's immoral! What we need to cut off is that kind of abusive power! It's extreme and immoral to re-segregate our schools and underfund our public schools. It's extreme and immoral for people who came from immigrants to now have a mean amnesia and cry out against immigrants and the rights of children . ... That's not just bad policy, it's against the common good and a disregard for human rights. It's a refusal to lean toward the angels of our better selves . ... In policy and politics in America, we face two choices. One is the low road to political destruction, and the other is the pathway to higher ground. Barber finished speaking-preaching, really. The crowd joined hands to sing "We Shall Overcome." The voices were full of emotion and faith, not the sound of trepidation heard in the voices of those who sang the song after Reagan's speech in the Rose Garden. For much of the march, the day had been cloudy and cold. But as he spoke, the sun finally broke through. "The sun has come out," Reverend Barber started to shout. "The sun has come out. We are on our way to higher ground. Even the universe blesses this day. Even the universe says yes to justice, yes to equality, yes to higher ground." Marchers shouted. In front of me stood a white Episcopalian preacher in tears. I wiped my own eyes. This is the kind of social movement that will transform our idea of government. It insists on the dignity and standing of black people and other marginalized groups, and it argues for a dramatic change in what we as Americans care" most about. To be sure, the Forward Together moral movement isn't the only form of struggle we need. (In some ways, Reverend Barber represents the long-standing tradition of the charismatic preacher as leader, although he happens to be aware of the pitfalls of the model of leadership even as he exemplifies it.) It represents just one example of what a democratic awakening must do if we are to change the terms of political debate in this country: it must enact a different way of thinking about government and its relation to the most vulnerable among us.

#### Political reform is good and violence occurs on a gradient---denying this is paternalistic, internally contradictory, and sanctions violence against millions---their solvency advocate agrees!

Hartman et al. ’17 [Saidiya, Frank Wilderson, Jared Sexton, Steve Martinot, and Hortenese Spillers; September 2017; Professor of African American Studies at Columbia University; Professor of Drama and African American Studies at the University of California, Irvine; Professor of African American Studies at the University of California, Irvine; Instructor Emeritus at the Center for Interdisciplinary Programs at San Francisco State University; Professor at Vanderbilt University; Racked and Dispatched Publishing, “Afro-Pessimism: An Introduction,” p. 10-41]

The challenges Afro-pessimism poses to the affirmation of Blackness extend to other identities as well and problematize identity-based politics. The efforts, on the part of such a politics, to produce a coherent subject (and movement), and the reduction of antagonisms to a representable position, is not only the total circumscription of liberatory potential, but it is an extinguishment of rage with reform—which is to stake a claim in the state and society, and thus anti-Blackness. Against this, we choose, following Afro-pessimism, to understand Black liberation as a negative dialectic, a politics of refusal, and a refusal to affirm; as an embrace of disorder and incoherence;10 and as an act of political apostasy.11 This is not to categorically reject every project of reform—for decreased suffering will surely make life momentarily easier—but rather to take to task any movement invested in the preservation of society. Were they not to decry every action that didn’t fit within their rigid framework, then they might not fortify anti-Blackness as fully as they do. It is in the effort to garner legitimacy (an appeal to whiteness) that reformism requires a representable identity and code of actions, which excludes, and actually endangers, those who would reject such pandering. This also places undo faith in politicians and police to do something other than maintain, as they always have and will, the institutions—schools, courts, prisons, projects, voting booths, neighborhood associations—sustaining anti-Blackness. Afro-pessimism can also be used to critique prevalent liberal discourses around community, accountability, innocence, and justice. Such notions sit upon anti-Black foundations and only go so far as to reconfigure, rather than abolish, the institutions that produce, control, and murder Black subjects.12 Take for example the appeal to innocence and demand for accountability, too frequently launched when someone Black is killed by police. The discourse of innocence operates within a binary of innocent/ guilty, which is founded on the belief that there is an ultimate fairness to the system and presumes the state to be the protector of all. This fails to understand the state’s fundamental investment in self-preservation, which is indivisible from white supremacy and the interests of capital. The discourse goes that if someone innocent is killed, an individual (the villainous cop) must be held accountable as a solution to this so-called injustice. The structural reality of anti-Black violence is completely obfuscated and justice is mistook as a concept independent from anti-Blackness. Discrimination is indeed tragic, but systematic dispossession and murder is designedly more—it is the justice system—and no amount of imprisoned cops, body cameras or citizen review boards will eliminate this. Furthermore, Afro-pessimist analysis exposes the often unacknowledged ways that radical movements perpetuate anti-Black racism. One such way is in the rhetoric repeatedly used that takes an assumed (historically oppressed) subject at its center—e.g., workers or women.13 This conflates experience with existence and fails to acknowledge the incommensurate ontologies between, for instance, white women and Black women. To speak in generalities, of simply workers or women, is to speak from a position of anti-Blackness, for the non-racialized subject is the white, or at least non-Black, subject. For this reason, movements against capitalism, patriarchy, or gender mean unfortunately little if they don’t elucidate ontological disparities within a given site of oppression; and if they don’t unqualifiedly seek to abolish the totality of race and anti-Blackness. This is not to privilege antiBlack racism on a hierarchy of oppression, but to assert—against the disparaging lack of analysis—the unlivability of life for Blacks over centuries of social death and physical murder, perpetuated (at varying times) by all non-Black subjects in society. Finally, we should add that alongside the valuable theoretical offerings of Afro-pessimism, this reader was also motivated by a desire to contribute to the efforts of bringing these writings out of the ivory towers of the academy, the place from which all these writings originated. We wish to remove the materials from this stifling place and see them proliferate among those in the streets and prisons. The topics discussed here may have origins in a place of lofty theory, but they deal with the constant realities of millions of people. We therefore find it imperative that these theories directly inform the practices of everyone desiring a life other than this one—while not simply resorting to the empty gesture of empathy.14 We must acknowledge the fact that non-Black people are complicit in perpetuating anti-Blackness and face the necessity of abolishing all notions of the self and identity, practicing an antiracism with a view toward the total abolition of the state, and developing an anti-capitalism aimed at the destitution of race. We take heed of the following statement: “If we are to be honest with ourselves, we must admit that the ‘Negro’ has been inviting whites, as well as civil society’s junior partners, to the dance of social death for hundreds of years, but few have wanted to learn the steps.”15 Consider this project an opening sashay. I. Blacks and the Master/Slave Relation Frank Wilderson C. S. Soong: The question for today is how to properly situate Black people in today’s world? What is their position in relation to other people? And what is the nature of their vulnerability to violence? Those questions can be addressed in a number of ways. Conservatives, Liberals, and radicals offer perspectives that perhaps you’ve heard over time. The answer offered by my guest today is singular and provocative, not least because he calls Black people, all Black people, slaves. But what does Frank Wilderson, III mean by slave? Why does he argue that the master/slave relation cannot be analogized with the capitalist/worker relation? And what does he mean when he asserts that slavery is social death? And that slaves, that is Blacks, are subject to gratuitous violence because their masters, that is all non-Blacks, need to exercise that violence in order to give their lives, their non-Black lives, integrity and coherence? Frank Wilderson is a writer, professor of African American studies and Drama at UC Irvine, and founder of what’s called the Afro-Pessimism movement. His books include Red, White and Black: Cinema and the Structure of U.S. Antagonisms, and Incognegro: A Memoir of Exile and Apartheid. Frank spent five years in South Africa as an elected official in the African National Congress during that country’s transition from apartheid and he was a member of the ANC’s armed wing. When Frank Wilderson joined me recently in studio I began by asking how important Marxism has been to his understanding of capitalism. Frank Wilderson: I think that when I began to study Marxism in college I understood that here was a theory that took a kind of attitude toward the world that was uncompromising. That was valuable to me because before that in junior high school and in high school I had seen the kind of performative political labor of people in the Panthers and people in the Students for a Democratic Society—part of that time was here—and I knew that these folks were on a mission that was more robust and more unflinching than the mission of certain types of Bobby Kennedy Democrats and members of the Civil Rights movement. When I actually began to study the theory I understood why their performance was so much more unflinching than other peoples’ performance. So I think the study of Marxism helped me get into thinking about relations of power, which I think is more important than simply thinking about the way power performs. CSS: In other words, structures of power as opposed to how power tends to manifest itself in individual relations. FW: Yes, and I also mean that if you kind of turn your head sideways and listen to most Americans on the Left talk about politics, what you’re going to hear is that the rhetorical weighting of their discourse tends to be heavily weighted on discriminatory actions, the effects of unfair relations on people. And so what we really don’t do so much in this country is—and this is what I found to be very different when I started traveling the world, when I went to Italy, and various places in South America and Africa—we’re not as readily able to think about power as a structure. We tend to think about power as a performance, a series of discriminatory acts. That’s okay if you’re a Liberal-Humanist-reformist, but if you’re a revolutionary, that simply leads you down a track of increasing wages or getting more rights for women or ending racial discrimination and you’re finding yourself in the same kind of cycle of performative oppression ten, twenty years later without an analysis of why the “fix” that you had years ago doesn’t last and isn’t working now. CSS: Well, the antagonism according to the Marxists is that between capitalist and worker. Would you agree that the essential antagonism in social relations and political relations is in fact between capitalist on the one side and worker on the other? FW: No. All of my work is an interrogation of that assumptive logic. I’m sometimes misunderstood to be saying that I have left Marxism. I’m sometimes misunderstood to be saying that the cognitive map that Marx gives us should be thrown out. That’s not what I’m saying. How do you throw out a cognitive map that explains political economy so well? What I’m saying is that in Das Kapital vol. I, Marx has two opportunities to think the relation between the slave and everyone else and each of those opportunities presents him with a kind of paradox, a conundrum; and instead of meditating on that he bounces off of it and continues to posit that the world is out of joint because there is a dichotomy between haves and have-nots, because there’s a dichotomy between those who accumulate capital and those who work for a wage. What I’m saying is that his hit on the slave and then bouncing off of that are a disavowal of the nature of the slave relation, which is symptomatic of the problems in political organizing and political thought on the Left. I’m saying that the antagonism in Das Kapital should be relegated to a conflict because there is an aspect of the thinking which presents itself with a coherent way out. The slave/non-slave, or the Black/human relation, presents us with a structural dynamic which cannot be reconciled and which does not have a coherent mode of redress. CSS: Alright, you see the master/slave relation as the essential antagonism, so what do you mean by that? A lot of people would think, okay, slavery in the U.S., so Black slavery, and then 1865, the formal end of slavery. But then of course you have slavery today and we hear about issues with people in bondage, debt bondage, and other forms of bondage, so when you say the master/slave relation, what are you specifically referring to? FW: There is no way I can actually answer that in a compact way, I think I have to step back a minute. So what Afro-pessimism—the conceptual lens or framework that myself and other people are working on—assumes is that you have to begin with an analysis of slavery that corrects the heretofore thinking about it. So the first thing that happens—and this is built on the work of Orlando Patterson’s 1982 tome Slavery and Social Death—the first thing we have to do is screw our heads on backwards. In other words, stop defining slavery through the experience of slaves. What happens normally is that people think of slavery as forced labor and people in chains. What Orlando Patterson does is shows that what slavery really is, is social death. In other words, social death defines the relation between the slave and all others. Forced labor is an example of the experience that slaves might have, but not all slaves were forced to work. So if you then move by saying that slavery is social death, by definition, then what is social death? Social death has three constituent elements: One is gratuitous violence, which means that the body of the slave is open to the violence of all others. Whether he or she receives that violence or not, he or she exists in a state of structural or open vulnerability. This vulnerability is not contingent upon his or her transgressing some type of law, as in going on strike with the worker. The other point is that the slave is natally alienated, which is to say that the temporality of one’s life that is manifest in filial and afilial relations—the capacity to have families and the capacity to have associative relations—may exist very well in your head. You might say, “I have a father, I have a mother,” but, in point of fact, the world does not recognize or incorporate your filial relations into its understanding of family. And the reason that the world can do this goes back to point number one: because you exist in a regime of violence which is gratuitous, open, and you are openly vulnerable to everyone else, not a regime of violence that is contingent upon you being a transgressed worker or transgressing woman or someone like that. And the third point is general dishonor, which is to say, you are dishonored in your very being— and I think that this is the nature of Blackness with everyone else. You’re dishonored prior to your performance of dishonored actions. So it takes a long time to build this but in a nutshell that’s it. And so that’s one of the moves of Afro-pessimism. If you take that move and you take out property relations—someone who’s owned by someone else—you take that out of the definition of slavery and you take out forced labor, and if you replace that with social death and those three constituent elements, what you have is a continuum of slavery-subjugation that Black people exist in and 1865 is a blip on the screen. It is not a paradigmatic moment, it is an experiential moment, which is to say that the technology of enslavement simply morphs and shape shifts—it doesn’t end with that. CSS: If Orlando Patterson, who is a sociologist at Harvard, argues that forced labor is not a defining characteristic of slavery, if he says that naked violence is one of the key elements of social death, which is slavery, and if the violence directed at Blacks is not based on, as you said, this person transgressing in some way, being disobedient in some way, refusing to consent in some way to what the ruling class thinks or does, then why is violence freely directed at Blacks? What is the reason that the non-white or the master in the master/slave relation treats Blacks violently? FW: The short answer is that violence against the slave is integral to the production of that psychic space called social life. The repetitive nature of violence against the slave does not have the same type of utility that violence against the post-colonial subject has—in other words, in the first instance, to secure and maintain the occupation of land. It does not have the utility of violence against the working class, which would be to secure and maintain the extraction of surplus-value and the wage. We have to think more libidinally and in a more robust fashion. This is where it becomes really controversial and really troubling for a lot of people because what Patterson is arguing, and what people like myself and professor Jared Sexton and Saidiya Hartman at Columbia University have extended, is to say that what we need to do is begin to think of violence not as having essentially the kind of political or economic utility that violence in other revolutionary paradigms have. Violence against the slave sustains a kind of psychic stability for all others who are not slaves. CSS: When you say that—and I’ve read some of your writings on the subject—it seems like you’re suggesting that only if some population perceives another population as inferior, or so degraded that anything can be done to them—unless they have that other in mind that somehow, psychologically and psychically—they can’t have the integrity that they want. Is that correct? And why would that be the case psychologically? Why would somebody need to have some other person seen in that light in order to feel actualized, in order to feel worthy of life? FW: It’s a very good question and we could spend several hours on it, but what I’m trying to do is give you short-hand answers that have integrity and hopefully your listeners will do some more reading and research to actually see how these mechanisms work. But let’s take it for one second outside of the way in which I and other Afro-pessimists are theorizing it. One of our claims is that Blackness cannot be dis-imbricated from slaveness—that is a very controversial claim; that claim is actually the fault line right now of African and Black Studies across the country, the claim that Blackness and slaveness cannot be dis-imbricated, cannot be pulled apart. But I can’t argue against everyone who disagrees with that right now. One of the points that Patterson makes at a higher level of abstraction is that the concept of community, and the concept of freedom, and the concept of communal and interpersonal presence, actually needs a conceptual antithesis. In other words, you can’t think community without being able to register non-community. His book Slavery and Social Death goes back thousands of years and covers slavery in China and all over the world and he says that communal coherence has a lot of positive attributes: this is my language, this is how I organize my polity, these are the anthropological accoutrements of how we work our customs—but at the end of the day what it needs to know is what it is not. So the idea of freedom and the idea of communal life and the idea of civic relations has to have a kind of point of attention which is absent of that or different from that. This is the function that slavery presents or provides to coherence so that prior to Columbus, for example, the Choctaw might have someone inside a Choctaw community who transgresses the codes of the community so fiercely that they’re given a choice, and the choice at this moment of a transgression, which is beyond-the-beyond, is between real death—“We will kill you in an execution”—or social death. Nothing changes in the mind of that person tomorrow or the day after he or she chooses social death. He or she still thinks they have a cosmology, that they have intimate family relations, but the point that Patterson is making is that everything changes in the structure of that person’s dynamic with the rest of the tribe. So now that that person is a slave, that person is socially dead. This is bad for that person, obviously, but what he is suggesting is that that type of action regenerates the knowledge of our existence for everyone else. Now where I and some others take Patterson further is to say that Black, Blackness, and even the thing called Africa, cannot be dis-imbricated, cannot be pulled apart from that smaller scale process that he talks about with respect to Chinese communities or the Choctaw. In other words, there is a global consensus that Africa is the location of sentient beings who are outside of global community, who are socially dead. That global consensus begins with the Arabs in 625 and it’s passed on to the Europeans in 1452. Prior to that global consensus you can’t think Black. You can think Uganda, Ashanti, Ndebele, you can think many different cultural identities, but Blackness cannot be dis-imbricated from the global consensus that decides here is the place which is emblematic of that moment the Choctaw person is spun out from social life to social death. That’s part of the foundation. CSS: This is really provocative. Are you saying then—let’s just focus on the U.S.—that every African American, regardless of income or wealth or status, can and should be understood in the figure of the slave who is socially dead in relation to the master, who I presume is white? FW: Well, the master is everyone else, whites and their junior partners, which in my book are colored immigrants. It’s just that colored immigrants exist in an intra-human status of degradation in relation to white people. They are degraded as humans, but they still exist paradigmatically in that position of the human. So yes, I am saying that. Now part of the reason is that one of the things that we are not doing is talking about the different ways in which different Black people live their existence as slaves. I’m willing to do that, but what’s interesting to me is the kind of anxiety that this theory elicits from people other than yourself. I mean this is the calmest conversation that I’ve had on this subject [laughter]. You could say to someone that you are a professor at UC Berkeley and there is a person in a sweatshop on the other side of the Rio Grande. This person in the sweatshop is working sixteen hours a day, cannot go to the bathroom, dies on the job from lack of medical benefits… and you are a kind of labor aristocrat. And they could say, “Okay, well that’s interesting.” And you could say to that person, “But if you read the work of Antonio Negri, the Italian communist, you come to understand that even though you live your life as a proletarian differently than a sweatshop laborer, you both stand in relation to capital in this same way, at the level of structural, paradigmatic arrangement.” That person would say, “Oh yeah! I get that, I get that.” You say to someone that all Blacks are slaves and that we’re going to change the definition of slavery because the other things are not definitions, they are actually anecdotes, and your teacher in third grade told you that you don’t use an anecdote to define something. And that person says, “Oh wait a minute, I know a person who’s richer than me and also Black and they live in the Tenderloin…” and it just goes off to the races. It’s a symptomatic response primarily because they understand that what Black people suffer is real and comprehensive but there is actually no prescriptive, rhetorical gesture which could actually write a sentence about how to redress that. Most Americans, most people in the world, are not willing to engage in a paradigm of oppression that does not offer some type of way out. But that is what we live with as Black people every day. CSS: Let me take us on what sounds like a bit of a detour, but I think it will help you clarify certain concepts that you’re forwarding, and that’s to go to Antonio Gramsci’s work and think about a word that he had a very specific definition of, which is “hegemony.” And of course Gramsci, coming out of the Marxist tradition, was very interested in workers and capital and the struggle between capitalists and workers, although he was also interested in a lot of other things. What did Gramsci mean by the word hegemony? FW: In 1922 Antonio Gramsci was working for the Comintern and he asked Lenin the following question: “How did you create this successful revolution and I can’t get it off the ground in Italy?” Lenin said, “Well there is no trough of civil society between our working class and the command modality of capitalism, the violent manifestations of the capitalist state. We go on strike and the Cossacks come out.” And Gramsci began to theorize: between working class suffering and state violence and state institutionality there’s this thing called civil society which captivates the workers—in other words, induces a kind of spontaneous consent to the values of capital. Guild associations, schools—today it would be talk shows, but not this talk show of course [laughter]—and he began to theorize that what Lenin meant by hegemony, which is the domination of imperialist countries over countries that are trying to evolve into a kind of revolutionary dispensation, is different than what he needed to develop his theory of hegemony and so he came up with three constituent elements: influence, leadership, and consent. By influence, leadership, and consent he means the influence of the ruling class—not the influence of one person or another, but the influence of a class—the leadership of its ideas—which is to say the idea of meritocracy, which was a very bad idea for a Marxist—and the consent of the working class to that influence and those ideas. What he sought to do was to find ways to break the spontaneous consent to those ideas. Once he could break the spontaneous consent to those ideas, then the working class of a Western, so-called devout country like Italy would be able to see what Marxists think of as the antagonism between them and the ruling class. Then it would move from a passive revolution to a real revolution, which would be a violent overthrow of the state. The European Gramscians actually leave out that last part, the violent overthrow of the state, but that was actually his dream. CSS: Okay, so then we have on the one hand force and on the other we have consent. We have the force of the ruling class and we have consent, which you’re suggesting if it is withheld, if it is abrogated to such an extreme degree, there might be social and political revolution. But how does, in Antonio Gramsci’s conception, hegemony normally work in terms of the relationship between force and consent in a nominally stable society? FW: When a state is stable in a capitalist dispensation, such as Canada, then there is an equilibrium between force and consent. In other words, one of the things you have in a “good” (for capitalists) dispensation is a smooth situation. So for the hundreds of years it took to develop capitalism, there was all this violence. Once people have been remolded from peasants and whatever else into workers, then in a capitalist dispensation, just as in a patriarchal dispensation, the violence goes into remission. That’s what Gramsci means by equilibrium. Violence goes in remission and it only needs to rear its ugly head in those singular moments, which hopefully are not global for the capitalist, when the working class refuses or transgresses those symbolic codes that it has consented to. CSS: Such as general strikes, mass aggression against the capitalist order… FW: Exactly. CSS: So then this equilibrium between force and consent, which constitutes hegemony in Gramsci’s mind, how does that notion apply or not in your mind to the relationship between master and slave? FW: Consent is never a constituent element of the slave relation. If only Marx had picked up on this, but he says in Capital that he doesn’t understand the slave to exist in a relation of pure force but then he moves away from that. So, why is that? Well, one of the things that Orlando Patterson points out is that any stratified society—by that he means for example a capitalist society—only comes into being through a kind of pre-history of violence—the violence that it takes to move from feudalism to capitalism. But once the state of capitalism is set up the violence goes into remission. But then he goes on to say that what’s interesting about the slave estate—the slave estate is actually a phrase from the Black feminist Hortense Spillers—or the slave relation is that the violent pre-history of the slave relation carries over and becomes the concurrent dynamic of the current history of slavery. And that is really, really profound. It is so profound, that it’s traumatic and painful even for Black politicos and Black writers and you see the pain of that coming through in slave narratives. In the film Twelve Years a Slave, there’s a lot of narrative energy put into making sense of how and why Edwin Epps beats his concubine, Patsy, and why his wife wants him to beat her. So it kind of looks like ordinary sadism and jealousy on the wife’s part and so it actually almost becomes a sort of sick love triangle. Alright, put the film away. Pick up the book and what you find is that the violence against the slaves in the book that became the movie actually has no utility, it has no rationale. For instance between a place like Berkley and San Jose there were about four hundred plantations—I know because my father is from one of those plantations—and you have what I would call a bacchanal of pleasure, not a kind of utilitarian need to extract work or obedience out of people, number one. Number two, what you find is that the families on these plantations all participate in the regular beating of slaves—children, wives, husbands… It sustains the psychic health of the people in the first ontological instance. In the second instance, it gets good sugar cane production out of them—and that could even be questioned. CSS: If you believe the plight of Black people does not mirror the plight of the working class because of gratuitous, as opposed to reasoned, violence against Blacks, and that there is no consent coming from Black people as there is when workers buy into the capitalist order and agree to offer their services in ways that satisfy capitalists, then what about Native Americans? What do you say to those who say the plight of Black people mirrors the treatment of Native Americans? FW: A lot of people have been genocided so the middle 88 pages of my book, Red, White and Black, first begins by honoring the destruction of Native Americans and what that has meant for white Americans. However, to make it really simple, to pare it down, I do think that there is, in the main, a utility to the genocide of Native Americans that does not mirror the prelogical “rationale” of the violence against Blacks. Indians are genocided, in the main, for the occupation of Turtle Island, which is primarily why so much Native American theorization builds upon Frantz Fanon’s The Wretched of the Earth and does not build upon Fanon’s Black Skin, White Masks. In other words, so much theorization under what I call the meta-commentary called Indigenism leads us back to thinking genocide as a mechanism for usurpation of cartography, of space. Violence against Black people is a mechanism for the usurpation of subjectivity, of life, of being. It’s great if you have a place to stay, but if you don’t have a sense of your own identity, that’s even worse. I think that the repetitive violence against Blacks, if we get back to social death, produces a regenerative form of being in everyone else. CSS: In other words, settlers wanted Indian land so they killed Indians in large part to get the land, whereas what non-Blacks want from Blacks is not land but… FW: …but being. If you look at the Dred Scott decision, there’s a really interesting three or four paragraphs in this two hundred and fifty-page decision where Judge Taney says to the lower court, “We are returning Dred Scott to slavery.” One lower court had said, “Dred Scott made it to Minnesota, so he’s not a slave, he made it to a free territory.” The next court said, “No, he never got released, manumission from his master so he is a slave.” The Supreme Court returns Dred Scott to slavery and then does what is known in jurisprudential logic as a “Herculean opinion.” It says to both courts, “We’re not siding with the court that returned him to slavery because he didn’t get freedom from his master; we are trying to correct your thinking in this. In order for Dred Scott to appear before the Bar, he had to become a jurisprudential subject and Africa is a place of non-community. As a result, we’re trying to teach you a lesson—there’s no such thing as a jurisprudential subject that can come out of Africa. We are returning him to slavery not because he didn’t get freedom from his master but because he had no standing before the Bar.” And then they go on to talk about Native Americans and they say that Native Americans actually have political community: “We recognize the arrangements of natality, affiliation, cartography. They have a degraded community in our eyes, and we’re trying to help them evolve to become a superior community, but they actually have community.” This is to say that the people on reservations are subjects worthy of jurisprudential adjudication. So in other words, return him to slavery not because he didn’t get permission to be freed, but because he is not a human being. CSS: Well, let’s engage in a thought experiment. I’m thinking back to your claim about the master in the master/slave relation: unless they dole out violence to Blacks, they can have no psychic or psychological integrity or security. Let’s posit that all Blacks are wiped out. There is a genocide and all Blacks are removed. In that case, in a sense, you are saying by implication that humanity would cease to exist because the conceptual coherence that it needs would be absent. FW: Exactly, and that will never happen. We need to bring people like David Marriott from UC Santa Cruz and Jared Sexton from UC Irvine to think more psychoanalytically about this. But in a nutshell, the reason that this will never happen is, remember, that the utility of violence against the slave is not the same as the utility of violence against the Indian, the post-colonial subject, the worker, or the woman. In Fanon’s Black Skin, White Masks, he’s negotiating between two dynamics: one is negrophilia—“I just love Black people, I love Black music, I want to sleep with them, I want to be around them…”—and one is negrophobia—“Yeah you can come over to my crib but don’t bring your friends.” And so, what he’s saying is that the psychic arrangement of the collective unconscious is manifest with the push/pull in the collective unconscious between negrophilia and negrophobia. It’s not important how that gets worked out. What’s important is that that is a process of psychic integration which is necessary for global community. So, one day there could be negrophobia in one psyche, the next day there could be negrophilia. One community could be completely, like teenage boys in the suburbs, negrophilic. Another community, like teenage boys in the deep south, could be completely negrophobic. The point is not that this gets worked out in a decisive way one way or the other because that would make Blacks like Indians, that they have something tangible to give up, like workers. The point is that it’s there that this is the push/pull of collective unconscious meditations. In that push/ pull, whether it’s negrophilia or negrophobia, the concept that has to be reiterated is that the Black is an implement of that negotiation. If the Black does not become an implement of that negotiation then you have not a crisis but an epistemological break, a catastrophe in the knowledge-arrangement of the world. We would find ourselves on the cusp of a new world order, but one that could not be predicted in the way that Marx does. CSS: Let’s talk more about the Black experience of social death. I’m wondering specifically if you feel that African Americans in this country can in fact consciously acknowledge the violence, the structure of violence, in which they operate and encounter every day. FW: Well, we can articulate it, but normally when we’re by ourselves. Because when we get into Progressive communities— first of all it’s not even heard of, I used to work in banking for eight years and you can’t even talk about this stuff—but in Progressive humanities there’s a policing action that happens, which is to say: “Make your grammar of suffering, your paradigmatic arrangement, your relationship to structural violence articulate with the other oppressed people in the room.” Once that happens we’re trapped. I mean we’re surrounded by white supremacists, militarization, the police, the military, but we’re also surrounded by people-of-color-consciousness that polices our capacity to flower, to expand upon theorization that I’m doing. A short anecdote: there was a conference years ago at UC Santa Cruz. At the end of the conference, Haunani-Kay Trask, the revolutionary from Hawai‘i, spoke and then we were supposed to break away into groups. The conference organizer said, “You must go into a breakaway room based upon your color—in other words how you are policed.” And immediately—this is how the antagonism manifests itself symptomatically—the Black people were like, “Yes! Now we get to be in a place where we can talk about how we are policed as Blacks.” But the people of color stalled by saying, “There’s no such thing as yellow. We’re Koreans, we’re Japanese, we’re Chinese, we’re Taiwanese. We’re not going to let you pigeonhole us into this position when we have our ethnic identities.” The Latinos did the same thing. The Native Americans did the same thing. My wife, who is white, went to the white room and they rejected the entire arrangement. They said, “We’re just going to talk about ourselves as Armenians, as women, as Jews.” It was the Black people who were energized by the prospect of leaving culture and identity by the wayside and having a conversation about how we fit into the gaze of the police. I think it was up to the other people to be authorized by that project and stop complaining about the fact that the exercise was putting them in a box that was positional and not cultural. But until that happens, there’s no real political coalition building that’s happening. What’s happening, as Jared Sexton says, is Black people become the refugees in everyone else’s political project. CSS: Let me ask you a personal question, but you can of course refuse to answer. So your wife is white; given what you were telling me about the position of Blacks, what’s your sense that she could truly ever understand your consciousness, your positioning within society? And if she can’t, then what are the prospects of a relationship that could reach as deeply as, for example, two Black people or two white together could? FW: Well, she can’t. She tries, but what’s interesting and important is that I would never put my marriage out there as a kind of example of what people could aspire to. As a kind of short hand, I call her my wife and she calls me her husband. But the reality is that I’m her slave. And that doesn’t change because we have sentimental—as I would say, contrapuntal—emotions to the contrary. In fact, oftentimes those contrapuntal emotions are mechanisms or means of disavowing the true nature of the relation. Now, I will give her a lot of props for the past eight years that she has actually inculcated this logic. She did her best at that Santa Cruz conference I talked about to tell the white people in that room, “We’re not here to think about how we think about ourselves, we’re here to think about our complicity as whites with policing. Not as women, not as gays, not Armenians, not as Jews, but as white.” On the other hand, if you read my book Incognegro, you’ll see that in the first eight years, there was nothing but resistance to that. So that resistance is as traumatizing as the second eight years are regenerative and I will say that the first eight years are what Black people should take away from that. There’s no way in hell we should have to go through the kind of resistance that white people and non-Black people have to this particular logic because they know it’s the truth. They know their own anxieties about the question, Where is Blackness?, but they can’t approach it because what it would mean is a kind of confrontation with people who are intimate to them that they don’t know they could withstand. And so the real question is, Will these people do all they can to fall into the abyss of nonexistence?, not about how they will perform as partial allies while keeping their cultural presence. CSS: Why would a Black person, why would you, choose intentionally, consciously, to enter into a life relationship in which you perceive yourself as the figure of the slave? FW: I don’t think it’s a fair question because the question implies that, knowing what I know, I can actually change my life in an essential way. The question actually takes us away from the problem that I’ve outlined and actually puts the responsibility of correcting the situation on me when actually it should be on you. CSS: I hear that and I think that prompts me to ask the final thing I want to bring up with you which is regarding how we hear a lot about groups and people who are victims. There is this victimhood frame and so these people have been victimized by, let’s say, another group of people and then the critique is that, by focusing on that, by concentrating on that, you then deflect attention away from their subjectivity, from their agency, from what they can do about their circumstance. Are you concerned that the master/slave relation, which is positioning Blacks as foremost a victim, in my mind, and then focusing only or mainly on a group status as victim, tends to deny—and we’re speaking here now about Blacks—the kind of agency, I think you would admit, that they have at least some semblance of ? And maybe some more than others based on their position in society? FW: I don’t agree with that and we don’t have the time to actually get into this, but my book, Red, White and Black, is a critique of agency as a generic category. What I’m saying is that, okay, I’m not Elijah Mohammed, I don’t believe that the white man is the devil and that this is all divined by god. I do believe that there is a way out. But I believe that the way out is a kind of violence so magnificent and so comprehensive that it scares the hell out of even radical revolutionaries. So, in other words, the trajectory of violence that Black slave revolts suggest, whether it be in the 21st century or the 19th century, is a violence against the generic categories of life, agency being one of them. That’s what I meant by an epistemological catastrophe. Marx posits an epistemological crisis, which is to say moving from one system of human arrangements and relations to another system of human relations and arrangements. What Black people embody is the potential for a catastrophe of human arrangements writ large. I think that there have been moments—the Black Liberation Army in the 1970s and 1980s is a prime example—of how the political violence of the Black Liberation Army far outpaced the anti-capitalist and internationalist discourse that it had and that’s what scares people; and as Saidiya Hartman says, “A Black revolution makes everyone freer than they actually want to be.” A Marxist revolution blows the lid off of economic relations; a feminist revolution blows the lid off patriarchal relations; a Black revolution blows the lid off the unconscious and relations writ large. CSS: I have to ask you, when you talk about this violence, in maybe the ideal situation of a Black revolution, what are we talking about concretely? Who or what is the violence directed against? Are we talking about literally the elimination of the master threat physically? FW: Well, the short answer is that’s for me to know and for you to find out [laughter]. And the long answer is that as a professor I’m uniquely unqualified to actually make that answer. I rely on providing analysis and then getting those marching orders from people in the streets. II. The Burdened Individuality of Freedom Saidiya Hartman The limits of political emancipation appear at once in the fact that the state can liberate itself from constraint without man himself being really liberated; that a state may be a free state without man himself being a free man. —Karl Marx, On the Jewish Question (1843) The emancipation of the slaves is submitted to only in so far as chattel slavery in the old form could not be kept up. But although the freedman is no longer considered the property of the individual master, he is considered the slave of society. —Carl Schurz, Report on the Condition of the South (1865) Are we to esteem slavery for what it has wrought, or must we challenge our conception of freedom and the value we place upon it? —Orlando Patterson, Slavery and Social Death (1982) The entanglements of bondage and liberty shaped the liberal imagination of freedom, fueled the emergence and expansion of capitalism, and spawned proprietorial conceptions of the self. This vexed genealogy of freedom plagued the great event of Emancipation, or as it was described in messianic and populist terms, Jubilee. The complicity of slavery and freedom or, at the very least, the ways in which they assumed, presupposed, and mirrored one another—freedom finding its dignity and authority in this “prime symbol of corruption” and slavery transforming and extending itself in the limits and subjection of freedom—troubled, if not elided, any absolute and definitive marker between slavery and its aftermath.1 The longstanding and intimate affiliation of liberty and bondage made it impossible to envision freedom independent of constraint or personhood and autonomy separate from the sanctity of property and proprietorial notions of the self. Moreover, since the dominion and domination of slavery were fundamentally defined by black subjection, race appositely framed questions of sovereignty, right, and power.2 The traversals of freedom and subordination, sovereignty and subjection, and autonomy and compulsion are significant markers of the dilemma or double bind of freedom. Marx, describing a dimension of this paradox, referred to it with dark humor as a double freedom—being free to exchange one’s labor and free of material resources. Within the liberal “Eden of the innate rights of man,” owning easily gave way to being owned, sovereignty to fungibility, and abstract equality to subordination and exploitation.3 If sovereignty served “to efface the domination intrinsic to power” and rights “enabled and facilitated relations of domination,” as Michel Foucault argues, then what we are left to consider is the subjugation that rights instigate and the domination they efface.4 The task of the following chapters is to discern the ways in which emancipatory discourses of rights, liberty, and equality instigate, transmit, and effect forms of racial domination and liberal narratives of individuality idealize mechanisms of domination and discipline. It is not simply that rights are inseparable from the entitlements of whiteness or that blacks should be recognized as legitimate rights bearers; rather, the issue at hand is the way in which the stipulation of abstract equality produces white entitlement and black subjection in its promulgation of formal equality. The fragile “as if equal” of liberal discourse inadequately contends with the history of racial subjection and enslavement, since the texture of freedom is laden with the vestiges of slavery, and abstract equality is utterly enmeshed in the narrative of black subjection, given that slavery undergirded the rhetoric of the republic and equality defined so as to sanction subordination and segregation. Ultimately, I am trying to grapple with the changes wrought in the social fabric after the abolition of slavery and with the nonevent of emancipation insinuated by the perpetuation of the plantation system and the refiguration of subjection. In exploring these issues and in keeping with the focus on everyday practices, I examine pedagogical handbooks designed to aid freed people in the transition from slavery to freedom, the itinerancy of the freed and other “exorbitant” practices, agricultural reports concerned with the productivity of free labor, political debate on the Reconstruction Amendments, and legal cases in order to consider the discrepant bestowal of emancipation. The narratives of slavery and freedom espoused in these disparate sources vied to produce authoritative accounts of liberty, equality, free labor, and citizenship. This generally entailed a deliberation on the origins of slavery, if not the birth of the republic, the place of slavery in the Constitution, the substance of citizenship, and the lineaments of black freedom. By examining the metamorphosis of “chattel into man” and the strategies of individuation constitutive of the liberal individual and the rights-bearing subject, I hope to underscore the ways in which freedom and slavery presuppose one another, not only as modes of production and discipline or through contiguous forms of subjection but as founding narratives of the liberal subject revisited and revisioned in the context of Reconstruction and the sweeping changes wrought by the abolition of slavery. At issue are the contending articulations of freedom and the forms of subjection they beget. It is not my intention to argue that the differences between slavery and freedom were negligible; certainly such an assertion would be ridiculous. Rather, it is to examine the shifting and transformed relations of power that brought about the resubordination of the emancipated, the control and domination of the free black population, and the persistent production of blackness as abject, threatening, servile, dangerous, dependent, irrational, and infectious. In short, the advent of freedom marked the transition from the pained and minimally sensate existence of the slave to the burdened individuality of the responsible and encumbered freed person. The nascent individualism of the freed designates a precarious autonomy since exploitation, domination, and subjection inhabit the vehicle of rights. The divisive and individuating power of discipline, operating in conjunction with the sequestering and segregating control of black bodies as a species body, permitted under the guise of social rights and facilitated by the regulatory power of the state, resulted in the paradoxical construction of the freed both as self-determining and enormously burdened individuals and as members of a population whose productivity, procreation, and sexual practices were fiercely regulated and policed in the interests of an expanding capitalist economy and the preservation of a racial order on which the white republic was founded. Lest “the white republic” seem like an inflated or unwarranted rhetorical flourish, we must remember that the transformation of the national government and the citizenship wrought by the Reconstruction Amendments were commonly lamented as representing the loss of the “white man’s government.”5 In light of the constraints that riddled conceptions of liberty, sovereignty, and equality, the contradictory experience of emancipation cannot be adequately conveyed by handsome phrases like “the rights of the man,” “equal protection of the law,” or “the sanctity of life, liberty, and property.” Just as the peculiar and ambivalent articulation of the chattel status of the enslaved black and the assertion of his rights under the law, however limited, had created a notion of black personhood or subjectivity in which all the burdens and few of the entitlements of personhood came to characterize this humanity, so, too, the advent of freedom and the equality of rights conferred to blacks a status no less ambivalent. The advent of freedom held forth the possibility of a world antithetical to slavery and portents of transformations of power and status that were captured in carnivalesque descriptions like “bottom rail on top this time.” At the same time, extant and emergent forms of domination intensified and exacerbated the responsibilities and the afflictions of the newly emancipated. I have opted to characterize the nascent individualism of emancipation as “burdened individuality” in order to underline the double bind of freedom: being freed from slavery and free of resources, emancipated and subordinated, self-possessed and indebted, equal and inferior, liberated and encumbered, sovereign and dominated, citizen and subject. (The transformation of black subjectivity effected by emancipation is described as nascent individualism not simply because blacks were considered less than human and a hybrid of property and person prior to emancipation but because the abolition of slavery conferred on them the inalienable rights of man and brought them into the fold of liberal individualism. Prior to this, legal precedents like State v. Mann and Dred Scott v. Sanford made the notions of blacks’ rights and black citizenship untenable, if not impossible.) The antagonistic production of abstract equality and black subjugation rested upon contending and incompatible predications of the freed—as sovereign, indivisible, and self-possessed and as fungible and individuated subjects whose capacities could be quantified, measured, exchanged, and alienated. The civil and political rights bestowed upon the freed dissimulated the encroaching and invasive forms of social control exercised over black bodies through the veneration of custom; the regulation, production, and protection of racial and gender inequality in the guise of social rights; the repressive instrumentality of the law; and the forms of extraeconomic coercion that enabled the control of the black population and the effective harnessing of that population as a labor force. The ascribed responsibility of the liberal individual served to displace the nation’s responsibility for providing and ensuring the rights and privileges conferred by the Reconstruction Amendments and shifted the burden of duty onto the freed. It was their duty to prove their worthiness for freedom rather than the nation’s duty to guarantee, at minimum, the exercise of liberty and equality, if not opportunities for livelihood other than debt-peonage. Emancipation had been the catalyst for a transformed definition of citizenship and a strengthened national state. However, the national identity that emerged in its aftermath consolidated itself by casting out the emancipated from the revitalized body of the nation-state that their transient incorporation had created.6 In the aftermath of the Civil War, national citizenship assumed greater importance as a result of the Fourteenth Amendment, which guaranteed civil rights at the national level against state violation and thus made the federal government ultimately responsible for ensuring the rights of citizens.7 Yet the illusory universality of citizenship once again was consolidated by the mechanisms of racial subjection that it formally abjured. This double bind was the determining condition of black freedom. The belated entry of the newly freed into the realm of freedom, equality, and property, as perhaps expected, revealed the boundaries of emancipation and duly complicated the meaning of freedom. Certainly manhood and whiteness were the undisclosed, but always assumed, norms of liberal equality, although the Civil Rights Act of 1866 made this explicit in defining equality as being equal to white men. The challenge of adequately conveying the dilemmas generated by this delayed entry exceeds the use of descriptions like “limited,” “truncated,” or “circumscribed” freedom; certainly these designations are accurate, but they are far from exhaustive. This first order of descriptives begs the question of how race, in general, and blackness, in particular, are produced through mechanisms of domination and subjection that have yoked, harnessed, and infiltrated the apparatus of rights. How are new forms of bonded labor engendered by the vocabulary of freedom? Is an emancipatory figuration of blackness possible? Or are we to hope that the entitlements of whiteness will be democratized? Is the entrenchment of black subordination best understood in the context of the relations of production and class conflict? Is race best considered an effect of the operation of power on bodies and populations exercised through relations of exploitation, domination, and subjection? Is blackness the product of this combined and uneven articulation of various modalities of power? If slave status was the primary determinant of racial identity in the antebellum period, with “free” being equivalent to “white” and slave status defining blackness, how does the production and valuation of race change in the context of freedom and equality?8 The task of describing the status of the emancipated involves attending to the articulation of various modes of power, without simply resorting to additive models of domination or interlocking oppressions that analytically maintain the distinctiveness and separateness of these modes and their effects, as if they were isolated elements that could be easily enumerated—race, class, gender, and sexuality—or as if they were the ingredients of a recipe for the social whereby the mere listing of elements enables an adequate rendering. Certainly venturing to answer these questions is an enormously difficult task because of the chameleon capacities of racism, the various registers of domination, exploitation and subjection traversed by racism, the plasticity of race as an instrument of power, and the divergent and sundry complex of meanings condensed through the vehicle of race, as well as the risks entailed in generating a description of racism that does not reinforce the fixity of race or neglect the differences constitutive of race. As well, it is important to remember that there is not a monolithic or continuous production of race. […] If race formerly determined who was “man” and who was chattel, whose property rights were protected or recognized and who was property, which consequently had the effect of making race itself a kind of property, with blackness as the mark of object status and whiteness licensing the proprietorship of self, then how did emancipation affect the status of race? The proximity of black and free necessarily incited fundamental changes in the national fabric. The question persists as to whether it is possible to unleash freedom from the history of property that secured it, for the security of property that undergirded the abstract equality of rights bearers was achieved, in large measure, through black bondage. As a consequence of emancipation, blacks were incorporated into the narrative of the rights of man and citizen; by virtue of the gift of freedom and wage labor, the formerly enslaved were granted entry into the hallowed halls of humanity, and, at the same time, the unyielding and implacable fabrication of blackness as subordination continued under the aegis of formal equality. This is not to deny the achievements made possible by the formal stipulation of equality but simply to highlight the fractures and limits of emancipation and the necessity of thinking about these limits in terms that do not simply traffic in the obviousness of common sense—the denial of basic rights, privileges, and entitlements to the formerly enslaved—and yet leave the framework of liberalism unexamined. In short, the matter to be considered is how the formerly enslaved navigated between a travestied emancipation and an illusory freedom.9 When we examine the history of racial formation in the United States, it is evident that liberty, property, and whiteness were inextricably enmeshed. Racism was central to the expansion of capitalist relations of production, the organization, division, and management of the laboring classes, and the regulation of the population through licensed forms of sexual association and conjugal unions and through the creation of an internal danger to the purity of the body public. Whiteness was a valuable and exclusive property essential to the integrity of the citizen-subject and the exemplary self-possession of the liberal individual. Although emancipation resulted in a decisive shift in the relation of race and status, black subordination continued under the aegis of contract. In this regard, the efforts of Southern states to codify blackness in constitutions written in the wake of abolition and install new measures in the law that would secure the subordination of freed black people demonstrate the prevailing disparities of emancipation. The discrepant production of blackness, the articulation of race across diverse registers of subjection, and the protean capacities of racism illuminate the tenuousness of equality in a social order founded on chattel slavery. Certainly the freed came into “possession” of themselves and basic civil rights consequent to the abolition of slavery. However, despite the symbolic bestowal of humanity that accompanied the acquisition of rights, the legacy of freedom was an ambivalent one. If the nascent mantle of sovereign individuality conferred rights and entitlements, it also served to obscure the coercion of “free labor,” the transmutation of bonded labor, the invasive forms of discipline that fashioned individuality, and the regulatory production of blackness. Notwithstanding the dissociation of the seemingly inviolable imperial body of property resulting from the abolition of slavery and the uncoupling of the master-and-slave dyad, the breadth of freedom and the shape of the emergent order were the sites of intense struggle in everyday life. The absolute dominion of the master, predicated on the annexation of the captive body and its standing as the “sign and surrogate” of the master’s body, yielded to an economy of bodies, yoked and harnessed, through the exercise of autonomy, self-interest, and consent. The use, regulation, and management of the body no longer necessitated its literal ownership since self-possession effectively yielded modern forms of bonded labor. However, as Marx observed with notable irony, the pageantry of liberty, equality, and consent enacted within this veritable Eden of rights underwent a radical transformation after the exchange was made, the bargain was struck, and the contract was signed. The transactional agent appeared less as the self-possessed and willful agent than as “someone who has brought his own hide to market and now has nothing to expect—but a tanning.”10 Although no longer the extension and instrument of the master’s absolute right or dominion, the laboring black body remained a medium of others’ power and representation.11 If the control of blacks was formerly effected by absolute rights of property in the black body, dishonor, and the quotidian routine of violence, these techniques were supplanted by the liberty of contract that spawned debtpeonage, the bestowal of right that engendered indebtedness and obligation and licensed naked forms of domination and coercion, and the cultivation of a work ethic that promoted self-discipline and induced internal forms of policing. Spectacular displays of white terror and violence supplemented these techniques.12 At the same time, the glimpse of freedom enabled by the transformation from chattel to man fueled the resistance to domination, discipline, and subjugation, for the equality and personal liberty conferred by the dispensation of rights occasioned a sense of group entitlement intent on collective redress as these newly acquired rights also obfuscated and licensed forms of social domination, racial subjection, and exploitation, Despite the inability of the newly emancipated to actualize or enjoy the full equality or freedom stipulated by the law and the ways in which these newly acquired rights masked the modes of domination attendant to the transition from slavery to freedom, the possession of rights was nonetheless significant.

#### Their structural understanding of blackness is flawed because it doesn’t account for its intricacies and social configurations – limiting the imminent range of resistance practices. Their theory is fatalistic and locks blackness within social death.

Kline 17 – PhD candidate @ Rice (David, “The Pragmatics of Resistance: Framing Anti-Blackness and the Limits of Political Ontology,” *Critical Philosophy of Race*, 5.1) Political Ontology and the Limitation of Social Analysis and Legitimate Praxis

Wilderson’s critique of Agamben is certainly correct within the specific framework of a political ontology of racial positioning. His description of anti-Black antagonism shows a powerful macropolitical sedimentation of [End Page 56] Black suffering in which Black bodies are ontologically frozen into (non-) beings that stand in absolute political distinction from those “who do not magnetize bullets” (Wilderson 2010, 80). In the same framework, Jared Sexton, whose work is very close to Wilderson’s, is also right when he shows how biopolitical thought—specifically the Agambenian form centered on questions of sovereignty—and its variant of “necropolitics” found in Mbembe has so often run aground on the figure of the slave (see Sexton 2010).5 Locating the reality of anti-Blackness wholly within this account of political ontology does provide an undeniably effective analysis of its violence and sedimentation over the modern world as a whole. However, in terms of a general structure, I understand Wilderson’s (and Sexton’s) political ontology to remain tied in form to Agamben’s even as it seemingly discounts it and therefore remains bound to some of the problems and limitations that beset such a formal structure, as I’ll discuss in a moment. Despite the critique of Agamben’s ontological blind spots regarding the extent to which Black suffering is non-analogous to non-black suffering, as I’ve tried to show, Wilderson keeps the basic contours of Agamben’s ontological structure in place, maintaining a formal political ontology that expands the bottom end of the binary structure so as to locate an absolute zero-point of political abjection within Black social death. To be clear, this is not to say that the difference between the content and historicity of Wilderson’s social death and Agamben’s bare life does not have profound implications for how political ontology is conceived or how questions of suffering and freedom are posed. Nor is it to say that a congruence of formal structure linking Agamben and Wilderson should mean that their respective projects are not radically differentiated and perhaps even opposed in terms of their broader implications and revelations. Rather, what I want to focus on is how the absolute prioritization of a formal ontological framework of autonomous and irreconcilable spheres of positionality—however descriptively or epistemologically accurate in terms of a regime of ontology and its corresponding macropolitics of anti-Blackness—ends up limiting a whole range of possible avenues of analysis that have their proper site within what Deleuze and Guattari describe as the micropolitical. The issue here is the distinction between the macropolitical (molar) and the micropolitical (molecular) fields of organization and becoming. Wilderson and Afro-pessimism in general privilege the macropolitical field in which Blackness is always already sedimented and rigidified into a political onto-logical position that prohibits movement and the possibility of what Fred Moten calls “fugitivity.” The absolute privileging of the macropolitical as [End Page 57] the frame of analysis tends to bracket or overshadow the fact that “every politics is simultaneously a macropolitics and a micropolitics (Deleuze and Guattari 1987, 213). Where the macropolitical is structured around a politics of molarisation that immunizes itself from the threat of contingency and disruption, the micropolitical names the field in which local and singular points of connection produce the conditions for “lines of flight, which are molecular” (ibid., 216). The micropolitical field is where movement and resistance happens against or in excess of the macropolitical in ways not reducible to the kind of formal binary organization that Agamben and Wilderson’s political ontology prioritizes. Such resistance is not necessarily positive or emancipatory, as lines of flight name a contingency that always poses the risk that whatever develops can become “capable of the worst” (ibid., 205). However, within this contingency is also the possibility of creative lines and deterritorializations that provide possible means of positive escape from macropolitical molarisations. Focusing on Wilderson, his absolute prioritization of a political onto-logical structure in which the law relegates Black being into the singular position of social death happens, I contend, at the expense of two significant things that I am hesitant to bracket for the sake of prioritizing political ontology as the sole frame of reference for both analyzing anti-Black racism and thinking resistance within the racialized world. First, it short-circuits an analysis of power that might reveal not only how the practices, forms, and apparatuses of anti-Black racism have historically developed, changed, and reassembled/reterritorialized in relation to state power, national identity, philosophical discourse, biological discourse, political discourse, and so on—changes that, despite Wilderson’s claim that focusing on these things only “mystify” the question of ontology (Wilderson 2010, 10), surely have implications for how racial positioning is both thought and resisted in differing historical and socio-political contexts. To the extent that Blackness equals a singular ontological position within a macropolitical structure of antagonism, there is almost no room to bring in the spectrum and flow of social difference and contingency that no doubt spans across Black identity as a legitimate issue of analysis and as a site/sight for the possibility of a range of resisting practices. This bracketing of difference leads him to make some rather sweeping and opaquely abstract claims. For example, discussing a main character’s abortion in a prison cell in the 1976 film Bush Mama, Wilderson says, “Dorothy will abort her baby at the clinic or on the floor of her prison cell, not because she fights for—and either wins [End Page 58] or loses—the right to do so, but because she is one of 35 million accumulated and fungible (owned and exchangeable) objects living among 230 million subjects—which is to say, her will is always already subsumed by the will of civil society” (Wilderson 2010, 128, italics mine). What I want to press here is how Wilderson’s statement, made in the sole frame of a totalizing political ontology overshadowing all other levels of sociality, flattens out the social difference within, and even the possibility of, a micropolitical social field of 35 million Black people living in the United States. Such a flattening reduces the optic of anti-Black racism as well as Black sociality to the frame of political ontology where Blackness remains stuck in a singular position of abjection. The result is a severe analytical limitation in terms of the way Blackness (as well as other racial positions) exists across an extremely wide field of sociality that is comprised of differing intensities of forces and relational modes between various institutional, political, socio-economic, religious, sexual, and other social conjunctures. Within Wilderson’s political ontological frame, it seems that these conjunctures are excluded—or at least bracketed—as having any bearing at all on how anti-Black power functions and is resisted across highly differentiated contexts. There is only the binary ontological distinction of Black and Human being; only a macropolitics of sedimented abjection. Furthermore, arriving at the second analytical expense of Wilderson’s prioritization of political ontology, I suggest that such a flattening of the social field of Blackness rigidly delimits what counts as legitimate political resistance. If the framework for thinking resistance and the possibility of creating another world is reduced to rigid ontological positions defined by the absolute power of the law, and if Black existence is understood only as ontologically fixed at the extreme zero point of social death without recourse to anything within its own position qua Blackness, then there is not much room for strategizing or even imagining resistance to anti-Blackness that is not wholly limited to expressions and events of radically apocalyptic political violence: the law is either destroyed entirely, or there is no freedom. This is not to say that I am necessarily against radical political violence or its use as an effective tactic. Nor is to say that I think the law should be left unchallenged in its total operation, but rather that there might be other and more pragmatically oriented practices of resistance that do not necessarily have the absolute destruction of the law as their immediate aim that should count as genuine resistance to anti-Blackness. For Wilderson, like Agamben, anything less than an absolute overturning [End Page 59] of the order of things, the violent destruction and annihilation of the full structure of antagonisms, is deemed as “[having nothing] to do with Black liberation” (quoted in Zug 2010). Of course, the desire for the absolute overturning of the currently existing world, the decisive end of the existing world and the arrival of a new world in which “Blacks do not magnetize bullets” should be absolutely affirmed. Further, the severity and gratuitous nature of the macropolitics of anti-Blackness in relation to the possibility of a movement towards freedom should not be bracketed or displaced for the sake of appealing to any non-Black grammar of exploitation or alienation (Wilderson 2010, 142). The question I want to pose, however, is how the insistence on the absolute priority of framing this world within a rigid structure of formal ontological positions can only revert to what amounts to a kind of negative theological and eschatological blank horizon in which actually existing social sites and modes of resisting praxis are displaced and devalued by notions of whatever it is that might arrive from beyond. It seems that Wilderson, again, is close to Agamben on this point, whose ontological structure also severely delimits what might count as genuine resistance to the regime of sovereignty. As Dominick LaCapra points out regarding the possibility of liberation outside of Agamben’s formal ontological structure of bare life and sovereignty, A further enigmatic conjunction in Agamben is between pure possibility and the reduction of being to mere or naked life, for it is the emergence of mere naked life in accomplished nihilism that simultaneously generates, as a kind of miraculous antibody or creation ex nihilo, pure possibility or utterly blank utopianism not limited by the constraints of the past or by normative structures of any sort. (LaCapra 2009, 168) With life’s ontological reduction to the abjection of bare life or social death, the only possible way out, it seems, is the impossible possibility of what Agamben refers to as the “suspension of the suspension,” the laying aside of the distinction between bare life and political life, the “Shabbat of both animal and man” (Agamben 2003, 92). It is in this sense that Agamben offers, again in the words of LaCapra, a “negative theology in extremis . . . an empty utopianism of pure, unlimited possibility” (LaCapra 2009, 166). The result is a discounting and devaluing of other, perhaps more pragmatic and less eschatological, practices of resistance. With the “all or nothing” [End Page 60] approach that posits anything less than the absolute suspension of the current state of things as unable to address the violence and abjection of bare life, there is not much left in which to appeal than a kind of apocalyptic, messianic, and contentless eschatological future space defined by whatever this world is not.8.

### 1NC – Solvency (Presumption)

#### The 1AC is heavy on diagnosis and light on remedy- no explanation on how mutual aid removes or prevents the violence of anti-blackness described.

#### The 1AC affirms waywardness – but that alone isn’t a reason to affirm. Vote neg on presumption - K Affs still have solvency burdens.

#### if the Aff fails to generate new solutions it’s non-workable concept is a trap that empowers capitalist ideologies.

Bryant ‘12

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Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows: Phase 1: Ultra-Radical Critique Phase 2: ? Phase 3: Revolution and complete social transformation! Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, *and when we do*, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.