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### 1NC T—USFG

#### A. Interpretation—the aff has to defend USFG action on energy production incentives or restrictions—‘resolved’ means to enact a policy by law.

Words and Phrases 64 (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”.

#### B. Our interpretation is best—

#### 1. Predictability—ignoring the resolution opens up an infinite number of topics—this undermines our ability to have in-depth research on their arguments destroying the value of debate.

#### 2. Ground—the resolution exists to create fair division of aff and neg ground—any alternative framework allows the aff to pick a moral high ground that destroys neg offense.

#### 3. Education—academics must learn to engage the public’s line of thinking—abstract moralism without addressing how to get our policies passed is useless.

Isaac 2—Jeffrey Isaac, Professor of Political Science at Indiana University [Spring 2002, “Ends, Means, and Politics,” *Dissent*, http://www.dissentmagazine.org/article/?article=601]

What is striking about much of the political discussion on the left today is its failure to engage this earlier tradition of argument. The left, particularly the campus left—by which I mean “progressive” faculty and student groups, often centered around labor solidarity organizations and campus Green affiliates—has become moralistic rather than politically serious. Some of its moralizing—about Chiapas, Palestine, and Iraq—continues the third worldism that plagued the New Left in its waning years. Some of it—about globalization and sweatshops— is new and in some ways promising (see my “Thinking About the Antisweatshop Movement,” Dissent, Fall 2001). But what characterizes much campus left discourse is a substitution of moral rhetoric about evil policies or institutions for a sober consideration of what might improve or replace them, how the improvement might be achieved, **and what the likely costs**, as well as the benefits, **are of any reasonable strategy**. One consequence of this tendency is a failure to worry about methods of securing political support through democratic means or to recognize the distinctive value of democracy itself. It is not that conspiratorial or antidemocratic means are promoted. On the contrary, the means employed tend to be preeminently democratic—petitions, demonstrations, marches, boycotts, corporate campaigns, vigorous public criticism. And it is not that political democracy is derided. Projects such as the Green Party engage with electoral politics, locally and nationally, in order to win public office and achieve political objectives. But what is absent is a sober reckoning with the preoccupations and opinions of **the vast majority of Americans**, who are not drawn to vocal denunciations of the International Monetary Fund and World Trade Organization and **who do not believe that the discourse of “anti-imperialism” speaks to their lives**. Equally absent is critical thinking about why citizens of liberal democratic states—including most workers and the poor—value liberal democracy and subscribe to what Jürgen Habermas has called “constitutional patriotism”: a patriotic identification with the democratic state because of the civil, political, and social rights it defends. Vicarious identifications with Subcommandante Marcos or starving Iraqi children allow left activists to express a genuine solidarity with the oppressed elsewhere that is surely legitimate in a globalizing age. But these symbolic avowals are not an effective way of contending for political influence or power in the society in which these activists live. The ease with which the campus left responded to September 11 by rehearsing an all too-familiar narrative of American militarism and imperialism is not simply disturbing. **It is a sign of this left’s alienation from the society in which it operates** (the worst examples of this are statements of the Student Peace Action Coalition Network, which declare that “the United States Government is the world’s greatest terror organization,” and suggest that “homicidal psychopaths of the United States Government” engineered the World Trade Center attacks as a pretext for imperialist aggression. See http://www.gospan.org). Many left activists seem more able to identify with (idealized versions of) Iraqi or Afghan civilians than with American citizens, whether these are the people who perished in the Twin Towers or the rest of us who legitimately fear that we might be next. This is not because of any “disloyalty.” Charges like that lack intellectual or political merit. It is because of a debilitating moralism; because it is easier to denounce wrong than to take real responsibility for correcting it, easier to locate and to oppose a remote evil than to address a proximate difficulty. The campus left says what it thinks. But it exhibits little interest in how and why so many Americans think differently. The “peace” demonstrations organized across the country within a few days of the September 11 attacks—in which local Green Party activists often played a crucial role—were, whatever else they were, a sign of their organizers’ lack of judgment and common sense. Although they often expressed genuine horror about the terrorism, they focused their energy not on the legitimate fear and outrage of American citizens but rather on the evils of the American government and its widely supported response to the terror. Hardly anyone was paying attention, but they alienated anyone who was. This was utterly predictable. And that is my point. The predictable consequences did not matter. What mattered was simply the expression of righteous indignation about what is wrong with the United States, as if September 11 hadn’t really happened. Whatever one thinks about America’s deficiencies, it must be acknowledged that a political praxis preoccupation with this is foolish and self-defeating. The other, more serious consequence of this moralizing tendency is the failure to think seriously about global politics. The campus left is rightly interested in the ills of global capitalism. But politically it seems limited to two options: expressions of “solidarity” with certain oppressed groups—Palestinians but not Syrians, Afghan civilians (though not those who welcome liberation from the Taliban), but not Bosnians or Kosovars or Rwandans—and automatic opposition to American foreign policy in the name of anti-imperialism. The economic discourse of the campus left is a universalist discourse of human needs and workers rights; but it is accompanied by a refusal to think in political terms about the realities of states, international institutions, violence, and power. This refusal is linked to a peculiar strain of pacifism, according to which any use of military force by the United States is viewed as aggression or militarism. case in point is a petition circulated on the campus of Indiana University within days of September 11. Drafted by the Bloomington Peace Coalition, it opposed what was then an imminent war in Afghanistan against al-Qaeda, and called for peace. It declared: “Retaliation will not lead to healing; rather it will harm innocent people and further the cycle of violence. Rather than engage in military aggression, those in authority should apprehend and charge those individuals believed to be directly responsible for the attacks and try them in a court of law in accordance with due process of international law.” This declaration was hardly unique. Similar statements were issued on college campuses across the country, by local student or faculty coalitions, the national Campus Greens, 9- 11peace.org, and the National Youth and Student Peace Coalition. As Global Exchange declared in its antiwar statement of September 11: “vengeance offers no relief. . . retaliation can never guarantee healing. . . and to meet violence with violence breeds more rage and more senseless deaths. Only love leads to peace with justice, while hate takes us toward war and injustice.” On this view military action of any kind is figured as “aggression” or “vengeance”; harm to innocents, whether substantial or marginal, intended or unintended, is absolutely proscribed; legality is treated as having its own force, independent of any means of enforcement; and, most revealingly, “healing” is treated as the principal goal of any legitimate response. None of these points withstands serious scrutiny. A military response to terrorist aggression is not in any obvious sense an act of aggression, unless any military response—or at least any U.S. military response—is simply defined as aggression. While any justifiable military response should certainly be governed by just-war principles, the criterion of absolute harm avoidance would rule out the possibility of any military response. It is virtually impossible either to “apprehend” and prosecute terrorists or to put an end to terrorist networks without the use of military force, for the “criminals” in question are not law-abiding citizens but mass murderers, and there are no police to “arrest” them. And, finally, while “healing” is surely a legitimate moral goal, it is not clear that it is a political goal. Justice, however, most assuredly is a political goal. The most notable thing about the Bloomington statement is its avoidance of political justice. Like many antiwar texts, it calls for “social justice abroad.” It supports redistributing wealth. But criminal and retributive justice, protection against terrorist violence, or the political enforcement of the minimal conditions of global civility—these are unmentioned. They are unmentioned because to broach them is to enter a terrain that the campus left is unwilling to enter—the terrain of violence, a realm of complex choices and dirty hands. This aversion to violence is understandable and in some ways laudable. America’s use of violence has caused much harm in the world, from Southeast Asia to Central and Latin America to Africa. The so-called “Vietnam Syndrome” was the product of a real learning experience that should not be forgotten. In addition, the destructive capacities of modern warfare— which jeopardize the civilian/combatant distinction, and introduce the possibility of enormous ecological devastation—make war under any circumstances something to be feared. No civilized person should approach the topic of war with anything other than great trepidation. And yet the left’s reflexive hostility toward violence in the international domain is strange. It is inconsistent with avowals of “materialism” and evocations of “struggle,” especially on the part of those many who are not pacifists; it is in tension with a commitment to human emancipation (is there no cause for which it is justifiable to fight?); and it is oblivious to the tradition of left thinking about ends and means. To compare the debates within the left about the two world wars or the Spanish Civil War with the predictable “anti-militarism” of today’s campus left is to compare a discourse that was serious about political power with a discourse that is not. This unpragmatic approach has become a hallmark of post–cold war left commentary, from the Gulf War protests of 1991, to the denunciation of the 1999 U.S.-led NATO intervention in Kosovo, to the current post–September 11 antiwar movement. In each case protesters have raised serious questions about U.S. policy and its likely consequences, but in a strikingly ineffective way. They sound a few key themes: the broader context of grievances that supposedly explains why Saddam Hussein, or Slobodan Milosevic, or Osama bin Laden have done what they have done; the hypocrisy of official U.S. rhetoric, which denounces terrorism even though the U.S. government has often supported terrorism; the harm that will come to ordinary Iraqi or Serbian or Afghan citizens as a result of intervention; and the cycle of violence that is likely to ensue. These are important issues. But they typically are raised by left critics not to promote real debate about practical alternatives, but to avoid such a debate or to trump it. As a result, the most important political questions are simply not asked. It is assumed that U.S. military intervention is an act of “aggression,” but no consideration is given to the aggression to which intervention is a response. The status quo ante in Afghanistan is not, as peace activists would have it, peace, but rather terrorist violence abetted by a regime—the Taliban—that rose to power through brutality and repression. This requires us to ask a question that most “peace” activists would prefer not to ask: What should be done to respond to the violence of a Saddam Hussein, or a Milosevic, or a Taliban regime? What means are likely to stop violence and bring criminals to justice? Calls for diplomacy and international law are well intended and important; they implicate a decent and civilized ethic of global order. But they are also vague and empty, because they are not accompanied by any account of how diplomacy or international law can work effectively to address the problem at hand. The campus left offers no such account. To do so would require it to contemplate tragic choices in which moral goodness is of limited utility. Here what matters is not purity of intention but the intelligent exercise of power. Power is not a dirty word or an unfortunate feature of the world. It is the core of politics. Power is the ability to effect outcomes in the world. Politics, in large part, involves contests over the distribution and use of power. To accomplish anything in the political world, one must attend to the means that are necessary to bring it about. And to develop such means is to develop, and to exercise, power. To say this is not to say that power is beyond morality. It is to say that power is not reducible to morality. As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics—as opposed to religion—pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good” may engender impotence, it is often the pursuit of “good” that generates evil. This is the lesson of communism in the twentieth century: **it is not enough that one’s goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals** and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

#### C. Voting issue—resolving the topicality is a pre-condition for debate to occur.

Shively 2k—Ruth Lessl Shively, Assistant Prof Political Science, Texas A&M University [Partisan Politics and Political Theory, p. 181-2]

The requirements given thus far are primarily negative. The ambiguists must say "no" to-they must reject and limit-some ideas and actions. In what follows, we will also find that they must say "yes" to some things. In particular, they must say "yes" to the idea of rational persuasion. This means, first, that they must recognize the role of agreement in political contest, or the basic accord that is necessary to discord. The mistake that the ambiguists make here is a common one. The mistake is in thinking that agreement marks the end of contest-that consensus kills debate. But this is true only if the agreement is perfect-if there is nothing at all left to question or contest. In most cases, however, our agreements are highly imperfect. We agree on some matters but not on others, on generalities but not on specifics, on principles but not on their applications, and so on. And this kind of limited agreement is the starting condition of contest and debate. As John Courtney Murray writes: We hold certain truths; therefore we can argue about them. It seems to have been one of the corruptions of intelligence by positivism to assume that argument ends when agreement is reached. In a basic sense, the reverse is true. There can be no argument except on the premise, and within a context, of agreement. (Murray 1960, 10) In other words, **we cannot argue about something** if we are not communicating: **if we cannot agree on the topic and terms of argument** **or if we have utterly different ideas about what counts as evidence or good argument**. At the very least, we must agree about what it is that is being debated before we can debate it. For instance, one cannot have an argument about euthanasia with someone who thinks euthanasia is a musical group. One cannot successfully stage a sit-in if one's target audience simply thinks everyone is resting or if those doing the sitting have no complaints. Nor can one demonstrate resistance to a policy if no one knows that it is a policy. In other words, contest is **meaningless** if there is a lack of agreement or communication about what is being contested. Resisters, demonstrators, and **debaters** **must** have some shared ideas about the subject and/or the terms of their disagreements. The participants and the target of a sit-in must share an understanding of the complaint at hand. And a demonstrator's audience must know what is being resisted. In short, the contesting of an idea presumes some agreement about what that idea is and how one might go about intelligibly contesting it. In other words, contestation rests on some basic agreement or harmony.

#### And fairness comes first—absent fairness, debate as an activity would cease to exist.

Speice and Lyle 3 — Patrick Speice, Debater at Wake Forest University, and Jim Lyle, Director of Debate at Clarion University, 2003 (“Traditional Policy Debate: Now More Than Ever,” *Debater’s Research Guide*, Available Online at http://groups.wfu.edu/debate/ MiscSites/DRGArticles/SpeiceLyle2003htm.htm, Accessed 09-11-2005)

As with any game or sport, creating a level playing field that affords each competitor a fair chance of victory is integral to the continued existence of debate as an activity. If the game is slanted toward one particular competitor, the other participants are likely to pack up their tubs and go home, as they don’t have a realistic shot of winning such a “rigged game.” Debate simply wouldn’t be fun if the outcome was pre-determined and certain teams knew that they would always win or lose. The incentive to work hard to develop new and innovative arguments would be non-existent because wins and losses would not relate to how much research a particular team did. TPD, as defined above, offers the best hope for a level playing field that makes the game of debate fun and educational for all participants.

#### Fairness is a decision rule—it rigs the game and makes neutral evaluation by a judge impossible—their ability to pick the high ground is an inequality that ought to be eliminated.

Loland 2 [Sigmund, Professor of Sport Philosophy and Ethics at the Norwegian University of Sport and Physical Education, *Fair Play and Sport*, 95]

Rule violations are of several kinds. The long jumper who steps over the board has her jump measured longer than it really is. By illegally hitting a competitor on the arm, a basketball player ‘steals’ the ball and scores two points. I have argued that **without adhering to a** shared**, just ethos,** evaluations of performance **among competitors** become invalid**.** Advantages resulting from rule violations that are no part of such an ethos must be considered non-relevant **inequalities that ought to be** eliminated **or compensated for**. The argument is similar to that in the discussion of equality. This time, however, we are dealing not with external conditions, equipment, or support systems, but with **competitors’** **actions** **themselves**.

#### And constraints are more conducive to creative thinking—following the rules is key to argument innovation.

Gibbert et al. 7 — Michael Gibbert, Assistant Professor of Management at Bocconi University (Italy), et al., with Martin Hoeglis, Professor of Leadership and Human Resource Management at WHU—Otto Beisheim School of Management (Germany), and Lifsa Valikangas, Professor of Innovation Management at the Helsinki School of Economics (Finland) and Director of the Woodside Institute, 2007 (“In Praise of Resource Constraints,” *MIT Sloan Management Review*, Spring, Available Online at https://umdrive.memphis.edu/gdeitz/public/The%20Moneyball%20Hypothesis/Gibbert%20et%20al.%20-%20SMR%20(2007)%20Praise%20Resource%20Constraints.pdf, Accessed 04-08-2012, p. 15-16)

Resource constraints can also fuel innovative team performance directly. In the spirit of the proverb "necessity is the mother of invention," [end page 15] teams may produce better results because of resource constraints. Cognitive psychology provides experimental support for the "less is more" hypothesis. For example, scholars in creative cognition find in laboratory tests that subjects are most innovative when given fewer rather than more resources for solving a problem.

The reason seems to be that the human mind is most productive when restricted. Limited—or better focused—by specific rules and constraints, we are more likely to recognize an unexpected idea. Suppose, for example, that we need to put dinner on the table for unexpected guests arriving later that day. The main constraints here are the ingredients available and how much time is left. One way to solve this problem is to think of a familiar recipe and then head off to the supermarket for the extra ingredients. Alternatively, we may start by looking in the refrigerator and cupboard to see what is already there, then allowing ourselves to devise innovative ways of combining subsets of these ingredients. Many cooks attest that the latter option, while riskier, often leads to more creative and better appreciated dinners. In fact, it is the option invariably preferred by professional chefs.

The heightened innovativeness of such "constraints-driven" solutions comes from team members' tendencies, under the circumstances, to look for alternatives beyond "how things are normally done," write C. Page Moreau and Darren W. Dahl in a 2005 Journal of Consumer Research article. Would-be innovators facing constraints are more likely to find creative analogies and combinations that would otherwise be hidden under a glut of resources.

### K

#### All humans are inherently interconnected --- we share a common bond of consciousness and our identities only form through co-creation. This recognition must ground our reaction to domination and oppression. The affirmative’s challenge to white supremacy is rooted in dualism between self and other, white and black, colonizer and colonized. This denies the fundamental truth of interconnectedness and re-creates the oppression that the affirmative seeks to challenge. Only a shift in consciousness towards a politics of love can fundamentally transform society.

Michele Carrie Butot, 2004. B.Ed. University of Calgary, 1985; B.S.W. University of Calgary, 1988; MA Social Work University of Victoria. “Love as Ernancipatory Praxis: An Exploration of Practitioners' Conceptualizations of Love in Critical Social Work Practice,” Masters Thesis, Proquest Thesis and Dissertation Database.

Non-judging and non-interference in the Buddhist view do not imply non-engagement. In Chodron's discussion with hooks about Buddhism and working to end racism and sexism - hooks , a critical feminist and race analyst, struggles to know how to begin where she is and how the world is, and still have a vision of how it might be different. Chodron suggests it is less a situation of hoping for change (where there is too much hope, she contends, **one often begins to have a "strong sense of enemy" or 'other'**), but of aspiring to an end to suffering for all beings. She says: "I give up both the hope that something is going to change and the fear that it isn't. We may long to end suffering but somehow it paralyses us if we're too goal-oriented. Do you see the balance there?" (Chodron & hook, 1999, pp. 1-2). This is similar to the paradox we d hear participants &cuss in the interpretive chapter on critical practice, about hoping for change and spealung one's own truth without being attached to how the change ought to unfold, and without trying to change the other. Other critical-feminist Buddhst authors also take up the concept of aspiration towards change, along with non-interference and its implicit notion of engaged non-attachment. Klein (1996), for example, argues that: ... self-awareness and simple self-acceptance is the foundation of all practice. Buddhists call it mindfulness, and it involves among other things the ability to just see what is, without rushing in to criticize, enhance, or change. Just see. Just be. (p. 40) The ability to just be is basic and healing ... we have to start from where we are. And to do th we must accept the person we are at this very moment, in all its unglory, is the perfect place for us to start from. (p. 41) She also contends that it is crucial to be able to make effort toward something without at the same time belittling ourselves because t h has not yet been accomplished (p. 42). Thich Nhat Hanh is a Vietnamese Buddhist monk, teacher, writer and peace activist who embodies the principles he teaches. He suggests the need for "mindfulness, insight, and altruistic love as the only sustainable bases for political action" (Thich Nhat Ha&, 1993, p. 155). He was mentioned by two of the participants during our dialogues as someone who understood, stood for, and lived the principles about which we were speaking. Coincidentally, although I am not a Buddhist, and had not mentioned him to participants, h writings, which I had not reviewed for several years, were fundamental in my own early understandings of love in practice; and be1 hooks, whom I have cited extensively, considers him one of her key teachers. In his work on non-violent resistance to war, Thich Nhat Hanh (1993) discusses ahimsa, Sanskrit for 'non- harming', a concept also key in yoga philosophy. In parallel with Hart (l999), and participants who we will hear speak of the need for ongoing self-work before and alongside work with others, he states that ahimsa **must first be practiced in relation to oneself**, not as an achievable goal, but as a guide of the direction in which to proceed. His argument that "Among the three individual, society, and nature - it is the individual who begins to effect change" (p. 123) echoes the words of Chodron above. Thich Nhat Hanh (1993) adds another critical notion to this discussion, complicating the notion of intersubjectivity. In congruence with participants and other theorists who spoke of interconnection, he speaks of "interbeing" (1993, pp. 67-8; see also 1998, p. 134) as a holistic approach to activism. Through the practice of non-harming, he says, we can come to an understanding and experience of "interbeing", **recognizing the roots of violence and oppression in all of us, not just those termed the 'oppressor' or the 'enemy'** (p. 67). In concert with hooks, he suggests that **if we are able to recognize this intrinsic interconnection, we will naturally stop creating an 'other' to blame, argue with, harm, kill** (p. 68). In the concept of interbeing, we hear echoes of Ermine and Hart's (1999) 'interconnection' and 'enmeshment', and a connection point with Leonard's (2001) notion of a constant dialectical tension between interdependence and diversity. This notion of interbeing is absolutely key to my inquiry because it speaks eloquently to the apparent contradiction between the universal and the particular: "All phenomena are interdependent ... but if we truly realm! the interdependent nature of the dust, the flower, and the human being, we see that unity cannot exist without diversity. Unity and diversity interpenetrate each other freely. Unity is diversity, and diversity is unity. This is the principle of interbeing" W c h Nhat Hanh, 1993, p. 129). While he consciously connects Buddhist beliefs to ddferent faith tdtions, each of which he perceives as containing the 'elements' of each other (p. 136), and while he asserts that some concepts, such as the notion of 'no-enemy' is "enshrined in all the great spiritual, humanist, and religious traditions of the world" (pp. 143-4), he also sides with Baskin (2002) in her critique of the absence of spirituality in structwahst social work, saying: "We know there is no place for spiritdty in Marxism" (Thich Nhat Hanh, 1993, p. 57). In keeping with the Aboriginal belief, cited earlier in this conceptual chapter, and by participants in the next, of the intrinsic value of all beings, he states: "Each person is important. Each being is important. Each moment is important" (p. 99). As we will hear participants in later chapters discuss love as a guiding force, and non-judging and truth-telltng as coexistent, lhch Nhat Hanh, speaking of the juxtaposition of a strongly nonviolent stance andworking activelyfor peace and other justice issues, names compassion as a guide in knowing how to be and do (or not do) in each moment. "[In] confronting the situation and having compassion in our hearts, ways of acting c[o]me by themselves ... If you are alert and creative, you will know what to do and what not to don (p. 45). "In many circumstances, non-action can help a lot ... sometimes it is best not to say anything ... [but wlhen we see social injustice, if we practice nonaction, we may cause harm" (p. 69). Like Chodron, Thich Nhat Hanh (1993) suggests the possibility of movements for social justice **that do not dehumanize or demonize our oppressors and enemies**. The keys to social action he suggests are embodied deep listening, non-harming, loving kindness and discernment (pp. 68-71; see also 1998, p. 1 16). The recognition of interbeing, he asserts, is a way towards sustainability of the work for social and ecological justice (1993, p. 138). In her work on 'contemplation and transformation' hooks (1996) takes up contemplative engagement practices as congruent with a critical conceptualization of love and with the notion of interbeing. She conceptualizes love as beyond dualism, and makes a strong link between deep engagement and activism. Her work is so eloquent, and feels so critical to t h discussion that I cite some of the text here in detail as a ground from which to move into the rest of the inquiry: Love as an active practice - whether Buddhist, Christian, or Islamic mysticism - requires that one embraces being a lover, being in love with the universe ... To commit to love is fundamentally to commit to a life beyond dualism. That's why, **in a culture of domination, love** is so sacred. It **erodes dualisms** - the binary oppositions of black and white, male and female, right and wrong. Love transforms. (hooks, 1996, p. 287) She goes on to describe a loving stance as a way of dissolving dualities. In a loving stance, she argues, we recognize the complexity of life, and must come to our critical and political engagements both actively and from contemplative stdhess: If we are concerned with dissolving these apparent dualities we have to identify anchors to hold onto in the midst of fragmentation, in the midst of loss of grounding. My anchor is love. It is life-sustaining to understand that things are always more complex than they seem. This is what it means to see clearly. Such understanding is more useful and more difficult than the idea that there is a right and a wrong, or a good or bad, and you only have to decide what side you're on. In real love, real union or communion, there are no simple rules. (p. 289) Not only does she argue that love is life-sustaining, as we will hear participants agree later, hooks also suggests that it has the potential to lead us to deeper engagement and clarity in our work towards social justice. Participants will be heard to speak to this as well, suggesting that a loving stance demands that we engage deeply, and that such a loving stance requires the self-care and selfwork that hooks contends contemplation can provide. Love as a foundation also takes us more deeply into practice as action in the world ... love leads to a greater commitment and involvement with the world, not a turning away from the world. The wisdom I seek is that which enables us to know what is needed at a given moment in time. When do I need to reside in that location of stillness and contemplation, and when do I need to rise and do whatever is needed to be done in terms of physical work, or engagement with others, or confrontation with others? (p. 289) It is not useful to rank one type of action over the other. (hooks, 1996, p. 290) What is required, she concludes, and what love might provide to our work for social justice, **is a "fundamental shift in consciousness**": **A fundamental shift in consciousness is the only way to transform a culture of domination and oppression into one of love. Contemplation is the key to this shift**. There is no change without contemplation ... here [she is referring to the Buddha under the Bodhi tree] is an action taking place that may not q w r t o be a meaningful action. Yet it transforms. (p. 292, italics in original) Whether this shdt in consciousness is defined as spiritual is, I thmk a matter of preference for the practitioner, but the transformative relationship between love, critical practice and interconnection that hooks refers to is key it brings me back to the notions of intersubjectivity explored earlier.

#### Our alternative provides the best methodology for challenging dominant ideologies such as white supremacy. Ideologies are created as part of our collective effort to create stable “selves,” and embracing the “no-self” is the only way to break free from this dependence. Their social ethic will only end up re-creating binaries and oppressive ideologies.

Christopher Ives, May 2006. Department of Religious Studies, Stonehill College. “Not Buying into Words and Letters: Zen, Ideology, and Prophetic Critique,” Journal of Buddhist Ethics 13, <http://blogs.dickinson.edu/buddhistethics/files/2010/04/04_ZSE_Ives.pdf>.

In the traditional Buddhist scheme of the Eightfold Path, mindfulness and concentration foster awareness of and extrication from wrong views and detrimental mental states, thus cultivating insight into impermanence and the lack of any soul. More broadly, meditation serves to highlight and dissolve attachment to conceptual schemes that give one a sense of "self" and contribute to self-attachment, whether by describing oneself as right and good or by justifying one's self-interested judgments and actions. The Buddhist criticism of attachment to self-serving conceptualization is relevant to critiques of ideology, for as Buddhist ethicist Ken Jones has pointed out, "…ideology is about clinging to ideas for all one's worth" and "…ideologues take themselves very seriously."9 Drawing from earlier Buddhist critiques, Zen offers it own analysis of mental states and modes of experience that cause suffering. Historically, however, Zen has not extrapolated from its epistemological critique to ideology critique, from its particular psychological analysis of the human ego to a socio-political analysis of the collective ego, or as Zen thinker David Loy has termed it, the "wego."10 In part because of this, Zen institutions historically have remained fully embedded in East Asian societies, receiving patronage from ruling elites and accepting dominant social and political ideologies, especially Confucianism. Despite this institutional history, however, we do encounter Zen masters like Linji, who in the ninth century warned his students, "Don't be taken in by the deluded views of others."11 And in at least six respects the Zen 4 analysis of human suffering does imply certain foci—and the beginnings of a methodology—for ideology critique. First, Zen calls into question the binary thinking and dualistic mode of experience that is characteristic of most ideologies. The Third Patriarch Seng-can wrote, "To set up what you like against what you dislike, this is the disease of the mind,"12 and "Abide not with dualism; carefully avoid pursuing it; as soon as you have right and wrong, confusion ensues and Mind is lost."13 As Dōgen put it, "If the slightest dualistic thinking arises, you will lose your Buddha-mind,"14 and "Zazen is a practice beyond the subjective and objective worlds, beyond discriminating thinking."15 This criticism and the accompanying meditative praxis undermine attachment to dualistic categories and subverts the sense of oneself as standing apart from the world, of self versus other or "us" versus "them." It was along these lines that modern Zen thinker Hisamatsu Shin'ichi criticized modern nation-states as egos writ large, setting themselves up in opposition to other nation-states, with all the dualistic characterization and judgment of the other that is seen in relations between self-interested egos. In terms of ideology, the Zen critique of dualism points to a social ethic that **keeps a vigilant eye out for strict binaries, for representations of the world as, for example, a confrontation if not battle between good people and evil-doers**, between righteous believers and the Great Satan, **between those who are "with us" and those who are "against us."** Rejecting such essentialist, polarizing representations, a rigorous Zen ethic would advocate, in their stead, sophisticated analysis of the complex causes of events like 9/11. 5 Second, Zen psychological analysis and meditative discipline can serve to unmask and uproot fear, ignorance, greed ("like"), and ill-will ("dislike"), to clarify how such detrimental mental states color our experience and give concrete shape to our idiosyncratic expressions of fundamental self-attachment. Zen loosens the grip of these "poisons" and the accompanying constructs seen, for example, when the mind conceptualizes the object of its ill-will as an "infidel" or "terrorist," fully deserving of one's aversion and hatred. Zen thinkers and activists have begun to direct their gaze on ideologies that exacerbate ill-will or deepen our greed, such as consumerism with its claims about how the indulgence of desires and the acquisition of wealth and possessions lead to happiness. The Zen religious critique can also help unmask the greed that permeates politics and attune us to signs of fear at the collective level and the impulse to act on that fear, evident after 9/11 when U.S. military actions seemed at least partly aimed at overcoming feelings of fear and vulnerability by reestablishing a sense of American invulnerability and power (while also smacking of vengeance).16 Third, Zen marshals its own version of the overall Buddhist critique of clinging. With an eye toward prodding its practitioners to, as Dōgen put it, "drop off body-mind," Zen criticizes attachment to the anxious, fixated "self" that is epistemologically cut off from its objects of experience. This criticism **extends to our attachment to mental constructs and conceptual schemes** that prop up our sense of self and promote our interests. At the political level, this attachment manifests itself as tenacious adherence to ideologies. Zen teacher Thich Nhat Hanh and others in the Tiep Hien Order respond to this type of attachment in their set of fourteen precepts, the first and second of which in part read, 6 Aware of the suffering caused by fanaticism and intolerance, we are determined not to be idolatrous about or bound to any doctrine, theory, or ideology, even Buddhist ones…. Aware of the suffering created by attachment to views and wrong perceptions, we are determined to avoid being narrow-minded and bound to present views. We shall learn and practice non-attachment from views in order to be open to others' insights and experiences. We are aware that the knowledge we presently possess is not changeless, absolute truth….17 Fourth, grounded in the doctrines of interrelational arising (Skt. pratīitya-samutpāda) and emptiness (Skt. śūnyatā), Zen criticizes fixed, substantialist constructs, especially concerning the self and objects of attachment. Of course, this criticism is not unique to Zen, for the crux of the ignorance (Skt. avidyā) that works in concert with clinging to cause suffering is our tendency to perceive the world as constituted by separate, substantial, enduring things. Ken Jones notes how even ideas can be reified: "…ideology solidifies the objectivity of mere ideas into subjectively freighted articles of faith shaped to serve the believer's aspiration."18 The anti-substantialist orientation of Zen can prove useful in ideology critique insofar as it sensitizes us to the kind of reification that characterizes ideological representation, whether of "evil" as a substantial force operating in the world, or "our" inherently good, innocent, and peaceful nature as opposed to "their" inherently evil, 7 fanatical, and violent nature. I have written elsewhere about how this **reification of an "us" and a "them" as inherently "good" and "evil" exacerbates the dehumanization and demonization of enemies**.19 Representing them as ontologically evil, and perhaps insane if not bestial ("Mad Dog" Khaddafi), leaves us one step away from succumbing to exterminationist impulses. Fifth, Zen theory and practice, at least in principle, **help dissolve not only attachment to oneself and reified constructs and objects, but the fearful desire to be certain about things and to be right**, a variety of clinging usually accompanied by a fair measure of self-righteousness or arrogance. The epistemological openness of Zen, the admonition to cultivate "no mind" (mushin) or what some have termed "I don't know mind," promotes the ability to sit with ambiguity, to resist the desire to be certain and right. This can prove useful in avoiding a tendency Ken Jones has mapped: "Dogmatism solidifies into ideology. Ideology generates a telltale predictability in the literature of 'the movement.' Righteousness leads to the antithetical bonding of 'our movement,' providing its members with a reassuring belongingness identity, relieved of the ambivalence, uncertainty, and other disturbing challenges encountered on more exposed spiritual paths."20 In a sense, Zen practice can foster epistemological humility. At the socio-political level Zen might advocate cultivating the virtue of humility21 and engaging in criticism of the arrogance often exhibited by elites, zealous fundamentalists, and dominant superpowers. Sixth, Zen practice centers on the act of "just sitting," remaining motionless with no distractions, observing what arises in one's mind and, by extension, the surrounding world, seeing and feeling more vividly. This practice ostensibly generates 8 clearer perception of actuality, increasingly free from self-interest and bias, as conveyed by Zen textual references to seeing things in their "suchness" or "just as they are" (sono-mama). In this way Zen challenges the denial, distraction, and numbing seen in complacent acceptance of reigning ideologies, whether consumerism, representations of the United States as innocent and backed by God, or representations of the United States as a satanic force out to destroy Islam. This points to a Zen "prophetic" critique that would, for example, prod Americans to recognize unpleasant truths, such as how we have deployed rhetoric of protecting or spreading freedom and democracy to obscure and rationalize our pursuit of economic gain and in this and other ways have denied the uglier dimensions of our foreign policy and international business dealings. This type of critique would also prod us to discern how corporate control of mainstream media fosters ignor-ance of certain conditions and issues. In short, a rigorous Zen social ethic would call for the sustained praxis of criticizing representations, practices, and institutions that hinder our ability to see the world clearly, or at least as clearly as possible. In this article I have sketched how Zen theory and practice, especially concerning mental states, conceptualization, and modes of experience, provides resources for critiquing ideologies and overcoming entanglement in ideology. I am not claiming, however, that one can easily extrapolate from psycho-religious analysis and practice to political analysis and praxis. Nor, of course, am I arguing that Zen can provide an omniscient standpoint from which its adherents can perceive socio-political reality free from all perspectival interpretation and value judgment. Recognizing that 9 no critiques are free of ideologies of their own, Zen critics must acknowledge their own political and economic positioning. More importantly, although much of what I have sketched here concerns the significant ways in which Zen criticizes "wrong" views and can help unmask ideology and extricate us from it, a social ethic must also engage in the constructive work of articulating what might be "right" views or the "right" society. At the level of religious analysis, traditional Buddhism construes right views as insight into impermanence, interrelatedness, and no-soul, and Zen might emphasize insight into non-duality and suchness, but a Zen social ethic must take a step further and articulate what Zen might regard as right views—and right practices and institutions—in the social, political, and economic arenas. According to Ichikawa, the tradition needs to appropriate "the activity of the experimental intellect and the power of analysis and synthesis as a way to grasp, clarify, and solve problems."22 That is to say, it needs to find a proper place for critical analysis, judgment, and advocacy. On this basis Zen thinkers can begin to formulate a social ethic that is more faithful to core Buddhist values than the traditional de facto systems of Zen social ethics with all of the Confucian overlay and symbiosis with the state. Most Japanese Zen leaders, however, feel little impetus to take this step, for their focus, like in the past, is on training in monasteries, performing rituals, administering temples, and, insofar as they engage in any kind of analysis, studying Zen texts. While they were alive, Ichikawa Hakugen and Hisamatsu Shin'ichi were exceptions to this rule, and at present Thich Nhat Hanh and several other "engaged" Zen Buddhists have started advancing arguments about what might constitute an 10 optimal society and constructing, at least in broad strokes, formulations of Zen social ethics that may lead Zen in directions other than ideological co-optation and acceptance of the status quo.

#### Specifically, dualistic thinking is the root cause of white supremacy and racism. Attempts to challenge white supremacy with dualistic means of resistance only invert and maintain domination.

Rev. Alan Senauke, 8/23/1997. National Coordinator Buddhist Peace Fellowship. “On Race & Buddhism,” From a talk at the Berkeley Zen Center, http://www.purifymind.com/OnRace.htm.

Zen Master Dogen wrote "Gourd with its tendrils is entwined with gourd." This means we are all intimately bound up, wound up with each other. Truly inseparable. So this morning I would like to speak about the complexities of diversity, race, zen practice, and our community. Something we've been talking about at Buddhist Peace Fellowship, San Francisco Zen Center, here, and more and more around sanghas and centers in the United States. This is not just about "political correctness," it is about practice and awareness. I must confess that my own thoughts are not entirely clear, but I will try my best not to mislead you. If I sound critical, it is a voice of self-criticism. My own efforts have fallen short and I think we need to work on this together. So I will leave some time for discussion at the end. After six years of practice, homeless among householders, wayseekers, and teachers, the Buddha sat under the Bodhi Tree with the firm intention of awakening. After seven days of zazen he perceived the true nature of birth and death, the chain of causation and awakened to realization with the morning star. At that moment he spoke these words: "Wondrous! I now see that all beings everywhere have the wisdom and virtues of the enlightened ones, but because of misunderstandings and attachments they do not realize it." Allowing his understanding to ripen, allowing Bodhicitta, the mind of compassion to ripen, he took up the responsibilities of teaching, sharing his experience in a way that unlocked the mystery of our own experience. As the Buddha came to express it, "I simply teach about the nature of suffering and the end of suffering." This is a radical teaching, true to the meaning of radical, getting to the root. And his understanding that all beings everywhere have the wisdom and virtues of the enlightened ones leaves us with a great responsibility. As the wheel of Mahayana Dharma turned , our own Zen vehicle, that responsibility was further clarified by the Bodhisattva vow to save all beings. We constantly affirm this vow. And yet this vow was there from the beginning. Why else did the Buddha rise from the comfort and joy of enlightenment and freedom to teach? Why else did he offer teachings like the Metta Sutta, where he says:

May all beings be happy.

May they be joyous and live in safety.

All living beings, whether weak or strong,

in high or middle or low realms

of existence, small or great, visible or invisible,

near or far, born or to be born,

Let no one deceive another, nor despise any being in any state;

Let none by anger or hatred wish harm to another.

Even as a mother at the risk of her life watches over

and protects her only child,

so with a boundless mind should one cherish all living things,

suffusing love over the entire world, above, below,

and all around, without limit;

so let one cultivate an infinite good will toward the whole world.

And true to that teaching, he offered refuge to everyone he met on the path. Kings and paupers, ascetics and householders, people of all castes, brahmins , outcasts, and criminals. After some strenuous convincing, he even offered refuge to women. That's a long story in itself, not unrelated to the issue at hand today, suggesting that patriarchy has deep roots running through many if not most cultures. Taking refuge means committing your life to waking up, to taking on the problem of suffering and the end of suffering for all beings and ourselves. This is what zazen is about. Sitting upright in stillness to see oneself in complete interdependence with all beings, with the rocks and trees and ocean and sky. The emptiness we so often talk about is not some kind of negative space. It is total interdependence. "Gourd with its tendrils entwined with gourd." True reality is empty of any one thing, empty of self because all things, **all people co-create each other**. Seeing through and beyond dualistic thinking is the direct experience of zazen. I undescore the word experience, because if it we are just caught by an idea or an idle wish, we slip back into the tide of duality. All of us have such experiences from moment to moment, time to time. A moment of merging with someone or something we love, a moment of doing something completely, a moment of losing oneself in just sitting. And at times in zazen we settle fully into the realm of nonduality and recognize that this is our true mind, our true state of being. All the great spiritual traditions express an understanding of this natural way of life. But the way we often live, by habit we see a world thoroughly conditioned by duality. Driven by doubt and fear, by a lack of trust in our true Mind, we see things as self and objects, as us and them, as other. It seems so hard to recognize the truth that Tibetan Buddhists preach: that every being was at one time my own mother. **The root of racism is denial of this truth.** It is about seeing people as other in a systematic way that is such an entrenched habit we are not usually aware of. I would underscore the word systematic, because as ideas like a virus in society they have a power that goes beyond individual like and dislike. Racism is a system of domination that is economic and political as well as personal. It runs deep in the oppressor and the oppressed alike, though the damage caused is different. Even though I have the privilege of a good education, middle class male upbringing, white skin, I find in myself deeply ingrained and systematic survival responses as someone born Jewish. Several years ago at a meeting of international Buddhist activists in Thailand I realized that in the first day I had figured out who (among the westerners) was Jewish. And even stranger I realizedthat all the Jews were doing the same thing and had "signified" to each other. We knew who each other was, and we were more comfortable for it. This, I am sure, is a pattern that goes back through centuries of being ghetto-ized, of being the other. It's not a genetic thing. I can remember my mother telling me how to watch out for myself. That some people would exclude and threaten me just for being Jewish. It's so deep that sometimes I find myself looking around the zendo and counting those I think are Jewish. Some of you may find yourself making a similar census. From talking with them, I know that people of color do this. And yet, let's where our Buddhism come from. Our ancestors come from India, China, and Japan. In June I visited Suzuki-Roshi's temple, Rinso-in and I walked in the graveyard where the old priests of the temple were buried. How amazing it is for Zen to leap oceans and cultures and be so generously offered to us. We should accept it humbly, recognizing the price of suffering paid to plant the Dharma seed here. And we owe it to our teachers and ourselves to share this practice with the same generosity and openmindedness. Keeping in mind that most Buddhists even in America don't look like me. They are Chinese, Japanese, Thai, Vietnamese, and so on. I come to Buddhism out of suffering. They come to Buddhism as a birthright. So how does it feel to come to Zen practice as a person of color? And they will come; they do come. My friend Sala Steinbach says an African-American woman at SFZC says, "If it is about liberation, people of color will be interested." They are. The Dalai Lama draws stadiums full of people in Mexico. In South America there are Zen and Tibetan teachers with very strong lay sanghas. So I ask my Asian, and Latino, and African-American friends about how it feels to come here, to San Francisco Zen Center or Spirit Rock. And I ask myself what feelings come up. Dogen suggests we take a step back to turn one's light inward and illuminate oneself. What I see there in myself is then reflected back into the world. The answer to how it feels to anyone largely depends on two further inter-related questions. First, does one feel safe and seen in the community? Are the conditions of your life acknowedged, welcomed, explored in the sangha? I suspect that this is sometimes yes, sometimes no. Thoughtless words can turn people from the temple and from the practice. I have seen this happen here and elsewhere. An offhand comment is made about the white, middle class makeup of the community with people of color sitting right there. Again, through the unintended eye of white supremacy (hard words, I know) people are made to feel invisible and uncounted. Maybe I should say something about white supremacy. It is a building block of racism, part of my blindness to my own privilege as a white man. It is at once personal and systematic. If one wants to see it, the practice of individual mindfulness, of turning our light inward needs to be blended dialogue with friends and sangha members who don't carry this very particular privilege. The same kinds of painful things happen if you are homosexual, or if because of injury or fact of birth you can't get up the steps of the temple. These blindnesses hurt and turn people away. That's what it might feel like from one side. On the other side, the Buddha's understanding is "all beings have the wisdom and virtues of the enlightened ones, but because of misunderstandings and attachments they do not realize it." This understanding is so precious that we are obligated to share it. I don't mean proselytizing, but keep in mind, the Buddha never stopped preaching Dharma. But now we have centers and institutions. To make zazen and Dharma available, we need to tell people they are welcome and invite them to practice with us. Already we are taking practice to jails and hospitals, to people who might not be able to come to us. The next obvious step is to find ways to open our doors to those who can come to us. I hear that some San Francisco churches have created a kind of covenant of "open congregation." This means that in their literature and at their services, classes, and events they make it known that they welcome people of color, gays and lesbians, and so on. Being pro-active rather than passive on questions of diversity and inclusion. This is necessary because in America, passivity means white supremacy. It's subtle and pervasive, conditioned by and conditioning our magazines, movies, tv, our clothing, all the things we buy. It is a virus infecting my mind as a person with so-called privilieges, and the mind of someone who might not have such privileges. Last week I was invited to talk about Buddhism and race to a diverse group of teenagers doing an interfaith social action internship in San Francisco. Now maybe I did a good job talking to them, but I was the first Buddhist choice that came to mind for the organizers. There is some irony in that. Buddhism in America gets defined as and by people like me. I have to watch myself carefully not to buy into this. But the wondeful thing about what the Buddha taught, what we can experience in zazen, is that each of us can go beyond duality. It can't be done just by reason and talk. We have to get the reality of the world deep in our bones and then bring it back out again into the world. We must make a lot of mistakes. Maybe like this talk. Suzuki Roshi said giving a talk is making a mistake on purpose. Make our mistakes, learn the lessons and go back at it. bell hooks, the African American scholar/practitioner writes about this in "Buddhist Women on the Edge": In a culture of domination, preoccupation with victimhood and identity is inevitable. I once believed that progressive people could analyze the dualities and dissolve them through a process of dialectical critical exchange. **Yet globally the resurgence of notions of ethnic purity, white supremacy, have led marginalized groups to cling to dualisms as a means of resistance**....The willingness to surrender to attachment to duality is present in such thinking. **It merely inverts the dualistic thinking that supports and maintains domination. Dualities serve their own interests**. What's alarming to me is to see so many Americans returning to those simplistic choices. People of all persuasions are feeling that if they don't have dualism, they don't have anything to hold on to. If we are concerned with dissolving these apparent dualities we have to identify anchors to hold on to in the midst of fragmentation, in the midst of a loss of grounding. My anchor is love.... I like to think that love and compassion are anchors of my practice. But they depend on mindfulness too. Zazen is rooted in mindfulness, breath after breath, thought after thought. This kind of training carries over into life outside the zendo. I try to uncover my own thought patterns. This is sometimes painful and embarrassing, but it is the essence of saving myself and all sentient beings. It is amazing to see the stories one can make up about other people, and how these stories are conditioned by race, or class, or privilege. Check it out for yourself. When you meet someone you consider different from yourself, do you think you know something about them? Would you think you know the same kinds of things about another white person or someone more like you? This is mindfulness practice, watching one's thoughts about race, or any kind of difference. And it is for our own sake. Not for the sake of political correctness. I think that this is where our personal practice begins. Then we can take it further into our extended communities. Ask your friends of color how they experience the practice and the community. This is entering the realm of not knowing, a little risky, but ultimately necessary. In the wider Buddhist community, it might mean making some excursions and visits to Asian Buddhist temples. They are friendly places. The same Dharma resides there, though it may take some different forms. We think nothing of going to restaurants featuring Asian cuisine. This is just another form of basic nourishment. Maybe when we have closely examined ourselves, and begun to look around and share our thoughts with others, then we have created the conditions for change. If our American society could take such steps, it would be the start of a wonderful, hopeful era. Could there be racial peace for the first time in history? This is no pipe dream. It is the Bodhisattva Vow, the working of our Way Seeking Mind. If each of us and the sanghas we cherish could nurture this process of mindfulness, the change could come much quicker. Compassion and peace could blossom in very surprising ways. And zazen would be a golden wind blowing across a meadow of wildflowers. How can we take up this work together. I welcome your thoughts.

#### Embracing the “no-self” also produces a sense of unity with all living things and brings the realization that violence against the other will always damage the self. This provides the foundation for global solidarity and nonviolence.

Dale Snauwaert, Fall 2009. Associate Professor of Educational Theory and Social Foundations of Education; Chair of the Department of Foundations of Education, University of Toledo. “The Ethics and Ontology of Cosmopolitanism: Education for a Shared Humanity,” Current Issues in Comparative Education 12.1, <http://www.tc.edu/cice/Issues/12.01/PDFs/12_01_Complete_Issue.pdf>.

Cosmopolitans assert the existence of a duty of moral consideration to all human beings on the basis of a shared humanity. What is universal in, and definitive of, cosmopolitanism is the presupposition of the shared inherent dignity of humanity. As Martha Nussbaum states: [Human good can] be objective in the sense that it is justifiable by reference to reasons that do not derive merely from local traditions and practices, but rather from features of humanness that lie beneath all local traditions and are there to be seen whether or not they are in fact recognized in local traditions. (Perry, 1998, p. 68) If a shared humanity is presupposed, and if humanity is understood to possess an equal inherent value and dignity, then a shared humanity possesses a fundamental moral value. If the fundamental moral value of humanity is acknowledged, then a universal duty of moral consideration follows, for to deny moral consideration to any human being is to ignore (not recognize) their intrinsic value, and thereby, to violate their dignity. The duty of moral consideration in turn morally requires nations and peoples to conduct their relations in accordance with ethical principles that properly instantiate the intrinsic value and dignity of a shared humanity. If valid, the fundamental aims of the education of citizens should be based upon this imperative. In order to further explicate this cosmopolitanism perspective, the philosophy of one of history’s greatest cosmopolitans, Mohandas K. Gandhi, is explored below. Reflections on Gandhi’s Cosmopolitan Philosophy While most commentators focus on Gandhi’s conception and advocacy of nonviolence, it is generally recognized that his core philosophical beliefs regarding the essential unity of humanity and the universal applicability of nonviolence as a moral and political ideal places Gandhi in the cosmopolitan tradition as broadly understood (Iyer, [1973] 1983; Kumar Giri, 2006). At the core of Gandhi’s philosophy are the interdependent values of Satya (Truth) and Ahimsa (nonviolence). Gandhi’s approach to nonviolent social transformation, Satyagraha, is the actualization in action of these two values (Bondurant, 1965; Iyer, [1973] 1983; Naess, 1974). Gandhi’s Satya is multifaceted. Its most fundamental meaning pertains to Truth as self-realization. Satya is derived from sat, Being. Truth is Being; realizing in full awareness one’s authentic Being. Truth, in this sense, is the primary goal of life. Gandhi writes:

What I want to achieve . . . is self-realization . . . I live and move and have my being in pursuit of that goal. All that I do by way of speaking and writing, and all my ventures in the political field are directed to this same end. (Naess 1974, p. 35) Self-realization, for Gandhi, requires “shedding the ego,” ”reducing one self to zero” (cited in Naess 1974, p. 37). The ego per se is not the real self; it is a fabrication. This egoic self must be transcended. As the egoic self loosens and one becomes increasingly self-aware, **one deepens the realization of one’s authentic being, and that being is experienced as unified with humanity and all living things**. Scholars normally understand human identity in terms of personality, which is a socially constructed self-concept constituted by a complex network of identifications and object relations. This construction is what we normally refer to as the ego or self-identity. Our egoic self-identity is literally a construction, based upon psychological identifications (Almaas, 1986a, 1986b; Batchelor, 1983). From this perspective, **the ego is a socially constructed entity**, ultimately a fabrication of the discursive formations of culture; from this point of view, the self is exclusively egoic. This perspective has its origins in the claim that consciousness is solely intentional: the claim that consciousness is always consciousness of some object. From this presupposition, the socially constructed, discursive nature of the self is inferred. If consciousness is solely intentional, then the self is a construction, and, if the self is a construction, then it is always discursive – a prediscursive self cannot exist. It can be argued, however, that intentionality itself presupposes pre-intentional awareness. A distinction can be made between intentional consciousness and awareness. Intentional consciousness presupposes awareness that is always implicit in intentional consciousness. If intentional consciousness does not presuppose a pre-intentional awareness, if there is only consciousness of, then there is always a knower-known duality, and that duality leads to an infinite regress. To be conscious of an object X, one has to be conscious of one’s consciousness of X, and one would have to be conscious of one’s consciousness of one’s consciousness of X, and one would have to be conscious of one’s consciousness of one’s consciousness of one’s consciousness of X . . . ad infinitum¾reductio ad absurdum. Therefore, there must be implicit in intentional consciousness a level of awareness that is pre-intentional, pre-discursive, and non-positional (Forman, 1999). To be conscious of anything presupposes pre-intentional self-awareness, and being pre-intentional, awareness must be in turn pre-discursive and non-positional (Almaas, 1986a, 1986b; Aurobindo, 1989, 2001; Batchelor, 1983; Buber, 1970; Forman, 1999; Fromm, 1976). When the ego is shed, a pre-discursive, nonpositional self-awareness is revealed. One can be reflexively aware of one’s consciousness. Gandhi held that pre-discursive self-awareness, the core of our being, is unified and interdependent with all living things. He writes: “I believe in the essential unity of man and, for that matter, of all that lives (Naess 1974, p. 43).” In an ontological sense, Gandhi maintains that Satya, Truth, is selfrealization, a realization of one’s self-awareness as essentially unified with and thereby existing in solidarity with all human beings and with all living things. Pre-discursive self-awareness is experienced as non-positional, and, being non-positional, it is unbounded; it exists as a field of awareness that is interconnected with all sentient beings. This state is an experience and is only known experientially. Therefore, the assertion of a shared humanity is based upon a common level of being. Human intentional consciousness is expressed in a vast plurality of cultural expressions; implicit within this plurality, existing as its ground, is a shared level of awareness of being that unites us. From the perspective of ontological Truth, nonviolence follows from the unity and interdependence of humanity and life; violence damages all forms of life, including one’s self. Nonviolence uplifts all. Gandhi writes:

I do not believe . . . that an individual may gain spiritually and those who surround him suffer. I believe in advaita (non-duality), I believe in the essential unity of man and, for that matter, of all that lives. Therefore, I believe that if one man gains spiritually, the whole world gains with him and, if one man falls, the whole world falls to that extent. (Naess 1974, p. 43)

In this experience, one becomes aware of the interrelated and interdependent nature of being. On an existential level, there exists a fundamental interconnection between one’s self and other beings. As Buber suggests, “we live in the currents of universal reciprocity (Buber, 1970, p. 67).” From the perspective of this experience—and this is a direct experience—to harm the other is to harm one’s self. From the perspective of existential interconnection, nonviolence, the essence of morality, rests upon an awareness of our fundamental interconnection.

#### Violence and extinction are inevitable absent this transformation.

Daisaku Ikeda, 2007. Buddhist philosopher and president of Soka Gokkai International. “Restoring the Human Connection: The First Step to Global Peace,”http://www.sgi-uk.org/resources/PeaceProposal2007.pdf.

The challenge of preventing any further proliferation of nuclear weapons is 8 just such a trial in the quest for world peace, one that cannot be achieved if we are defeated by a sense of helplessness. The crucial element is to ensure that any struggle against evil is rooted firmly in a consciousness of the unity of the human family, something only gained through the mastery of our own inner contradictions. It is this kind of reconfiguration of our thinking that will make possible a skilled and restrained approach to the options of dialogue and pressure. The stronger our sense of connection as members of the human family, the more effectively we can reduce to an absolute minimum any application of the hard power of pressure, while making the greatest possible use of the soft power of dialogue. Tragically, the weighting in the case of Iraq has been exactly the reverse. The need for such a shift has been confirmed by many of the concerned thinkers I have met. Norman Cousins (1915–90), the writer known as the “conscience of America” with whom I published a dialogue, stated with dismay in his work Human Options: “The great failure of education—not just in the United States but throughout most of the world—is that it has made people tribe-conscious rather than species-conscious.”8 Similarly, when I met with Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA), in November of last year, he declared powerfully: “… we continue to emphasize our differences instead of what we have in common. We continue to talk about ‘us’ versus ‘them.’ Only when we can start to talk about ‘us’ as including all of humanity will we truly be at peace….” In our correspondence, Joseph Rotblat posed the question, “Can we master the necessary arts of global security and loyalty to the human race?”9 Three months after writing these words to me, Dr. Rotblat passed away. I believe his choice to leave this most crucial matter in the form of an open question 9 was an expression of his optimism and his faith in humanity. When our thinking is reconfigured around loyalty to the human race—our sense of human solidarity—even the most implacable difficulties will not cause us to lapse into despair or condone the panicked use of force. It will be possible to escape the snares of such shortsighted thinking. We will be empowered to engage in the kind of persistent exertion that Max Weber viewed as the ideal of political action, and the door will be open to the formation of consensus and persuasion through dialogue. The function of anger When my mentor Josei Toda used the words “a devil incarnate, a fiend, a monster,” he was referring to a destructiveness inherent in human life. It is a function of this destructiveness to shred our sense of human solidarity, sowing the seeds of mistrust and suspicion, conflict and hatred. Those who would use nuclear weapons capable of instantaneously killing tens of millions of people exhibit the most desperate symptoms of this pathology. They have lost all sense of the dignity of life, having fallen prey to their own inner demons. Buddhism classifies the underlying destructive impulses that give rise to such behavior as “the three poisons” (Jpn: san-doku) of greed, anger and ignorance. “The world of anger” can be thought of as the state of life of those in whom these forces have been directed outward toward others. Buddhism analyzes the inner state of human life in terms of the following ten categories, or “worlds”: Hell, Hunger, Animality, Anger, Humanity, Rapture, Learning, Realization, Bodhisattva and Buddhahood. Together these worlds constitute an interpenetrating functional whole, referred to as the inherent ten worlds. It is the wisdom and compassion of the world of Buddhahood that bring out the most positive aspect of each of the other 10 worlds. In the Buddhist scriptures we find the statement “anger can function for both good and evil,”10 indicating that just and righteous anger, the kind essential for countering evil, is the form of the world of anger that creates positive value. The anger that we must be on guard against is that which is undirected and unrestrained relative to the other nine worlds. In this case, anger is a rogue and renegade force, disrupting and destroying all in its path. In this form, the world of anger is a condition of “always seeking to surpass, unable to countenance inferiority, disparaging others and overvaluing oneself.”11 When in the world of anger, we are always engaged in invidious comparisons with others, always seeking to excel over them. The resulting distortions prevent us from perceiving the world accurately; we fall easily into conflict, locking horns with others at the slightest provocation. Under the sway of such anger, people can commit unimaginable acts of violence and bloodshed. Another Buddhist text portrays one in the world of anger as “84,000 yojanas tall, the waters of the four oceans coming only up to his knees.”12 A yojana was a measure of distance used in ancient India; there are various explanations as to what the specific distance may be, but “84,000 yojanas” represents an immeasurable enormity. This metaphor indicates how the self-perception of people in the life-state of anger expands and swells until the ocean deeps would only lap their knees. The inner distortions twisting the heart of someone in this state prevent them from seeing things in their true aspect or making correct judgments. Everything appears as a means or a tool to the fulfillment of egotistical desires and impulses. In inverse proportion to the scale of this inflated arrogance, the existence of others—people, cultures, nature—appears 11 infinitely small and insignificant. It becomes a matter of no concern to harm or even kill others trivialized in this way. It is this state of mind that would countenance the use of nuclear weapons; it can equally be seen in the psychology of those who would advocate the use of such hideously cruel weapons as napalm, or, more recently, depleted uranium and cluster bombs. People in such a state of life are blinded, not only to the horrific suffering their actions wreak but also to the value of human life itself. For the sake of human dignity, we must never succumb to the numbing dehumanization of the rampant world of anger. When the atomic bomb was dropped on the city of Hiroshima, not only military personnel but also many scientists were thrilled by the “success” of this new weapon. However, the consciences of genuinely great scientists were filled with anguish. Einstein greeted this news with an agonized cry of woe, while Rotblat told me he was completely overcome with hopelessness. Their feelings were no doubt intensely resonant with the sentiments that motivated Josei Toda to denounce nuclear weapons. When Toda spoke of “declawing” the demonic nature of nuclear weapons, he had in mind the struggle to prevent the inner forces of anger from disrupting the ten worlds and going on an unrestrained rampage. He was calling for the steady and painstaking work of correctly repositioning and reconfiguring the function of anger in an inner world where wisdom and harmony prevail. This is the true meaning of “declawing.” For SGI members in particular it is thus vital we remember that not only our specific activities for peace and culture but the movement for “human revolution” based on the daily endeavor to transform our lives from within is a consistent and essential aspect of the historic challenge of nuclear disarmament and abolition. 12 **Unless we focus on this inner, personal dimension, we will find ourselves overwhelmed by the structural momentum of a technological civilization, which in a certain sense makes inevitable the birth of such demonic progeny as nuclear weapons**.

#### Our alternative allows for a non-adversarial reaction to domination that recognizes that oppression is bad for both the oppressed and the oppressor. This produces a more effective foundation for social ethics.

Ethan Mills, 2006. Department of Philosophy, University of New Mexico. “Review of Being Benevolence: The Social Ethics of Engaged Buddhism,” Journal of Buddhist Ethics 13, <http://blogs.dickinson.edu/buddhistethics/files/2010/04/mills-review.pdf>.

The movement known as Engaged Buddhism has emerged in the last several decades as one of the most original and fascinating developments in recent Buddhist history; therefore, it is fitting that a volume on the subject should be part of the Topics in Contemporary Buddhism Series, published by the University of Hawai'i Press. Sallie B. King, a specialist in the study of Engaged Buddhism, has previously co-edited an anthology that was more descriptive and informational in nature (Engaged Buddhism: Buddhist Liberation Movements in Asia, 1996). In this volume, however, King presents what may be the first book-length philosophical treatment of the social ethics underlying the movement as a whole, a task whose time has come given the movements influence in contemporary Buddhism. Concentrating on Asian Engaged Buddhists, including A. T. Ariyaratne, Aung San Suu Kyi, Buddhadasa Bhikkhu, the Dalai Lama and Thich Nhat Hanh, King notes that there are differences in idiom (e.g., Theravāda vs. Mahāyāna) and some differences of interpretation among Engaged Buddhists. However, the basic ethical structure of Engaged Buddhism can be summarized as an effort to put Buddhist concepts such as interdependence, loving-kindness, and compassion into action in social and/or political spheres as opposed to the rather individualistic, withdrawn outlook of some traditional forms of Buddhism. King's most prominent thesis, supported throughout the book, is that Engaged Buddhism is a native Buddhist reformist development. This is important, as Engaged Buddhism has often been dismissed as merely a product of Western influence rather than an authentically Buddhist movement. While it is true that many Engaged Buddhists adopt Western terminology such as talk about human rights or justice, King shows that this is always done via Buddhist interpretations and with Buddhist motivations. Thus, Engaged Buddhism is an organic outgrowth of the Buddhist tradition. Chapters two, three and four are concerned with the fundamentals of Engaged Buddhist ethics, while chapters five, six and seven apply these insights to human rights, nonviolence and justice and reconciliation respectively. Chapter two shows how Engaged Buddhists have reinterpreted classic features of Buddhist philosophy such as dependent origination, the four noble truths, and meditation techniques. Dependent origination proves to be one of the most important reinterpretations and King returns to it throughout the book. The idea here is that "… human beings are social beings—that is, each one of us lives in a condition of interdependence within society." (p. 13) This social interpretation proves to have dramatic and far-reaching effects on a large range of Engaged Buddhist theories from responsibility and punishment to nonviolence and economic justice. Chapter three places Engaged Buddhism in the context of debates about which Western ethical theory most closely resembles Buddhist ethics. King suggests that Engaged Buddhism exhibits features of several Western systems while showing the prevalence of such ideas as natural law, holism and **an outlook that is nonadversarial and pragmatic**. Chapter four shows how a holistic, socially interdependent theory of the relationship between the individual and society has emerged. Largely expanding on Engaged Buddhist interpretations of dependent origination and no-self, the most interesting discussion of the chapter focuses on a reaction to the Western debate between free will and determinism. King argues that neither the free will nor determinist positions are suitable and shows how Engaged 3 Journal of Buddhist Ethics Buddhists think about moral responsibility given their theories about causality, no-self and personal development. The more practically oriented chapters begin with a discussion of human rights, centered on the debate about whether human rights can be defended in an Asian Buddhist context (often referred to as the "Asian values debate"). While most Western interpretations of human rights are too individualistic and adversarial for Engaged Buddhism, some Engaged Buddhists have argued for the pragmatic necessity of human rights to end suffering, especially in countries such as Cambodia or Myanmar/Burma. Others have argued that human rights can be interpreted as **expressing a nonadversarial stance**, namely that violation of human rights is **morally good neither for the abused nor the abuser**. While acknowledging that all Engaged Buddhists promote nonviolence, chapter five details a spectrum of views from principled to pragmatic nonviolence, often along similar lines of nonviolence found outside of Buddhism. Aside from the more familiar views of personal nonviolence as developed in the tradition, the chapter includes an innovative discussion of the role of violence in the military and how Engaged Buddhists may or may not promote a defensive military force. In the chapter called "Justice/Reconciliation," King notes that Engaged Buddhists have tended not to use language of justice as much as that of human rights. However, she finds that almost all Engaged Buddhists are concerned with economic justice out of their efforts to promote equality and to eradicate the greed caused by economic models of perpetual growth and the suffering caused by extreme poverty. In terms of political justice, King suggests that Engaged Buddhists move more toward a model of reconciliation in which both sides of a conflict benefit. This does not mean, however, that Engaged Buddhists have no concepts of blame and punishment, as the section on criminal justice details. Here Engaged Buddhists opt for a rehabilitative model rather than a retributive model, although King adds that there is much work to be done to fully develop this model in Buddhist terms.

### Case

#### Whiteness isn’t a monolithic root cause---they shut off productive debate over solutions. [This evidence describes the necessity of debate]

**Shelby 7** – Tommie Shelby, Professor of African and African American Studies and of Philosophy at Harvard, 2007, We Who Are Dark: The Philosophical Foundations of Black Solidarity

**Others** might **challenge the distinction between** **ideological and structural causes of black disadvantage**, on the grounds that **we are rarely**, if ever, **able to** so **neatly separate these factors**, an epistemic situation that is only made worse by the fact that these causes interact in complex ways with behavioral factors. These distinctions, while perhaps straightforward in the abstract, are difficult to employ in practice. For example, **it would be** difficult, if not **impossible**, **for the members of a poor black community to determine** **with any accuracy** **whether their impoverished condition is due** **primarily to institutional racism**, the impact of past racial injustice, **the increasing technological basis of the economy**, **shrinking state budgets**, the vicissitudes of **world trade**, the ascendancy of **conservative ideology**, **poorly funded schools**, lack of personal initiative, **a violent drug trade** that deters business investment, **some combination of these factors**, **or some other explanation altogether**. Moreover, it is notoriously difficult to determine when the formulation of putatively race-neutral policies has been motivated by racism or when such policies are unfairly applied by racially biased public officials.¶ **There are** very real **empirical difficulties** **in determining the** **specific causal significance** **of the factors that create and perpetuate black disadvantage**; nonetheless, it is clear that these factors exist and that **justice will demand** **different practical remedies according to** **each factor's relative impact** **on blacks' life chances**. **We must acknowledge that our social world is complicated** and not immediately transparent to common sense, **and thus that** **systematic empirical inquiry**, **historical studies, and rigorous social analysis are required to reveal its systemic structure** and sociocultural dynamics. There is, moreover, no mechanical or infallible procedure for determining which analyses are the soundest ones. In addition, given the inevitable bias that attends social inquiry, legislators and those they represent cannot simply defer to social-scientific experts. We must instead rely on open public debate—among politicians, scholars, policy makers, intellectuals, and ordinary citizens—**with the aim of garnering** **rationally motivated** and informed **consensus**. And even if our practical decision procedures rest on critical deliberative discourse and thus live up to our highest democratic ideals, some trial and error through actual practice is unavoidable.¶ These difficulties and complications notwithstanding, a general recognition of the distinctions among the ideological and structural causes of black disadvantage could help blacks refocus their political energies and self-help strategies. **Attention to these distinctions might help** **expose the superficiality of theories** **that seek to** **reduce all the social obstacles that blacks face to** contemporary forms of racism or **white supremacy///**

. **A more** penetrating, **subtle, and empirically grounded** **analysis** **is needed to** **comprehend the causes of racial inequality and black disadvantage**. Indeed, these distinctions highlight the necessity to probe deeper to find the causes of contemporary forms of racism, as some **racial conflict may be a symptom of broader problems or recent social developments** (**such as immigration policy** or reduced federal funding for higher education).

## \*\*\* Block

### AT: W/M—we defend USFG action

#### FOR is exclusive—

Clegg 95—J.D., 1981 Yale Law School; the author is vice president and general counsel of the National Legal Center for the Public Interest. (Roger, “Reclaiming The Text of The Takings Clause,” 46 S.C. L. Rev. 531, Summer, lexis)

Even if it made no sense to limit the clause to takings "for public use"--and, as discussed below, it might make very good sense--that is the way the clause reads. It is not at all ambiguous. The prepositional phrase simply cannot be read as broadening rather than narrowing the clause's scope. Indeed, a prepositional phrase beginning with "for" appears twice more in the Fifth Amendment, and in both cases there is no doubt that the phrase is narrowing the scope of the Amendment. n20

#### Energy Production is contextual for each source.

EIA 12—U.S. Energy Information Administration [Online Glossary updated regularly, http://www.eia.gov/tools/glossary/index.cfm?id=A]

Energy production: See production terms associated with specific energy types.

#### The aff’s incentive isn’t exclusively FOR more electricity produced via fission in a reactor

EIA 12—U.S. Energy Information Administration [Online Glossary updated regularly, http://www.eia.gov/tools/glossary/index.cfm?id=A]

Nuclear electric power (nuclear power): Electricity generated by the use of the thermal energy released from the fission of nuclear fuel in a reactor.

#### Here’s a list of financial incentives—gives them a plethora of aff ground and mechanisms.

DSIRE 11—Database of State Incentives for Renewables and Efficiency [Glossary, http://www.dsireusa.org/glossary/]

DSIRE organizes incentives and policies that promote renewable energy and energy efficiency into two general categories -- (1) Financial Incentives and (2) Rules, Regulations & Policies -- and roughly 30 specific types of incentives and policies. This glossary provides a description of each specific incentive and policy type.

FINANCIAL INCENTIVES

Corporate Tax Incentives

Corporate tax incentives include tax credits, deductions and exemptions. These incentives are available in some states to corporations that purchase and install eligible renewable energy or energy efficiency equipment, or to construct green buildings. In a few cases, the incentive is based on the amount of energy produced by an eligible facility. Some states allow the tax credit only if a corporation has invested a minimum amount in an eligible project. Typically, there is a maximum limit on the dollar amount of the credit or deduction. In recent years, the federal government has offered corporate tax incentives for renewables and energy efficiency. (Note that corporate tax incentives designed to support manufacturing and the development of renewable energy systems or equipment, or energy efficiency equipment, are categorized as “Industry Recruitment/Support” in DSIRE.)

Grant Programs

States offer a variety of grant programs to encourage the use and development of renewables and energy efficiency. Most programs offer support for a broad range of technologies, while a few programs focus on promoting a single technology, such as photovoltaic (PV) systems. Grants are available primarily to the commercial, industrial, utility, education and/or government sectors. Most grant programs are designed to pay down the cost of eligible systems or equipment. Others focus on research and development, or support project commercialization. In recent years, the federal government has offered grants for renewables and energy efficiency projects for end-users. Grants are usually competitive.

Green Building Incentives

Green buildings are designed and constructed using practices and materials that minimize the impacts of the building on the environment and human health. Many cities and counties offer financial incentives to promote green building. The most common form of incentive is a reduction or waiver of a building permit fee. Several organizations issue certification for green buildings, including the U.S. Green Building Council (LEED certification), the Green Building Initiative (Green Globes certification), and the NAHB Research Center (National Green Building Certification). (Note that this category includes green building incentives that do not fall under other DSIRE incentive categories, such as tax incentives and grant programs.)

Industry Recruitment/Support

To promote economic development and the creation of jobs, some states offer financial incentives to recruit or cultivate the manufacturing and development of renewable energy systems and equipment. These incentives commonly take the form of tax credits, tax exemptions and grants. In some cases, the amount of the incentive depends on the quantity of eligible equipment that a company manufactures. Most of these incentives apply to several renewable energy technologies, but a few states target specific technologies, such as wind or solar. These incentives are usually designed as temporary measures to support industries in their early years. They commonly include a sunset provision to encourage the industries to become self-sufficient.

Loan Programs

Loan programs provide financing for the purchase of renewable energy or energy efficiency systems or equipment. Low-interest or zero-interest loans for energy efficiency projects are a common demand-side management (DSM) practice for electric utilities. State governments also offer low-interest loans for a broad range of renewable energy and energy efficiency measures. These programs are commonly available to the residential, commercial, industrial, transportation, public and/or non-profit sectors. Loan rates and terms vary by program; in some cases, they are determined on an individual project basis. Loan terms are generally 10 years or less. In recent years, the federal government has offered loans and/or loan guarantees for renewables and energy efficiency projects.

PACE Financing

Property-Assessed Clean Energy (PACE) financing effectively allows property owners to borrow money to pay for renewable energy and/or energy-efficiency improvements. The amount borrowed is typically repaid over a period of years via a special assessment on the owner's property. In general, local governments (such as cities and counties) that choose to offer PACE financing must be authorized to do so by state law.

Performance-Based Incentives

Performance-based incentives (PBIs), also known as production incentives, provide cash payments based on the number of kilowatt-hours (kWh) or BTUs generated by a renewable energy system. A "feed-in tariff" is an example of a PBI. To ensure project quality, payments based on a system’s actual performance are generally more effective than payments based on a system’s rated capacity. (Note that tax incentives based on the amount of energy produced by an eligible commercial facility are categorized as “Corporate Tax Incentives” in DSIRE.)

Personal Tax Incentives

Personal tax incentives include income tax credits and deductions. Many states offer these incentives to reduce the expense of purchasing and installing renewable energy or energy efficiency systems and equipment. The percentage of the credit or deduction varies by state, and in most cases, there is a maximum limit on the dollar amount of the credit or deduction. An allowable credit may include carryover provisions, or it may be structured so that the credit is spread out over a certain number of years. Eligible technologies vary widely by state. In recent years, the federal government has offered personal tax credits for renewables and energy efficiency.

Property Tax Incentives

Property tax incentives include exemptions, exclusions, abatements and credits. Most property tax incentives provide that the added value of a renewable energy system is excluded from the valuation of the property for taxation purposes. For example, if a new heating system that uses renewable energy costs more than a conventional heating system, the additional cost of the renewable energy system is not included in the property assessment. In a few cases, property tax incentives apply to the additional cost of a green building. Because property taxes are collected locally, some states have granted local taxing authorities the option of allowing a property tax incentive for renewables.

Rebate Programs

States, utilities and a few local governments offer rebates to promote the installation of renewables and energy efficiency projects. The majority of rebate programs that support renewables are administered by states, municipal utilities and electric cooperatives; these programs commonly provide funding for solar water heating and/or photovoltaic (PV) systems. Most rebate programs that support energy efficiency are administered by utilities. Rebate amounts vary widely by technology and program administrator.

Sales Tax Incentives

Sales tax incentives typically provide an exemption from, or refund of, the state sales tax (or sales and use tax) for the purchase of a renewable energy system, an energy-efficient appliance, or other energy efficiency measures. Several states have established an annual “sales tax holiday” for energy efficiency measures by annually allowing a temporary exemption – usually for one or two days – from the state sales tax.

RULES, REGULATIONS & POLICIES

Appliance/Equipment Efficiency Standards

Many states have established minimum efficiency standards for certain appliances and equipment. In these states, the retail sale of appliances and equipment that do not meet the established standards is prohibited. The federal government has also established efficiency standards for certain appliances and equipment. When both the federal government and a state have adopted efficiency standards for the same type of appliance or equipment, the federal standard overrides the state standard (even if the state standard is stricter).

Building Energy Codes

Building energy codes adopted by states (and some local governments) require commercial and/or residential construction to adhere to certain energy standards. While some government entities have developed their own building energy codes, many use existing codes (sometimes with state-specific amendments), such as the International Energy Conservation Code (IECC), developed and published by the International Code Council (ICC); or ASHRAE 90.1, developed by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). A few local building energy codes require certain commercial facilities to meet green building standards.

Contractor Licensing

Some states have adopted a licensing process for renewable energy contractors. Several states have adopted contractor licensing requirements for solar water heating, active and passive solar space heating, solar industrial process heat, solar-thermal electricity, and photovoltaics (PV). These requirements are designed to ensure that contractors have the necessary knowledge and experience to install systems properly. Solar licenses typically take the form of either a separate, specialized solar contractor’s license, or of a specialty classification under a general electrical or plumbing license.

Energy Efficiency Resource Standards (EERS)

Energy efficiency resource standards (EERS) are state policies that require utilities to meet specific targets for energy savings according to a set schedule. EERS policies establish separate reduction targets for electricity sales, peak electric demand and/or natural gas consumption. In most cases, utilities must achieve energy savings by developing demand-side management (DSM) programs, which typically provide financial incentives to customers to install energy-efficient equipment. An EERS policy is sometimes coupled with a state’s renewables portfolio standard (RPS). In these cases, energy efficiency is typically included as a lower-tier resource.

Energy Standards for Public Buildings

Many states and local governments, as well as the federal government, have chosen to lead by example by requiring new government buildings to meet strict energy standards. DSIRE includes policies that have established green building standards, energy-reduction goals, equipment-procurement requirements, and/or the use of on-site renewable energy. Many of these policies require that new government buildings (and renovated buildings, in some cases) attain a certain level of certification under the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) program. Equipment-procurement policies often mandate the use of the most efficient equipment, including equipment that meets federal Energy Star criteria. Policies designed to encourage the use of on-site renewables generally establish conditional requirements tied to life-cycle cost analysis.

Equipment Certification Requirements

Policies requiring renewable energy equipment to meet certain standards serve to protect consumers from buying inferior equipment. These requirements not only benefit consumers; they also protect the renewable energy industry by keeping substandard systems out of the market.

Generation Disclosure

Some states require electric utilities to provide their customers with specific information about the electricity that the utility supplies. This information, which generally must be shared with customers periodically, usually includes the utility's fuel mix percentages and emissions statistics. In states with restructured electricity markets, generation disclosure policies are designed to help consumers make informed decisions about the electricity and suppliers they choose. A few states that have not fully restructured their electricity markets require generation disclosure by utilities.

Green Power Purchasing Policies

Government entities, businesses, residents, schools, non-profits and others can play a significant role in supporting renewable energy by buying electricity from renewable resources, or by buying renewable energy credits (RECs). Many state and local governments, as well as the federal government, have committed to buying green power to account for a certain percentage of their electricity consumption. Green power purchases are typically executed through contracts with green power marketers or project developers, through utility green power programs, or through community aggregation.

Interconnection Standards

Interconnection standards specify the technical and procedural process by which a customer connects an electricity-generating to the grid. Such standards include the technical and contractual terms that system owners and utilities must abide by. State public utilities commissions typically establish standards for interconnection to the distribution grid, while the Federal Energy Regulatory Commission (FERC) has adopted standards for interconnection to the transmission level. Many states have adopted interconnection standards, but some states’ standards apply only to investor-owned utilities -- not to municipal utilities or electric cooperatives. (Several states have adopted interconnection guidelines, which are weaker than standards and generally apply only to net-metered systems.)

Line Extension Analysis

When a prospective customer requests electric service for a home or facility that is not currently served by the electric grid, the customer usually must pay a distance-based fee for the cost of extending power lines to the home or facility. In some cases, it is cheaper to use an on-site renewable energy system to meet a prospective customer’s electricity needs. A few states require utilities to provide information regarding renewable energy options when a line extension is requested.

Mandatory Utility Green Power Option

Several states require electric utilities to offer customers the option to buy electricity generated from renewable resources, commonly known as “green power.” Typically, utilities offer green power generated using renewable resources that the utilities own (or for which they contract), or they buy renewable energy credits (RECs) from a provider certified by a state public utilities commission.

Net Metering

For electric customers who generate their own electricity, net metering allows for the flow of electricity both to and from the customer – typically through a single, bi-directional meter. When a customer’s generation exceeds the customer’s use, electricity from the customer flows back to the grid, offsetting electricity consumed by the customer at a different time during the same billing cycle. In effect, the customer uses excess generation to offset electricity that the customer otherwise would have to purchase at the utility’s full retail rate. Net metering is required by law in most U.S. states, but these policies vary widely.

Public Benefit Funds

Most public benefit funds (PBFs) were developed by states during the electric utility restructuring era, in the late 1990s, to ensure continued support for renewable energy, energy efficiency and low-income energy programs. These funds are commonly supported through a very small surcharge on electricity consumption (e.g., $0.002/kWh). This charge is sometimes referred to as a "system benefits charge" (SBC). PBFs commonly support rebate programs, loan programs, research and development, and energy education programs.

Renewables Portfolio Standards (RPS)

Renewable portfolio standards (RPSs) require utilities to use renewable energy or renewable energy credits (RECs) to account for a certain percentage of their retail electricity sales -- or a certain amount of generating capacity -- according to a specified schedule. (Renewable portfolio goals are similar to RPS policies, but renewable portfolio goals are not legally binding.) Most U.S. states have established an RPS. The term “set-aside” or “carve-out” refers to a provision within an RPS that requires utilities to use a specific renewable resource (usually solar energy) to account for a certain percentage of their retail electricity sales (or a certain amount of generating capacity) according to a set schedule.

Solar & Wind Access Policies

Solar and wind access policies are designed to establish a right to install and operate a solar or wind energy system at a home or other facility. Some solar access laws also ensure a system owner’s access to sunlight. These laws may be implemented at both the state and local levels. In some states, access rights prohibit homeowners associations, neighborhood covenants and local ordinances from restricting a homeowner’s right to use solar energy. Easements, the most common form of solar access policy, allow for the rights to existing access to a renewable resource on the part of one property owner to be secured from an owner whose property could be developed in such a way as to restrict that resource. An easement is usually transferred with the property title. At the local level, communities use several policies to protect solar access, including solar access ordinances, development guidelines requiring proper street orientation, zoning ordinances that contain building height restrictions, and solar permits.

Solar & Wind Permitting Standards

Permitting standards can facilitate the installation of wind and solar energy systems by specifying the conditions and fees involved in project development. Some local governments have adopted simplified or expedited permitting standards for wind and/or solar. “Top-of-the-stack” permitting (or fast-track permitting) saves system owners and project developers time and money. Some states have capped fees that local governments may charge for a permit for a solar or wind energy system. In addition, some states have developed (or have supported the development of) model wind ordinances for use by local governments.

### AT: Predictability Bad

#### Modest predictability of procedural limits is worth potential substantive tradeoff. Topicality creates space for relevant debate.

Massaro 89—Toni Massaro Law @ Florida [Empathy, Legal Storytelling, and the Rule of Law: New Words, Old Wounds? 87 Mich. L. Rev. L/N]

Yet despite their acknowledgment that some ordering and rules are necessary, empathy proponents tend to approach the rule-of-law model as a villain. Moreover, they are hardly alone in their deep skepticism about the rule-of-law model. Most modern legal theorists question the value of procedural regularity when it denies substantive justice.52 Some even question the whole notion of justifying a legal decision by appealing to a rule of law, versus justifying the decision by reference to the facts of the case and the judges' own reason and expe-rience.53 I do not intend to enter this important jurisprudential de-bate, except to the limited extent that the "empathy" writings have suggested that the rule-of-law chills judges' empathic reactions. In this regard, I have several observations. My first thought is that the rule-of-law model is only a model. If the term means absolute separation of legal decision and "politics," then it surely is both unrealistic and undesirable.54 But our actual statutory and decisional "rules" rarely mandate a particular (unempathetic) response. Most of our rules are fairly open-ended**. "Relevance,"** "the best interests of the child," "undue hardship," "negligence," or "freedom of speech" - to name only a few legal concepts - hardly admit of precise definition or consistent, predictable application. Rather, they represent a weaker, but still constraining sense of the rule-of-law model. Most rules are **guidelines** that **establish** spheres of **relevant** **conversation**, **not** **mathematical** **formulas**. Moreover, legal training in a common law system emphasizes the indeterminate nature of rules and the significance of even subtle variations in facts. Our legal tradition stresses an inductive method of discovering legal principles. We are taught to distinguish different "stories," to arrive at "law" through experience with many stories, and to revise that law as future experience requires. Much of the effort of most first-year law professors is, I believe, devoted to debunking popular lay myths about "law" as clean-cut answers, and to illuminate law as a dynamic body of policy determinations constrained by certain guiding principles.55 As a practical matter, therefore, our rules often are ambiguous and fluid standards that offer **substantial room for varying interpretations**. The interpreter, usually a judge, may consult several sources to aid in decisionmaking. One important source necessarily will be the judge's own experiences -including the experiences that seem to determine a person's empathic capacity. In fact, much ink has been spilled to illuminate that our stated "rules" often do not dictate or explain our legal results. Some writers even have argued that a rule of law may be, at times, nothing more than a post hoc rationalization or attempted legitimization of results that may be better explained by extralegal (including, but not necessarily limited to, emotional) responses to the facts, the litigants, or the litigants' lawyers,56 all of which may go un-stated. The opportunity for contextual and empathic decisionmaking therefore already is very much a part of our adjudicatory law, despite our commitment to the rule-of-law ideal. Even when law is clear and relatively inflexible, however, it is not necessarily "unempathetic." The assumed antagonism of legality and empathy is belied by our experience in rape cases, to take one important example. In the past, judges construed the general, open-ended standard of "relevance" to include evidence about the alleged victim's prior sexual conduct, regardless of whether the conduct involved the defendant.57 The solution to this "empathy gap" was legislative action to make the law more specific - more formalized. Rape shield statutes were enacted that controlled judicial discretion and specifically defined relevance to exclude the prior sexual history of the woman, except in limited, justifiable situations.58 In this case, one can make a persuasive argument not only that the rule-of-law model does explain these later rulings, but also that obedience to that model resulted in a triumph for the human voice of the rape survivor. Without the rule, some judges likely would have continued to respond to other inclinations, and admit this testimony about rape survivors. The example thus shows that radical rule skepticism is inconsistent with at least some evidence of actual judicial behavior. It also suggests that the principle of legality is potentially most critical for people who are least understood by the decisionmakers - in this example, women - and hence most vulnerable to unempathetic ad hoc rulings. A final observation is that the principle of legality reflects a deeply ingrained, perhaps inescapable, cultural instinct. **We value some procedural regularity** - "law for law's sake" - because it lends stasis and structure to our often chaotic lives. Even within our most intimate relationships, we both establish "rules," and expect the other party to follow them.59 Breach of these unspoken agreements can destroy the relationship and hurt us deeply, regardless of the wisdom or "substantive fairness" of a particular rule. Our agreements create **expectations**, and their consistent application fulfills the expectations. The **modest** **predictability** that this sort of "formalism" provides actually **may encourage human relationships**.60

### 2NC—Fairness O/W Edu

#### Turn—Rules are key to fun.

Prensky 1—Marc Prensky, Internationally acclaimed speaker, writer, consultant, and designer in the critical areas of education and learning, Founder, CEO and Creative Director of games2train.com, former vice president at the global financial firm Bankers Trust, BA from Oberlin College, an MBA from Harvard Business School with distinction and master's degrees from Middlebury and Yale [“Fun, Play and Games: What Makes Games Engaging,” Digital Game-Based Learning, www.marcprensky.com/writing/Prensky%20-%20Digital%20Game-Based%20Learning-Ch5.pdf]

So fun — in the sense of enjoyment and pleasure — puts us in a relaxed, receptive frame of mind for learning. Play, in addition to providing pleasure, increases our involvement, which also helps us learn. Both “fun” and “play” however, have the disadvantage of being somewhat abstract, unstructured, and hard-to-define concepts. But there exists a more formal and structured way to harness (and unleash) all the power of fun and play in the learning process — the powerful institution of games. Before we look specifically at how we can combine games with learning, let us examine games themselves in some detail. Like fun and play, game is a word of many meanings and implications. How can we define a game? Is there any useful distinction between fun, play and games? What makes games engaging? How do we design them? Games are a subset of both play and fun. In programming jargon they are a “child”, inheriting all the characteristics of the “parents.” They therefore carry both the good and the bad of both terms. Games, as we will see, also have some special qualities, which make them particularly appropriate and well suited for learning. So what is a game? Like play, game, has a wide variety of meanings, some positive, some negative. On the negative side there is mocking and jesting, illegal and shady activity such as a con game, as well as the “fun and games” that we saw earlier. As noted, these can be sources of resistance to Digital Game-Based Learning — “we are not playing games here.” But much of that is semantic. What we are interested in here are the meanings that revolve around the definition of games involving rules, contest, rivalry and struggle. What Makes a Game a Game? Six Structural Factors The Encyclopedia Britannica provides the following diagram of the relation between play and games: 35 PLAY spontaneous play organized play (GAMES) noncompetitive games competitive games (CONTESTS) intellectual contests physical contests (SPORTS) Our goal here is to understand why games engage us, drawing us in often in spite of ourselves. This powerful force stems first from the fact that they are a form of fun and play, and second from what I call the six key structural elements of games: 1. Rules 2. Goals and Objectives 3. Outcomes & Feedback 4. Conflict/Competition/Challenge/Opposition 5. Interaction, and 6. Representation or Story. There are thousands, perhaps millions of different games, but all contain most, if not all, these powerful factors. Those that don’t contain all the factors are still classified as games by many, but can also belong to other subclasses described below. In addition to these structural factors, there are also important design elements that add to engagement and distinguish a really good game from a poor or mediocre one. Let us discuss these six factors in detail and show how and why they lead to such strong engagement. Rules are what differentiate games from other kinds of play. Probably the most basic definition of a game is that it is organized play, that is to say rule-based. If you don’t have rules you have free play, not a game. Why are rules so important to games? Rules impose limits – they force us to take specific paths to reach goals and ensure that all players take the same paths. They put us inside the game world, by letting us know what is in and out of bounds. What spoils a game is not so much the cheater, who accepts the rules but doesn’t play by them (we can deal with him or her) but the nihilist, who denies them altogether. Rules make things both fair and exciting. When the Australians “bent” the rules of the America’s Cup and built a huge boat in 1988, and the Americans found a way to compete with a catamaran, it was still a race — but no longer the same game.

#### And, Fun is key to education and knowledge retention.

Prensky 1—Marc Prensky, Internationally acclaimed speaker, writer, consultant, and designer in the critical areas of education and learning, Founder, CEO and Creative Director of games2train.com, former vice president at the global financial firm Bankers Trust, BA from Oberlin College, an MBA from Harvard Business School with distinction and master's degrees from Middlebury and Yale [“Fun, Play and Games: What Makes Games Engaging,” Digital Game-Based Learning, www.marcprensky.com/writing/Prensky%20-%20Digital%20Game-Based%20Learning-Ch5.pdf]

So what is the relationship between fun and learning? Does having fun help or hurt? Let us look at what some researchers have to say on the subject: “Enjoyment and fun as part of the learning process are important when learning new tools since the learner is relaxed and motivated and therefore more willing to learn.”6 "The role that fun plays with regard to intrinsic motivation in education is twofold. First, intrinsic motivation promotes the desire for recurrence of the experience… Secondly, fun can motivate learners to engage themselves in activities with which they have little or no previous experience." 7 "In simple terms a brain enjoying itself is functioning more efficiently." 8 "When we enjoy learning, we learn better" 9 Fun has also been shown by Datillo & Kleiber, 1993; Hastie, 1994; Middleton, Littlefield & Lehrer, 1992, to increase motivation for learners. 10 It appears then that the principal roles of fun in the learning process are to create relaxation and motivation. Relaxation enables a learner to take things in more easily, and motivation enables them to put forth effort without resentment.

#### b. Prevents rigorous testing—we need to research and isolate weaknesses of the aff.

Zappen 4—James Zappen, Professor of Language and Literature at Rensselaer Polytechnic Institute [“The Rebirth of Dialogue: Bakhtin, Socrates, and the Rhetorical Tradition,” p. 35-36]

Finally, Bakhtin describes the Socratic dialogue as a carnivalesque debate between opposing points of view, with a ritualistic crownings and decrownings of opponents. I call this Socratic form of debate a contesting of ideas to capture the double meaning of the Socratic debate as both a mutual testing of oneself and others and a contesting or challenging of others' ideas and their lives. Brickhouse and Smith explain that Socrates' testing of ideas and people is a mutual testing not only of others but also of himself: Socrates claims that he has been commanded by the god to examine himself as well as others; he claims that the unexamined life is not worth living; and, since he rarely submits to questioning himself, "it must be that in the process of examining others Socrates regards himself as examining his own life, too." Such a mutual testing of ideas provides the only claim to knowledge that Socrates can have: since neither he nor anyone else knows the real definitions of things, he cannot claim to have any knowledge of his own; since, however, he subjects his beliefs to repeated testing, he can claim to have that limited human knowledge supported by the "inductive evidence" of "previous elenctic examinations." This mutual testing of ideas and people is evident in the Laches and also appears in the Gorgias in Socrates' testing of his own belief that courage is inseparable from the other virtues and in his willingness to submit his belief and indeed his life to the ultimate test of divine judgment, in what Bakhtin calls a dialogue on the threshold. The contesting or challenging of others' ideas and their lives and their ritualistic crowning/decrowning is evident in the Gorgias in Soocrates' successive refutations and humiliations of Gorgias, Polus, and Callicles.

#### 4. Empiricism is on our side—an experimental debate tournament with no topic caused students to perceive a lack of educational value—this discouraged them from participating in debate—

#### The vast majority of students thought it was unfair.

Preston 3—Thomas Preston, Professor of communications at the University of Missouri-St. Louis [Summer 2003, “No-topic debating in Parliamentary Debate: Students and Critic Reactions,” http://cas.bethel.edu/dept/comm/npda/journal/vol9no5.pdf]

The study involved forty-three students and nine critics who participated in a parliamentary debate tournament where no topic was assigned for the fourth round debates. True to the idea of openness, no rules regarding the topic were announced; no topic, or written instructions other than time limits and judging instruction, were provided. In this spirit, the participants first provided anecdotal reactions to the no-topic debate, so that the data from this study could emerge from discussion. Second, respondents provided demographic data so that patterns could be compared along three dimensions. These dimensions, the independent variables for the student portion of the study, involved three items: 1) level of debate experience; 2) whether NPDA was the only format of parliamentary debate the students had experienced; and 3) whether students had participated in NDT or CEDA policy debate. Third, the questions were to determine how students rated the debates based on criteria for good debate-educational value, clash, and a fair division of ground. Students were also asked two general questions: whether they would try the no-topic debate again, and whether they liked the no-topic round. These questions constituted the dependent variables for the student study. Because the sample was small, descriptive statistical data were gathered from critics. Taking into account the experience of the critics, additional questions concerning items such as whether no-topic debating deepened discussion. Both students and critics were asked which side they thought the no-topic approach favored, and the students with NDT/ CEDA policy debating experience were asked if a no-topic debating season would be good for policy debate.For the objective items, critics and students were asked to circle a number between 1 and 7 to indicate the strength of reaction to each item (Appendix I and Appendix II). In scoring responses, the most favorable rating received the highest score of seven and the least favorable rating a score of one. In some instances, values that were circled on the sheet were reversed such that the most favorable reaction to that category received the higher score. Frequency distributions and statistics were then tabulated for each question, and the anecdotal remarks were tabulated. For the student empirical data, t-tests were conducted to determine whether overall debate experience, NPDA experience, or policy experience affected how the students reacted to an item. As a test for significance, p was set to less than or equal to .05. Finally, of the 43 responses, 35, or 81.4 per cent, felt that the no-topic debate skewed the outcome of the debate toward one side or the other. Of those responses, 32 (91.4 per cent of those indicating a bias, or 74.4 per cent of all respondents) indicated that the no-topic debate gave an advantage to the Government. Three (8.6 per cent of those indicating a bias, or 7.0 per cent of all respondents) indicated that the no-topic debate gave an advantage to the Opposition.

#### And, the experiment empirically proves our argument—people do quit debate because of a lack of rules, causing the activity to degenerate into chaos.

Preston 3—Thomas Preston, Professor of communications at the University of Missouri-St. Louis [Summer 2003, “No-topic debating in Parliamentary Debate: Students and Critic Reactions,” http://cas.bethel.edu/dept/comm/npda/journal/vol9no5.pdf]

For the overall student data, each the mean of each item was slightly below 4.0, but mostly, the kurtosis figures were negative, and the standard deviations high, indicating a bipolar response to each question. The frequency tables bear out strong negative reactions, but a number of positive reactions which tended to be less strong. On the one hand, a substantial number of students and critics felt very strongly that the experience was negative, with the mode=l for each item on the survey; however, on others, a substantial number of respondents rated aspects of the experience at 4 and above. The educational value had the highest central tendencies (mean=3.65, median=4.0, and mode=1.0), whereas the question over whether the students liked the experience was the lowest (mean=3.19, median=3.0, mode=1.0). Although there was a weak positive pole to the responses, those who had NDT/CEDA experience strongly opposed the idea of a no-topic year of debating in those organizations (mean=2.77, median =1.00, mode=1.00). cont. Reduced to absurdity, the notion of no rules for a debate tournament would result in chaos, bringing up an infinite regress into whether or not chaos is a good thing! At least on the surface, the results of this particular study would seem to discourage repeating this experiment as conducted for the present study. A number of participants may not want to return to the tournament because of the confusion and perceived lack of educational value. However, an exact representation and t-tests between results could help not only assess the validity and reliability of the instrument, but whether attitudes and perceptions have changed toward no-topic debating. Therefore, whereas Option III may seem to be out of the questions, benefits can still be gained from it in terms of studying the evolution of parliamentary debate form.

### AT: Fairness Rigged (Delgado)

#### We cannot assume a priori that their authors have a unique insight on reality

Hammersley 93—Prof. Education and Social Research at Centre for Childhood, Development and Learning at Open U [Martyn, British Journal of Sociology, “Research and 'anti-racism': the case of Peter Foster and his critics,” 44.3, 11-93, JSTOR]

The second view I want to consider is sometimes associated with versions of the first, but must be kept separate because it involves a quite distinctive and incompatible element. I will refer to this as standpoint theory. Here people's experience and knowledge is treated as valid or invalid by dint of their membership in some social category.'7 Here again Foster's arguments may be dismissed because they reflect his background and experience as a white, middle class, male teacher. However, this time the implication is that reality is obscured from those with this background because of the effects of ideology. By contrast, it is suggested, the oppressed (black, female and/or working class people) have privileged insight into the nature of society. This argument produces a victory for one side, not the stalemate that seems to result from relativism the validity of Foster's views can therefore be dismissed. But in other respects this position is no more satisfactory than relativism. We must ask on what grounds we can decide that one group has superior insight into reality. This cannot be simply because they declare that they have this insight; otherwise **everyone could make the same claim with the same legitimacy** (we would be back to relativism). This means that some other form of ultimate justification is involved, but what could this be? In the Marxist version of this argument the working class (or, in practice, the Communist Party) are the group with privileged insight into the nature of social reality, but it is Marx and Marxist theorists who confer this privilege on them by means of a dubious philosophy of history.l8 Something similar occurs in the case of feminist standpoint theory, where the feminist theorist ascribes privileged insight to women, or to feminists engaged in the struggle for women’s emancipation. l9 However, while we must recognize that people in different social locations may have divergent perspectives, giving them distinctive insights, it is not clear why we should believe the implausible claim that some people have privileged access to knowledge while others are blinded by ideology.

### AT: Must Learn About “x”

#### Topicality structurally mandates difference within debate -- this avoids the perpetuation of extremism and intolerance through enclaves of radical similarity.

Sunstein 2k—Cass Sunstein, Distinguished Professor of Jurisprudence and Professor of Political Science at University of Chicago [October 2000, “Deliberative Trouble? Why Groups Go to Extremes,” *Yale Law Journal*, 110 Yale L.J. 71, Lexis]

The central problem is that widespread error and social fragmentation are likely to result when like-minded people, insulated from others, move in extreme directions simply because of limited argument pools and parochial influences. As an extreme example, consider a system of one-party domination, which stifles dissent in part because it refuses to establish space for the emergence of divergent positions; in this way, it intensifies polarization within the party while also disabling external criticism. In terms of institutional design, the most natural response is to ensure that members of deliberating groups, whether small or large, will not isolate themselves from competing views - a point with implications for multimember courts, open primaries, freedom of association, and the architecture of the Internet. Here, then, is a plea for ensuring that deliberation occurs within a large and heterogeneous public sphere, and for guarding against a situation in which like-minded people wall themselves off from alternative perspectives.

#### The presence of only one view-point encourages enclaves spurring social fragmentation and intolerance.

Sunstein 2k—Cass Sunstein, Distinguished Professor of Jurisprudence and Professor of Political Science at University of Chicago [October 2000, “Deliberative Trouble? Why Groups Go to Extremes,” *Yale Law Journal*, 110 Yale L.J. 71, Lexis]

One of my largest purposes is to cast light on enclave deliberation as simultaneously a potential danger to social stability, a source of social fragmentation, and a safeguard against social injustice and unreasonableness. n14 Group polarization helps explain an old point, with [\*76] clear constitutional resonances, to the effect that social homogeneity can be quite damaging to good deliberation. n15 When people are hearing echoes of their own voices, the consequence may be far more than support and reinforcement. An understanding of group polarization thus illuminates social practices designed to reduce the risks of deliberation limited to like-minded people. Consider the ban on single-party domination of independent regulatory agencies, the requirement of legislative bicameralism, and debates, within the United States and internationally, about the value of proportional or group representation. Group polarization is naturally taken as a reason for skepticism about enclave deliberation and for seeking to ensure deliberation among a wide group of diverse people.