# 1NC

## off

1. “Resolved” before a colon reflects a legislative forum

Army Officer School ‘04

 (5-12, “# 12, Punctuation – The Colon and Semicolon”, http://usawocc.army.mil/IMI/wg12.htm)

The colon introduces the following: a.  A list, but only after "as follows," "the following," or a noun for which the list is an appositive: Each scout will carry the following: (colon) meals for three days, a survival knife, and his sleeping bag. The company had four new officers: (colon) Bill Smith, Frank Tucker, Peter Fillmore, and Oliver Lewis. b.  A long quotation (one or more paragraphs): In The Killer Angels Michael Shaara wrote: (colon) You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the Civil War]. (The quote continues for two more paragraphs.) c.  A formal quotation or question: The President declared: (colon) "The only thing we have to fear is fear itself." The question is: (colon) what can we do about it? d.  A second independent clause which explains the first: Potter's motive is clear: (colon) he wants the assignment. e.  After the introduction of a business letter: Dear Sirs: (colon) Dear Madam: (colon) f.  The details following an announcement For sale: (colon) large lakeside cabin with dock g.  A *formal* resolution, after the word "resolved:"

Resolved: (colon) That this council petition the mayor.

2. “USFG should” means the debate is solely about a policy established by governmental means

Ericson ‘03

(Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb *should*—the first part of a verb phrase that urges action. 3. An action verb to follow *should* in the *should*-verb combination. For example, *should adopt* here **means to put a** program or **policy into action though governmental means**. 4. A specification of directions or a limitation of the action desired. The phrase *free trade*, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the *affirmative side* in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

B. They claim to win the debate for reasons other than the desirability of topical action

C. You should vote negative:

Debate over a controversial point of action creates argumentative stasis—that’s key to avoid a devolution of debate into competing truth claims, which destroys the decision-making benefits of the activity

Steinberg, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, ‘8

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 45)

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007.

Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.

To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.

Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

Decisionmaking is the most portable skill—key to all facets of life and advocacy

Steinberg, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, ‘8

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 9-10)

After several days of intense debate, first the United States House of Representatives and then the U.S. Senate voted to authorize President George W. Bush to attack Iraq if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. Debate about a possible military\* action against Iraq continued in various governmental bodies and in the public for six months, until President Bush ordered an attack on Baghdad, beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition.

Meanwhile, and perhaps equally difficult for the parties involved, a young couple deliberated over whether they should purchase a large home to accommodate their growing family or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job. Each of these\* situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions.

Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making homes from committees to juries to the U.S. Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations.

We all make many decisions even- day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate CO vote for. paper or plastic, all present lis with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration?

Is the defendant guilty as accused? Tlie Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, TIMI: magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople. academics, and publishers. We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs?

The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates.

Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized.

Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others.

Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate.

Linking the ballot to a *should* question in combination with USFG simulation teaches the skills to organize pragmatic consequences *and* philosophical values into a course of action

Hanghoj 8

http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf

 Thorkild Hanghøj, Copenhagen, 2008

 Since this PhD project began in 2004, the present author has been affiliated with DREAM (Danish

Research Centre on Education and Advanced Media Materials), which is located at the Institute of

Literature, Media and Cultural Studies at the University of Southern Denmark. Research visits have

taken place at the Centre for Learning, Knowledge, and Interactive Technologies (L-KIT), the

Institute of Education at the University of Bristol and the institute formerly known as Learning Lab

Denmark at the School of Education, University of Aarhus, where I currently work as an assistant

professor.

 Joas’ re-interpretation of Dewey’s pragmatism as a “theory of situated creativity” raises a critique of humans as purely rational agents that navigate instrumentally through meansends- schemes (Joas, 1996: 133f). This critique is particularly important when trying to understand how games are enacted and validated within the realm of educational institutions that by definition are inscribed in the great modernistic narrative of “progress” where nation states, teachers and parents expect students to acquire specific skills and competencies (Popkewitz, 1998; cf. chapter 3). However, as Dewey argues, the actual doings of educational gaming cannot be reduced to rational means-ends schemes. Instead, the situated interaction between teachers, students, and learning resources are played out as contingent re-distributions of means, ends and ends in view, which often make classroom contexts seem “messy” from an outsider’s perspective (Barab & Squire, 2004). 4.2.3. Dramatic rehearsal The two preceding sections discussed how Dewey views play as an imaginative activity of educational value, and how his assumptions on creativity and playful actions represent a critique of rational means-end schemes. For now, I will turn to Dewey’s concept of dramatic rehearsal, which assumes that social actors deliberate by projecting and choosing between various scenarios for future action. Dewey uses the concept dramatic rehearsal several times in his work but presents the most extensive elaboration in Human Nature and Conduct: Deliberation is a dramatic rehearsal (in imagination) of various competing possible lines of action… [It] is an experiment in finding out what the various lines of possible action are really like (...) Thought runs ahead and foresees outcomes, and thereby avoids having to await the instruction of actual failure and disaster. An act overtly tried out is irrevocable, its consequences cannot be blotted out. An act tried out in imagination is not final or fatal. It is retrievable (Dewey, 1922: 132-3). This excerpt illustrates how Dewey views the process of decision making (deliberation) through the lens of an imaginative drama metaphor. Thus, decisions are made through the imaginative projection of outcomes, where the “possible competing lines of action” are resolved through a thought experiment. Moreover, Dewey’s compelling use of the drama metaphor also implies that decisions cannot be reduced to utilitarian, rational or mechanical exercises, but that they have emotional, creative and personal qualities as well. Interestingly, there are relatively few discussions within the vast research literature on Dewey of his concept of dramatic rehearsal. A notable exception is the phenomenologist Alfred Schütz, who praises Dewey’s concept as a “fortunate image” for understanding everyday rationality (Schütz, 1943: 140). Other attempts are primarily related to overall discussions on moral or ethical deliberation (Caspary, 1991, 2000, 2006; Fesmire, 1995, 2003; Rönssön, 2003; McVea, 2006). As Fesmire points out, dramatic rehearsal is intended to describe an important phase of deliberation that does not characterise the whole process of making moral decisions, which includes “duties and contractual obligations, short and long-term consequences, traits of character to be affected, and rights” (Fesmire, 2003: 70). Instead, dramatic rehearsal should be seen as the process of “crystallizing possibilities and transforming them into directive hypotheses” (Fesmire, 2003: 70). Thus, deliberation can in no way guarantee that the response of a “thought experiment” will be successful. But what it can do is make the process of choosing more intelligent than would be the case with “blind” trial-and-error (Biesta, 2006: 8). The notion of dramatic rehearsal provides a valuable perspective for understanding educational gaming as a simultaneously real and imagined inquiry into domain-specific scenarios. Dewey defines dramatic rehearsal as the capacity to stage and evaluate “acts”, which implies an “irrevocable” difference between acts that are “tried out in imagination” and acts that are “overtly tried out” with real-life consequences (Dewey, 1922: 132-3). This description shares obvious similarities with games as they require participants to inquire into and resolve scenario-specific problems (cf. chapter 2). On the other hand, there is also a striking difference between moral deliberation and educational game activities in terms of the actual consequences that follow particular actions. Thus, when it comes to educational games, acts are both imagined and tried out, but without all the real-life consequences of the practices, knowledge forms and outcomes that are being simulated in the game world. Simply put, there is a difference in realism between the dramatic rehearsals of everyday life and in games, which only “play at” or simulate the stakes and risks that characterise the “serious” nature of moral deliberation, i.e. a real-life politician trying to win a parliamentary election experiences more personal and emotional risk than students trying to win the election scenario of The Power Game. At the same time, the lack of real-life consequences in educational games makes it possible to design a relatively safe learning environment, where teachers can stage particular game scenarios to be enacted and validated for educational purposes. In this sense, educational games are able to provide a safe but meaningful way of letting teachers and students make mistakes (e.g. by giving a poor political presentation) and dramatically rehearse particular “competing possible lines of action” that are relevant to particular educational goals (Dewey, 1922: 132). Seen from this pragmatist perspective, the educational value of games is not so much a question of learning facts or giving the “right” answers, but more a question of exploring the contingent outcomes and domain-specific processes of problem-based scenarios.

Dialogue. Debate’s critical axis is a form of dialogic communication within a confined game space.

Unbridled affirmation outside the game space makes research impossible and destroys dialogue in debate

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http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf

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Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which the teacher never learns anything new from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth instructs someone who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

Dialogue is the biggest impact—the process of discussion precedes any truth claim by magnifying the benefits of any discussion

Morson 4

<http://www.flt.uae.ac.ma/elhirech/baktine/0521831059.pdf#page=331>

Northwestern Professor, Prof. Morson's work ranges over a variety of areas: literary theory (especially narrative); the history of ideas, both Russian and European; a variety of literary genres (especially satire, utopia, and the novel); and his favorite writers -- Chekhov, Gogol, and, above all, Dostoevsky and Tolstoy. He is especially interested in the relation of literature to philosophy.

A belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. This very process would be central. Students would sense that whatever word they believed to be innerly persuasive was only tentatively so: the process of dialogue continues.We must keep the conversation going, and formal education only initiates the process. The innerly persuasive discourse would not be final, but would be, like experience itself, ever incomplete and growing. As Bakhtin observes of the innerly persuasive word: Its creativity and productiveness consist precisely in the fact that such a word awakens new and independent words, that it organizes masses of our words from within, and does not remain in an isolated and static condition. It is not so much interpreted by us as it is further, that is, freely, developed, applied to new material, new conditions; it enters into interanimating relationships with new contexts. . . . The semantic structure of an innerly persuasive discourse is not finite, it is open; in each of the new contexts that dialogize it, this discourse is able to reveal ever newer ways to mean. (DI, 345–6) We not only learn, we also learn to learn, and we learn to learn best when we engage in a dialogue with others and ourselves. We appropriate the world of difference, and ourselves develop new potentials. Those potentials allow us to appropriate yet more voices. Becoming becomes endless becoming. We talk, we listen, and we achieve an open-ended wisdom. Difference becomes an opportunity (see Freedman and Ball, this volume). Our world manifests the spirit that Bakhtin attributed to Dostoevsky: “nothing conclusive has yet taken place in the world, the ultimate word of the world and about the world has not yet been spoken, the world is open and free, everything is in the future and will always be in the future.”3 Such a world becomes our world within, its dialogue lives within us, and we develop the potentials of our ever-learning selves. Letmedraw some inconclusive conclusions, which may provoke dialogue. Section I of this volume, “Ideologies in Dialogue: Theoretical Considerations” and Bakhtin’s thought in general suggest that we learn best when we are actually learning to learn. We engage in dialogue with ourselves and others, and the most important thing is the value of the open-ended process itself. Section II, “Voiced, Double Voiced, and Multivoiced Discourses in Our Schools” suggests that a belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. Teachers would not be trying to get students to hold the right opinions but to sense the world from perspectives they would not have encountered or dismissed out of hand. Students would develop the habit of getting inside the perspectives of other groups and other people. Literature in particular is especially good at fostering such dialogic habits. Section III, “Heteroglossia in a Changing World” may invite us to learn that dialogue involves really listening to others, hearing them not as our perspective would categorize what they say, but as they themselves would categorize what they say, and only then to bring our own perspective to bear. We talk, we listen, and we achieve an open-ended wisdom. The chapters in this volume seem to suggest that we view learning as a perpetual process. That was perhaps Bakhtin’s favorite idea: that to appreciate life, or dialogue, we must see value not only in achieving this or that result, but also in recognizing that honest and open striving in a world of uncertainty and difference is itself the most important thing. What we must do is keep the conversation going.

Dialogue is critical to affirming any value—shutting down deliberation devolves into totalitarianism and reinscribes oppression

Morson 4

http://www.flt.uae.ac.ma/elhirech/baktine/0521831059.pdf#page=331

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 Bakhtin viewed the whole process of “ideological” (in the sense of ideas and values, however unsystematic) development as an endless dialogue. As teachers, we find it difficult to avoid a voice of authority, however much we may think of ours as the rebel’s voice, because our rebelliousness against society at large speaks in the authoritative voice of our subculture.We speak the language and thoughts of academic educators, even when we imagine we are speaking in no jargon at all, and that jargon, inaudible to us, sounds with all the overtones of authority to our students. We are so prone to think of ourselves as fighting oppression that it takes some work to realize that we ourselves may be felt as oppressive and overbearing, and that our own voice may provoke the same reactions that we feel when we hear an authoritative voice with which we disagree. So it is often helpful to think back on the great authoritative oppressors and reconstruct their self-image: helpful, but often painful. I remember, many years ago, when, as a recent student rebel and activist, I taught a course on “The Theme of the Rebel” and discovered, to my considerable chagrin, that many of the great rebels of history were the very same people as the great oppressors. There is a famous exchange between Erasmus and Luther, who hoped to bring the great Dutch humanist over to the Reformation, but Erasmus kept asking Luther how he could be so certain of so many doctrinal points. We must accept a few things to be Christians at all, Erasmus wrote, but surely beyond that there must be room for us highly fallible beings to disagree. Luther would have none of such tentativeness. He knew, he was sure. The Protestant rebels were, for a while, far more intolerant than their orthodox opponents. Often enough, the oppressors are the ones who present themselves and really think of themselves as liberators. Certainty that one knows the root cause of evil: isn’t that itself often the root cause? We know from Tsar Ivan the Terrible’s letters denouncing Prince Kurbsky, a general who escaped to Poland, that Ivan saw himself as someone who had been oppressed by noblemen as a child and pictured himself as the great rebel against traditional authority when he killed masses of people or destroyed whole towns. There is something in the nature of maximal rebellion against authority that produces ever greater intolerance, unless one is very careful. For the skills of fighting or refuting an oppressive power are not those of openness, self-skepticism, or real dialogue. In preparing for my course, I remember my dismay at reading Hitler’s Mein Kampf and discovering that his self-consciousness was precisely that of the rebel speaking in the name of oppressed Germans, and that much of his amazing appeal – otherwise so inexplicable – was to the German sense that they were rebelling victims. In our time, the Serbian Communist and nationalist leader Slobodan Milosevic exploited much the same appeal. Bakhtin surely knew that Communist totalitarianism, the Gulag, and the unprecedented censorship were constructed by rebels who had come to power. His favorite writer, Dostoevsky, used to emphasize that the worst oppression comes from those who, with the rebellious psychology of “the insulted and humiliated,” have seized power – unless they have somehow cultivated the value of dialogue, as Lenin surely had not, but which Eva, in the essay by Knoeller about teaching The Autobiography of Malcolm X, surely had. Rebels often make the worst tyrants because their word, the voice they hear in their consciousness, has borrowed something crucial from the authoritative word it opposed, and perhaps exaggerated it: the aura of righteous authority. If one’s ideological becoming is understood as a struggle in which one has at last achieved the truth, one is likely to want to impose that truth with maximal authority; and rebels of the next generation may proceed in much the same way, in an ongoing spiral of intolerance.

Bell’s narrative is insufficient—only tying it to provisional improvements in the law and pragmatic policy change actualizes anti-racism—proves T version solves better

Delgado and Stefancic 89

DERRICK BELL'S CHRONICAL OF THE SPACE TRADERS: WOULD THE U.S. SACRIFICE

PEOPLE OF COLOR IF THE PRICE WERE RIGHT? Richard Delgado Jean Stefancic Derrick Bell's Chronicle of the Space Traders: Would the U.S. Sacrifice People of Color if the Price Were Right? Richard Delgado Seattle University School of Law Jean Stefancic Seattle University School of Law 1991 University of Colorado Law Review, Vol. 62, 1991 Seattle University School of Law Research Paper

One of the leading commentators on race in the United States, Richard Delgado has appeared on Good Morning America, the MacNeil-Lehrer Report, PBS, NPR, the Fred Friendly Show, and Canadian NPR. Author of over 150 journal articles and 27 books, his work has been praised or reviewed in The Nation, The New Republic, the New York Times, Washington Post, and Wall Street Journal. His books have won eight national book prizes, including six Gustavus Myers Awards for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination. Stanley Fish described his career and book, The Rodrigo Chronicles, in the following terms: “Richard Delgado is a triple pioneer. He was the first to question free speech ideology; he and a few others invented critical race theory; and he is both a theorist and an exemplar of the importance of storytelling in the workings of the law. This volume brings all of Delgado’s strengths together in a stunning performance.” Before joining the Seattle University faculty, Delgado spent fourteen years at the University of Colorado Law School as the Charles Inglis Thompson Professor of Law and five years at the University of Pittsburgh where he was University Distinguished Professor of Law & Derrick Bell Fellow. In his spare time, Delgado co-edits two book series, serves as consultant to government agencies, and enjoys discovering the neighborhoods of Seattle.

Bell's Chronicle is a classic Jeremiad--a tale aimed at making a powerful group aware of its

own iniquitous history and potential for more of the same. It aims at kindling conscience and

jarring complacency. It performs this function ably: its pessimistic message rings true. Yet,

people cannot live without hope, without signposts, without some indication that the future will

not be a continuation of the present. [FN48] Storytelling is essential for social movement,

precisely because it insists that our choice of narrative matters. [FN49]

It matters precisely because we are learning that the quest for a universal theory of law or

culture is fruitless but nevertheless continues. There is no one single Good, no single best law,

no single best way of governing ourselves. [FN50] There are only multiple perspectives; nothing

is static, our ideas are constantly evolving, we redefine ourselves without end. Microcosmic

goods--acts of kindness and compassion--may ultimately be all that we can have and know.

[FN51] If the law aims for these, it may accomplish more than it has in the past--when it

ignored particularity, overlooking concrete, demonstrable evil in the vain hope of finding a

universal Good.

## off

Space traders narrative is anti-Semitic—trivializes the roles of Jews in challenging racial oppression

Kozinksi, 97

(Judge on the United States Court of Appeals for the Ninth Circuit, “Bending The Law, 11/2, http://www.nytimes.com/books/97/11/02/reviews/971102.02kosinst.html?\_r=1)

Imagine, if you will, that space aliens land in the United States and offer ''untold treasure'' in exchange for surrendering all black citizens to them. What does white America do? It votes to accept the deal by overwhelming margins. So says the law professor Derrick Bell, who poses the question in an allegorical tale he calls ''The Space Traders.'' There is opposition, however. Jews condemn the trade as genocidal and organize the Anne Frank Committee to try to stop it. Empathy from another group that has suffered oppression? Not according to Bell. Instead, Jews worry that ''in the absence of blacks, Jews could become the scapegoats.'' Such parables pass for legal scholarship these days. Or rather, for a certain form of legal scholarship that Daniel A. Farber and Suzanna Sherry, both law professors at the University of Minnesota, identify as ''radical multiculturalism,'' an amalgam of legal ideas including critical race theory, radical feminism and ''gaylegal'' theory. ''Beyond All Reason'' is the anguished cry of two traditional liberals who have been mugged, not by reality but by their radical colleagues in the ivory tower. According to Farber and Sherry, the radical multiculturalists in the law schools **have taken an ax to the foundations of traditional academic dialogue -- things like objectivity, truth, merit, fairness and polite discourse.** For the radical legal thinkers, all these are tools that straight white males use to oppress those who are not. According to the critical race theorist Richard Delgado, merit standards are ''like white people's affirmative action . . . a way of keeping their own deficiencies neatly hidden while assuring only people like them get in.'' The feminist Catharine MacKinnon puts it more deftly: current standards reflect ''what white men value about themselves.'' Farber and Sherry patiently -- sometimes too patiently -- demonstrate how radical multiculturalism ultimately destroys the very values its proponents seek (or should seek) to promote. If truth does not exist, if merit is merely an expression of power, if there is no objective reality, then meaningful discourse is impossible and the hope of a just and equal society is a hoax. How, for example, can one respond to Prof. Patricia Williams's assertion that it doesn't matter whether Tawana Brawley was telling the truth or lying when she claimed she was kidnapped, raped, tortured and smeared with dog feces by white men? Either way, Williams says, Brawley was ''the victim of some unspeakable crime.'' The radical multiculturalists' views raise insuperable barriers to mutual understanding. Consider the ''Space Traders'' story. How does one have a meaningful dialogue with Derrick Bell? Because his thesis is utterly untestable, one quickly reaches a dead end after either accepting or rejecting his assertion that white Americans would cheerfully sell all blacks to the aliens. The story is also **a poke in the eye of American Jews, particularly those who risked life and limb by actively participating in the civil rights protests of the 1960's**. **Bell clearly implies that this was done out of tawdry self-interest.** Perhaps most galling is Bell's insensitivity in making the symbol of Jewish hypocrisy the little girl who perished in the Holocaust -- as close to a saint as Jews have. A Jewish professor who invoked the name of Rosa Parks so derisively would be bitterly condemned -- and rightly so.

Their deployment of Space Traders undermines their advocacy by fracturing coalitions---we can endorse the whole aff without the narrative as a better approach to solving oppression

Pyle, 99

(JD-Magna Cum Laude-Boston College Law School, Race, Equality and the Rule of Law: Critical Race Theory's Attack on the Promises of Liberalism, 40 B.C. L. Rev 787)

Third, race-crits are politically ineffective because they deliberately choose racialist rhetoric that alienates whites. n323 Unlike Dr. King, who extended his hand to whites and expressed his faith that they could redeem the promises of their ancestors, n324 race-crits give up on whites as slaves to bigotry. n325 Consider Bell's "Space Traders" story: in the year 2000, Bell posits, seventy percent of Americans would vote to send blacks away in spaceships if presented with the right benefit. n326 Jewish Americans would oppose the trade, he says, but not from principle. n327 They would fear that "in the absence of blacks, Jews could become the scapegoats." n328 Some rich whites would protest the deal, but only because they know that blacks deflect potential class-based [\*824] unrest by poor whites, who are pacified in the knowledge that they "at least, remained ahead of blacks." n329 In sum, Bell clearly implies, all whites are racist -- those who appear to stand up for minorities are only looking out for number one. n330 **It is hard to imagine how this story could inspire anything but frustration, dismay and resentment among white readers.** There is much to be done on behalf of minorities -- the criminal justice system, for example, screams for reform. n331 But like it or not, nothing can be accomplished in this country without widespread support from white Americans. **Name-calling and blame games like those of the race-crits can only make reforms less likely to occur**.

The alternative is to imagine the US saying no to the deal

Delgado and Stefancic 89

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By emphasizing different aspects of that experience, either outcome can be made to seem more likely. [FN6] Part I examines the plausibility of Bell's version. [FN7] History shows that when nonwhite populations have stood in the way of westward expansion, they have been summarily relocated or exterminated, a practice that has continued well into this century and would be easier to carry out in the time of Bell's parable. [FN8] His dire prediction has the ring of truth.

But a different ending is also possible. By highlighting other themes and events, Part II revises Bell's account to come to a different conclusion--the American people decisively reject the space trade. Hope and despair are thus poised on a knife's edge--the trade could go either way. Bell's brilliant allegory captures only part of our national potential. It draws on historical fact--in this sense it is disturbingly, shockingly “true.” But our culture may yet free itself from its racist legacy. A redemptive ending is just as possible. The future is still open. Nothing is foreclosed. [FN9]

## case

#### The trade is bad – they affirm a vision of people as money

Bell ignores every sign of progress

Clark, professor of law – Catholic University, ‘95

(Leroy D., 73 Denv. U.L. Rev. 23)

The major "setbacks," to which Professor Bell refers, were several United States Supreme Court cases which limited the scope of statutes prohibiting discrimination in employment, or which created proof problems for plaintiffs. n95 Congress passed a bill in 1991 which reversed all of the adverse decisions by the Court. n96 This history of Congressional repudiation of executive and judicial hostility to civil rights and, indeed, the extension of civil rights to new areas, is not noted in either of Professor Bell's two books. n97

Why, if society is as irremediably racist as Professor Bell alleges, can Congress, which constantly sounds out the public, confidently pass this wide range of pro-civil rights legislation? The answer is that the overwhelming majority of white Americans underwent attitude changes in the last thirty years, generally relinquishing crude or unadulterated racial prejudice. A majority of whites no longer believe in the racial inferiority of blacks, and believe blacks should not be discriminated against in employment, schools, and access to public and private accommodations. n98 Professor Bell's books contain no mention of the extensive opinion poll data showing less racial prejudice. Indeed, his books, especially Confronting Authority, portray the white public as massively, and often incomprehensibly and stupidly, committed to racism.

And his pessimism disables strategies for anti-racism

Pyle, 99

(JD-Magna Cum Laude-Boston College Law School, Race, Equality and the Rule of Law: Critical Race Theory's Attack on the Promises of Liberalism, 40 B.C. L. Rev 787)

Because evidence plays little role in the race-crits' description of black disadvantage, they feel no need to explain the economic and political progress of black Americans during the last thirty years. n61 Postmodern subjectivism allows race-crits to dismiss inconvenient facts [\*795] as suspect if they appear to support the "dominant" perspective. n62 Thus, Derrick Bell dismisses all criticism of CRT by whites as "a pathetically poor effort to regain a position of dominance." n63 He encourages racecrits, when criticized, to "consider the source. As to a response, a sad smile of sympathy may suffice." n64 Black scholars like Randall Kennedy, who dare dispute CRT's assertions, are tarred with an academic version of the "Uncle Tom" epithet. n65 For example, Paul Butler dismissed criticism of his call for race-based jury nullification with the insulting allegation that his critic (Kennedy) simply wanted to be an "honorary white." n66 Instead of civil discourse, race-crits substitute subjective, personal and even **fictitious "narratives" as evidence of the permanence and prevalence of racism**. n67 Public discourse, to race-crits, is just a clash of different "stories." n68 Indeed, "'rationalism' is itself just a particular kind of story" n69 which can be contradicted with non-rational "counterstories." n70 Unlike empirical research, however, the meaning, accuracy or representativeness of a personal story cannot be questioned without attacking the storyteller's identity, thereby confirming the critic's hostility to the victims of racism. n71 Questioning the race-crits' grip on reality, then, is not just disrespectful, it is oppressive. n72 [\*796] Critical race narratives cover a range of different scenarios. Some record fictional conversations between blacks who share the CRT perspective. n73 Others propound hypotheticals that reflect the race-crits' pessimism about race in the United States. n74 For example, in Derrick Bell's influential narrative "The Space Traders," n75 space aliens land in New Jersey in the year 2000 and offer to trade gold, technology and other untold treasure in return for all the nation's black citizens, who are to be taken away in the visitors' spaceships. n76 According to Bell's fiction, white America overwhelmingly accepts the deal, n77 the Supreme Court finds it constitutional n78 and the country's African Americans are taken away in chains, "as their forbears had arrived." n79 In sum, the race-crits' conception of race relations in America is **profoundly pessimistic.** n80 Because the race-crits paint such a bleak picture, they **rarely suggest strategies for overcoming white racial bigotry.** Racism, to race-crits, is all-pervasive and all-controlling; nothing can be done. Accordingly, Derrick Bell has no difficulty making the sweeping claim that black people will never gain full equality in this country. Even those herculean efforts we hail as successful will produce no more than temporary "peaks of progress," short-lived victories that slide into irrelevance as racial patterns adapt in ways that maintain white dominance. This is a hard-to-accept fact that all history verifies. n81

Multiple statistical measures prove a trend towards equality---this isn’t to say that everything is OK, but that falsifiable claims matter for assessing impacts AND that engagement can be effective

Currie 8

<http://www.american.com/archive/2008/november-11-08/the-long-march-of-racial-progress/>

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Measuring racial progress is all about perspective. Since Appomattox, the struggle for racial equality has seen triumphs and setbacks alike. On balance, however, the story of race relations in America is one of extraordinary change and transformation. According to Princeton historian James McPherson, the rate of black illiteracy dropped from roughly 90 percent in 1865 to 70 percent in 1880 and to under 50 percent in 1900. “From the perspective of today, this may seem like minimal progress,” McPherson wrote in his 1991 book, Abraham Lincoln and the Second American Revolution (a collection of essays). “But viewed from the standpoint of 1865 the rate of literacy for blacks increased by 200 percent in fifteen years and by 400 percent in thirty-five years.” McPherson also noted that the share of school-age black children attending school jumped from 2 percent in 1860 to 34 percent in 1880. “During the same period,” he said, “the proportion of white children of school age attending school had grown only from 60 to 62 percent.” In 1908, 100 years before the election of America’s first black president, there was a bloody race riot in Springfield, Illinois, which began when an angry mob surrounded a prison where a black man falsely accused of rape was being held. As columnist George Will has observed, “The siege of the jail, the rioting, the lynching, and mutilating all occurred within walking distance of where, in 2007, Barack Obama announced his presidential candidacy.” Over the past century, the racial attitudes of white Americans have undergone a sea change. The shift toward greater racial tolerance was driven by many factors, including blacks’ participation in World War II, the integration of professional sports and the military, and the civil rights movement. “Even as Americans were voting more conservatively in the 1980s, their views on race were becoming more liberal,” Wall Street Journal senior editor Jonathan Kaufman wrote recently. “More than three quarters of whites in 1972 told pollsters that ‘blacks should not push themselves where they are not wanted.’ Two-thirds of whites that same year said they opposed laws prohibiting racial discrimination in the sale of homes. Forty percent said whites had the right to live in segregated neighborhoods.” However, “By the end of 1980s, all those numbers had fallen markedly and [they] continued to fall through the following decades.” As University of Michigan sociologist Reynolds Farley points out in a new paper, there are now 41 African Americans serving in the House of Representatives, compared to only six when the Kerner Commission issued its famous report on race and poverty in 1968. During the years following the Kerner Report, “The slowly rising incomes of black men and the more rapidly rising incomes of black women produced an important economic change for African Americans,” Farley writes. “In 1996, for the first time, the majority of blacks were in the economic middle class or above, if that means living in a household with an income at least twice the poverty line.” According to Farley, “Only three percent of African Americans could be described as economically comfortable in 1968. That has increased to 17 percent at present. This is an unambiguous sign of racial progress: one black household in six could be labeled financially comfortable.” He notes that the black-white poverty gap “is much smaller now” than it was in the late 1960s. Residential and marriage trends are also encouraging. “The trend toward less residential segregation that emerged in the 1980s and accelerated in the 1990s continues in this century,” says Farley. Meanwhile, interracial marriage rates have increased dramatically. “At the time of the Kerner Report, about one black husband in 100 was enumerated with a white spouse. By 2006, about 14 percent of young black husbands were married to white women.”

Progressivism is possible, and it depends on effective decision-making, so T turns the case

Clark, professor of law – Catholic University, ‘95

(Leroy D., 73 Denv. U.L. Rev. 23)

I must now address the thesis that there has been no evolutionary progress for blacks in America. Professor Bell concludes that blacks improperly read history if we believe, as Americans in general believe, that progress--racial, in the case of blacks--is "linear and evolutionary." n49 According to Professor Bell, the "American dogma of automatic progress" has never applied to blacks. n50 Blacks will never gain full equality, and "even those herculean efforts we hail as successful will produce no more than temporary 'peaks of progress,' short-lived victories that slide into irrelevance." n51

Progress toward reducing racial discrimination and subordination has never been "automatic," if that refers to some natural and inexorable process without struggle. Nor has progress ever been strictly "linear" in terms of unvarying year by year improvement, because the combatants on either side of the equality struggle have varied over time in their **energies, resources, capacities, and** the quality of their plans. Moreover, neither side could predict or control all of the variables which accompany progress or non-progress; some factors, like World War II, occurred in the international arena, and were not exclusively under American control.

With these qualifications, and a long view of history, blacks and their white allies achieved two profound and qualitatively different leaps forward toward the goal of equality: the end of slavery, and the Civil Rights Act of 1964. Moreover, despite open and, lately, covert resistance, black progress has never been shoved back, in a qualitative sense, to the powerlessness and abuse of periods preceding these leaps forward. n52

Structural antagonism destroys progressivism and re-entrenches racism—we can acknowledge every problem with the status quo, but adopt a pragmatic orientation towards solutions

Clark, professor of law – Catholic University, ‘95

(Leroy D., 73 Denv. U.L. Rev. 23)

A Final Word

Despite Professor Bell's prophecy of doom, I believe he would like to have his analysis proven wrong. However, he desperately leans on a tactic from the past--laying out the disabilities of the black condition and accusing whites of not having the moral strength to act fairly. That is the ultimate theme in both of his books and in much of his law review writing. That tactic not only lacks full force against today's complex society, it also becomes, for many whites, an exaggerated claim that racism is the sole cause of black misfortunes. n146 Many whites may feel about the black condition what many of us may have felt about the homeless: dismayed, but having no clear answer as to how the problem is to be solved, and feeling individually powerless if the resolution calls for massive resources that we, personally, lack. Professor Bell's two books may confirm this sense of powerlessness in whites with a limited background in this subject, because Professor **Bell does not offer a single programmatic approach** toward changing the circumstance of blacks. He presents only startling, unanalyzed prophecies of doom, which will easily garner attention from a controversy-hungry media. n147

It is much harder to exercise imagination to create viable strategies for change. n148 Professor Bell sensed the despair that the average--especially average black--reader would experience, so he put forth rhetoric urging an "unremitting struggle that leaves no room for giving up." n149 His contention is ultimately hollow, given the total sweep of his work.

At some point it becomes dysfunctional to refuse giving any credit to the very positive abatements of racism that occurred with white support, and on occasion, white leadership. Racism thrives in an atmosphere of insecurity, apprehension about the future, and inter-group resentments. Unrelenting, unqualified accusations only add to that negative atmosphere. Empathetic and more generous responses are possible in an atmosphere of support, security, and a sense that advancement is possible; the greatest progress of blacks occurred during the 1960s and early 1970s when the economy was expanding. Professor Bell's "analysis" is really only accusation and "harassing white folks," and is undermining and destructive. There is no love--except for his own group--and there is a constricted reach for an understanding of whites. There is only rage and perplexity. No bridges are built--only righteousness is being sold.

A people, black or white, are capable only to the extent they believe they are. Neither I, nor Professor Bell, have a crystal ball, but I do know that creativity and a drive for change are very much linked to a belief that they are needed, and to a belief that they can make a difference. The future will be shaped by past conditions and the actions of those over whom we have no control. Yet it is not fixed; it will also be shaped by the attitudes and energy with which we face the future. Writing about race is to engage in a power struggle. It is a non-neutral political act, and one must take responsibility for its consequences. Telling whites that they are irremediably racist is not mere "information"; it is a force that helps create the future it predicts. If whites believe the message, feelings of futility could overwhelm any further efforts to seek change. I am encouraged, however, that the motto of the most articulate black spokesperson alive today, Jesse Jackson, is, "Keep hope alive!" and that much of the strength of Martin Luther King, Jr. was his capacity to "dream" us toward a better place.

Their thesis is wrong—dramatic change in living standards is possible despite racism

Alba 9

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Blurring the Color Line: The New Chance for a More Integrated America (Nathan I. Huggins Lectures)

Given such data, scholars who study ethnicity and race

incline toward the view that a durable ethno-racial order

exists in the United States, with whites occupying the top

position, African Americans at the bottom, and others

somewhere in between.10 One implication of such a

hierarchy is that many minority individuals find it difficult

to escape the social constraints imposed on the members of

their group, especially when they come from poor families

or those handicapped in other ways, as for instance by the

undocumented status of immigrant parents.

**Yet it may be a mistake to view our current ethno-racial**

**inequalities as enduring**. We know that fundamental

changes to ethno-racial cleavages can take place; this is

recorded in the history7 of assimilation, to which many

Americans point as proof of the ultimate openness of their

society. That such changes can occur even when racial

visibility is involved is indicated by the Asian-American

experience over the course of the twentieth century. When

the century opened, Asian Americans were racially

excluded from any meaningful participation in mainstream

American society. Asian immigrants were handicapped by

the racial bar in American citizenship law, which prevented

them from naturalizing as citizens; and legislation soon

blocked any further immigration from the "Orient." In

some states like California, marriages between Asian

Americans and whites were forbidden by

antimiscegenation laws. But during the second half of the

century7 Asian Americans broke free from their mooring in

a position of racial disadvantage and rose to high average

levels of education, occupational status, and income as well

as to widespread acceptability among white Americans.

Intermarriage rates, mainly with white American partners,

have soared to the point that about one of every7 two young

U.S.- born Asian Americans marries a non-Asian. This

change in status has not yet eclipsed all stereotypes about

Asian Americans, such as those of the "model minority,"

whose members are expected to be high achievers despite

their racial visibility, and of persons who are "forever

foreign" no matter how long their families have been in the

United States. But the changes have been profound,

nevertheless.11

In truth, the changes involved in assimilation can be

more radical than most Americans now appreciate, for

assimilation ultimately affects the way that group

differences are perceived. This sort of assimilation has had

an especially strong impact on some once-denigrated

European groups, such as Irish Catholics and those from

southern and eastern Europe. In order to appreciate the

magnitude of assimilatory change, which has caused the

distinctions based on different European origins to fade to

the point of near invisibility in much of social life, it is

important to recognize how our "eyes," our perceptions,

have been altered as a consequence. To view the

differences with the eyes of today is to view them

anachronistically because they have been reduced so

dramatically; we need to recover the perceptions of

witnesses of the time, if we are to have an appreciation of

what the distinctions meant, say, a century or more ago,

when the immigrations from Ireland or from southern and

eastern Europe were cresting. The historical record

provides abundant testimony that many native white

Americans saw the new immigrants as fundamentally

different kinds of human beings. The iconography that

visually represented these distinctions frequently depicted

the new immigrants as physically distinctive and

inherently inferior or undesirable. It depicted them, in

other words, as racially different.

#### Whiteness overtheorizes and underexplains violence

**Kolchin 2**, Professor of History at Delaware University, (Peter, “ Whiteness Studies: The New History of Race in America,” The Journal of American History, Vol. 89, No. 1 (Jun., 2002), pp. 154-173, JSTOR)

 The central question one must confront in evaluating whiteness studies is the salience of whiteness as an explanation for exploitation, injustice, and, more gener- ally, the American past. In addressing that question, the matter of context becomes crucial. Simply put, in making whiteness omnipresent, whiteness studies authors risk losing sight of contextual variations and thereby undermining the very understand- ing of race and whiteness as socially constructed.

 Nonhistorians are particularly prone to deprive whiteness of historical context. As Roediger notes in pointing to "tensions" within the field of whiteness studies, "much cultural studies work in the area lacks historical grounding and ignores or miscon- ceives the emphasis on class relations common among historians of whiteness." In Scenes of Subjection, for example, the literary scholar Saidiya V. Hartman portrays white racism as a constant unaffected by any change in the social order, including "the nonevent of emancipation," and sees virtually everything done to or for African Americans as an expression of that racism. A similar inattention to context underlies Brodkin's attribution of American prejudice against Jews (their "temporary darken- ing") to the desire to exploit them as industrial laborers, without bothering to place that prejudice in the framework of the long European history of anti-Semitism-an anti-Semitism that was not always rooted in economic interest and did not always require that Jews be seen as nonwhite. Writing as if racism were a uniquely American illness, the American studies scholar George Lipsitz muses that "it must be the con- tent of our character.'19 But inattention to context bedevils many of the historians as well. In White Women's Rights, for example, one of the few historical works to examine the way whiteness shaped the experiences and behavior of women, Louise Michele Newman too often strays from her intriguing exploration of the impact on feminism of a par- ticular form of evolutionary racism and generalizes about the views of "white women," who resisted patriarchy for themselves but sought to impose it on "inferior" races. Pushing far beyond the sensible observation that most white feminists shared the racial prejudices common among whites in the late nineteenth and early twenti- eth centuries, she understates the range and complexity of feminist thought and argues that racism was "an integral, constitutive element" of feminism itself, or as she puts it, "feminism developed . .. as a racialized theory of gender oppression."20 Such overgeneralization is especially prevalent among historians who rely heavily on image, representation, and literary depiction. Grace Elizabeth Hale's densely writ- ten but fascinating book, Making Whiteness, has the rare advantage among whiteness studies works of dealing with that part of the country where race has most pervasively shaped social relations: the South. But Hale loses much of that advantage by paying virtually no attention to social relations and confusing what is southern with what is more generally American until the reader is unsure whether she is describing south- ern whiteness or American whiteness, or whether she thinks that it does not make any difference. The South, she concludes, "lies not south of anywhere but inside us." Never really explaining what she means by "whiteness" (which at times she equates with segregation) or whose interests it served, she is on equally slippery ground in confronting chronological context. "Whites [all? most? some?] created the culture of segregation," she proclaims, "in large part to counter black success." This thesis is perfectly plausible, if undemonstrated. But in arguing that the myths of the happy slave and of criminal Reconstruction were products of the late-nineteenth-century imagination, Hale largely ignores earlier versions of those myths propounded by pro- tagonists in the struggles over slavery and Reconstruction; the arguments that she treats as new were appropriations and modifications of arguments previously forged in real social relations. Indiscriminately mixing fiction and nonfiction as documenta- tion, she confuses description (at which she is very good) with explanation and almost totally ignores interest and politics in her delineation of the "making" of whiteness .21 Although Jacobson pays more attention to contextual variation, he too can paint with a very broad brush, in the process placing a heavy explanatory burden-I believe too heavy-on whiteness. His focus on image and representation makes it difficult to judge the prevalence of particular ideas, because in quoting extensively from racist stereotypes, he makes no effort to give equal time to the opponents of such views. Brilliantly exploring racial depictions of diverse immigrant groups that Americans would later consider ethnic rather than racial and thereby showing the subjective character of race, he too often blurs a crucial distinction between "race" on the one hand and "nation," "nationality," and "ethnicity" on the other. For if both race and nation are constructed (imagined) communities, they are differently con- structed: whereas race implies inherent, immutable characteristics, national and eth- nic identity can be conceived of as inherent but need not be. Throughout much of American history, Americans have promiscuously combined racial and nonracial thinking in differentiating among groups; sometimes they assumed that differences were inherent, sometimes not, and often they failed to articulate clear positions on the question (no doubt because they had not formulated such positions). Jacobson himself notes in passing that discrimination was not always based on color or race- "The loudest voices in the organized nativism of the 1 840s and 1 850s harped upon matters of Catholicism and economics, not race"-but he tends to assume the bio- logical nature of arguments that could as easily be interpreted as cultural. (See, for example, his citation of the assertion in the 191 1 publication A Dictionary of Races or Peoples that "'the savage manners of the last century are still met with amongst some Serbo-Croatians of to-day"' as evidence for emphasis on the "physical properties" of race.)22

 The role of whiteness in this process of distinguishing among groups remains murky. On one hand, Jacobson portrays the 1840s-1920s as a period of "variegated whiteness" in which white Americans saw some whites as whiter than others, warns us not to "reify a monolithic whiteness," and speaks of a "system of 'difference' by which one might be both white and racially distinct from other whites." On the other, he speaks of the "process by which Celts or Slavs became Caucasians." The unresolved issue here is the extent to which Americans conceived of whiteness (rather than other criteria such as religion, culture, ethnicity, and class) as the main ingredi- ent separating the civilized from the uncivilized.23 There can be no doubt, for example, that many antebellum Americans viewed the Irish as a degraded and savage people, but whether they saw lack of whiteness as the key source of this inferior status is dubious; to most Americans, for whom Protestant- ism went hand in hand with both republicanism and Americanism, the Irish immi- grants' Catholicism was far more alarming than their color. Indeed, some abolitionists managed to combine a passionate belief in the goodness and intellectual potential of black people with an equally passionate conviction of the unworthiness of the Irish, and in the 1850s many nativists saw little difficulty in moving from the anti-Irish Know-Nothing party into the antislavery Republican party, a trajectory that would have been truly remarkable had their dominant perception of the Irish been that they were nonwhite. And as Jacobson points out, the 1790 law that limited naturalization to "free white persons" "allowed Irish immigrants entrance as 'white persons"'; in what sense, then, should one speak of their subsequently "becoming" white? This can make sense if whiteness is to be understood metaphorically, meaning "acceptable," but Jacobson and other whiteness studies authors clearly intend the term to serve as more than a metaphor; indeed, if it is understood only metaphori- cally, much of their analysis collapses.24

The overworking of whiteness is especially noteworthy in the work of David Roe- diger, for he professes greater interest in specific social relations than many whiteness studies authors. Nevertheless, his argument too often depends on blurring important distinctions among whites, thereby belying the commonality of the "wages of white- ness" he outlines. His starting point is promising: living in a slaveholding republic, white workers in the (northern) United States increasingly defined themselves by what they were not blacks, slaves. But defining oneself as not-black and as not-slave are not at all the same, and Roediger's fudging on that crucial point is especially strik- ing coming from someone who usually pays such careful attention to language. The "not-slave" formulation led to the elaboration of a "free-labor" ideology that com- bined an emphasis on the dignity of labor with a condemnation of chattel slavery as the antithesis of free, republican (that is, American) values; the "not-black" variation led to a racist denigration of nonwhites and the insistence that the United States was a "white man's country." The two views could go together, but often they did not, and Roediger's argument that whiteness was an essential element of free-labor ideol- ogy is unpersuasive. If some labor radicals took what amounted to the proslavery position that slaves in the South were better off than "free" white workers in the North, others did not, and the argument in any case rested less on the degree of whiteness than on the degree of exploitation. Similarly, Roediger's thesis that in rejecting the term "servant" in favor of "hired hand" and "help," workingmen were "becoming" white conflates two very different forms of resistance to dependence that could be, but were not always, combined. The uppity domestics who tormented Frances Trollope in Cincinnati expressed little or no concern for whiteness as they asserted their American equality, and they contrasted their rights, not with black dependence, but with that stemming from English hierarchy. Responding disdain- fully to Trollope's expectation that she would eat in the kitchen, one servant typically "turned up her pretty lip, and said, 'I guess that's 'cause you don't think I'm good enough to eat with you. You'll find that won't do here."'25

The question is not whether white racism was pervasive in antebellum America- it was-but whether it explains as much as Roediger and others maintain. In an argu- ment further developed by Ignatiev, Roediger asserts that "it was by no means clear that the Irish were white." They present little evidence, however, that most Ameri- cans viewed the Irish as nonwhite. (To establish this point one would have to analyze the "racial" thought of Americans about the Irish, a task that neither Roediger nor Ignatiev undertakes.) Indeed, the whiteness studies authors often display a notable lack of precision in asserting the nonwhite status of despised groups. Roediger sug- gests that Irish whiteness was "by no means clear"; Ignatiev speaks of "strong tenden- cies . . . to consign the Irish, if not to the black race, then to an intermediate race located between white and black"; Neil Foley, in discussing prejudice against poor whites in central Texas, proclaims that "not all whites . . . were equally white" and suggests that landlords felt that their tenants "lacked certain qualities of whiteness"; Brodkin states that "for almost half a century, [Jews] were treated as racially not- quite-white." What is at issue is not the widespread hostility to and discrimination against the Irish, Jews, poor whites, and multiple other groups, but the salience of whiteness in either explaining or describing such hostility and discrimination. The status of southern poor whites is especially telling, for despite persistent "racial" stereotypes of them as shiftless, slovenly, and degraded, such stereotypes did not usu- ally include denials of their whiteness. Americans have had many ways of looking down on people without questioning their whiteness.26

A brief consideration of the ideology of four prominent nineteenth-century Amer- icans-the Confederate vice president Alexander H. Stephens, Illinois's Democratic senator Stephen A. Douglas, Abraham Lincoln, and Ohio's Republican senator Ben- jamin F. Wade-illustrates the risk of overemphasizing whiteness. Like most white Americans, all four were in some sense committed to whiteness. In his famous speech hailing the secession of the southern states, Stephens boldly identified as the "corner- stone" of the new government "the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and moral condition." In the Lincoln-Douglas debates of 1858, Douglas mercilessly denounced his Republican challenger as a supporter of black equality and boasted that "this gov- ernment was made on the white basis.... It was made by white men, for the benefit of white men and their posterity for ever, and I am in favor of confining citizenship to white men." Lincoln responded that he did not favor "political and social equality between the white and black races"; noting the "physical difference" between the races, he proclaimed that "inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong, hav- ing the superior position." Upon his arrival in Washington, D.C., in 1851, Wade complained that "the Nigger smell I cannot bear," adding that the food was "all cooked by Niggers until I can smell and taste the Nigger."27

Yet any treatment of those four men that stopped at their common commitment to whiteness would be so incomplete as to be totally misleading. Stephens was an ardent Confederate whereas the other three were committed Unionists. Their differ- ences on slavery and black rights were even more notable. Stephens was a defender of slavery and black racial subordination. Douglas saw slavery as a minor issue whose fate should be left to local (white) control. Lincoln believed that slavery was morally wrong as well as socially degrading, eschewed the race-baiting that Douglas and many other white Americans took for granted, and in his debate with Douglas imme- diately qualified his support for white supremacy with the ringing assertion that whether or not "the negro" was equal in all respects, "in the right to eat the bread, without leave of anybody else, which his own hand earns, he is my equal and the equal ofJudge Douglas, and the equal of every living man." Wade was an ardent opponent of slavery, who became one of the most enthusiastic proponents of a radical Reconstruc- tion policy designed to remake the South and provide equal rights for the former slaves, as well as a sturdy champion of the rights of women and of labor. In short, what is most significant about the careers of the four men lies, not in their shared expressions of whiteness, but in the sharply divergent positions they took on the major issues of their era. Whiteness turns out to be a blunt instrument for dissecting the nuances-or even the major outlines-of their political ideology and behavior.28

# 2NC

## 2nc ov

#### Taking control of the conversation is MONOLOGISM which is a violent form of communication ethics because it closes argument off to refutation—that specifically turns their advocacy

Farber, 99

(Professor of Law and Associate Dean of Faculty, University of Minnesota, Beyond All Criticism?, 83 Minn. L. Rev. 1735, June)

The difficulty of extracting any workable conception of social equality from radical multiculturalism is a sign of a larger set of problems. We argued in Beyond All Reason that **radical multiculturalism is inherently destructive of dialogue and community**. Among the problems are its tendency to reduce argument to the exchange and criticism of personal stories; its inability to separate disagreement with a speaker's message from attacks on the speaker as a person; and its divisive entanglement in identity politics. Because radical multiculturalism replaces a belief in objective truth with a focus on power relations, it faces the **temptation to slide away from democratic interchange toward nihilism or authoritarianism**. Anne Coughlin summarizes (and partially endorses) our argument in the following passage: Throughout the book, Farber and Sherry repeatedly fault the radicals for politicizing scholarship, for confusing politics with truth, and for rejecting universal values in favor of an intellectual totalitarianism that privileges the subjective preferences of whoever happens to be in power. Indeed, as Farber and Sherry notice, **some of the more extreme statements by the radical multiculturalists amount to an endorsement of the ugliest kind of fascism**... These criticisms are obvious, devastating, and, from the perspective of traditional liberal scholars, largely unanswerable. n102 In their contributions to this symposium, Matthew Finkin and Steven Gey expand upon the potentially antidemocratic implications of radical multiculturalism. Finkin draws a detailed and rather worrisome comparison between radical multiculturalism and the jurisprudential principles accepted in certain European fascist regimes. Indeed, he goes farther. He offers the hypothesis "that **radical multiculturalism has more than an "affinity' with Fascism; that it is Fascist to the bone.**" n103 Gey argues that radical multiculturalism leads to an essentially conservative politics: "since the social constructionists refuse to recognize the legitimacy of liberal institutional limits on political power, they implicitly give every group that obtains ultimate power the authority to impose that group's "truth' on everyone else." n104 In various ways, and sometimes in language much more pointed than our own, Finkin, Gey, and Coughlin all raise the question of whether the hard-won virtues of a liberal society are compatible with a serious adherence to radical multiculturalism. As Coughlin points out, much of the attention of the radical multiculturalists is focused on the academic world in which they live and work. We might begin, then, by asking whether their viewpoint is consistent with the values of intellectual and academic freedom that are central to the classical liberal vision of the university. The traditional arguments for academic freedom are based on the notion of searching for truth, a concept that is made problematic by post-modernism. n105 Some criticisms of Beyond All Reason also **suggest an intolerance for academic debate. The most obvious concern is raised by the intemperate response of radicals such as Calmore and Culp to any criticism of their school of thoug**ht. Such views, if held either by individuals with influence within universities or by administrators of speech codes, would pose a direct threat to free debate. Charges of racism, when issuing from those who advocate legal penalties against racist speakers, are not just empty rhetoric. In addition to the openly vituperative replies, some of the responses illustrate the attitude we criticized in Derrick Bell as a "knowing and dismissive sneer." n106 Calmore, for example, [\*1762] suggests that our book "should really be buried" n107 rather than discussed. Culp says that "the philosophical ideas expressed in this book... are to philosophy what lite is to beer." n108 Continuing Bell's reference to Louis Armstrong - if you don't know jazz, "don't mess with it" n109 - Calmore engages in an extended discussion of jazz and his ambivalence about its appeal to a broad audience, concluding that "it really is okay that Farber and Sherry are not happily within [the] audience" for radical multiculturalism. n110 These shrugs of disdain do not exactly invite dialogue. But the more significant point is not the defensive tone of the radicals, but their distorted picture of intellectual discourse. For instance, Abrams calls for a "truce" in which traditional scholars and radical multiculturalists will learn to live side by side. n111 This turns out to be a rather one-sided truce, however. Traditional scholars, according to Abrams, should not "challenge" multiculturalists by asking about the truth or normative implications of their narratives, n112 but radical multiculturalists are free to accuse traditionalists of racism and sexism whenever they think it appropriate. n113 For Delgado, scholarship is equivalent to a lawsuit (or political warfare), where each side is trying to win: thus it is unfair to write a favorable review of a scholar in the "same camp" or on your "side" unless you disclose your common affiliation. n114 This is a somewhat peculiar vision of academic discussion.

## 2nc at: we meet

You don’t meet – there’s a national referendum which isn’t USFG action

Wing 9

Bessie Dutton Murray Professor of Law & Associate Dean for Faculty Development, University of Iowa, College of Law. A.B. 1978, Princeton University; M.A. 1979, UCLA; J.D. 1982, Stanford Law School. Many thanks to my research assistants Saba Baig, Kevin Dawson, Atanna Essama, and Elizabeth He.

11 Berkeley J. Afr.-Am. L. & Pol'y 49

The U.S. ends up convening a constitutional convention and amending the Constitution. The resolution, which passes quickly, says: "Without regard to the language or interpretations previously given any other provision of this document, every United States citizen is subject at the call of Congress to selection for special service for periods necessary to protect domestic interests and international needs." n55 The Supreme Court refuses to intervene in this "political question" as there are "no judicially manageable standards" for resolving the issue. n56 The amendment is ratified in a national referendum 70-30%. The result validates amendments to the selective service laws that authorize blacks to be inducted for service along the terms of the Space Traders' offer.

#### Just buying it is not a financial incentive

Nelson 93

(Edward W., Chairman – Payment Subcommittee in OPTN/UNOS Ethics Committee, “Financial Incentives for Organ Donation,” Organ Procurement and Transplantation Network, 6-30, http://optn.transplant.hrsa.gov/resources/bioethics.asp?index=4)

**Definition of Financial Incentives**  A definition of terms is **necessary prior to a discussion of the concept of financial incentives** for organ donation. First, financial incentives, as discussed here, do not mean additional monies spent for public or professional education or recognition and counseling of organ donor families. Because the concept of financial incentives fundamentally changes the process of organ procurement, it has been argued that the term "donor" is no longer applicable and would need to be replaced by a term such as 'vendor." The term "rewarded gifting" has been suggested and has been justly criticized as an oxymoron by those opposed to financial incentives and a despicable euphemism by those who promote this concept. Of greatest practical significance is the **distinction between "incentive" and "payment"** since a system of financial incentives may indeed be a viable option if, as interpreted by law, **"incentives" do not amount to "purchases"** and "donors" are therefore not transformed into 'vendors."

## 2nc at: T = exclusion/narrative good

Questions of white supremacy are deeply entwined with broader political forces—only an understanding of law and policy enables resistance—also disproves root cause

Clark, professor of law – Catholic University, ‘95

(Leroy D., 73 Denv. U.L. Rev. 23)

The major de-stabilizers that blacks face may not be racial discrimination, but may, indeed, be problems sweeping the whole society that are merely aggravated for blacks, who have relatively fewer financial and human capital resources on average. Improvements in the economic status of blacks relative to whites slowed after the 1970s, but the overall economy also stagnated for whites after that period. n121 Professor Bell, in Faces, leaves the impression that all retardation in improvements of black circumstances is due solely to racism. At no point does he acknowledge neutral, non-racial forces, like the condition of the general economy, as determining black prospects.

America now has a shrinking middle class and an increased economic gap between high-paid and low-paid workers. During the 1980s, middle class living standards declined, and more Americans fell below the poverty line. n122 Wealth is now more concentrated at the top: four fifths of the share lost by the poorest families went to the richest fifth of the population, and the top 1% of the population's after-tax share of income rose from 7% in 1977 to 11% in 1990. n123 White males are a good barometer of the economic climate, since race and gender do not suppress their income. The median inflation-adjusted income of white males, who were their families' only breadwinner, fell 22% between 1976 and 1984. n124 We've experienced cyclical recessions, and many white collar persons experienced unemployment for the first time. An estimated 37 millions persons have no health insurance. n125 Well-paying blue collar jobs in mass production industries have disappeared faster than any other jobs, and blacks who flocked to these industries during World War II are affected disproportionately. n126 College graduates fare better than non-college graduates, but even in the "improving economy" of the last two years, many of the jobs created are low-paying. Thus, college graduates are forced into sales clerk positions, and those persons with only sales clerk credentials, like many young blacks, are forced into unemployment. n127 Law school graduates today, unlike the situation twenty or thirty years ago, sometimes cannot find employment. n128 Even employed persons suffer undue stress and anxiety: two incomes are now treated as a necessity, and many persons are severely overworked, with little time for family. n129

Professor Bell's sense of futility may arise because our training in civil rights law does not help answer the two toughest questions America faces. First, can the economy be organized to reduce polarization in income and render overall greater economic security? n130 Second, can Americans be made politically conscious of questions which may involve recognizing class interests? Anti-discrimination law alone may be insufficient, given the spectrum of issues facing the black community. We, as lawyers, must resort to economists, political scientists, and social psychologists to begin to fashion answers to those tough questions.

## AT: Identity Determines Arg Validity

Their arg that their personal experience determines the validity of their argument is solipsism—it stifles dialogue and is reductionist—our arguments are relevant

David Bridges, Centre for Applied Research in Education, University of East Anglia, 2001, The Ethics of Outsider Research, Journal of Philosophy of Education, Vol. 35, No. 3

First, it is argued that only those who have shared in, and have been part of, a particular experience can understand or can properly understand (and perhaps `properly' is particularly heavily loaded here) what it is like. You need to be a woman to understand what it is like to live as a woman; to be disabled to understand what it is like to live as a disabled person etc. Thus Charlton writes of `the innate inability of able-bodied people, regardless of fancy credentials and awards, to understand the disability experience' (Charlton, 1998, p. 128).

Charlton's choice of language here is indicative of the rhetorical character which these arguments tend to assume. This arises perhaps from the strength of feeling from which they issue, but it warns of a need for caution in their treatment and acceptance. Even if able-bodied people have this `inability' it is difficult to see in what sense it is `innate'. Are all credentials `fancy' or might some (e.g. those reflecting a sustained, humble and patient attempt to grapple with the issues) be pertinent to that ability? And does Charlton really wish to maintain that there is a single experience which is the experience of disability, whatever solidarity disabled people might feel for each other?

The understanding that any of us have of our own conditions or experience is unique and special, though recent work on personal narratives also shows that it is itself multi-layered and inconstant, i.e. that we have and can provide many different understandings even of our own lives (see, for example, Tierney, 1993). Nevertheless, our own understanding has a special status: it provides among other things a data source for others' interpretations of our actions; it stands in a unique relationship to our own experiencing; and no one else can have quite the same understanding. It is also plausible that people who share certain kinds of experience in common stand in a special position in terms of understanding those shared aspects of experience. However, once this argument is applied to such broad categories as `women' or `blacks', it has to deal with some very heterogeneous groups; the different social, personal and situational characteristics that constitute their individuality may well outweigh the shared characteristics; and there may indeed be greater barriers to mutual understanding than there are gateways.

These arguments, however, all risk a descent into solipsism: if our individual understanding is so particular, how can we have communication with or any understanding of anyone else? But, granted Wittgenstein's persuasive argument against a private language (Wittgenstein, 1963, perhaps more straightforwardly presented in Rhees, 1970), **we cannot in these circumstances even describe or have any real understanding of our own condition in such an isolated world**. **Rather it is in talking to each other, in participating in a shared language, that we construct the conceptual apparatus that allows us to understand our own situation in relation to others,** and this is a construction which involves under- standing differences as well as similarities.

Besides, we have good reason to treat with some scepticism accounts provided by individuals of their own experience and by extension accounts provided by members of a particular category or community of people. We know that such accounts can be riddled with special pleading, selective memory, careless error, self-centredness, myopia, prejudice and a good deal more. A lesbian scholar illustrates some of the pressures that can bear, for example, on an insider researcher in her own community:

As an insider, the lesbian has an important sensitivity to offer, yet she is also more vulnerable than the non-lesbian researcher, both to the pressure from the heterosexual world--that her studies conform to previous works and describe lesbian reality in terms of its relationship with the outside-- and to pressure from the inside, from within the lesbian community itself--that her studies mirror not the reality of that community but its self-protective ideology. (Kreiger, 1982, p. 108)

In other words, while individuals from within a community have access to a particular kind of understanding of their experience, this does not automatically attach special authority (though it might attach special interest) to their own representations of that experience. Moreover, while we might acknowledge the limitations of the under- standing which someone from outside a community (or someone other than the individual who is the focus of the research) can develop, this does not entail that they cannot develop and present an understanding or that such understanding is worthless. Individuals can indeed find benefit in the understandings that others offer of their experience in, for example, a counselling relationship, or when a researcher adopts a supportive role with teachers engaged in reflection on or research into their own practice. Many have echoed the plea of the Scottish poet, Robert Burns (in `To a louse'):

O wad some Pow'r the giftie gie us To see oursels as others see us!3

--**even if they might have been horrified with what such power revealed to them**. Russell argued that it was the function of philosophy (and why not research too?) `to suggest many possibilities which enlarge our thoughts and free them from the tyranny of custom . . .It keeps alive our sense of wonder by showing familiar things in an unfamiliar aspect' (Russell, 1912, p. 91). `Making the familiar strange', as Stenhouse called it, often requires the assistance of someone unfamiliar with our own world who can look at our taken-for-granted experience through, precisely, the eye of a stranger. Sparkes (1994) writes very much in these terms in describing his own research, as a white, heterosexual middle- aged male, into the life history of a lesbian PE teacher. He describes his own struggle with the question `is it possible for heterosexual people to undertake research into homosexual populations?' but he concludes that being a `phenomenological stranger' who asks `dumb questions' may be a useful and illuminating experience for the research subject in that they may have to return to first principles in reviewing their story. This could, of course be an elaborate piece of self-justification, but it is interesting that someone like Max Biddulph, who writes from a gay/bisexual stand- point, can quote this conclusion with apparent approval (Biddulph, 1996).

People from outside a community clearly can have an understanding of the experience of those who are inside that community. It is almost certainly a different understanding from that of the insiders. Whether it is of any value will depend among other things on the extent to which they have immersed themselves in the world of the other and portrayed it in its richness and complexity; on the empathy and imagination that they have brought to their enquiry and writing; on whether their stories are honest, responsible and critical (Barone, 1992). Nevertheless, this value will also depend on qualities derived from the researchers' exter- nality: their capacity to relate one set of experiences to others (perhaps from their own community); their outsider perspective on the structures which surround and help to define the experience of the community; on the reactions and responses to that community of individuals and groups external to it.4

Finally, it must surely follow that if we hold that a researcher, who (to take the favourable case) seeks honestly, sensitively and with humility to understand and to represent the experience of a community to which he or she does not belong, is incapable of such understanding and representation, then how can he or she understand either that same experience as mediated through the research of someone from that community? The argument which excludes the outsider from under- standing a community through the effort of their own research, a fortiori excludes the outsider from that understanding through the secondary source in the form of the effort of an insider researcher or indeed any other means. Again, the point can only be maintained by insisting that a particular (and itself ill-defined) understanding is the only kind of understanding which is worth having.

The epistemological argument (that outsiders cannot understand the experience of a community to which they do not belong) becomes an ethical argument when this is taken to entail the further proposition that they ought not therefore attempt to research that community. I hope to have shown that this argument is based on a false premise. Even if the premise were sound, however, it would not necessarily follow that researchers should be prevented or excluded from attempting to under- stand this experience, unless it could be shown that in so doing they would cause some harm. This is indeed part of the argument emerging from disempowered communities and it is to this that I shall now turn.

Isolating their claims as irrefutable by us because of our identity is unethical and rests on false premises

David Bridges, Centre for Applied Research in Education, University of East Anglia, 2001, The Ethics of Outsider Research, Journal of Philosophy of Education, Vol. 35, No. 3

III OUTSIDERS IMPORT DAMAGING FRAMEWORKS OF UNDERSTANDING

Frequent in the literature about research into disability, women's experience, race and homosexuality is the claim that people from outside these particular communities will import into their research, for example, homophobic, sexist or racist frameworks of understanding, which damage the interests of those being researched.

In the case of research into disability it has been argued that outsider researchers carry with them assumptions that the problem of disability lies with the disabled rather than with the society which frames and defines disability. `The essential problem of recent anthropological work on culture and disability is that it perpetuates outmoded beliefs and continues to distance research from lived oppression' (Charlton, 1998, p. 27). By contrast: `a growing number of people with disabilities have developed a consciousness that transforms the notion and concept of disability from a medical condition to a political and social condition' (Charlton, 1998, p.17). Charlton goes on to criticise, for example, a publication by Ingstad and Reynolds Whyte (1995), Disability and Culture. He claims that, although it does add to our understanding of how the conceptualisation and symbolisation of disability takes place, `its language is and perspective are still lodged in the past. In the first forty pages alone we find the words suffering, lameness, interest group, incapacitated, handicapped, deformities. Notions of oppression, dominant culture, justice, human rights, political movement, and self- determination are conspicuously absent' (Charlton, 1998 p. 27).

Discussing the neo-colonialism of outsider research into Maori experience, Smith extends this type of claim to embrace the wider methodological and metaphysical framing of outsider research: `From an indigenous perspective Western research is more than just research that is located in a positivist tradition. It is research which brings to bear, on any study of indigenous peoples, a cultural orientation, a set of values, a different conceptualization of such things as time, space and subjectivity, different and competing theories of knowledge, highly specialized forms of language, and structures of power' (Smith, 1999, p. 42).5

This position requires, I think, some qualification. First, researchers are clearly not immune from some of the damaging and prejudicial attitudes on matters of race, sexuality, disability and gender which are found among the rest of the population, though I might hope that their training and experience might give them above-average awareness of these issues and above-average alertness to their expression in their own work. Even where such attitudes remain in researchers' consciousness, this intelligent self-awareness and social sensitivity mean on the whole that they are able to deploy sufficient self-censorship not to expose it in a damaging way. Researchers may thus remain morally culpable for their thoughts, but, at least, communities can be spared the harm of their expression. It is also a matter of some significance that researchers are more exposed than most to public criticism, not least from critics from within these disempowered communities, when such prejudices do enter and are revealed in their work. If they employ the rhetoric of, for example, anti-racist or anti-sexist conviction, they are at least in their public pronouncements exposed to the humiliation of being hoisted by their own petard. It is difficult to see the fairness in excluding all outsider researchers on the a priori supposition of universal prejudice. It is better, surely, to expose it where it is revealed and, if absolutely necessary, to debar individuals who ignore such criticism and persist in using the privilege of their research position to peddle what can then only be regarded as damaging and prejudicial propaganda. Secondly, it is plainly not the case that Western research is located exclusively (as is implied) in a positivist tradition, even if this tradition has been a dominant one. Phenomenology, ethnography, life history, even, more recently, the use of narrative fiction and poetry as forms of research representation, are all established ingredients of the educational research worlds in the UK, USA or Australasia. Contemporary research literature abounds with critiques of positivism as well as examples of its continuing expression.

I have placed much weight in these considerations on the importance of any research being exposed to criticism--most importantly, perhaps, but by no means exclusively by the people whose experience it claims to represent. This principle is not simply an ethical principle associated with the obligations that a researcher might accept towards participants in the research, but it is a fundamental feature of the processes of research and its claims to command our attention. **It is precisely exposure to, modification through and survival of** a process of vigorous public **scrutiny that provides research with whatever authority it can claim**. In contemporary ethnographic research, case-study and life-history research, for example, this expectancy of exposure to correction and criticism is one which runs right through the research process. The methodological requirement is for participants to have several opportunities to challenge any prejudices which researchers may bring with them: at the point where the terms of the research are first negotiated and they agree to participate (or not); during any conversations or interviews that take place in the course of the research; in responding to any record which is produced of the data gathering; in response to any draft or final publication. Indeed, engagement with a researcher provides any group with what is potentially a richly educative opportunity: an opportunity to open their eyes and to see things differently. It is, moreover, an opportunity which any researcher worth his or her salt will welcome.

Not all researchers or research processes will be as open as are described here to that educative opportunity, and not all participants (least of all those who are self-defining as `disempowered') will feel the confidence to take them even if they are there. **This may be seen as a reason to set up barriers to the outsider researcher, but they can and should** more often **be seen as problems** for researchers and participants **to address together in the interests of** their **mutual understanding and benefit.**

## at: fairness/predictability = elitist

Predictability maintains meaningful politics and empathy even if their DA is correct

Massaro, Prof Law – Florida, ’89

(Toni M, 87 Mich. L. Rev. 2099)

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 [\*2111] 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 experience. 53 I do not intend to enter this important jurisprudential debate, 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 [\*2112] 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 unstated. 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 [\*2113] 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

## spanos

DEBATE roleplay specifically activates agency

Hanghoj 8

http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf

 Thorkild Hanghøj, Copenhagen, 2008

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Institute of Education at the University of Bristol and the institute formerly known as Learning Lab

Denmark at the School of Education, University of Aarhus, where I currently work as an assistant

professor.

 Thus, debate games require teachers to balance the centripetal/centrifugal forces of gaming and teaching, to be able to reconfigure their discursive authority, and to orchestrate the multiple voices of a dialogical game space in relation to particular goals. These Bakhtinian perspectives provide a valuable analytical framework for describing the discursive interplay between different practices and knowledge aspects when enacting (debate) game scenarios. In addition to this, Bakhtin’s dialogical philosophy also offers an explanation of why debate games (and other game types) may be valuable within an educational context. One of the central features of multi-player games is that players are expected to experience a simultaneously real and imagined scenario both in relation to an insider’s (participant) perspective and to an outsider’s (co-participant) perspective. According to Bakhtin, the outsider’s perspective reflects a fundamental aspect of human understanding: In order to understand, it is immensely important for the person who understands to be located outside the object of his or her creative understanding – in time, in space, in culture. For one cannot even really see one's own exterior and comprehend it as a whole, and no mirrors or photographs can help; our real exterior can be seen and understood only by other people, because they are located outside us in space, and because they are others (Bakhtin, 1986: 7). As the quote suggests, every person is influenced by others in an inescapably intertwined way, and consequently no voice can be said to be isolated. Thus, it is in the interaction with other voices that individuals are able to reach understanding and find their own voice. Bakhtin also refers to the ontological process of finding a voice as “ideological becoming”, which represents “the process of selectively assimilating the words of others” (Bakhtin, 1981: 341). Thus, by teaching and playing debate scenarios, it is possible to support students in their process of becoming not only themselves, but also in becoming articulate and responsive citizens in a democratic society.

## sci fi

#### Sci fi should be tied to some amount of normative policy change—otherwise it becomes postmodern goo

Jonathan McCalmont, Author, 10/3/2012, Cowardice, Laziness and Irony: How Science Fiction Lost the Future, ruthlessculture.com/2012/10/03/cowardice-laziness-and-irony-how-science-fiction-lost-the-future/

To put it bluntly, I agree with Paul Kincaid… I think that science fiction has lost interest in the world and fallen out of step with the times resulting in the emergence of a narcissistic and inward-looking literature devoid of both relevance and vitality.

In an effort to keep the flame of Kincaid’s observations alive, I have written an essay that expands upon some of his observations and attempts to unpack ‘what it is we mean when we talk about science fiction being exhausted’.

1. Conceptual Blockage

The most common account of why science fiction no longer attempts to engage with the future is that the future is now deemed to be out of bounds. The world, we are told, changes so quickly that any attempt to predict the future would necessarily be out of date by the time the book was released. In an effort to acknowledge this particular difficulty without necessarily confronting it, science fiction manifests the intellectual inaccessibility of the future as a cultural event known as the singularity. Popularised both by the SF author Vernor Vinge and the futurist Ray Kurtzweil, the singularity is (broadly speaking) the point at which machine and human intelligences begin to sharply increase in both size and speed resulting in a rate of cultural change that tends towards the infinite. As Kincaid puts it:

Somewhere amidst the ruins of cyberpunk in the 1980s, we began to feel that the present was changing too rapidly for us to keep up with. And if we didn’t understand the present, what hope did we have for the future? The accelerating rate of change has inevitably affected the futures that appear in our fictions. Things happen as if by magic […] or else things are so different that there is no connection with the experiences and perceptions of our present.

Rather than question this assumption in the context of a review, Kincaid simply accepts it and uses it as the basis for a broad narrative of engagement, exhaustion and retreat in which genre writers attempted to gain purchase on the future only for this future to somehow evade them. Having failed to generate much insight into humanity’s future, science fiction responded by internalising and celebrating a set of aesthetic principles that marginalised engagement with the world in favour of the other avenues of creative endeavour celebrated in awards shortlists and Year’s Best anthologies.

The problem with Kincaid’s narrative is that it is overly charitable in that it accepts the inaccessibility of the future entirely at face value. In my view, SF turned its back on the world because genre writers decided it would be more fun and less risky to write about other things instead. Indeed, the critic Nader Elhefnawy was quick to point out that the singularity is really little more than a professional dodge:

**To throw up one’s hands in confusion is a convenient way of** avoiding the serious social and ethical and political questions **raised by our problems (as with our ecological crisis**). This can seem an understandable response to their genuinely intimidating largeness, but the feeling of being overwhelmed hardly seems to account for the whole tendency. There is, too, the fact that so many of the obvious responses to such problems – substantive critique of the prevailing orthodoxies, efforts to envision really meaningful alternatives, despair in the absence of such – are regarded as naive, disreputable or simply risky for the career-minded, encouraging the ever-present temptation to self-censor. Postmodernity has always concealed a significant amount of evasion behind its smugly enunciated epistemological doubts, and **postmodern** science fiction has not been an exception **to the pattern**. Indeed, the lack of conviction Kincaid finds in the writing is best understood as a parallel to that lack of conviction pervading our cultural and political life.

#### Afrofuturism can be redeployed for dialogic purposes

Chuck Galli, Rhode Island College, 2009, Hip-Hop Futurism: Remixing Afrofuturism and the Hermeneutics of Identity, http://digitalcommons.ric.edu/cgi/viewcontent.cgi?article=1018&context=honors\_projects

What does hip-hop futurism mean for humans? Or better, how can humans use hip-hop futurism as they are carried into the future? Humans, it seems, spend most of their lives dealing in one way or another with identity. Money, religion, political orientation, sexuality, philosophy, and labor all help inform humans’ identities, and conversely their identities largely dictate how they will interact with all of the aforementioned things. In my treatments of modernity, I may have given the false impression that identity has been an unchangeable cultural and personal marker. Of course identity can change: people can switch religions, eat different things, gain citizenship in another country, new identities can be created, and so on. What hip-hop futurism adds is not a new identity or a reinterpretation of any number of pre-existing identities, but a mode of producing and conceiving of identities which may be useful to the material and mental well-being of humans as they continue living into the future.

## !!!! Limits good

#### !!!!!BOUNDED knowledge is good – debate should be maintained as a DISCIPLINARY space. This SEVERS the internal link between SKILL production and SUBJECT production

McArthur 10

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

#### !!! Abolishing LIMITS crushes critical pedagogy

McArthur 10

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The diverse, and to some extent dissonant, aspects of critical pedagogy which exist under its big tent provide it with both strength and vulnerability. In the same way as I have argued about disciplines, difference, debate and contestation within the tradition of critical pedagogy add an essential mix of complexity and inclusivity. However, stretched too far this inclusivity can dilute the strength of critical pedagogy’s basic tenets, thus weakening it. As McLaren (1998) observes: Once considered by the faint-hearted guardians of the American dream as a term of opprobrium, critical pedagogy has become so completely psychologized, so liberally humanized, so technologized, and so conceptually postmodernized, that its current relationship to broader liberation struggles seems severely attenuated if not fatally terminated. The conceptual net known as critical pedagogy has been cast so wide and at times so cavalierly that it has come to be associated with anything dragged up out of the troubled and infested waters of educational practice, from classroom furniture organized in a ‘dialogue friendly’ circle to ‘feel-good’ curricula designed to increase students’ self-image. (448) Indeed, McLaren goes further to argue that postmodern critical pedagogy has unwittingly proven to be an ally of neoliberalism, because the language of postmodernism can be so easily co-opted by neo-liberals (Biesta 1998). Similarly, those who see the purposes of higher education in commercial terms like to use terms such as subjects rather than disciplines, as they are more easily broken down to be endlessly packaged into neat, saleable learning modules (Parker 2002). Or, even if still described as ‘disciplines’, the term can be removed of all meaning as these structures are reconfigured into nothing more than vehicles for the acquisition of economically useful or employmentrelated skills (McLean 2006). The messy blending of postmodernism and critical pedagogy can, therefore, lead, as Biesta (1998) observes, to the following situation: ‘Instead of being a critical device against the new capitalism, postmodern critical pedagogy in fact plays into its hands’ (501).

# 1NR

## overview

#### Blanket deconstruction just gets us back to square one, which is how to deal with oppression in specific contexts

Andersen, 3

(Sociology & Womens Studies Prof-University of Delaware, “Whitewashing Race: A Critical Perspective on Whiteness,” in White Out: The Continuing Significance of Racism, ed Doane & Bonilla-Silva, p. 30-32)

Conceptually, one of the major problems in the whiteness literature is the reification of whiteness as a concept, as an experience, and as an identity. This practice not only leads to conceptual obfuscation but also impedes the possibility for empirical analysis. In this literature, "whiteness" comes to mean just about everything associated with racial domination. As such, whiteness becomes a slippery and elusive concept. Whiteness is presented as any or all of the following: identity, self-understanding, social practices, group beliefs, ideology, and a system of domination. As one critic writes, "If historical actors are said to have behaved the way they did mainly because they were white, then there's little room left for more nuanced analysis of their motives and meanings" (Stowe 1996:77). And Alastair Bonnett points out that whiteness "emerges from this critique as an omnipresent and all-powerful historical force. Whiteness is seen to be responsible for the failure of socialism to develop in America, for racism, for the impoverishment of humanity. With the 'blame' comes a new kind of centering: Whiteness, and White people, are turned into the key agents of historical change, the shapers of contemporary America" (1996b: 153). Despite *noting* that there is differentiation among whites and warning against using whiteness as a monolithic category, most of the literature still proceeds to do so, revealing a reductionist tendency. Even claiming to show its multiple forms, most writers essentialize and reify whiteness as something that directs most of Western history (Gallagher 2000). Hence while trying to "deconstruct" whiteness and see the ubiquitousness of whiteness, the literature at the same time reasserts and reinstates it (Stowe 1996:77). For example, Michael Eric Dyson suggests that whiteness is identity, ideology, and institution (Dyson, quoted in Chennault 1998:300). But if it is all these things, it becomes an analytically useless concept. Christine Clark and James O'Donnell write: "to reference it reifies it, to refrain from referencing it obscures the persistent, pervasive, and seemingly permanent reality of racism" (1999:2). **Empirical investigation requires being able to identify and measure a concept— or at the very least to have a clear definition—but since whiteness has come to mean just about everything, it ends up meaning hardly anything.**

## higgins

Economic advancements directly refute Bell’s warrants

Clark, professor of law – Catholic University, ‘95

(Leroy D., 73 Denv. U.L. Rev. 23)

Second Qualitative Leap Forward

The black-led, and white-supported, civil rights movement gathered momentum in the late 1950s and early 1960s through marches, "sit-ins"--which breached racial segregation in public establishments--and the development of **legal strategies** to provide cover and protection. White Americans were shocked by the vicious resistance of small pockets of rabid southern racists to the disciplined non-violent protests of blacks, and public opinion began to move toward support for racial equality. n63 Key whites in the media, especially television, influenced this shift in public opinion by portraying black grievances in a sympathetic and appealing light. n64 The movement culminated in 1960s legislation prohibiting racial segregation and discrimination in public accommodations, n65 employment, n66 voting rights, n67 and housing. n68 This was the next qualitative leap forward, and there has been no massive backsliding into the rank forms of segregation and discrimination that characterized the pre-1960 period.

Professor Bell treats the post-1960s claims of progress as an illusion: discrimination simply became more covert, but equally efficient. n69 The facts, however, viewed with a holistic perspective, largely refute this claim. n70

The most thorough analysis of black-American status since Gunnar Myrdal's An American Dilemma in 1944, is A Common Destiny--Blacks and American Society. n71 The report covers the period from 1940 through 1986, and is more comprehensive than the studies Professor Bell relied on in recent law review articles.

A Common Destiny answers Professor Bell's central question in Faces:

Contemporary views of the status of black-white relations in America vary widely. Perspectives range from optimism that the main problems have been solved, to the view that black progress is largely an illusion, to assessments that the nation is retrogressing and moving toward increased racial disparities. To some observers, the present situation is only another episode in a long history of recurring cycles of apparent improvement that are followed by new forms of dominance in changed contexts: the level of black status changes, it is said, but the one constant is blacks' continuing subordinate social position. To other observers, the opposite is correct: long-run progress is the dominant trend. n72

A Common Destiny, however, concludes that the overwhelming majority of black-Americans made substantial progress since 1940:

Over the 50-year span covered by this study, the social status of American blacks has on average improved dramatically, both in absolute terms and relative to whites. The growth of the economy and public policies promoting racial equality led to an erosion of segregation and discrimination, making it possible for a substantial fraction of blacks to enter the mainstream of American life. n73

Just five decades ago, most black Americans could not work, live, shop, eat, seek entertainment, travel where they chose. Even a quarter century ago--100 years after the Emancipation Proclamation of 1863--most blacks were effectively denied the right to vote. . . . Today the situation is very different. n74

The Committee acknowledged that "the great gulf that existed between black and white Americans in 1939 . . . has not closed," because one-third of blacks "still live in households with incomes below the poverty line." n75 Yet the study reported that 92% of blacks lived below the poverty line in 1939. n76 **A 60% drop in poverty is an astounding improvement**, by any measure, and is an even faster movement out of poverty than that of the white public that was also suffering from the ravages of the economic depression of the 1930s. n77 Some reduction of black poverty occurred when blacks secured higher paying jobs in defense industries during World War II. But the passage of the 1964 Civil Rights Act brought a significant reduction in racial employment discrimination. By 1984, blacks had $ 9 billion more per year in real income, adjusted for inflation, than they would have had if they had remained arrayed throughout the occupational spectrum as they were before the Act. n78 A new black economic elite developed through movement into higher paying employment in the private sector and away from employment in government, the clergy, and civil rights organizations; this new elite should sustain their progress and finance opportunities for their young. n79

The number of black elected officials increased from a few dozen in 1940 to 6,800 by 1988, and the number of black public administrators went from 1% in 1940 to 8% in 1980. n80 No white elected official has openly supported racial segregation since Governor Wallace in the early 1960s, a testament, in part, to the substantial increases in black voter registration and voting, due to the Voting Rights Acts of 1957, 1960, and 1965. n81

One could also show decreases in racial segregation in education, housing, and other aspects of American life, coupled with the virtual disappearance of racial exclusion in public accommodations--all due to enforcement of the new legislation. It is true, racial discrimination has not been totally eradicated. n82 But, Peter F. Drucker summarizes:

In the fifty years since the Second World War the economic position of African-Americans in America has improved faster than that of any other group in American social history--or in the social history of any country. Three-fifths of America's blacks rose into middleclass incomes; before the Second World War the figure was onetwentieth. n83

The end of baby-boomers means the end of zero-sum mobility

Alba 9

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Blurring the Color Line: The New Chance for a More Integrated America (Nathan I. Huggins Lectures)

A pivotal concept in my account is that of a "social

boundary."^ The theoretical ideas surrounding the

concept invoke not just the social distinctions that are the

foundations for ethno-racial group inequalities, but the

social forces that create, maintain, and, when necessary7,

reinforce these distinctions and the hierarchies they entail.

But these ideas also yield insights into the circumstances

under which boundaries recede in salience and play a less

significant role in the lives of those positioned on their

disadvantaged side. Using these ideas, I critically examine

the most widely accepted explanation among historians of

white-ethnic assimilation, the so-called whiteness

perspective, and find it informative but ultimately

inadequate. This explanation depends on a

conceptualization of the disadvantaged positions of the

Irish, Italians, and Jews as inhering in their problematic

racial position as "in-between groups," to use the apt

characterization of James Barrett and David Roediger.20

In short, their membership in the white race was doubtful,

and the challenge they therefore confronted, according to

this perspective, was to gain full acceptance as whites.

Once that was attained, the barriers to their full

integration presumably fell away.

The whiteness perspective does help us to understand

the processes of social ascent by the descendants of

once-despised European immigrant groups like the Irish,

but it does not explain their mass assimilation in the

middle of the twentieth century7. This perspective suffers

from two blind spots: one is that these groups' ethno-racial

disadvantages cannot be understood solely in racial terms,

for they had important ethnic and religious elements. The

fading of these elements from our understanding of

potential sources of disadvantage and social cleavage is a

result of the process of mass assimilation, not its

precondition. The second problem becomes apparent once

we bring the boundary concept into the frame. A

sociological commonplace is that privileged groups defend

the boundaries that separate them from the less fortunate.

Why, then, did nativeborn white Protestants,

overwhelmingly of northern and western European

backgrounds, so easily accede to the mass assimilation of

previously disadvantaged religious minorities whose

ancestors were looked down upon because of their

countries of origin? Why didn't white Protestants protect

their privileged positions against these newcomers?

My answer is that the advance of these groups was

much less threatening than it might have otherwise been

because of what I call "nonzero-sum mobility." Such

mobility occurs when members of lowersituated groups

can move upward without affecting the life chances of the

members of well-established ones. (A zero-sum situation

exists, by definition, when the gains of some must come at

the expense of others.) The economic expansion after

World War II, in part a consequence of the global

dominance of the victorious and largely undamaged United

States, enabled the members of the rising groups to obtain

much more education and better jobs than their parents

had without any sacrifice on the part of native white

Protestants. In fact, many of the Protestant young people

were surpassing their parents, too.

Non-zero-sum mobility is key to a complex of factors

that I argue, on inductive and theoretical grounds, was

sufficient to bring about the massive incorporation of the

white ethnics; and it holds, I claim, a special significance in

general for the possibility of fundamental ethno-racial

change. Might a period of non-zero-sum mobility in the

near future allow changes to soften boundaries that we

currently see as rigidly racial, like those disadvantaging

African Americans and Hispanics?

I believe the answer is "yes." Pessimism about the

prospects for socioeconomic mobility in the near future is

rampant, largely premised on economic structural changes

that are thought to limit chances for minorities to move up

the ladder, to say nothing of the deep worldwide recession

at the end of the century's first decade.21 But the

departure of the massive baby-boom generation from the

labor market, which will occur during a roughly twenty-

five-year period through the early 2030s, has not been

factored into the picture. The baby boomers are heavily

wThite and wTell educated, and they dominate many of the

best-paying occupations. Their departure could open up

the labor market in a way that has not been true since the

middle of the twentieth century7.

The retirement of the baby boomers is a certainty, but

its consequences are not. One point of uncertainty is

whether other economic changes, for example, the

off-shoring of jobs now based in the United States, could

blunt the potential for upward mobility among African

Americans and Hispanics. No definitive answer exists when

such a sociologically and economically complex future is

being predicted, but I give reasons to think that the huge

magnitude of the job openings associated with the

departure of the baby boomers will make non-zero-sum

mobility a major opportunity for American society, as well

as for many Americans, in the near future.

Other difficult questions arise when we consider the

degree to which ethno-racial minorities will benefit from

future non-zero-sum mobility. I provide evidence that

minorities are already penetrating the top tiers of the U.S.

labor market in much larger numbers than in the past. In

this respect, an important process of integration is already

under way, driven largely by demographic shifts in the

cohorts of young adults entering the labor market.

However, when the correspondence between educational

attainment and labor-market position is taken into

account, as well as the earnings of individuals in different

occupations, it is apparent that white men remain very

privileged. Were minorities to be the primary beneficiaries

of non-zero-sum mobility, however, ethno-racial

inequalities on the top rungs of the labor market might be

very much reduced, according to the scenario I present.

But will they in fact be the primary beneficiaries? Among

the contingencies that must be considered are the other

groups—working-class whites, future high-skilled

immigrants, and white women—who might be able to take

advantage of the new opportunities. I argue that the

potential of the first two groups to fill the vacancies created

by the baby boomers' departure is modest. Women,

however, especially white women, in part because of their

recently attained educational edge over men, are likely to

be major beneficiaries of future mobility opportunities. Yet

according to my projections, they are quite unlikely to be

able to satisfy all of the demand for highly educated

workers. Hence the United States must look to young

minorities in order to satisfy future needs for highly skilled

workers and to fill the slots in the labor market coming

open because of the baby boomers' departure. Young

minorities stand out among the underutilized groups in the

population because their proportion among the young

adults entering the workforce will increase rapidly in the

decades to come. The non-zero-sum mobility of the near

future offers an unusual opportunity to repair some of the

worst injustices of American society.

## even if

Err neg – right-wing cooption is likely

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The Ordeal Of Integration:

Progress And Resentment In America's "Racial" Crisis

Orlando Patterson is a Jamaican-born American historical and cultural sociologist known for his work regarding issues of race in the United States, as well as the sociology of development

In the attempt to understand and come to terms with the problems of Afro-Americans and of their interethnic relations, the country has been ill served by its intellectuals, policy advocates, and leaders in recent years. At present, dogmatic ethnic advocates and extremists appear to dominate discourse on the subject, drowning out both moderate and other dissenting voices. A strange convergence has emerged between these extremists. On the left, the nation is misled by an endless stream of tracts and studies that deny any meaningful change in America's "Two Nations," decry "The Myth of Black Progress," mourn "The Dream Deferred," dismiss AfroAmerican middle-class status as "Volunteer Slavery," pronounce AfroAmerican men an "Endangered Species," and apocalyptically announce "The Coming Race War." On the right is complete agreement with this dismal portrait in which we are fast "Losing Ground," except that the road to "racial" hell, according to conservatives, has been paved by the very pQlicies intended to help solve the problem, abetted by "The Dream and the Nightmare" of cultural changes in the sixties and by the overbreeding and educational integration of inferior Afro-Americans and very policies intended to help solve the problem, abetted by "The Dream and the Nightmare" of cultural changes in the sixties and by the overbreeding and educational integration of inferior Afro-Americans and lower-class Euro-Americans genetically situated on the wrong tail of the IQ "Bell Curve." If it is true that a "racial crisis" persists in America, this crisis is as much one of perception and interpretation as of actual socioeconomic and interethnic realities. By any measure, the record of the past half century has been one of great achievement, thanks in good part to the suecess of the government policies now being maligned by the left for not having gone far enough and by the right for having both failed and gone too far. At the same time, there is still no room for complacency: because our starting point half a century ago was so deplorably backward, we still have some way to go before approaching anything like a resolution.

## at: stats are bad

Seriously, polling shows people are getting happier and while that might just be complacency, who are we to say people don’t know whether they have it good or not?

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If exclusion from places of business are playing a role for the well-to-do, exclusion and discrimination in general might be impacting all blacks most notably in the South. Arguably the antidiscrimination measures ushered in during the Civil Rights Era had their largest impact in the South. Donohue and Heckman (1991) argue that South was the area that both resisted and was 17 impacted the most by the Federal activity surrounding the Civil Rights Movement.16 While our sample period begins too late to see the immediate shifts caused by civil rights legislation, it likely continues to echo throughout these data, and this echo will be most clearly heard in the South. Indeed we see that in the 1970s the racial gap in happiness was largest in the South. Blacks in the South were nearly a half of a standard deviation less happy than whites, compared to differences between 0.2 and 0.3 of a standard deviation in other regions. Over the past 36 years the happiness gains among blacks were greatest in the South with blacks becoming happier at a rate of 0.923 standard deviations per century, for a total gain since 1972 of around one-third of a standard deviation in happiness. In contrast whites in the South became somewhat less happy. By 2008, there remained only a negligible gap in blackwhite happiness (once we have accounted for all of the socioeconomic factors in this regression). It may be that more subtle forms of racial discrimination took decades to play out following the legislation ushered in by the Civil Rights Movement. We examined data on racial attitudes from the General Social Survey and found that measures of prejudice such as not being willing to vote for a black president, favoring laws against inter-racial marriage, and supporting segregated neighborhoods were much higher in the South than in the rest of the country. Figure 9 shows that in the early 1970s more than half of Southerners supported the rights of whites to have segregated neighborhoods and favored laws against racial intermarriage. Almost half said that they would not vote for a black president. In contrast, 10-20 percent in other regions said that they would not vote for a black president and 20-40 percent favored laws against racial intermarriage and supported the right to segregated neighborhoods. Over time these measures of prejudice have declined throughout the country. However the declines have been greatest in the South. The graphs show that while formal laws reducing discrimination took effect at a point in time it has taken decades for racial attitudes to change. While these laws may have been the catalyst for declines in prejudice, time was a necessary ingredient to complete the change.