# 1NC

## 1NC — Off

### 1NC — T

#### Affs should defend hypothetical implementation of antitrust law in alignment with the resolution.

#### “Resolved” requires law

WP 64, (Words and Phrases, 1964, Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### “USFG” means any of the three branches

US Code 88, 42 U.S. Code § 4914, “Development of low-noise-emission products,” <https://www.law.cornell.edu/uscode/text/42/4914>)

(2) The term “Federal Government” includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

#### “Core antitrust laws” are the Sherman, Clayon, and FTC Acts

Kimmel & Fanchiang 20, \*Senior Counsel at Crowell & Moring, LLP in Washington, D.C., twenty years of experience as an antitrust lawyer, Ph.D. in economics from the University of California at Berkeley \*\*associate in Crowell & Moring’s Irvine, CA office and a member of the firm’s antitrust and commercial litigation groups (Lisa Kimmel \*\*Eric Fanchiang, 2020, “Antitrust and Intellectual Property Licensing,” in 2020 Licensing Update, Wolters Kluwer Legal & Regulatory U.S., https://www.crowell.com/files/20200401-Licensing-Update-Chapter-13.pdf

U.S. antitrust law is defined by federal and state statutes, as interpreted by the courts. The core federal statutes are the Sherman Act,1 passed by Congress in 1890, and the Federal Trade Commission2 and Clayton Acts,3 both passed in 1914. The United States Department of Justice (“DOJ”) and the Federal Trade Commission (“FTC” or “Commission”) (together the “agencies”) share enforcement of most areas of federal antitrust law but with some differences in the scope of their authority. The FTC has sole authority to enforce Section 5 of FTC Act, which prohibits (1) unfair methods of competition and (2) unfair or deceptive acts or practices. The FTC almost always pursues claims for anticompetitive conduct as unfair methods of competition and reserves charges of unfair or deceptive acts or practices for consumer protection violations. Though the FTC's authority to challenge unfair methods of competition goes beyond conduct prohibited by the Sherman and Clayton Acts, in practice the FTC brings most unfair methods of competition cases under the same standards that courts apply to Sherman Act claims. The most prominent exception is the invitation to collude offense, which falls outside the scope of the Sherman Act (if the invitation is not accepted, there is no agreement). The FTC challenges invitations to collude as so-called “standalone” violations of Section 5.4 The DOJ has sole authority to pursue criminal violations of the antitrust laws. Most states have their own state antitrust and unfair competition statutes. State law follows federal law to some extent, though as discussed below, may differ from federal law in meaningful ways that vary state to state. State attorneys general and private parties can also typically file suit to enforce both federal and state antitrust law.

#### Vote neg:

#### 1 ⁠— fairness ⁠— a limited and predictable topic defines prep and research, while preventing the aff from skirting clash, moving to the fringes, and picking true arguments, which wrecks neg ground; this outweighs because debate’s a game ⁠— competition encourages research practices and innovation, which is a prerequisite to participation

#### 2 ⁠— clash ⁠— open subjects cause monopolization of the moral high ground, which denies a role for the neg and prevents second level understanding and turns case

Grossberg 15, Morris Davis Distinguished Professor University of North Carolina at Chapel Hill (Lawrence Grossberg, 2015, “We All Want to Change the World THE PARADOX OF THE U.S. LEFT A POLEMIC,” <http://www.lwbooks.co.uk/ebooks/we_all_want_to_change_the_world.pdf>)

I will, in the following description, focus on the situation in the human sciences (rather than the hard sciences), where the explosion of publication creates an ever-expanding circle in which there is always too much to read—too many positions, too many arguments, too much contradictory evidence—so that scholars have to rely on either the author's stature or theoretical and/or political agreement. It has become almost impossible to read everything one must read, everything necessary to legitimate, at least in traditional terms, the claim of academic expertise or scholarship. In fact, given this situation (and its consequences as I will describe below), the most surprising thing is how much good work continues to be produced. This situation has serious consequences: First, one's expertise becomes defined in increasingly narrow terms, resulting in the proliferation of sub-fields.9

[footnote 9 beings]

For example, one might point to security studies, surveillance studies, transition studies, game studies, code studies, hip-hop studies, horror studies, etc.

[footnote 9 ends]

And while each of them is valuable for their interdisciplinary efforts around a new empirical field, they all too often act as if the questions (and the realities they interrogate) are new; unfortunately, they rarely say anything new or surprising, anything that has not been said elsewhere. They frequently simply re-discover in their own empirical "pocket" universe what others have said previously in other fields. For example, all sorts of technologically defined sub-fields rediscover the rather old assumption that media audiences are active. This is partly because, within each subfield, one gets the impression of witnessing endless redistributions of a highly circumscribed set of citations and authors, under a series of ever-changing terms to describe their fields or positions. So, academics create ever shrinking circles in which authors cite a few theoretically and politically compatible works, and then follow the footnotes, all of which ultimately lead back to the original authors, creating an endlessly self-referential closed system of citations, a numbingly predictable, circular tissue of references. Second, one is less likely to read work that appears tangential but may nevertheless be absolutely decisive to produc[e]ing truly interesting and insightful research. Asking significant questions should demand that one makes reference to all sorts of concepts and questions which would lead one to follow other unexpected traditions and lines of research, since any investigation (e.g., around questions of participation, publics, or leadership, to use only a few examples that have irked me recently) is likely to open up to an entire history of problematization, of conversations and debates, but who can afford the time and energy anymore. Third, one tends to read only the most recent work since so much is being published—in various media—so rapidly that there is little time to go back and read. Fourth, one tends to select one's sources according to criteria that have more to do with theoretical and political sympathies than with an understanding of research as a conversation with difference. One reads selectively, finding those ideas that are already in line with what one assumes one already knows, and one establishes a body of near-sacred texts; fifth, one selects topics that are au courant, partly because there is less scaffolding that one has to build upon and partly because one's work is more likely to gain visibility and impact. Sixth, complexity goes out the door as one increasingly "sees the world in a grain of sand." One can no longer be satisfied claiming to have discovered merely a new piece of a complex puzzle or even an interesting redeployment of an older practice or structure, because such claims do not bring fame and glory—either to oneself or the university. Instead, one has to have discovered the leading edge, the new key or essence. One good but relatively small idea is expanded into a metonym for the entire economy, culture or society. Instead of seeking new discursive forms to embody complexity, uncertainty and humility, one goes with elegance, hyperbole and the ever receding new.

#### Policy debates over antitrust are valuable

Waller & Morse 20, \*John Paul Stevens Chair in Competition Law; Professor and Director, Institute for Consumer Antitrust Studies, Loyola University Chicago School of Law \*\*J.D. Expected 2021, Loyola University Chicago School of Law (\*Spencer Weber Waller \*\*Jacob Morse, 7-26-2020, "The Political Face of Antitrust," Brooklyn Journal of Corporate, Financial, and Commercial Law, https://ssrn.com/abstract=3660946)

IV. Antitrust in Civil Society

Competition issues are also part of the general civic discourse separate from the campaign rhetoric and legislative proposals offered by politicians. This is also a significant sign that antitrust has begun to be an important source of small “p” politics that engages substantial segments of the public at large. One example is the increased number of non-technical books intended for a lay audience that deal with the role of antitrust in a healthy economy and democracy. Recent and forthcoming books dealing with these themes include Tim Wu’s “The Curse of Bigness,”109 Matt Stoller’s “Goliath,”110 Maurice Stucke and Ariel Ezrachi’s “Competition Overdose,”111 Zephyr Teachout’s “Break ‘em Up,”112 and David Dayan’s “Monopolized.”113 On the academic side, there are a plethora of government and NGO studies of competition policy on digital competition114 and new works are flourishing which explore the broader ramifications of antitrust and competition in society.115 Long form and more mass-market journalism have also taken up the mantle of exploring the role of antitrust and competition policy. Such diverse magazines as The Atlantic,116 Time, 117 New Republic,118 American Prospect,119 Rolling Stone,120 New York Times magazine,121 Variety,122 National Review, 123 Foreign Policy,124 and other policy and opinion magazines have all run recent stories or profiles of individuals involved in antitrust issues. Before the COVID-19 pandemic effectively monopolized press coverage in the United States, there were thirty-three antitrust related stories on the front page of the New York Times or the front page of its business section over a three-month period in late 2019. 125 A majority of the stories focused on tech giants such as Apple, Microsoft, Google, Amazon, and Facebook.126 In addition, the New York Times also covered stories about mergers, merger policy, local issues such as the Chicago taxi market, and various smaller industries.127 This is separate from coverage during the same period of campaign issues and candidate statements relating to the field. A similar increase in coverage during this same period can be observed anecdotally in more business-oriented publications like Forbes, Barron’s, Wired, and the Wall Street Journal; general newspapers like USA Today, Washington Post, and Huffington Post; more local newspapers; as well as radio and television.128 Web pages and social media accounts on these issues have similarly proliferated on all ideological perspectives.129 Lobbying and public policy groups are growing in number and influence. Beyond the traditional trade associations and general think tanks there are now a number of active groups with antitrust as a large part of their focus. These include the Open Markets Institute, 130 American Antitrust Institute, 131 Anti-Monopoly Fund,132 Institute for Self-Reliance,133 Public Citizen,134 Public Knowledge,135 Demos, 136 and the International Center for Law and Economics.137 At the more technical legal end of the debate, antitrust is similarly flourishing as a field. One sees increased law school hiring in the field for the first time in decades. Academic institutes and centers abound with a wide variety of perspectives ranging from libertarian to enforcement oriented.138 Most major antitrust cases now feature multiple amicus briefs from legal and economic experts on both sides of an issue both in the Supreme Court or the Courts of Appeals.139 Conclusion Antitrust has always been political in nature. Antitrust law provides broad legal commands dealing with how governments and private individuals can challenge different types of market behavior. In this way, antitrust has not changed. Antitrust will never take the place of sports, the Dow Jones index, or the weather for conversation at the breakfast table, but it has become a meaningful part of the political and policy debate for candidates, the legislature, and important segments of civil society. What has changed, however, is the degree that antitrust has reentered the political arena. Once mostly the domain of technocrats, antitrust issues have been proposed and debated by Presidential candidates, political parties, legislators, pundits, journalists, lobby groups, and voters alike. There are also a flurry of serious proposals and investigations that would make significant changes to the current system if adopted. This is all to the good. Even if none of the current proposals come to fruition, the antitrust debate is part of a broader engagement with political economy issues dealing with fundamental concerns such as economic concentration, globalization, income inequality, social and racial justice, and even recently the proper response to the COVID-19 emergency. The many proposals, initiatives, and pressure groups represent at a minimum the return of antitrust as part of the progressive agenda.

### 1NC — PIK

#### Vote aff sans the 1AC McKenzie evidence:

#### Solves better:

#### 1---capitalist redemption---describes the status quo by black people’s lack of access to the market---turns the case AND naturalizes violence

Hardin & Towns 19, \*Carolyn, Assistant Professor of Media and Communication & American Studies @ Miami University. \*\*Armond R., Department of Communication Studies @ The University of North Carolina at Chapel Hill. (December 2019, “Plastic Empowerment: Financial Literacy and Black Economic Life”, American Quarterly, Volume 71, Number 4, pg. 978-980)

Homo Economicus’s Others: Black Objects and Black Debt

One of the financial literacy programs run by the government, Money Smart, is a free “instructor-led curriculum” that can be taught in “a classroom or small group setting.”56 The curriculum covers “deposit and credit services offered by financial institutions, choosing and maintaining a checking account, spending plans, the importance of saving, how to obtain and use credit effectively, and the basics of building or repairing credit.”57 These materials, among many others, display the basic and well-established assumptions of financial literacy education: that individual financial stability requires rational calculations and decision-making. In other words, financial literacy is a normative project to bring individuals into compliance with the simplistic assumptions of economic models, or what James Kwak terms “economism.”58 As such, financial literacy acknowledges and seeks to remediate what behavioral economists have long noted: that models do not match reality because individuals do not act rationally.59 However, if individuals can be made to act rationally, optimal economic outcomes can be achieved. In other words, the purpose of financial literacy is to make each of us a well-functioning and rational “homo economicus,” the idealized subject of free market capitalism.

Financial literacy is just the latest narrative to deploy a version of homo economicus as the baseline subject of economic rationality. Although the term is said to have originated only in the nineteenth century in response to the writing of John Stuart Mill, the notion of a “proper” capitalist subject who acts correctly within various models of capitalism is much older.60 It is also a raced subject. The history of capitalism reveals that the dominant notion of economic rationality is constructed as/in a white subject over and against black bodies both as objects rather than subjects of capitalism and as intense targets of exploitative debt. This racial tension at the heart of economic rationality reveals the racial stakes of calls for financial literacy education of black consumers.

White Subject, Black Object

According to Michel Foucault, the homo economicus of the late twentieth century eschews the early political economic concern of buying and selling one’s own labor power—with all its potentially collectivist political implications—for the individualized pursuit of self-interest “as an entrepreneur of himself.”61 Foucault offers as evidence Gary Becker’s universalizing idea of “human capital.” Homo economicus is he who can solve any social problem by accumulating human capital that produces an earnings stream for the entrepreneur of himself. But this entrepreneurial self-determination is not equally accessible by all raced subjects. According to Denise Ferreira da Silva, the black is not self-determined but “outer-determined,” which is to say, always open to being “affected,” manipulated by the Western subject for his own benefit.62 The black, then, functions as one about whom choices are made, not one who makes choices.

Sylvia Wynter provides the most explicit argument of the overrepresentation of homo economicus as white within the Western construct of the human, which she argues cannot be disarticulated from capitalism. Indeed, homo economicus emerges out of the shift from the Renaissance’s conceptions of politics and Western Judeo-Christianity as signifiers of the human, what she calls “Man1,” to “Man2,” or “a figure based on the Western bourgeoisie’s model of being human that has been articulated as, since the latter half of the nineteenth century, liberal monohumanism’s homo oeconomicus.”63 Likewise, Lisa Tilley argues that Wynter’s homo economicus is a revision of a racialized humanness, “formulated within the colonial episteme’s Darwinian distortions as divided between the naturally selected (Europeans) and the naturally ‘dysselected’ (those racialized as naturally inferiority).”64 Wynter finds the origins of this shift in humanness in the “colonial matrix of power.”65 In her essay “1492,” she argues that Christopher Columbus functioned as a racialized turning point for Europe, one that replaced Western religious conceptions of knowledge, such as the world being flat, with secularized conceptions of the world.66 Further, Columbus’s voyage had as much to do with spreading Chris- tianity and glorifying the Spanish nation as it did with enriching “himself and his family with all the gold and tribute he could extort from the indigenous peoples, even from making some into cabezas de indios y indias (heads of Indian men and women), who could be sold as slaves.”67

Wynter notes that Columbus is often positioned in terms of celebratory American “discovery” in ways that brush over the colonial, nationalistic, and imperialistic implications of his individual financial aspirations and the objectification of black bodies on which those aspirations depended. Walter Mignolo follows Wynter, providing some insight into the racial foundations of homo economicus, particularly connecting it to Western colonialism and imperialism, both of which are inseparable from the post-Columbian context.68 Mignolo argues that the self-interested optimization that fleshes out the figure of homo economicus assumes coloniality and imperialism.69 In effect, Western colonial enrichment—at the expense of indigenous racial others of Europe—is already inherent in the “economic rationality” of homo economicus, as it is seen as a financially rational tool of enrichment, rather than a moral wrong.

Elsewhere Wynter claims that the proto-notion of homo economicus that circulated in the sixteenth century underwent important transformations by the nineteenth century. Further removed from Judeo-Christianity, conceptions of economic rationality in the nineteenth century functioned in raced form to articulate both black and indigenous populations in the “New World” as the epitome of economic irrationality. Wynter notes that by the nineteenth century, the black slave “would now be made into the physical referent of the ostensibly most racially inferior and non-evolved Other to Man, itself redefined as optimally homo economicus.”70 The black slave is in effect the defining opposite of homo economicus, that nonbeing who is less than human and/ or not human at all. Where homo economicus is self-interested and free to choose—the subject who can fulfill the ultimate human goal of surplus accumulation on his own—the slave is utterly removed from not only this goal but even the possibility of choosing or acting within the construct of the self.

#### 2---abolition---advocates jailing offenders

1AC Mckenzie 19 (https://sammckenziejr.medium.com/how-the-business-of-whiteness-is-the-ultimate-antitrust-violation-3d5ec1f28ae5)

The other day, I listened to my Alexa device echo back the attorney general confirmation hearing for William Barr. I heard a senator lob preschool questions at William Barr about tech companies and antitrust regulations.

Based on the senator’s leading questions, the senator believes antitrust laws are necessary to prevent companies from becoming too powerful and eliminating competition. Apparently, that’s bad for business owners, and it’s bad for the public.

As I heard the questions and answers, my face balled up and I thought, “Isn’t that what white supremacy does in America?”

The answer is yes and here are a few ways it happens:

Deals with white suppliers

Anticompetitive deals between companies and suppliers, that reduce or end competition, can increase monopolies.

In the past, America’s immigration laws created white and wanton deals with countries to maintain white majorities in America.

Those racist compacts allowed millions of white Europeans to come to a racist America while excluding other nations.

As America’s white majority declines, it’s no surprise the current battle with immigration is about the market share of whiteness in America with certain countries as the preferred suppliers.

The mergers of whiteness

Mergers by large corporations can create a monopoly too.

In the past, as whiteness merged with European immigrants, the united state of whiteness benefited by eliminating competition from Black people and people of color.

White racism enacted against Black people made it easier for new European immigrants to enter the workforce and the middle and upper classes of society.

White America exists — in its fixed and rigged position — because white America instituted, reinforced, expanded, and reiterated white supremacy through slavery, discriminatory laws, the Homestead Act, the G.I. Bill, the New Deal, and a bad host of other inhospitable policies and practices.

White supremacy has unjustly enriched white people — even poor whites relative to their counterparts — based on the merger of whiteness.

The cost of the merger of whiteness to Black people from stolen income and opportunities must be many trillions of dollars.

Price discrimination against Black people

Price discrimination involves charging different prices to different consumers.

With price discrimination, the value of a service changes depending on the buyer, and it can be illegal.

If you’re Black in America, you are more likely to die earlier, go to jail, suffer greater health disparities, make less money, and be the target of discrimination and hate crimes.

The unnecessary, disproportionate, and discriminatory price of life that Black people pay in America is exorbitant because of white supremacy.

Barriers to entry for Black people

When companies create barriers to enter the market, they can violate antitrust laws. The barriers make it impossible or unduly difficult for other companies to start and compete.

Today, the structural barriers of whiteness make it harder for Black and Brown people to compete and achieve at every level.

Those barriers include the need for multiple college degrees that do not pay off themselves.

Those barriers include hand-me-down wealth that automatically passes ill-gotten gains and material privilege to generations of white people.

Those barriers also include social and professional networks engineered and serviced by white supremacy that white employees use to get their white friends a job.

Remedies and Regulation

The word “trust” can refer to property or big business. Way back in the 90s, legal scholar Cheryl Harris described whiteness as property with all the benefits and entitlements of property ownership held by white people.

If whiteness is property, as Harris said, then whiteness is a monopoly — that’s inherently discriminatory in a white-supremacist society — and it violates the principles of antitrust laws too.

Strangely, the same Justice Department that investigates and prosecutes antitrust violations supposedly does the same with cases of discrimination.

The antitrust laws aren’t perfect; officials can underutilize and misuse them. For example, the Trump administration and his Republican accomplices want to misuse antitrust laws to punish companies they think silence “conservative voices.”

Meanwhile, white supremacy — as a conglomerate of cruelty with workers and workings — is the biggest antitrust violation in American history that continues to silence voices.

The principle of fair competition within antitrust laws should apply everywhere. If the Justice Department had eyes on every industry of white supremacy, as it does on antitrust violations, that would be better.

To overhaul the state of the union, the disparate impact principle has to be retroactive, and it must forever reign over every part of American life with militant enforcement.

The stimulated economy of white supremacy roars like a well-oiled machine. America is not a meritocracy; a white monopoly runs America.

The business of whiteness has to stop passing go and running the board. Jail it, and its outcomes for life.

In its place, set free the business of humanity that all Americans can trust.

#### Turns case

Rodríguez 10, Professor at the University of California, Riverside. (Dylan, Summer 2010, “The Disorientation of the Teaching Act: Abolition as Pedagogical Position”, *The Radical Teacher*, No. 88, pg. 7-8, https://www.jstor.org/stable/10.5406/radicalteacher.1.88.0007)

The global U.S. prison regime has no precedent or peer and has become a primary condition of schooling, education, and pedagogy in every possible site. Aside from its sheer accumulation of captive bodies (more than 2.5 million, if one includes children, military captives, undocumented migrants, and the mentally ill/disordered),1 the prison has become central to the (re)production and (re)invention of a robust and historically dynamic white supremacist state: at its farthest institutional reaches, the prison has developed a capacity to organize and disrupt the most taken-for-granted features of everyday social life, including “family,” “community,” “school,” and individual social identities. Students, teachers, and administrators of all kinds have come to conceptualize “freedom,” “safety,” and “peace” as a relatively direct outcome of state-conducted domestic war (wars on crime, drugs, gangs, immigrants, terror, etc.), legitimated police violence, and large-scale, punitive imprisonment.

#### 3---framework offense---it’s indebted to the topic, which reduces aff solvency to answering T

#### 4---whiteness turn on case

#### They link: indicts aff scholarship AND method

#### 1---speech times mean we shouldn’t have to repeat the aff, otherwise it wrecks Ks and counterplans

#### 2---K affs change rejoinder---they disregarded only constraint on affs, so disproving a part of the aff is sufficient for the ballot

## 1NC — Case

### 1NC ⁠— Frontline

#### Vote neg on presumption---they have not established a broader method to resolve violence---2AC needs to explain why the instrumentalization of their politics is good

### 1NC ⁠— Turn

#### The 1AC Moten quote: “we were given credit of the state, the right to make private any public gone bad”---his argument is that receiving credit from the state is bad

#### Reparations are good

Coates 14, (Ta-Nehisi Coates, 2014, “The Case for Reparations,” The Atlantic, https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/)

Something more than moral pressure calls America to reparations. We cannot escape our history. All of our solutions to the great problems of health care, education, housing, and economic inequality are troubled by what must go unspoken. “The reason black people are so far behind now is not because of now,” Clyde Ross told me. “It’s because of then.” In the early 2000s, Charles Ogletree went to Tulsa, Oklahoma, to meet with the survivors of the 1921 race riot that had devastated “Black Wall Street.” The past was not the past to them. “It was amazing seeing these black women and men who were crippled, blind, in wheelchairs,” Ogletree told me. “I had no idea who they were and why they wanted to see me. They said, ‘We want you to represent us in this lawsuit.’ ” In the spring of 1921, a white mob leveled “Black Wall Street” in Tulsa, Oklahoma. Here, wounded prisoners ride in an Army truck during the martial law imposed by the Oklahoma governor in response to the race riot. (Hulton-Deutsch Collection/Corbis) A commission authorized by the Oklahoma legislature produced a report affirming that the riot, the knowledge of which had been suppressed for years, had happened. But the lawsuit ultimately failed, in 2004. Similar suits pushed against corporations such as Aetna (which insured slaves) and Lehman Brothers (whose co-founding partner owned them) also have thus far failed. These results are dispiriting, but the crime with which reparations activists charge the country implicates more than just a few towns or corporations. The crime indicts the American people themselves, at every level, and in nearly every configuration. A crime that implicates the entire American people deserves its hearing in the legislative body that represents them. John Conyers’s HR 40 is the vehicle for that hearing. No one can know what would come out of such a debate. Perhaps no number can fully capture the multi-century plunder of black people in America. Perhaps the number is so large that it can’t be imagined, let alone calculated and dispensed. But I believe that wrestling publicly with these questions matters as much as—if not more than—the specific answers that might be produced. An America that asks what it owes its most vulnerable citizens is improved and humane. An America that looks away is ignoring not just the sins of the past but the sins of the present and the certain sins of the future. More important than any single check cut to any African American, the payment of reparations would represent America’s maturation out of the childhood myth of its innocence into a wisdom worthy of its founders. In 2010, jacob s. rugh, then a doctoral candidate at Princeton, and the sociologist Douglas S. Massey published a study of the recent foreclosure crisis. Among its drivers, they found an old foe: segregation. Black home buyers—even after controlling for factors like creditworthiness—were still more likely than white home buyers to be steered toward subprime loans. Decades of racist housing policies by the American government, along with decades of racist housing practices by American businesses, had conspired to concentrate African Americans in the same neighborhoods. As in North Lawndale half a century earlier, these neighborhoods were filled with people who had been cut off from mainstream financial institutions. When subprime lenders went looking for prey, they found black people waiting like ducks in a pen. “Wells Fargo mortgage had an emerging-markets unit that specifically targeted black churches.” “High levels of segregation create a natural market for subprime lending,” Rugh and Massey write, “and cause riskier mortgages, and thus foreclosures, to accumulate disproportionately in racially segregated cities’ minority neighborhoods.” Plunder in the past made plunder in the present efficient. The banks of America understood this. In 2005, Wells Fargo promoted a series of Wealth Building Strategies seminars. Dubbing itself “the nation’s leading originator of home loans to ethnic minority customers,” the bank enrolled black public figures in an ostensible effort to educate blacks on building “generational wealth.” But the “wealth building” seminars were a front for wealth theft. In 2010, the Justice Department filed a discrimination suit against Wells Fargo alleging that the bank had shunted blacks into predatory loans regardless of their creditworthiness. This was not magic or coincidence or misfortune. It was racism reifying itself. According to The New York Times, affidavits found loan officers referring to their black customers as “mud people” and to their subprime products as “ghetto loans.”

#### Criticisms of reparations are a smokescreen used to reinforce anti-blackness

Craven 16, reporter at Huffington Post (Julia Craven, 2016, “We Absolutely Could Give Reparations To Black People. Here’s How.,” Huffington Post, https://www.huffingtonpost.com/entry/reparations-black-americans-slavery\_us\_56c4dfa9e4b08ffac1276bd7)

They’re wrong. “The connection between slavery and the pillars of American society are tight. There are no pillars of American society without slavery,” Miller said. “You might think about that even literally. The columns of the White House and the Congress were built by slave labor.” To deflect discussing why reparations are needed, some people request a developed strategy for reparations or a detailed legislative proposal before they’ll contemplate the issue. The suggestion, in itself, fits into a tired line of thinking that victims of injustice must explain themselves fully — and convincingly — to the system that harmed them before any recognition is provided. “These demands always struck me as akin to demanding a payment plan for something one has neither decided one needs nor is willing to purchase,” Coates wrote. As he has tirelessly reiterated, we must start with a robust discussion on why reparations are owed to black Americans. If anything, the expansive U.S. history of anti-black racism is the deterrent — but letting that deter us today is itself anti-black. This returns us to the criticism of Sanders. The symbolism of specifically calling for reparations matters. A white presidential candidate who vows only to fight police violence and other modern ills affecting black Americans is essentially urging that we put a bandage on past injustices without true reconciliation. If we don’t look back and reckon with what has been done, there is no moving forward.

#### Debt logics are key---reparations through the tax scheme works and is indistinguishable from direct subsidies

Waterhouse 10, Associate Professor of law at FIU (Carlton Waterhouse, 2010, in a conversation with Andre Smith, “No Reparation without Taxation: Applying the Internal Revenue Code to the Concept of Reparations for Slavery and Segregation,” *FIU Legal Studies Research Paper Series* 8-28)

IV. Tax Benefits as Reparations

Carlton: Andre, can't tax relief itself be part and parcel of a reparations proposal? Andre: Possibly. Here, we should identify different ways the tax code is used to subsidize people and activities, and attempt to determine which if any provides a sound basis for distributing reparative proceeds. Carlton: You mentioned that taxation can be used in lieu of a direct expenditure program, though many scholars caution against it, 102 granting someone a tax benefit is hardly different than a direct cash subsidy. 103 Regardless of whether it is money that does not enter the Treasury or doled from it, it is not available for use by the government on behalf of the People. can see how it might not matter to most people whether they receive x amount of dollars or are relieved of paying out x amount of dollars, the result is the same, a benefit of x amount. Andre. Stanley Surrey made this point in his famous article on Tax Expenditures. But despite Surrey's admonitions, Congress subsidizes activities and persons through the tax code probably because it is more politically expedient to grant subsidies in a complicated and hidden 106 manner so as not to alert citizens who would otherwise be opposed to a direct subsidy.

#### It’s most effective mechanism for reparation delivery

Waterhouse 10, Associate Professor of law @ FIU (Carlton, in a conversation with Andre Smith, “No Reparation without Taxation: Applying the Internal Revenue Code to the Concept of Reparations for Slavery and Segregation,” *FIU Legal Studies Research Paper Series* 8-28)

As a result of this discussion I also think that reparations commentators need to provide more consideration to the use of tax credits as a delivery mechanism. It addresses some of the Important concerns raised about the associated with implementing a reparations scheme although I still believe that the use of trust funds for institutional development or to cover health care or educational costs will better remediate lingering harms from segregation facing Black communities. Individual compensation however, cannot be summarily ruled out and tax credits may be one of the most effective mechanisms for their delivery.

#### No offense---Moten agrees some debts should be repaid

Harney and Moten 13 (“The Undercommons: Fugitive Planning and Black Study,” Kindle Edition)

Moten links economic debt to the brokenness of being in the interview with Stevphen Shukaitis; he acknowledges that some debts should be paid, and that much is owed especially to black people by white people, and yet, he says: “I also know that what it is that is supposed to be repaired is irreparable. It can’t be repaired. The only thing we can do is tear this shit down completely and build something new.” The undercommons do not come to pay their debts, to repair what has been broken, to fix what has come undone.

### 1NC ⁠— Turn

#### 1AC McKenzie describes whiteness are a monopoly---that racist domination---it makes whiteness a monolith and undermines opposition to racial structures

**Andersen 3**, Professor of Sociology and Women's Studies and Vice Provost for Academic Affairs at the University of Delaware (Margaret L. Andersen, 2003, “Whitewashing Race: A Critical Perspective on Whiteness,” in White Out: The Continuing Significance of Racism, ed Doane & Bonilla-Silva, p. 28]

Conceptually, one of the major problems in the whiteness literature is the reification of whiteness as a concept, as an experience, and as an identity. This practice not only leads to conceptual obfuscation but also impedes the possibility for empirical analysis. In this literature, "whiteness" comes to mean just about everything associated with racial domination. As such, whiteness becomes a slippery and elusive concept. Whiteness is presented as any or all of the following: identity, self-understanding, social practices, group beliefs, ideology, and a system of domination. As one critic writes, "If historical actors are said to have behaved the way they did mainly because they were white, then there's little room left for more nuanced analysis of their motives and meanings" (Stowe 1996:77). And Alastair Bonnett points out that whiteness "emerges from this critique as an **omnipresent and all-powerful historical force**. Whiteness is seen to be responsible for the failure of socialism to develop in America, for racism, **for the impoverishment of humanity**. With the 'blame' comes a new kind of centering: Whiteness, and White people, are turned into the key agents of historical change, the shapers of contemporary America" (1996b:153).

Despite noting that there is differentiation among whites and warning against using whiteness as a monolithic category, most of the literature still proceeds to do so, revealing a reductionist tendency. Even claiming to show its multiple forms, most writers essentialize and reify whiteness as something that directs most of Western history (Gallagher 2000). Hence while trying to "deconstruct” whiteness and see the ubiquitousness of whiteness, the literature at the same time reasserts and reinstates it (Stowe 1996:77).

For example, Michael Eric Dyson suggests that whiteness is identity, ideology, and institution (Dyson, quoted in Chennault 1998:300). But if it is all these things, it becomes an analytically useless concept. Christine Clark and James O'Donnell write: "to reference it reifies it, to refrain from referencing it obscures the persistent, pervasive, and seemingly permanent reality of racism" (1999:2). Empirical investigation requires being able to identify and measure a concept— or at the very least to have a clear definition—but since whiteness has come to mean just about everything, it ends up meaning hardly anything.

#### That leads to repetitive suffering

Mbembe 15, (Achille Mbembe, 9-9-2015, “Achille Mbembe on The State of South African Political Life,” Africa is a country, <https://africasacountry.com/2015/09/achille-mbembe-on-the-state-of-south-african-politics/>)

What we are hearing is that there have not been enough meaningful, decisive, radical change, not only in terms of the life chances of the black poor, but – and this is the novelty – in terms of the future prospects of the black middle class. What is being said is that twenty years after freedom, we have not disrupted enough the structures that maintain and reproduce “white power and supremacy”; that this is the reason why too many amongst us are trapped in a “bad life” that keeps wearing them out and down; that this wearing out and down of black life has been going on for too long and must now be brought to an end by all means necessary (the right to violence?). We are being told that we have not radically overturned the particular sets of interests that are produced and reproduced through white privilege in institutions of public and private life – in law firms, in financial institutions such as banking and insurance, in advertising and industry, in terms of land redistribution, in media, universities, languages and culture in general. “Whiteness”, “white power”, “white supremacy”, “white monopoly capital” is firmly back on the political and cultural agenda and to be white in South Africa now is to face a new-old kind of trial although with new judges – the so-called “born-free”. Politics of impatience But behind whites trial looms a broader indictment of South African social and political order. South Africa is fast approaching its Fanonian moment. A mass of structurally disenfranchised people have the feeling of being treated as “foreigners” on their own land. Convinced that the doors of opportunity are closing, they are asking for firmer demarcations between “citizens” (those who belong) and “foreigners” (those who must be excluded). They are convinced that as the doors of opportunity keep closing, those who won’t be able to “get in” right now might be left out for generations to come – thus the social stampede, the rush to “get in” before it gets too late, the willingness to risk a fight because waiting is no longer a viable option. The old politics of waiting is therefore gradually replaced by a new politics of impatience and, if necessary, of disruption. Brashness, disruption and a new anti-decorum ethos are meant to bring down the pretence of normality and the logics of normalization in this most “abnormal” society. Steve Biko, Frantz Fanon and a plethora of black feminist, queer, postcolonial, decolonial and critical race theorists are being reloaded in the service of a new form of militancy less accommodationist and more trenchant both in form and content. The age of impatience is an age when a lot is said – all sorts of things we had hardly heard about during the last twenty years; some ugly, outrageous, toxic things, including calls for murder, atrocious things that speak to everything except to the project of freedom, in this age of fantasy and hysteria, when the gap between psychic realities and actual material realities has never been so wide, and the digital world only serves as an amplifier of every single moment, event and accident. The age of urgency is also an age when new wounded bodies erupt and undertake to actually occupy spaces they used to simply haunt. They are now piling up, swearing and cursing, speaking with excrements, asking to be heard. They speak in allegories and analogies – the “colony”, the “plantation”, the “house Negro”, the “field Negro”, blurring all boundaries, embracing confusion, mixing times and spaces, at the risk of anachronism. They are claiming all kinds of rights – the right to violence; the right to disrupt and jam that which is parading as normal; the right to insult, intimidate and bully those who do not agree with them; the right to be angry, enraged; the right to go to war in the hope of recovering what was lost through conquest; the right to hate, to wreak vengeance, to smash something, it doesn’t matter what, as long as it looks “white”. All these new “rights” are supposed to achieve one thing we are told the 1994 “peaceful settlement” did not achieve – decolonization and retributive justice, the only way to restore a modicum of dignity to victims of the injuries of yesterday and today. Demythologizing whiteness And yet, some hard questions must be asked. Why are we invested in turning whiteness, pain and suffering into such erotogenic objects? Could it be that the concentration of our libido on whiteness, pain and suffering is after all typical of the narcissistic investments so privileged by this neoliberal age? To frame the issues in these terms does not mean embracing a position of moral relativism. How could it be? After all, in relation to our history, too many lives were destroyed in the name of whiteness. Furthermore, the structural repetition of past sufferings in the present is beyond any reasonable doubt. Whiteness as a necrophiliac power structure and a primary shaper of a global system of unequal redistribution of life chances will not die a natural death. But to properly engineer its death – and thus the end of the nightmare it has been for a large portion of the humanity – we urgently need to demythologize it. If we fail to properly demythologize whiteness, whiteness – as the machine in which a huge portion of the humanity has become entangled in spite of itself – will end up claiming us. As a result of whiteness having claimed us; as a result of having let ourselves be possessed by it in the manner of an evil spirit, we will inflict upon ourselves injuries of which whiteness, at its most ferocious, would scarcely have been capable. Indeed for whiteness to properly operate as the destructive force it is in the material sphere, it needs to capture its victim’s imagination and turn it into a poison well of hatred. For victims of white racism to hold on to the things that truly matter, they must incessantly fight against the kind of hatred which never fails to destroy, in the first instance, the person ~~man or woman~~ who hates while leaving the structure of whiteness itself intact. As a poisonous fiction that passes for a fact, whiteness seeks to institutionalize itself as an event by any means necessary. This it does by colonizing the entire realms of desire and of the imagination. To demythologize whiteness, it will not be enough to force “bad whites” into silence or into confessing guilt and/or complicity. This is too cheap. To puncture and deflate the fictions of whiteness will require an entirely different regime of desire, new approaches in the constitution of material, aesthetic and symbolic capital, another discourse on value, on what matters and why. The demythologization of whiteness also requires that we develop a more complex understanding of South African versions of whiteness here and now. This is the only country on Earth in which a revolution took place which resulted in not one single former oppressor losing anything. In order to keep its privileges intact in the post-1994 era, South African whiteness has sought to intensify its capacity to invest in what we should call the resources of the offshore. It has attempted to fence itself off, to re-maximize its privileges through self-enclaving and the logics of privatization. These logics of offshoring and self-enclaving are typical of this neoliberal age.

### 1NC ⁠— Turn

#### Calling for a ballot gives them credit in the academy — that’s a double turn with the aff because Moten inherently rejects the idea of credit as a response to debt — Debate is inherently competitive---there is only one winner, which means judges needs to make a value statement about the aff.

Moten 13,Professor in the Department of Performance Studies at NYU. ( Fred, In The Undercommons: Fugitive Planning & Black Study Stefano Harney and Fred Moten, pp. 154-5)

FRED: I think this is where that distinction Stefano made between credit and debt is crucial. I think what people may mean, when they talk about the abolition of debt, is the abolition of credit. But they probably don’t even really mean that. What they probably technically mean is forgiveness, which is to say, “we’ll forgive this loan. Now, if you get in debt again, we’re gonna want to get paid, goddamnit.” Whereas, what Stefano is talking about, I think and I concur, is an abolition of credit, of the system of credit, which is to say, maybe it’s an abolition of accounting. It says that when we start to talk about our common resources, when we talk about what Marx means by wealth – the division of it, the accumulation of it, the privatization of it, and the accounting of it – all of that shit should be abolished. I mean, you can’t count how much we owe one another. It’s not countable. It doesn’t even work that way. Matter of fact, it’s so radical that it probably destabilizes the very social form or idea of ‘one another.’ But, that’s what Édouard Glissant is leading us towards when he talks about what it is “to consent not to be a single being.” And if you think about it, it is a sort of flial and essentially a maternal relation. When I say ‘maternal,’ what I’m implying there is the possibility of a general socialisation of the maternal.

### 1NC ⁠— Extra

#### Individual strategies fail to influence the world

Reed 16, Prof. of Political Science at Penn (Adolph Reed Jr., 2016, “Splendors and Miseries of the Antiracist “Left”” Nonsite, http://nonsite.org/editorial/splendors-and-miseries-of-the-antiracist-left-2)

More than a decade and a half ago I criticized similar formulations of a notion of “infrapolitics,” understood as the domain of pre-political acts of everyday “resistance” undertaken by subordinated populations, which was then all the rage in cultural studies programs. Proponents of the political importance of this domain insisted that, because insurgent movements emerge within such cultures of quotidian resistance, a) examining them could help in understanding the processes through which insurgencies develop and/or b) they therefore ought to be considered as expressions of an insurgent politics themselves. Several factors accounted for the popularity of that version of the argument, which mainly had to do to with the political economy of academic life, including the self-propulsion of academic trendiness and the atrophy of the left outside the academy, which encouraged flights into fantasy for the sake of optimism. The infrapolitics idea also resonated with the substantive but generally unadmitted group essentialism underlying claims that esoteric, insider knowledge is necessary to decipher the “hidden transcripts” of the subordinate populations; put more bluntly, elevating infrapolitics to the domain on which the oppressed express their politics most authentically increased its interpreters’ academic capital.8 I discussed those factors in my critique. However, the point in that argument most pertinent for evaluating Birch and Heideman’s confidence that the contradictions they acknowledge in BLM should be seen only as growing pains of a “new movement” is the following: At best, those who romanticize “everyday resistance” or “cultural politics” read the evolution of political movements teleologically; they presume that those conditions necessarily, or even typically, lead to political action. They don’t. Not any more than the presence of carbon and water necessarily leads to the evolution of Homo sapiens. Think about it: infrapolitics is ubiquitous, developed political movements are rare.9

#### They draw the wrong inference from the flux of blackness ⁠— it can change, which proves that it is a racial formation that movements and state engagement can overcome; Moten agrees

Rossipal 17, Graduate Student, Media Studies, Stockholm University; presently, PhD Candidate, Cinema Studies, NYU Tisch School of the Arts (Christian Rossipal, 2017, “Looking Back: Racializing Assemblages and the Biopolitics of Resistance,” Stockholm University, Master’s Thesis, Spring 2017, http://www.diva-portal.org/smash/get/diva2:1137937/FULLTEXT01.pdf)

Simone Browne points out that we have to grapple with the ontological conditions of blackness in order to develop a theory of racializing surveillance. 76 I align myself with Browne and further suggest that the same holds true regarding any resistance to racializing surveillance (e.g. copwatching). It is not enough, however, to situate blackness in relation to ontology. The Western conceptualization of being falls short when it comes to blackness – and thus we need new philosophical idioms and categories which are not contingent on racist assumptions (in a “decolonialization of the epistemic”).77 On the following pages I argue for a paraontological framing of black resistance/being in the vein of Black Optimism. It is mainly an abstract discussion serving to lay a theoretical foundation for the subsequent chapters. An important first distinction to make is that between blackness and the lived experience of being (considered) black. It has been suggested by Frantz Fanon, through Sylvia Wynter, that blackness can be seen as an objective fact – that is, a separate entity from any multitude of black subjectivities.78 We can think about it the way any culture tend to be framed through a post-modern lens; as something constantly in flux but nevertheless real.79 For Rinaldo Walcott blackness can be seen as a sign “that carries with it particular histories of resistance and domination” – “never closed and always under contestation.”80 From such an outset you can infer the general postulate that not all persons who are deemed black by society are necessarily part of (the culture of) blackness. Blackness is something you take active part in (shaping), but the lines between signifier and signified are blurred, since blackness is both “identity and culture, history and present […].”81 The lived experience of blackness actualizes the imposition of race onto black bodies and lives.82 “[O]ne’s being is experienced through others,” as Browne describes it.83 This is echoed in Sara Ahmed, who claims that “racism ensures that the black gaze returns to the black body, which is not a loving return but rather follows the line of the white hostile gaze.”84 The phenomenon Ahmed describes is arguably the same phenomenon which led Fanon to famously say that his black body was reduced to “an object among other object.”85 At this juncture, the ontology of blackness intersects the constitutive forces which racializes the black body, as Ahmed shows: The alignment of race and space are crucial to how they materialize as givens, as if each “extends” the other. In other words, while “the other side of the world” is associated with “racial otherness,” racial others become associated with “the other side of the world.” They come to embody distance. The embodiment of distance is what makes whiteness “proximate,” as the “starting point” for orientation.86 Consequently, blackness is not only constructed as the negation of ontology through a hierarchical episteme – but its ontological status is also reified and veiled as something natural by the “alignment of race and space.”87 Thus, although separate, blackness and black bodies are intimately related to each other. By extension, I assert that the black person should have an ethical interpretative prerogative with regards to the lived experience and phenomenological aspects of blackness – a reason why I so frequently quote participants in the field study. However, the statements of participants must be read critically against each other, and in relation to scholars such as Ahmed. One participant alone cannot represent the overarching complexity of blackness. Nor should they be forced to do so, or construed as doing so.88 I thus align myself with Harney and Moten, who states that blackness “must be understood in its ontological difference from black people who are, nevertheless, (under)privileged insofar as they are given (to) an understanding of it.”89

3.1. Ontology as Resistance

The paraontological hinges on the notion that blackness comes prior to governance.90 In other words, that blackness is not a response to regulative power, but rather the other way around: “Power is a response to the uncontainable priority of blackness.”91 To be clear, we can think of the slave trader as imposing a regulatory violence seeking to “ensnare” an already prior freedom.92 To Harney and Moten, this prior freedom is integral to blackness, as an “anoriginary drive” – which translates to something like an immanent force of resistance or insubordination, in my reading.93 The important point at this stage is that blackness is constitutive; “neither an aberration nor an effect of power.”94 What emerges from this line of thinking is [not only that] blackness is ontologically prior to the logistic and regulative power that is supposed to have brought it into existence but that blackness is prior to ontology; or, in a slight variation of what [Nahum Dimitri] Chandler would say, blackness is the anoriginal displacement of ontology, that it is ontology’s anti- and antefoundation, ontology’s underground, the irreparable disturbance of ontology’s time and space.95 In other words, the paraontological entails not only that blackness is anterior to ontology, but also that this anteriority (“anti- and ante-foundation” in Moten) displaces ontology and inhabits an “underground” position – or the “undercommons” – from which resistance can take shape.96 According to Moten, the “undercommons” must withdraw from the framework posed by ontology and “refuse subjection to ontology’s sanction against the very idea of black subjectivity.”97 By extension, frami ng the distinction between blackness and black people through a paraontological lens lets us separate blackness from the question of (Western ontological) being altogether.98 Drawing from Moten, this leads David Kline to claim that “[b]lackness is a counter-force to ontology itself [italicized in original].” 99

3.2. Anteriority and Activism

This subchapter is an extension of the discussion above, but it is also an attempt to specifically highlight aspects of paraontology which can be productive for a discussion in relation to the field study. An important first step is to delineate the paraontological as separate from the politico-ontological, in order to avoid a misreading. In contrast to the politico-ontological, the paraontological namely designates a mode of being which is “always [by definition] already resisting the imposing logic of (political) ontology.”100 In other words, by being prior to ontology it conjoins with utopian visions to establish a political position outside of ontology altogether.101 In the vein of Black Optimism, Moten sees blackness as “not reducible to its social costs; [but] also manifest in a set of benefits and responsibilities.” 102 There is always a surplus to the suppression of blackness; or, “lines of flight” to speak with Deleuze.103 There is an anoriginary drive whose fateful internal difference (as opposed to fatal flaw) is that it brings regulation into existence, into a history irregularly punctuated by transformations that drive imposes upon regulation. Those transformative impositions show up for us now as compensation and surplus: as the payment of a massive and incalculable debt by the ones who not only never promised it […].104 To be clear, the “transformative impositions” Moten refers to could be read as, for instance, impositions on lawmaking brought about by the civil rights movement – which today creates a “surplus” and spaces for resistance. However, such “transformative impositions” do not necessarily have to occur in a formal way, changing dominant structures of society (e.g. laws); these impositions are the effect of the “anoriginary drive” and could take place on a micropolitical scale or outside the sovereign state itself (e.g. black nationalism).105 The ontological foundation in and of “Man” circumscribes blackness into negation. In Moten’s words, “[t]he givenness and substantiveness of transcendental subjectivity is assured by a relative nothingness.”106 Moten’s use of “nothingness” corresponds to a famous passage in Frantz Fanon’s Black Skin, White Masks: I feel my soul as vast as the world, truly a soul as deep as the deepest of rivers; my chest has the power to expand to infinity. I was made to give and they prescribe for me the humility of the cripple. When I opened my eyes yesterday I saw the sky in total revulsion. I tried to get up but eviscerated silence surged toward me with paralyzed wings. Not responsible for my acts, at the crossroads between Nothingness and Infinity, I began to weep.107 We could read Fanon’s first sentence as something closely related to Moten’s anorginary drive; a freedom which is then “crippled” by external forces. This is also in line with Nana Adusei-Poku, who further suggests that the lived experience of blackness can recode this nothingness into a “foundational ground, or as anti-/ante-ground, as a void that sustains.”108 Thus, although Fanon was trapped in this nothingness, the same “black abyss” can serve as a space to draw creative power from – which reconnects back to Moten and the intellectual project of Black Optimism.109 In short, the discussed “nothingness is not absence but foundation.”110 So how does this foundation translate into concrete political activism and something relevant to the present thesis’ field study? First, the fact that paraontology lets us see blackness as a separate entity makes it possible for activists (e.g. copwatchers) to align themselves with blackness regardless of their own status of being racialized.111 This could be seen throughout the study, in slightly different iterations.112 Further, to take a position outside of ontology can be achieved by a reconstruction of aesthetics in line with the main argument of Moten’s In the Break: The Aesthetics of the Black Radical Tradition. For instance, Moten discuss how the photograph of Emmett Till – the black fourteen-year old boy murdered in 1955 – could possibly challenge ontological questioning.113 He asks “what the hegemony of the visual” have to do with the death – and connects a critical aesthetic reading to the necessary re-construction of ontology.114 In relation to the moving image specifically, the “ante-ground” of blackness can perhaps offer a new type of aesthetics, outside of ontology.115 Following Judith Butler’s line of thought, there needs to be such an aesthetics, since “[t]he visual field is not neutral to the question of race; it is itself a racial formation, an episteme, hegemonic and forceful.116 The fact that blackness is prior to regulatory violence could make possible a certain kind of resistance and political subjectivity. This was a working hypothesis I came up with through abductive reasoning while in the field. Moten suggests that “one wants to assert the presence of something between the subjectivity that is refused [“Man”] and which one refuses and nothing, whatever that is.”117 I argue that copwatching and other acts of “looking back” have the potential to inhabit that interstitial space. This is, of course, a main topic of the thesis and is further explored in the subsequent chapters.

#### The 1AC fails to create revolution

Andrews 18, associate professor of sociology in the School of Social Sciences at Birmingham City University (Kehinde Andrews, 7-10-2018, “Back to Black: Retelling Black Radicalism for the 21st Century,” Google Books)

Misuse of ‘revolution’ Radical dreams of freedom are uncompromising, totalising and demand the complete transformation of the social, political and economic order. For radicals the only solution is revolution, in order to ‘overturn’ and ‘destroy’ the existing system.21 But Malcolm warned that ‘many of our people are using this word “revolution” loosely’,22 lightly embracing radical rhetoric without truly taking on board revolutionary practice. This critique definitely applies to Black politics and theory, where to be radical or revolutionary appears to mean adopting a position that differs somewhat from the norm. Part of the misuse of the term revolution is closely tied to the idea that change must come from within before it can lead to social transformation. For cultural nationalists that is the spiritual and cultural transformation; in academia we focus on the ideas, the knowledge to produce change. While acknowledging that Cesaire’s negritude movement was ‘never intended to be a road map or a blueprint for revolution’, Kelley contends that his classic work Discourse on Colonialism was ‘poetry and therefore revolt’. He goes further to argue that the book was an ‘act of insurrection … a hand grenade thrown with deadly accuracy, clearing the field so that we might write a new history with what’s left standing’.23 Cesaire is the perfect figure to explain the limits of intellectual radicalism. As we explored in Chapter 3, his work was hugely influential, with Fanon crediting him for transforming how Black subjects of colonialism saw themselves. But we also discussed how Cesaire was a French republican to the core, who did not see liberation from France as being desirable. Negritude was about claiming Black personhood in order to integrate more equally into the Western ideal. There is nothing radical or revolutionary about the project. Just because it went against the prevailing ideas of the time (that Black people were inferior) that does not make it radical. To judge the radical nature of an argument we have to engage in the ‘new history’ that it writes, not just its condemnation of the old one.

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To be revolutionary also means going beyond deconstructing the present and offering abstract visions of a different future. This clearly applies to a range of post-structural theoretical reminiscences on society that even if they were written intelligibly would make little sense. In terms of Black radicalism the more common misuse of revolutionary relates to giving too much power to music and popular culture. Moten argues that ‘Black radicalism is (like) music. The broken circle demands a new analytic (way of listening to the music)’.24 He spends a lot of time making the argument that Black music with its different arrangements, soulful cries and boundary-breaking forms of expression represent the ‘aesthetics’ of Black radicalism. Kelley speaks of the ‘revolutionary nature of the blues’,25 and the power of the surreal in transforming our vision for reality. A lot of emphasis is placed on this work in the idea of desire, fantasy and soul being alternative concepts to build our understanding on rather than European ideas of rationality. To be a blues people is to embody a different form of being, and can perhaps lead to a revolutionary transformation of society based on ‘love and creativity’.26 There’s certainly something romantic about the idea of the artists, writers, poets and musicians being the revolutionary vanguard, painting a new vision for the future and calling us to its tune. However, in reality this is just an intellectual version of cultural nationalism. We know society is corrupt but instead of trying to overthrow it we seek solace in the beauty that has been created in the hideous. We can affirm ourselves by getting lost in the sorrow songs, fiction and poetry or watching the achingly beautiful choreography of the Alvin Ailey Dance Theatre. But none of this culture, no matter how beautiful or genre defying, is revolutionary. It does not pave the way for revolution, or even in itself open up possibilities. Culture is always a product of the political moment. Slavery and marronage make the blues; the New Negro movement shapes the Harlem Renaissance; Pan-Africanism calls into existence Afro-beat; Rastafari and Garveyism produce Reggae; and Black Power creates the Black Arts movement. Even the lack of cohesive Black political movements can be traced to the commercialisation and gangstaisation of Hip Hop. In a memorable quote from the James Baldwin documentary I am Not Your Negro, he explains that he was a ‘witness’ to the political events that shaped his work. The film is based on a book he was writing about Malcolm X, Martin Luther King and Medgar Evers. Unlike those three he was not a leader in any organisation, and he did not pay with his life for his commitment. Baldwin was on the side-lines, linked in but not fully part of the movements. This is not to belittle or downplay Baldwin’s role, but to recognise it. Artists document the political moment, they do not create it. It is a vital role, but not a revolutionary one.

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## T — USFG

#### The TVA is the best way to create “black radicalism”

Moten 13, (Fred Moten, October 2013, “Blackness and Nothingness (Mysticism in the Flesh),” The South Atlantic Quarterly, Vol. 112, Issue 4, pp. 777-779, DOI:10.1215/00382876-2345261)

We should be no less forthright in recognizing that such positionality is the desire that Fanon admits, if only, perhaps, to disavow, when he conducts his philosophical investigations of the lived experience of the black. Two questions arise: Does he disavow it? Or is it, in its necessity, the very essence of what Wilderson calls “our black capacity to desire”? Certain things about the first few paragraphs of Fanon’s phenomenological analysis seem clearer to me now than when I was composing “The Case of Blackness” (Moten 2008). The desire to attain transcendental subjectivity’s self-regard is emphatic even if it is there primarily to mark an interdiction, an antagonism, a declivity, a fall into the deadly experiment that will have been productive of “a genuine new departure” (Fanon 2008: xii), the end of the world and the start of the general dispossession that will have been understood as cost and benefit. But that desire returns, as something like the residual self-image of the phenomenologist that he wants to but cannot be, to enunciate the (political) ontology he says is outlawed, in what he would characterize as the neurotic language of the demand, called, as he is, to be a witness in a court in which he has no standing, thereby requiring us to reconsider, by way of and beyond a certain Boalian turn, what it is to be a specta(c)tor. Elsewhere, I misleadingly assert, Fanon is saying that there is no and can be no black social life. I now believe he says that is all there can be (Moten 2008: 177). The antephenomenology of spirit that constitutes Black Skin, White Masks prepares our approach to sociological or, more precisely, sociopoetic grounding, as Du Bois, say, or later Walter Rodney would have it, by way of the description of the impossibility of political life, which is, nevertheless, at this moment and for much of his career, Fanon’s chief concern. The social life of the black, or of the colonized, is, to be sure, given to us in or through Fanon, often in his case studies, sometimes in verse, or in his narrative of the career of the revolutionary cadre. It is as if Fanon is there to remind us that the lunatic, the (revolutionary) lover, and the poet are of imagination all compact. They occupy and are preoccupied with a zone of the alternative, the zone of nonbeing (antic disposition’s tendency to cut and displace organic position) that asks and requires us to consider whether it is possible to differentiate a place in the sun, a promised land, a home—or merely a place and time—in this world, from the position of the settler. Is it possible to desire the something other than transcendental subjectivity that is called nothing? What if blackness is the name that has been given to the social field and social life of an illicit alternative capacity to desire? Basically, that is precisely what I think blackness is. I want it to be my constant study. I listen for it everywhere. Or, at least, I try to. If I read Sexton correctly, after trying to get underneath the generous severity of his lesson, he objects, rightly and legitimately, to the fact that in the texts he cites I have not sufficiently looked for it in the Afro-pessimistic texts toward which I have sometimes gestured. In the gestures I have made here I hope I have shown what it is that I have been so happy to find, that projection or relay or amplification carried out by the paraontological imagination that animates and agitates Afro-pessimism’s antiregulatory force. Black optimism and Afro-pessimism are asymptotic. Which one is the curve and which one is the line? Which is the kernel and which is the shell? Which one is rational, which one is mystical? It doesn’t matter. Let’s just say that their nonmeeting is part of an ongoing ~~manic depressive~~ episode called black radicalism / black social life. Is it just a minor internal conflict, this intimate nonmeeting, this impossibility of touching in mutual radiation and permeation? Can pessimists and optimists be friends? I hope so. Maybe that’s what friendship is, this bipolarity, which is to say, more precisely, the commitment to it. To say that we are friends is to say that we want to be friends. I want to try to talk about the nature and importance of the friendship I want, that I would like us to have, that we are about to have, that in the deepest sense we already more than have, which is grounded in and enabled by that commitment even as it is continually rethought and replayed by way of our differences from one another, which is held within and holds together our commonness. The difference has to do with the proper calibration of this bipolarity. Sexton is right to suggest that the far too simple opposition between pessimism and optimism is off, and that I was off in forwarding it, or off in forwarding an imprecision that made it seem as if I were, having been seduced by a certain heuristic and its sound, thereby perhaps inadvertently seducing others into mistaking an alternating current for a direct one. The bipolarity in question is, at every instance, way too complicated for that, and I really want you to hear what we’ve been working on, this under-riff we’ve been trying to play, to study, to improvise, to compose in the hyperreal time of our thinking and that thinking’s desire. There is an ethics of the cut, of contestation, that I have tried to honor and illuminate because it instantiates and articulates another way of living in the world, a black way of living together in the other world we are constantly making in and out of this world, in the alternative planetarity that the intramural, internally differentiated presence—the (sur)real presence—of blackness serially brings online as persistent aeration, the incessant turning over of the ground beneath our feet that is the indispensable preparation for the radical overturning of the ground that we are under.

#### Rejection of political engagement is too pessimistic

Moten 13, (Fred Moten, October 2013, “Blackness and Nothingness (Mysticism in the Flesh),” The South Atlantic Quarterly, Vol. 112, Issue 4, pp. 737-740, DOI:10.1215/00382876-2345261)

Just Friends

In the past decade, the most exciting and generative advance in black critical theory, which is to say critical theory, is the announcement and enactment of Afro-pessimism in the work of Frank B. Wilderson III and Jared Sexton. Black study such as theirs refreshes lines of rigorously antidisciplinary in(ter)vention, effecting intellectual renewal against academic sterility. When wardens of established disciplines and advocates of interdisciplinary reform fight to secure depleted sovereignty in and over the same depleted real estate—whose value increases as its desertification progresses; whose value is set by the new masters of another form of what Thomas Jefferson called silent profit—and when note of this false alternative is taken by those who offer nothing but a critique of the very idea of a true one, Wilderson and Sexton keep on pushing over the edge of refusal, driven by a visionary impetus their work requires and allows us to try to see and hear and feel. This essay is dedicated to Sexton’s and Wilderson’s work, out of love for the common project, out of love for such rigorous devotion to the common project, out of love for black people, out of love for blackness. I have thought long and hard, in the wake of their work, in a kind of echo of Bob Marley’s question, about whether blackness could be loved; there seems to be a growing consensus that analytic precision does not allow for such a flight of fancy, such romance, but I remain under the impression, and devoted to the impression, that analytic precision is, in fact, a function of such fancy. And this, perhaps, is where the tension comes, where it is and will remain, not in spite of the love but in it, embedded in its difficulty and violence, not in the impossibility of its performance or declaration but out of the exhaustion that is their condition of possibility. More to the point, if Afro-pessimism is the study of this impossibility, the thinking that I have to offer (and I think I’m as reticent about the term black optimism as Wilderson and Sexton are about Afro-pessimism, in spite of the fact that we make recourse to them) moves not in that impossibility’s transcendence but rather in its exhaustion. Moreover, I want to consider exhaustion as a mode or form or way of life, which is to say sociality, thereby marking a relation whose implications constitute, in my view, a fundamental theoretical reason not to believe, as it were, in social death. Like Curtis Mayfield, however, I do plan to stay a believer. This is to say, again like Mayfield, that I plan to stay a black motherfucker. Over the course of this essay, we’ll have occasion to consider what that means, by way of a discussion of my preference for the terms life and optimism over death and pessimism and in the light of Wilderson’s and Sexton’s brilliant insistence not only upon the preferential option for blackness but also upon the requirement of the most painstaking and painful attention to our damnation, a term I prefer to wretchedness, after the example of Miguel Mellino, not simply because it is a more literal translation of Fanon (though often, with regard to Fanon, I prefer the particular kinds of precision that follow from what some might dismiss as mistranslation) but also because wretchedness emerges from a standpoint that is not only not ours, that is not only one we cannot have and ought not want, but that is, in general, held within the logic of im/possibility that delineates what subjects and citizens call the real world (Mellino 2013). But this is to say, from the outset, not that I will advocate the construction of a necessarily fictive standpoint of our own but that I will seek to begin to explore not just the absence but the refusal of standpoint, to actually explore and to inhabit and to think what Bryan Wagner (2009: 1) calls “existence without standing” from no standpoint because this is what it would truly mean to remain in the hold of the ship (when the hold is thought with properly critical, and improperly celebratory, clarity). What would it be, deeper still, what is it, to think from no standpoint; to think outside the desire for a standpoint? What emerges in the desire that constitutes a certain proximity to that thought is not (just) that blackness is ontologically prior to the logistic and regulative power that is supposed to have brought it into existence but that blackness is prior to ontology; or, in a slight variation of what Chandler would say, blackness is the anoriginal displacement of ontology, that it is ontology’s anti- and ante-foundation, ontology’s underground, the irreparable disturbance of ontology’s time and space. This is to say that what I do assert, not against, I think, but certainly in apposition to Afro-pessimism, as it is, at least at one point, distilled in Sexton’s work, is not what he calls one of that project’s most polemical dimensions, “namely, that black life is not social, or rather that black life is lived in social death” (Sexton 2011b: 28). What I assert is this: that black life—which is as surely to say life as black thought is to say thought—is irreducibly social; that, moreover, black life is lived in political death or that it is lived, if you will, in the burial ground of the subject by those who, insofar as they are not subjects, are also not, in the interminable (as opposed to the last) analysis, “death-bound,” as Abdul JanMohamed (2005) would say. In this, however, I also agree with Sexton insofar as I am inclined to call this burial ground “the world” and to conceive of it and the desire for it as pathogenic. At stake, now, will be what the difference is between the pathogenic and the pathological, a difference that will have been instantiated by what we might think of as the view, as well as the point of view, of the pathologist. I don’t think I ever claimed, or meant to claim, that Afro-pessimism sees blackness as a kind of pathogen. I think I probably do, or at least hope that it is, insofar as I bear the hope that blackness bears or is the potential to end the world. The question concerning the point of view, or standpoint, of the pathologist is crucial but so is the question of what it is that the pathologist examines. What, precisely, is the morbid body upon which Fanon, the pathologist, trains his eye? What is the object of his “complete lysis” (Fanon 2008: xiv)? And if it is more proper, because more literal, to speak of a lysis of universe, rather than body, how do we think the relation between transcendental frame and the body, or nobody, that occupies, or is banished from, its confines and powers of orientation? What I offer here as a clarification of Sexton’s understanding of my relation to Afro-pessimism emerges from my sense of a kind of terminological dehiscence in Orlando Patterson’s (1982) work that emerges in what I take to be his deep but unacknowledged affinity with and indebtedness to the work of Hannah Arendt, namely, with a distinction crucial to her work between the social and the political. The “secular excommunication” that describes slavery for Patterson (1982: 5) is more precisely understood as the radical exclusion from a political order, which is tantamount, in Arendt’s formulation, with something on the order of a radical relegation to the social. The problem with slavery, for Patterson, is that it is political death, not social death; the problem is that slavery confers the paradoxically stateless status of the merely, barely living; it delineates the inhuman as unaccommodated bios. At stake is the transvaluation or, better yet, the invaluation or antivaluation, the extraction from the sciences of value (and from the very possibility of that necessarily fictional, but materially brutal, standpoint that Wagner [2009: 1] calls “being a party to exchange”). Such extraction will, in turn, be the very mark and inscription (rather than absence or eradication) of the sociality of a life, given in common, instantiated in exchange. What I am trying to get to, by way of this terminological slide in Patterson, is the consideration of a radical disjunction between sociality and the state-sanctioned, state-sponsored terror of power-laden intersubjectivity, which is, or would be, the structural foundation of Patterson’s epiphenomenology of spirit. To have honor, which is, of necessity, to be a man of honor, for Patterson, is to become a combatant in transcendental subjectivity’s perpetual civil war. To refuse the induction that Patterson desires is to enact or perform the recognition of the constitution of civil society as enmity, hostility, and civil butchery. It is, moreover, to consider that the unspoken violence of political friendship constitutes a capacity for alignment and coalition that is enhanced by the unspeakable violence that is done to what and whom the political excludes. This is to say that, yes, I am in total agreement with the Afro-pessimistic understanding of blackness as exterior to civil society and, moreover, as unmappable within the cosmological grid of the transcendental subject. However, I understand civil society and the coordinates of the transcendental aesthetic—cognate as they are not with the failed but rather with the successful state and its abstract, equivalent citizens—to be the fundamentally and essentially antisocial nursery for a necessarily necropolitical imitation of life. So that if Afro-pessimists say that social life is not the condition of black life but is, rather, the political field that would surround it, then that’s a formulation with which I would agree. Social death is not imposed upon blackness by or from the standpoint or positionality of the political; rather, it is the field of the political, from which blackness is relegated to the supposedly undifferentiated mass or blob of the social, which is, in any case, where and what blackness chooses to stay.

# 1NR

## PIK — McKenzie

#### **C —** **There’s nothing violent about debating the res** — topicality isn’t policing

Anderson 6 — Amanda Anderson, Caroline Donovan Professor of English Literature and Department Chair at Johns Hopkins University, Senior Fellow at the School of Criticism and Theory at Cornell University, holds a Ph.D. in English from Cornell University, 2006 (“Reply to My Critic(s),” *Criticism*, Volume 48, Number 2, Spring, Available Online to Subscribing Institutions via Project MUSE, p. 285-287)

Let's 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 [End Page 285] 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, Habermas's 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.

Let's 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 else's 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 [End Page 286] 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.