# 1NC v BR

### 1NC

#### The aff should advocate increasing energy production

#### The subject: central government- the USFG.

#### The verb: increase- to make greater. or

#### Reduce excludes removal

Words & Phrases: Perm Edition, 2002, vol 36A, p.80

Mass. 1905. Rev.Laws, c. 203, § 9, provides that, if two or more cases are tried together in the superior court, the presiding judge may "reduce" the witness fees and other costs, but "not less than the ordinary witness fees, and other costs recoverable in one of the cases" which are so tried together shall be allowed. Held that, in reducing the costs, the amount in all the cases together is to be considered and reduced, providing that there must be left in the aggregate an amount not less than the largest sum recoverable in any of the cases. The word "reduce," in its ordinary signification, does not mean to cancel, destroy, or bring to naught, but to diminish, lower, or bring to an inferior state.— Green v. Sklar, 74 N.E. 595, 188 Mass. 363.

#### The objects -Financial incentives means loans/grants

**UNCTAD, 4** - UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (“INCENTIVES”

http://unctad.org/en/docs/iteiit20035\_en.pdf

There is no uniform definition of what constitutes an “investment incentive”. (Box I.1. contains a list of commonly used incentives.) The only major international instrument that contains a partial definition is the SCM Agreement (see below). Governments use three main categories of investment incentives to attract FDI and to benefit more from it:

· financial incentives, such as outright grants and loans at concessionary rates;

· fiscal incentives such as tax holidays and reduced tax rates;

· other incentives, including subsidized infrastructure or services, market preferences and regulatory concessions, including exemptions from labour or environmental standards.

#### Restrictions are regulatory prohibitionsd

Words & Phrases 2004 v37A p410

N.D.Okla. 1939. "Restriction," as used in the statutes concerning restriction on alienation of lands inherited from deceased Osage allottees, is synonymous with "prohibition." Act April J8, 1912. §§ 6, 7, 37 Stat. 87, 88.—U.S. v. Mullendore, 30 F.Supp. 13, appeal dismissed 111 F.2d 898.— Indians 15(1).

This is the regulatory part

Words & Phrases: Perm Edition, 2002, vol 36A, p414

N.II. 1938. As used in statute giving towns power to "regulate and restrict" buildings by zoning regulations, "regulation" is synonymous with "restrict" and "restrictions" are embraced in "regulations. Puh.Laws. 1926, c. 41. W A»-y\* r

#### The direct object is energy production

Is Cumulative Fossil Energy Demand a Useful Indicator for the Environmental Performance of Products? M A R K A . J . HUIJBREGTS , \* , † L I N D A J . A . R O M B O U T S , † S T E F A N I E H E L L W E G , ‡ R O L F F R I S C H K N E C H T , § A . J A N H E N D R I K S , † D I K V A N D E M E E N T , † , | A D M . J . R A G A S , † L U C A S R E I J N D E R S , ⊥ A N D J A A P S T R U I J S | Department of Environmental Science, Institute for Wetland and Water Research, Faculty of Science, Radboud University Nijmegen, P.O. Box 9010, NL-6500 GL Nijmegen, The Netherlands, Institute for Chemical- and Bioengineering, Swiss Federal Institute of Technology Zu¨rich, CH-8093 Zu¨rich, Switzerland, Ecoinvent Centre, Ueberlandstrasse 129, CH-8600 Duebendorf, Switzerland, Laboratory for Ecological Risk Assessment, National Institute of Public Health and the Environment, P.O. Box 1, NL-3720 BA, Bilthoven, The Netherlands, and Institute for Biodiversity and Ecosystem Dynamics, University of Amsterdam, Nieuwe Achtergracht 166, NL-1018 WV, Amsterdam, The Netherlands 2006 American Chemical Society VOL. 40, NO. 3, 2006 / ENVIRONMENTAL SCIENCE & TECHNOLOGY 9 641 http://pubs.acs.org/doi/pdf/10.1021/es051689g

The appropriateness of the fossil Cumulative Energy Demand (CED) as an indicator for the environmental performance of products and processes is explored with a regression analysis between the environmental life-cycle impacts and fossil CEDs of 1218 products, divided into the product categories “energy production”, “material production”, “transport”, and “waste treatment”. Our results show that, for all product groups but waste treatment, the fossil CED correlates well with most impact categories, such as global warming, resource depletion, acidification, eutrophication, tropospheric ozone formation, ozone depletion, and human toxicity (explained variance between 46% and 100%). We conclude that the use of fossil fuels is an important driver of several environmental impacts and thereby indicative for many environmental problems. It may therefore serve as a screening indicator for environmental performance. However, the usefulness of fossil CED as a stand-alone indicator for environmental impact is limited by the large uncertainty in the product-specific fossil CEDbased impact scores (larger than a factor of 10 for the majority of the impact categories; 95% confidence interval). A major reason for this high uncertainty is nonfossil energy related emissions and land use, such as landfill leachates, radionuclide emissions, and land use in agriculture and forestry.

### Off

#### Overemphasis on method destroys effectiveness

Alexander Wendt, 2002, Professor of International Security and PolSci, Ohio State, Handbook of IR, p. 68

It should be stressed that in advocating a pragmatic view we are not endorsing method-driven social science. Too much research in international relations chooses problems or things to be explained with a view to whether the analysis will provide support for one or another methodological ‘ism’. But the point of IR scholarship should be to answer questions about international politics that are of great normative concern, not to validate methods. Methods are means, not ends in themselves. As a matter of personal scholarly choice it may be reasonable to stick with one method and see how far it takes us. But since we do not know how far that is, if the goal of the discipline is insight into world politics then it makes little sense to rule out one or the other approach on a priori grounds. In that case a method indeed becomes a tacit ontology, which may lead to neglect of whatever problems it is poorly suited to address. Being conscious about these choices is why it is important to distinguish between the ontological, empirical and pragmatic levels of the rationalist-constructivist debate. We favor the pragmatic approach on heuristic grounds, but we certainly believe a conversation should continue on all three levels.

#### The role of the ballot is to determine the best public policy approach – we suggest utilitarian consequentialism

William H. Shaw. PhD. Contemporary Ethics: Taking Account of Utilitarianism. P. 171-2. 1999

Utilitarianism ties right and wrong to the promotion of well-being, but it is not only a personal ethic or a guide to individual conduct. It is also a "public philosophy"' - that is, a normative basis for public policy and the structuring of our social, legal, and political institutions. Indeed, it was just this aspect of utilitarianism that primarily engaged Bentham, John Stuart Mill, his father James, and their friends and votaries. For them utilitarianism was, first and foremost, a social and political philosophy and only secondarily a private or personal moral code. In particular, they saw utilitarianism as providing the yardstick by which to measure, assess, and, where necessary, reform government social and economic policy and the judicial institutions of their day. In the public realm, utilitarianism is especially compelling. Because of its consequentialist character, a utilitarian approach to public policy requires officials to base their actions, procedures, and programs on the most accurate and detailed understanding they can obtain of the circumstances in which they are operating and the likely results of the alternatives open to them. Realism and empiricism are the hallmarks of a utilitarian orientation, not customary practice, unverified abstractions, or wishful thinking. Promotion of the well-being of all seems to be the appropriate, indeed the only sensible, touchstone for assessing public policies and institutions, and the standard objections to utilitarianism as a personal morality carry little or no weight against it when viewed as a public philosophy.

#### The alternative is to reject the affirmative’s anti-pragmatism

#### Pragmatic managerialism key to avert nuclear conflict that would preclude solvency for the aff

http://www.commondreams.org/views04/1230-05.htm Gwynne **Dyer** December 30, 200**4** is a Canadian journalist based in London whose articles are published in 45 papers worldwide. This is an abridged version of the last chapter in his updated book, War, first published in 1985. His latest book is Future: Tense. The Coming Global Order, published by McClelland and Stewart. by the Toronto Star The End of War Our Task Over the Next Few Years is to Transform the World of Independent States into a Genuine Global Village by Gwynne Dyer

War is deeply embedded in our history and our culture, probably since before we were even fully human, but weaning ourselves away from it should not be a bigger mountain to climb than some of the other changes we have already made in the way we live, given the right incentives. And we have certainly been given the right incentives: The holiday from history that we have enjoyed since the early '90s may be drawing to an end, and another great-power war, fought next time with nuclear weapons, may be lurking in our future. The "firebreak" against nuclear weapons use that we began building after Hiroshima and Nagasaki has held for well over half a century now. But the proliferation of nuclear weapons to new powers is a major challenge to the stability of the system. So are the coming crises, mostly environmental in origin, which will hit some countries much harder than others, and may drive some to desperation. Add in the huge impending shifts in the great-power system as China and India grow to rival the United States in GDP over the next 30 or 40 years and it will be hard to keep things from spinning out of control. With good luck and good management, we may be able to ride out the next half-century without the first-magnitude catastrophe of a global nuclear war, but the potential certainly exists for a major die-back of human population. We cannot command the good luck, but good management is something we can choose to provide. It depends, above all, on preserving and extending the multilateral system that we have been building since the end of World War II. The rising powers must be absorbed into a system that emphasizes co-operation and makes room for them, rather than one that deals in confrontation and raw military power. If they are obliged to play the traditional great-power game of winners and losers, then history will repeat itself and everybody loses. Our hopes for mitigating the severity of the coming environmental crises also depend on early and concerted global action of a sort that can only happen in a basically co-operative international system. When the great powers are locked into a military confrontation, there is simply not enough spare attention, let alone enough trust, to make deals on those issues, so the highest priority at the moment is to keep the multilateral approach alive and avoid a drift back into alliance systems and arms races. And there is no point in dreaming that we can leap straight into some never-land of universal brotherhood; we will have to confront these challenges and solve the problem of war within the context of the existing state system. The solution to the state of international anarchy that compels every state to arm itself for war was so obvious that it arose almost spontaneously in 1918. The wars by which independent states had always settled their quarrels in the past had grown so monstrously destructive that some alternative system had to be devised, and that could only be a pooling of sovereignty, at least in matters concerning war and peace, by all the states of the world. So the victors of World War I promptly created the League of Nations. But the solution was as difficult in practice as it was simple in concept. Every member of the League of Nations understood that if the organization somehow acquired the ability to act in a concerted and effective fashion, it could end up being used against them, so no major government was willing to give the League of Nations any real power. Instead, they got World War II, and that war was so bad — by the end the first nuclear weapons had been used on cities — that the victors made a second attempt in 1945 to create an international organization that really could prevent war. They literally changed international law and made war illegal, but they were well aware that all of that history and all those reflexes were not going to vanish overnight. It would be depressing to catalogue the many failures of the United Nations, but it would also be misleading. The implication would be that this was an enterprise that should have succeeded from the start, and has failed irrevocably. On the contrary; it was bound to be a relative failure at the outset. It was always going to be very hard to persuade sovereign governments to surrender power to an untried world authority which might then make decisions that went against their particular interests. In the words of the traditional Irish directions to a lost traveler: "If that's where you want to get to, sir, I wouldn't start from here." But here is where we must start from, for it is states that run the world. The present international system, based on heavily armed and jealously independent states, often exaggerates the conflicts between the multitude of human communities in the world, but it does reflect an underlying reality: We cannot all get all we want, and some method must exist to decide who gets what. That is why neighboring states have lived in a perpetual state of potential war, just as neighboring hunter-gatherer bands did 20,000 years ago. If we now must abandon war as a method of settling our disputes and devise an alternative, it only can be done with the full co-operation of the world's governments. That means it certainly will be a monumentally difficult and lengthy task: Mistrust reigns everywhere and no nation will allow even the least of its interests to be decided upon by a collection of foreigners. Even the majority of states that are more or less satisfied with their borders and their status in the world would face huge internal opposition from nationalist elements to any transfer of sovereignty to the United Nations. The good news for humans is that it looks like peaceful conditions, once established, can be maintained. And if baboons can do it, why not us? The U.N. as presently constituted is certainly no place for idealists, but they would feel even more uncomfortable in a United Nations that actually worked as was originally intended. It is an association of poachers turned game-keepers, not an assembly of saints, and it would not make its decisions according to some impartial standard of justice. There is no impartial concept of justice to which all of mankind would subscribe and, in any case, it is not "mankind" that makes decisions at the United Nations, but governments with their own national interests to protect. To envision how a functioning world authority might reach its decisions, at least in its first century or so, begin with the arrogant promotion of self-interest by the great powers that would continue to dominate U.N. decision-making and add in the crass expediency masquerading as principle that characterizes the shifting coalitions among the lesser powers in the present General Assembly: It would be an intensely political process. The decisions it produced would be kept within reasonable bounds only by the need never to act in a way so damaging to the interest of any major member or group of members that it forced them into total defiance, and so destroyed the fundamental consensus that keeps war at bay. There is nothing shocking about this. National politics in every country operates with the same combination: a little bit of principle, a lot of power, and a final constraint on the ruthless exercise of that power based mainly on the need to preserve the essential consensus on which the nation is founded and to avoid civil war. In an international organization whose members represent such radically different traditions, interests, and levels of development, the proportion of principle to power is bound to be even lower. It's a pity that there is no practical alternative to the United Nations, but there isn't. If the abolition of great-power war and the establishment of international law is truly a hundred-year project, then we are running a bit behind schedule but we have made substantial progress. We have not had World War III, and that is thanks at least in part to the United Nations, which gave the great powers an excuse to back off from several of their most dangerous confrontations without losing face. No great power has fought another since 1945, and the wars that have broken out between middle-sized powers from time to time — Arab-Israeli wars and Indo-Pakistani wars, mostly — seldom lasted more than a month, because the U.N.'s offers of ceasefires and peacekeeping troops offered a quick way out for the losing side. If you assessed the progress that has been made since 1945 from the perspective of that terrifying time, the glass would look at least half-full. The enormous growth of international organizations since 1945, and especially the survival of the United Nations as a permanent forum where the states of the world are committed to avoiding war (and often succeed), has already created a context new to history. The present political fragmentation of the world into more than 150 stubbornly independent territorial units will doubtless persist for a good while to come. But it is already becoming an anachronism, for, in every other context, from commerce, technology, and the mass media to fashions in ideology, music, and marriage, the outlines of a single global culture (with wide local variations) are visibly taking shape. It is very likely that we began our career as a rising young species by exterminating our nearest relatives, the Neanderthals, and it is entirely possible we will end it by exterminating ourselves, but the fact that we have always had war as part of our culture does not mean that we are doomed always to fight wars. Other aspects of our behavioral repertoire are a good deal more encouraging. There is, for example, a slow but quite perceptible revolution in human consciousness taking place: the last of the great redefinitions of humanity. At all times in our history, we have run our affairs on the assumption that there is a special category of people (our lot) whom we regard as full human beings, having rights and duties approximately equal to our own, and whom we ought not to kill even when we quarrel. Over the past 15,000 or 20,000 years we have successively widened this category from the original hunting-and-gathering band to encompass larger and larger groups. First it was the tribe of some thousands of people bound together by kinship and ritual ties; then the state, where we recognize our shared interests with millions of people whom we don't know and will never meet; and now, finally, the entire human race. There was nothing in the least idealistic or sentimental in any of the previous redefinitions. They occurred because they were useful in advancing people's material interests and ensuring their survival. The same is true for this final act of redefinition: We have reached a point where our moral imagination must expand again to embrace the whole of mankind. It's no coincidence that the period in which the concept of the national state is finally coming under challenge by a wider definition of humanity is also the period that has seen history's most catastrophic wars, for they provide the practical incentive for change. But the transition to a different system is a risky business: The danger of another world war which would cut the whole process short is tiny in any given year, but cumulatively, given how long the process of change will take, it is extreme. That is no reason not to keep trying. Our task over the next few generations is to transform the world of independent states in which we live into some sort of genuine international community. If we succeed in creating that community, however quarrelsome, discontented, and full of injustice it will probably be, then we shall effectively have abolished the ancient institution of warfare. Good riddance.

#### Their argument devolves into endless discussion- only K solves extinction

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And here is a paradox: despite their much more powerful apparatus of inquiry, scientists are more tentative than lawyers. Scientists talk more in terms of "theory" and "hypothesis" and "data" and "belief" than of "fact" and "truth," which are terms that pervade legal discourse. Obviously there are many scientific facts and scientific truths, but they are not the focus of interest. In Karl Popper's influential theory of scientific inquiry, the march of science is a process of error correction, and truth its ever-receding goal. That way of thinking is alien to the legal profession. A lawyer says, "My client is innocent, and that's the truth." More than a rhetoric of certitude is involved. Lawyers inhabit a plane of inquiry where facts are salient, such as the date of an automobile accident or the date the plaintiff filed his case. Even in this age of science, their concern is mainly with the visible everyday world, the world navigable by common sense. For present purposes, the deepest difference between law (and other social sciences) and the natural sciences may be that the orientation of the former is toward action and of the latter toward knowledge. That is one reason scientists cannot be entrusted with the defense of the nation and the human race, whether it is defense against the public enemy or (an overlapping category) against the catastrophic risks with which this book is concerned. This is not a criticism of science or scientists. To seekers after knowledge, measures of protection against dangerous knowledge, such as knowledge of how to use gene splicing to create a more lethal pathogen, are simply an impediment, and the value of astronomical skills in crafting a defense against asteroid collisions simply an irrelevance.

#### Existence is a prerequisite to ontological questioning.

Paul Wapner, Winter 2003, assoc. prof. and dir. of the Global Environmental Policy Program @ American Univ., “Leftist criticism of,” <http://www.dissentmagazine.org/article/?article=539>

THE THIRD response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn't mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn't postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of "nature" does deny the self-expression of the nonhuman world, but how would we know what such self-expression means? Indeed, nature doesn't speak; rather, some person always speaks on nature's behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation.

### Off

#### The failure to present or advocate a policy-relevant prescription about the actual passage of laws to solve the harms of the 1ac devolves into a spectatorial view of politics that collapses the possibility of change – only engaging questions of policy as a starting point offers hope for change

David McClean (Professor of philosophy, taught philosophy at the City University of New York’s Hunter College, Rutgers University (Newark, NJ) and Molloy College philosopher and religious thinker) 2001 “The Cultural Left and the Limits of Social Hope” http://www.american-philosophy.org/archives/past\_conference\_programs/pc2001/Discussion%20papers/david\_mcclean.htm

There is a lot of philosophical prose on the general subject of social justice. Some of this is quite good, and some of it is quite bad. What distinguishes the good from the bad is not merely the level of erudition. Displays of high erudition are gratuitously reflected in much of the writing by those, for example, still clinging to Marxian ontology and is often just a useful smokescreen which shrouds a near total disconnect from empirical reality. This kind of political writing likes to make a lot of references to other obscure, jargon-laden essays and tedious books written by other true believers - the crowd that takes the fusion of Marxian and Freudian private fantasies seriously. Nor is it the lack of scholarship that makes this prose bad. Much of it is well "supported" by footnotes referencing a lode of other works, some of which are actually quite good. Rather, what makes this prose bad is its utter lack of relevance to extant and critical policy debates, the passage of actual laws, and the amendment of existing regulations that might actually do some good for someone else. The writers of this bad prose are too interested in our arrival at some social place wherein we will finally emerge from our "inauthentic" state into something called "reality." Most of this stuff, of course, comes from those steeped in the Continental tradition (particularly post-Kant). While that tradition has much to offer and has helped shape my own philosophical sensibilities, it is anything but useful when it comes to truly relevant philosophical analysis, and no self-respecting Pragmatist can really take seriously the strong poetry of formations like "authenticity looming on the ever remote horizons of fetishization." What Pragmatists see instead is the hope that we can fix some of the social ills that face us if we treat policy and reform as more important than Spirit and Utopia. Like light rain released from pretty clouds too high in the atmosphere, the substance of this prose dissipates before it can reach the ground and be a useful component in a discussion of medicare reform or how to better regulate a pharmaceutical industry that bankrupts senior citizens and condemns to death HIV patients unfortunate enough to have been born in Burkina Faso - and a regulatory regime that permits this. It is often too drenched in abstractions and references to a narrow and not so merry band of other intellectuals (Nietzsche, Bataille, Foucault, Lukács, Benjamin) to be of much use to those who are the supposed subject matter of this preternatural social justice literature. Since I have no particular allegiance to these other intellectuals, no particular impulse to carry their water or defend their reputations, I try and forget as much as I can about their writings in order to make space for some new approaches and fresh thinking about that important question that always faces us - "What is to be done?" I am, I think, lucky to have taken this decision before it had become too late. One might argue with me that these other intellectuals are not looking to be taken seriously in the construction of solutions to specific socio-political problems. They are, after all, philosophers engaged in something called philosophizing. They are, after all, just trying to be good culture critics. Of course, that isn't quite true, for they often write with specific reference to social issues and social justice in mind, even when they are fluttering about in the ether of high theory (Lukács, for example, was a government officer, albeit a minister of culture, which to me says a lot), and social justice is not a Platonic form but parses into the specific quotidian acts of institutions and individuals. Social justice is but the genus heading which may be described better with reference to its species iterations- the various conditions of cruelty and sadism which we wittingly or unwittingly permit. If we wanted to, we could reconcile the grand general theories of these thinkers to specific bureaucracies or social problems and so try to increase their relevance. We could construct an account which acts as a bridge to relevant policy considerations. But such attempts, usually performed in the reams of secondary literature generated by their devotees, usually make things even more bizarre. In any event, I don't think we owe them that amount of effort. After all, if they wanted to be relevant they could have said so by writing in such a way that made it clear that relevance was a high priority. For Marxians in general, everything tends to get reduced to class. For Lukács everything tends to get reduced to "reification." But society and its social ills are far too intricate to gloss in these ways, and the engines that drive competing interests are much more easily explained with reference to animal drives and fears than by Absolute Spirit. That is to say, they are not easily explained at all. Take Habermas, whose writings are admittedly the most relevant of the group. I cannot find in Habermas's lengthy narratives regarding communicative action, discourse ethics, democracy and ideal speech situations very much more than I have found in the Federalist Papers, or in Paine's Common Sense, or in Emerson's Self Reliance or Circles. I simply don't find the concept of uncoerced and fully informed communication between peers in a democratic polity all that difficult to understand, and I don't much see the need to theorize to death such a simple concept, particularly where the only persons that are apt to take such narratives seriously are already sold, at least in a general sense. Of course, when you are trying to justify yourself in the face of the other members of your chosen club (in Habermas's case, the Frankfurt School) the intricacy of your explication may have less to do with simple concepts than it has to do with parrying for respectability in the eyes of your intellectual brethren. But I don't see why the rest of us need to partake in an insular debate that has little to do with anyone that is not very much interested in the work of early critical theorists such as Horkheimer or Adorno, and who might see their insights as only modestly relevant at best. Not many self-respecting engaged political scientists in this country actually still take these thinkers seriously, if they ever did at all. Or we might take Foucault who, at best, has provided us with what may reasonably be described as a very long and eccentric footnote to Nietzsche (I have once been accused, by a Foucaltian true believer, of "gelding" Foucault with other similar remarks). Foucault, who has provided the Left of the late 1960s through the present with such notions as "governmentality," "Limit," "archeology," "discourse" "power" and "ethics," creating or redefining their meanings, has made it overabundantly clear that all of our moralities and practices are the successors of previous ones which derive from certain configurations of savoir and connaisance arising from or created by, respectively, the discourses of the various scientific schools. But I have not yet found in anything Foucault wrote or said how such observations may be translated into a political movement or hammered into a political document or theory (let alone public policies) that can be justified or founded on more than an arbitrary aesthetic experimentalism. In fact, Foucault would have shuddered if any one ever did, since he thought that anything as grand as a movement went far beyond what he thought appropriate. This leads me to mildly rehabilitate Habermas, for at least he has been useful in exposing Foucault's shortcomings in this regard, just as he has been useful in exposing the shortcomings of others enamored with the abstractions of various Marxian-Freudian social critiques. Yet for some reason, at least partially explicated in Richard Rorty's Achieving Our Country, a book that I think is long overdue, leftist critics continue to cite and refer to the eccentric and often a priori ruminations of people like those just mentioned, and a litany of others including Derrida, Deleuze, Lyotard, Jameson, and Lacan, who are to me hugely more irrelevant than Habermas in their narrative attempts to suggest policy prescriptions (when they actually do suggest them) aimed at curing the ills of homelessness, poverty, market greed, national belligerence and racism. I would like to suggest that it is time for American social critics who are enamored with this group, those who actually want to be relevant, to recognize that they have a disease, and a disease regarding which I myself must remember to stay faithful to my own twelve step program of recovery. The disease is the need for elaborate theoretical "remedies" wrapped in neological and multi-syllabic jargon. These elaborate theoretical remedies are more "interesting," to be sure, than the pragmatically settled questions about what shape democracy should take in various contexts, or whether private property should be protected by the state, or regarding our basic human nature (described, if not defined (heaven forbid!), in such statements as "We don't like to starve" and "We like to speak our minds without fear of death" and "We like to keep our children safe from poverty"). As Rorty puts it, "When one of today's academic leftists says that some topic has been 'inadequately theorized,' you can be pretty certain that he or she is going to drag in either philosophy of language, or Lacanian psychoanalysis, or some neo-Marxist version of economic determinism. . . . These futile attempts to philosophize one's way into political relevance are a symptom of what happens when a Left retreats from activism and adopts a spectatorial approach to the problems of its country. Disengagement from practice produces theoretical hallucinations"(italics mine).(1) Or as John Dewey put it in his The Need for a Recovery of Philosophy, "I believe that philosophy in America will be lost between chewing a historical cud long since reduced to woody fiber, or an apologetics for lost causes, . . . . or a scholastic, schematic formalism, unless it can somehow bring to consciousness America's own needs and its own implicit principle of successful action." Those who suffer or have suffered from this disease Rorty refers to as the Cultural Left, which left is juxtaposed to the Political Left that Rorty prefers and prefers for good reason. Another attribute of the Cultural Left is that its members fancy themselves pure culture critics who view the successes of America and the West, rather than some of the barbarous methods for achieving those successes, as mostly evil, and who view anything like national pride as equally evil even when that pride is tempered with the knowledge and admission of the nation's shortcomings. In other words, the Cultural Left, in this country, too often dismiss American society as beyond reform and redemption. And Rorty correctly argues that this is a disastrous conclusion, i.e. disastrous for the Cultural Left. I think it may also be disastrous for our social hopes, as I will explain. Leftist American culture critics might put their considerable talents to better use if they bury some of their cynicism about America's social and political prospects and help forge public and political possibilities in a spirit of determination to, indeed, achieve our country - the country of Jefferson and King; the country of John Dewey and Malcom X; the country of Franklin Roosevelt and Bayard Rustin, and of the later George Wallace and the later Barry Goldwater. To invoke the words of King, and with reference to the American society, the time is always ripe to seize the opportunity to help create the "beloved community," one woven with the thread of agape into a conceptually single yet diverse tapestry that shoots for nothing less than a true intra-American cosmopolitan ethos, one wherein both same sex unions and faith-based initiatives will be able to be part of the same social reality, one wherein business interests and the university are not seen as belonging to two separate galaxies but as part of the same answer to the threat of social and ethical nihilism. We who fancy ourselves philosophers would do well to create from within ourselves and from within our ranks a new kind of public intellectual who has both a hungry theoretical mind and who is yet capable of seeing the need to move past high theory to other important questions that are less bedazzling and "interesting" but more important to the prospect of our flourishing - questions such as "How is it possible to develop a citizenry that cherishes a certain hexis, one which prizes the character of the Samaritan on the road to Jericho almost more than any other?" or "How can we square the political dogma that undergirds the fantasy of a missile defense system with the need to treat America as but one member in a community of nations under a "law of peoples?" The new public philosopher might seek to understand labor law and military and trade theory and doctrine as much as theories of surplus value; the logic of international markets and trade agreements as much as critiques of commodification, and the politics of complexity as much as the politics of power (all of which can still be done from our arm chairs.) This means going down deep into the guts of our quotidian social institutions, into the grimy pragmatic details where intellectuals are loathe to dwell but where the officers and bureaucrats of those institutions take difficult and often unpleasant, imperfect decisions that affect other peoples' lives, and it means making honest attempts to truly understand how those institutions actually function in the actual world before howling for their overthrow commences. This might help keep us from being slapped down in debates by true policy pros who actually know what they are talking about but who lack awareness of the dogmatic assumptions from which they proceed, and who have not yet found a good reason to listen to jargon-riddled lectures from philosophers and culture critics with their snobish disrespect for the so-called "managerial class." A young scholar, Mark Van Hollebeke who is presenting his essay at another SAAP session, seems to me to take on Walter Benjamin in a bit of the spirit of the type of new public intellectual I would like to see more of, i.e. one willing to assume the risk of taking on the glaring analytic lacunae and self-indulgence of culture critics rooted in ontologies spun out of thin air but cloaked in enough empiricism to get themselves taken seriously. Van Hollebeke's essay, The Pathologies and Possibilities of Urban Life: Dialectical and Pragmatic Sightseeing in New York City is a critique of Benjamin's Das Passagen-Werk (The Arcades Project) in which Benjamin decries the "wish images" of commodity fetishization and the so-called "phantasmagorical" dream world induced by the false consciousness of modernity. Where Benjamin criticizes wish images (essentially connected with stuff you can buy but which also serves to take your mind off of the ideologies of cultural production which oppress you) planted in the arcade as tools of alienation, Van Hollebeke responds with the Pragmatic voice that rehabilitates and reintroduces the wish image as a necessary component of psychological health and communal life, and which need not and does not always take the harmful form of fetishization and alienation that Benjamin insists it does. For Van Hollebeke, the city is not merely an arcade, a decadent place of ideologically deceiving images and of blind subservience to producers' machinations; not merely a place devoid of "reality" and "authenticity," but the site where possibilities are created and played out, where new roles may be found or constructed, wherein we see our own futures, at least partly, in the things we desire. While Van Hollebeke does not explicitly say so - though I wish he did - Benjamin (and so perhaps we) is left facing several important, pragmatic questions. Just what is this "reality" to be had by the critique of "wish images" per se? What is the wish imagery that prompts the philosopher to become a philosopher and how different is the product of the academy from other products which are purchased with far fewer dollars? Is Benjamin's own philosophizing all just a noble pursuit, or were his pursuits of academic credentials, often failures due to the obscurity of his writing, not partly the price to be paid for entry into an elite corps in which membership is jealously guarded (as it was certainly guarded among his friends)? What made Benjamin think he was more than the product of cultural production? The friendly question I would put to Van Hollebeke is why he bothered to take Benjamin seriously to begin with. But Hollebeke is not alone. Stanley Cavell also takes Benjamin seriously, even though he has described the Arcades Project as "a production without a product (a way to think about its claim to philosophy, or rather, to philosophizing)."(2) Cavell meant this reflection to be taken non-pejoratively because he seems to take Benjamin more seriously as an aesthetician and literary metaphysician (in Rorty-speak, as a "strong poet") than as a serious, social commentator with good ideas. Keeping Benjamin and his cohorts in the box of aesthetics and metaphysics is, I believe, good intellectual policy for social critics seeking to be relevant. They should be cited for seasoning and not for meat. . . . Our new president, possessing no towering intellect, talks of a people who share a continent, but are not a nation. He is right, of course. We are only beginning to learn to put tribal loyalties aside and to let ourselves take seriously other more salutary possibilities, though we delude ourselves into believing that we have made great progress. Perhaps so-called "compassionate conservatism," though a gimmick to win a political contest, will bear a small harvest of unintended and positive consequences, although I remain dubious about this if the task of thinking through what it might actually mean remains the chore of George W. Bush. But if the not-too-Neanderthal-Right is finally willing to meet the not-too-wacky-Left at a place of dialogue somewhere in the "middle," then that is good news, provided the Left does not miss the opportunity to rendevous. Yet, there is a problem here. Both the Cultural Left and the Cultural Right tend to be self-righteous purists. The best chance, then, is for the emergence of Rorty's new Political Left, in conjunction with a new Political Right. The new Political Left would be in the better position of the two to frame the discourse since it probably has the better intellectual hardware (it tends to be more open-minded and less dogmatic) to make a true dialogue work. They, unlike their Cultural Left peers, might find it more useful to be a little less inimical and a little more sympathetic to what the other side might, in good faith, believe is at stake. They might leave behind some of the baggage of the Cultural Left's endless ruminations (Dewey's philosophical cud chewing) about commodity fetishization, or whether the Subject has really died, or where crack babies fit into neo-capitalist hegemonies, and join the political fray by parsing and exposing the more basic idiotic claims and dogmas of witless politicians and dangerous ideologues, while at the same time finding common ground, a larger "We" perspective that includes Ronald Reagan and Angela Davis under the same tent rather than as inhabitants of separate worlds. The operative spirit should be that of fraternal disagreement, rather than self-righteous cold shoulders. Yet I am not at all convinced that anything I have described is about to happen, though this essay is written to help force the issue, if only a little bit. I am convinced that the modern Cultural Left is far from ready to actually run the risks that come with being taken seriously and held accountable for actual policy-relevant prescriptions. Why should it? It is a hell of a lot more fun and a lot more safe pondering the intricacies of high theory, patching together the world a priori (which means without any real consideration of those officers and bureaucrats I mentioned who are actually on the front lines of policy formation and regulation). However the risk in this apriorism is that both the conclusions and the criticisms will miss the mark, regardless of how great the minds that are engaged. Intellectual rigor and complexity do not make silly ideas politically salient, or less pernicious, to paraphrase Rorty. This is not to say that air-headed jingoism and conservative rants about republican virtue aren't equally silly and pernicious. But it seems to me that the new public philosopher of the Political Left will want to pick better yardsticks with which to measure herself. Is it really possible to philosophize by holding Foucault in one hand and the Code of Federal Regulation or the Congressional Record in the other? Given that whatever it has meant to be a philosopher has been under siege at various levels, I see no reason why referring to the way things are actually done in the actual world (I mean really done, not done as we might imagine) as we think through issues of public morality and social issues of justice shouldn't be considered a viable alternative to the way philosophy has proceeded in the past. Instead of replacing epistemology with hermeneutics or God knows what else as the foundation of philosophical practice, we should move social philosophers in the direction of becoming more like social and cultural auditors rather than further in the direction of mere culture critics. We might be able to recast philosophers who take-up questions of social justice in a serious way as the ones in society able to traverse not only disciplines but the distances between the towers of the academy and the bastions of bureaucracies seeking to honestly and sometimes dishonestly assess both their failings and achievements. This we can do with a special advantage over economists, social scientists and policy specialists who are apt to take the narrow view of most issues. We do have examples of such persons. John Dewey and Karl Popper come to mind as but two examples, but in neither case was there enough grasp of the actual workings of social institutions that I believe will be called for in order to properly minister to a nation in need of helpful philosophical insights in policy formation. Or it may just be that the real work will be performed by philosophically grounded and socially engaged practitioners rather than academics. People like George Soros come to mind here.

#### This depoliticized, local starting point causes extinction – turns case

 Carl Boggs (Los Angeles Campus Full Time Faculty Professor) 1997 “The Great Retreat”

The decline of the public sphere in late twentieth-century America poses a series of great dilemmas and challenges. Many ideological currents scrutinized here ^ localism, metaphysics, spontaneism, post- modernism, Deep Ecology ^ intersect with and reinforce each other. While these currents have deep origins in popular movements of the 1960s and 1970s, they remain very much alive in the 1990s. Despite their different outlooks and trajectories, they all share one thing in common: a depoliticized expression of struggles to combat and over- come alienation. The false sense of empowerment that comes with such mesmerizing impulses is accompanied by a loss of public engagement, an erosion of citizenship and a depleted capacity of individuals in large groups to work for social change. As this ideological quagmire worsens, urgent problems that are destroying the fabric of American society will go unsolved ^ perhaps even unrecognized ^ only to fester more ominously into the future. And such problems (ecological crisis, poverty, urban decay, spread of infectious diseases, technological displacement of workers) cannot be understood outside the larger social and global context of internationalized markets, ¢nance, and communications. Paradoxically, the widespread retreat from politics, often inspired by localist sentiment, comes at a time when agendas that ignore or side- step these global realities will, more than ever, be reduced to impotence. In his commentary on the state of citizenship today, Wolin refers to the increasing sublimation and dilution of politics, as larger numbers of people turn away from public concerns toward private ones. By diluting the life of common involvements, we negate the very idea of politics as a source of public ideals and visions.74 In the meantime, the fate of the world hangs in the balance. The unyielding truth is that, even as the ethos of anti-politics becomes more compelling and even fashionable in the United States, it is the vagaries of political power that will continue to decide the fate of human societies. This last point demands further elaboration. The shrinkage of politics hardly means that corporate colonization will be less of a reality, that social hierarchies will somehow disappear, or that gigantic state and military structures will lose their hold over people's lives. Far from it: the space abdicated by a broad citizenry, well-informed and ready to participate at many levels, can in fact be filled by authoritarian and reactionary elites ^ an already familiar dynamic in many lesser- developed countries. The fragmentation and chaos of a Hobbesian world, not very far removed from the rampant individualism, social Darwinism, and civic violence that have been so much a part of the American landscape, could be the prelude to a powerful Leviathan designed to impose order in the face of disunity and atomized retreat. In this way the eclipse of politics might set the stage for a reassertion of politics in more virulent guise ^ or it might help further rationalize the existing power structure. In either case, the state would likely become what Hobbes anticipated: the embodiment of those universal, collec- tive interests that had vanished from civil society.75

#### The alternative is to embrace the risks associated with defending the implementation of their values as policy – only embracing risks fills political space to resist the worst abuses of a military state

The Military State of America and the Democratic Left WINTER 2010 DISSENT James B. Rule is affiliated with the Center for the Study of Law and Society at the University of California, Berkeley, 2010 and a longtime member of Dissent’s Editorial Board. His latest book is Privacy in Peril (Ebsco)

In a dangerous world, any course of action bears risks. No one can absolutely rule out the possibility that a steady diet of aggressive American military action abroad might forestall disasters yet unseen. Nor can anyone deny that relentless surveillance of domestic communications, or invocation of national security to rebuff all challenges to the exercise of government power could, conceivably, help block further terrorist acts on U.S. soil. But nor, for that matter, can anyone authoritatively deny that such measures might actually make matters much worse. Political programs are defined as much by the risks they are willing to accept as by the values they seek to promote. The democratic Left properly welcomes the risks of broader and deeper democracy, at home and abroad. It counsels more government openness and broader public engagement in governance, even while acknowledging that these things can go wrong. It seeks to build, however incrementally, supranational structures of authority and conflict-resolution—as against reliance on unilateral intimidation and worse. It refuses to let American fixation on worldwide dominance to serve as an excuse for not building a strong nation at home—that is, for neglecting health, employment, environmental responsibility, and education. We on the democratic Left must be quick to take risks on behalf of these ends— because the alternative risks of endless, deadly international conflict and narrowing attention to domestic well-being are far more alarming.

### Case

#### Utilitarianism is the only framework of evaluation and alternatives are inevitability self-contradictory.

Joseph S. Nye, 1986, Phd Political Science Harvard. University; Served as Assistant Secretary of Defense for International Security Affairs; “Nuclear Ethics,” pg. 18-19

The significance and the limits of the two broad traditions can be captured by contemplating a hypothetical case.34 Imagine that you are visiting a Central American country and you happen upon a village square where an army captain is about to order his men to shoot two peasants lined up against a wall. When you ask the reason, you are told someone in this village shot at the captain's men last night. When you object to the killing of possibly innocent people, you are told that civil wars do not permit moral niceties. Just to prove the point that we all have dirty hands in such situations, the captain hands you a rifle and tells you that if you will shoot one peasant, he will free the other. Otherwise both die. He warns you not to try any tricks because his men have their guns trained on you. Will you shoot one person with the consequences of saving one, or will you allow both to die but preserve your moral integrity by refusing to play his dirty game? The point of the story is to show the value and limits of both traditions. Integrity is clearly an important value, and many of us would refuse to shoot. But at what point does the principle of not taking an innocent life collapse before the consequentialist burden? Would it matter if there were twenty or 1,000 peasants to be saved? What if killing or torturing one innocent person could save a city of 10 million persons from a terrorists' nuclear device? At some point does not integrity become the ultimate egoism of fastidious self-righteousness in which the purity of the self is more important than the lives of countless others? Is it not better to follow a consequentialist approach, admit remorse or regret over the immoral means, but justify the action by the consequences? Do absolutist approaches to integrity become self-contradictory in a world of nuclear weapons? "Do what is right though the world should perish" was a difficult principle even when Kant expounded it in the eighteenth century, and there is some evidence that he did not mean it to be taken literally even then. Now that it may be literally possible in the nuclear age, it seems more than ever to be self-contradictory.35 Absolutist ethics bear a heavier burden of proof in the nuclear age than ever before.

#### Managerialism is key to prevent extinction.

Neil Levy, 1999, fellow of the Centre for Applied Philosophy and Public Ethics at Charles Sturt University, “Discourses of the Environment,” p. 215

If the ‘technological fix’ is unlikely to be more successful than strategies of limitation of our uses of resources, we are nevertheless unable to simply leave the environment as it is. There is a real and pressing need for more, and more accurate, technical and scientific information about the non-human world. For we are faced with a situation in which the processes we have already set in train will continue to impact upon that world, and therefore us, for centuries. It is therefore necessary, not only to stop cutting down the rain forests, but to develop real, concrete proposals for action, to reverse, or at least limit, the effects of our previous interventions. Moreover, there is another reason why our behaviour towards the non-human cannot simply be a matter of leaving it as it is, at least in so far as our goals are not only environmental but also involve social justice. For if we simply preserve what remains to us of wilderness, of the countryside and of park land, we also preserve patterns of very unequal access to their resources and their consolations (Soper 1995: 207). In fact, we risk exacerbating these inequalities. It is no us, but the poor of Brazil, who will bear the brunt of the misery which would result form a strictly enforced policy of leaving the Amazonian rain forest untouched, in the absence of alternative means of providing for their livelihood. It is the development of policies to provide such ecologically sustainable alternative which we require, as well as the development of technical means for replacing our current greenhouse gas-emitting sources of energy. Such policies and proposals for concrete action must be formiulated by ecologists, environmentalist, people with expertise concerning the functioning of ecosystems and the impacts which our actions have upon them. Such proposals are, therefore, very much the province for Foucault’s specific intellectual, the one who works ‘within specific sectors, at the precise points where their won conditions of life or work situate them’ (Foucault 1980g: 126). For who could be more fittingly described as ‘the strategists of life and death’ than these environmentalists? After the end of the Cold War, it is in this sphere, more than any other, that man’s ‘politics places his existence as a living being in question’ (Foucault 1976: 143). For it is in facing the consequences of our intervention in the non-human world that the fate of our species, and of those with whone we share this planet, will be decided.

#### Consumption is too engrained

Matsuyama 2002 (Kiminori Matsuyama, professor of Economics at Northwestern University, 2002, “The Rise of Mass Consumption Societies,” http://faculty.wcas.northwestern.edu/~kmatsu/Mass%20Consumption%20Society-jpe.pdf)

Although Katona stressed that this is a phenomenon unique to the American society, virtually all the industrialized countries have gone through similar transformation after WWII.1 Rostow (1960), in developing his thesis of stages of economic growth, named the last of the five stages, “the age of high mass consumption.” He argued that not only the United States, but also Canada, Australia, Western European countries, and Japan had reached this stage. Fourastié (1979) discussed similar development in postwar France, from 1946 to 1975, the period that many French writers call Les Trente Glorieuses after the title of his book. Many Japanese also commented on a new feature of postwar booms in the fifties and sixties; Contrary to the prewar booms, which were mostly driven by military demand, they were driven, or at least supported, by consumer demands, particularly for home electronic appliances.2¶ One piece of the evidence that these authors routinely present is the penetration rates of consumer goods. Figure 1 illustrates the typical pattern in a stylized way. Each curve shows the fraction of households using a particular consumer good. For example, the use of vacuum cleaners, washing machines, telephones, was restricted to a small section of the population before WWII, but spread to the low-income households during the fifties and sixties. Many other consumer goods, such as television sets, cars, and air-conditioners follow similar paths, with some lags.3 This pattern is so similar across many industrialized countries that the penetration rates of representative goods have become the popular yardstick for comparing the standards of living across societies. One key feature of this pattern is that not only the market for each consumer good takes off, but also each takeoff is followed by one after another. The pattern shown in Figure 1 will be called “Flying Geese” in this paper.4 As many countries have experienced this transformation, the very notion of necessities and luxuries has changed. Many consumer goods that have penetrated into the majority of households, such as vacuum cleaners, washing machines, telephones, televisions, refrigerators, automobiles, air-conditioners, are now generally regarded as necessities in rich societies, and yet, they were all considered as luxuries only a half century ago. To quote Katona again,¶ “We are rich compared with our grandparents and compared with most other peoples of the world. In fact, however, we are still a middle-class society, enjoying middle-class comforts. .... The drudgery of seeking subsistence has been supplanted for millions of people, not by abundance and indulgence, but rather by a new concept of what are necessities and needs.” (italics added)

The notion of necessities and luxuries not only has changed over time. It also varies from countries to countries. Many goods that are taken for granted in rich countries remain luxuries in many parts of the world. The question of why some countries have failed to become mass consumption societies is at least as important as the question of why some succeeded.

#### Human nature

Barnhizer 2006 (David Barnhizer, Professor of Law at Ohio State University, Articles Editor of the Ohio State Law Journal and then served as a Reginald Heber Smith Community Lawyer Fellow in Colorado Springs Legal Services Office, a Ford Urban Law Fellow, and a Clinical Teaching Fellow at the Harvard Law School, Senior Advisor to the International Program of the Natural Resources Defense Council, a Senior Fellow for Earth Summit Watch, and General Counsel for the Shrimp Tribunal. He has served as Executive Director of The Year 2000 Committee, 2006 “waking from sustainability’s “impossible dream”” Georgetown environmental law review)

Devotees of sustainability pin their hopes on an awakening by an enlightened populace that will rise up and insist that business and government behave in ways that reflect the idea that "[a] sustainable society is one that can persist over generations, one that is far-seeing enough, flexible enough, and wise enough not to undermine either its physical or its social systems of support."81 This awakening is not going to happen. There will never be a populist revolution in the way humans value the environment, social justice, and other matters of moral consequence. We frequently "talk the talk," but rarely "walk the walk."82 This discrepancy is partly an individual failure, but it is even more a result of the powerful forces that operate within our culture. Residents of Western cultures are shaped by the system in which they live. They will never possess either the clarity of agenda or the political will essential to a coherent and coordinated shift in behavior due to a combination of ignorance, greed, sloth, and inundation by political and consumerist propaganda. This combination means there will be no values shift welling up from the people and demanding the transformation of our systems of production and resource use.

#### AFF cedes energy policy to elites

Macias 2010 (Rebeca Macias, Visiting Scholar at the Canadian Institute of Resources Law University of Calgary, December 2010, “Public Participation in Energy and Natural Resources Development: A Theory and Criteria for Evaluation,” http://dspace.ucalgary.ca/bitstream/1880/48390/1/CriteriaOP34w.pdf)

The complexity of environmental decisions and their political impacts are strong arguments for citizens’ participation. It is argued that public participation enhances the accountability of environmental decision-making, as the public acts as a watchdog over government policies. As government tends to privilege market development, it may overlook democratic values.62 Participation can help to increase governments’ compliance with environmental and natural resources conservation.63 Participation “injects different ideas, preventing the agency from descending into closed-door thinking in an intellectual vacuum.”64

#### Zizek’s alternative is impossible and can translate into actual social change – if anything it glorifies mass murder and conflict

Andrew **Robinson and** Simon **Tormey** (University of Nottingham) **2003** “Zizek is not a Radical” http://homepage.ntlworld.com/simon.tormey/articles/Zizeknotradical.pdf

Zizek does not offer much by way of a positive social agenda. He does not have anything approximating to a ‘programme’, nor **a model of the kind of society he seeks, nor** a theory of the construction of alternatives in the present. Indeed, the more one looks at the matter, the more difficult it becomes to pin Zizek down to any ‘line’ or ‘position’. He seems **at first sight** to regard social transformation, not as something ‘possible’ to be theorised and advanced, but as a fundamental ‘impossibility’ **because the influence of the dominant symbolic system is so great that it makes alternatives unthinkable**.15 A fundamental transformation, however, is clearly the only answer to the vision of contemporary crisis Zizek offers. Can he escape this contradiction? His attempt to do so revolves around a reclassification of ‘impossibility’ as an active element in generating action. Asserting or pursuing the impossible becomes in Zizek’s account not only possible but desirable. So how then can the left advance its ‘impossible’ politics?How is a now ‘impossible’ model of class struggle be transformed into a politics relevant to the present period? As becomes evident ‘class struggle’ is not for Zizek an empirical referent and even less a category of Marxisant sociological analysis, but a synonym for the Lacanian Real. A progressive endorsement of ‘class struggle’ means positing the lack of a common horizon and assuming or asserting the insolubility of political conflict.16 It **therefore** involves a glorification of conflict**, antagonism**, terror and a militaristic logic **of carving the field into good and bad sides, as a good in itself**.17 Zizek celebrates war because it ‘undermines the complacency of our daily routine’ by introducing ‘meaningless sacrifice and destruction’.18 **He fears being trapped by a suffocating social peace** or Good and so calls on people to take a ‘militant, divisive position’ of ‘assertion of the Truth that enthuses them’.19 The content of this Truth is a secondary issue. For Zizek, Truth has nothing to do with truth-claims and the field of ‘knowledge’. Truth is an event which ‘just happens’, in which ‘the thing itself’ is ‘disclosed to us as what it is’.20 Truth is therefore the exaggeration which distorts any balanced system.21 A ‘truth-effect’ occurs whenever a work produces a strong emotional reaction, and it need not be identified with empirical accuracy: lies and distortions can have a truth-effect, and factual truth can cover the disavowal of desire and the Real.22

#### The affs view of wiping the psychological slate clean causes mass murder and global holocausts

Geoff **Boucher,** (research fellow for the Centre for Pyschoanalytic Studies at Deakin University) **2005** “The Law as a Thing: Zizek and the Graph of Desire, Traversing the Fantasy: critical responses to slavoj zizek”, Pg. 44

Based on his conceptualisation of the "Lacanian Thing" as secretly identical to the Cartesian ego, then, **Zizek can only lurch between the poles of an antinomy.** For the early, postmarxian Zizek, the death drive (the Thing) represents the dimension of radical negativity that is not an expression of alienated social conditions. Therefore: **it is not only that** the aim is no longer to abolish this antagonism, but **that the aspiration** to abolish it is precisely the source of totalitarian temptation; the greatest mass murders and holocausts have always been perpetrated in the name of man as a harmonious being, of a New Man without antagonistic tension (Zizek, 1989: 5).Indeed, this fantasy of the absolute crime that opens a New Beginning is sadistic. It is the fantasy that "it is possible to create new forms of life ex nihilo, from the zero-point". From the vantage of Zizek's early period**, it is "not difficult to see how** all radical revolutionary projects, Khmer Rouge included, rely on this same fantasy of ... the creation ex nihilo of a new (sublime) Man, delivered from the corruptions of previous history" (Zizek, 1991a: 261). But, on the other hand, prohibition eroticises, and so there's an irresistible fascination in the "lethal/suicidal immersion in the Thing" and "creation ex nihilo" – at least for the hyper-Marxist Zizek of the recent advocacy of "Pauline Materialism". **Hence, in** the "unplugging" from the New World Order by the "authentic psychoanalytic **and revolutionary** political collectives" that Zizek now urges (Zizek, 2000e: 160), **"**there is a terrifying violence at work in this `uncoupling**,' that of the death drive**, of the radical 'wiping the slate clean' as the condition of the New Beginning" (Zizek, 2000e: 127). This sort of "Year Zero" rhetoric may be meant as a provocation to the relativists, as a gesture of defiance towards the contemporary prohibition on thinking about revolution (Zizek, 2001a). Nonetheless, I suggest that this **combination of Leninist voluntarism and "irrational" Pauline materialism** does not resist the postmodern couplet of cynical distance and irrational fundamentalism,but repeats its terms.

#### Their Lacanian alternative is nonfalsifiable – prioritization of ontology in this context ignores real political violence

Andrew **Robinson 2004** “The Politics of Lack” Blackwell Synergy

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

### 2nc

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

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

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

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

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

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

#### They’ll say that our argument is exclusionary, but they have excluded us from the debate—basic fairness is a reason to vote negative.

Galloway 7 — Ryan Galloway, Assistant Professor and Director of Debate at Samford University, 2007 (“Dinner and Conversation at the Argumentative Table: Re-Conceptualizing Debate As An Argumentative Dialogue,” *Contemporary Argumentation & Debate*, Volume 28, September, Available Online to Subscribing Institutions via Academic Search Premier, p. 12)

While affirmative teams often accuse the negative of using a juridical rule to exclude them, the affirmative also relies upon an unstated rule to exclude the negative response. This unstated but understood rule is that the negative speech act must serve to negate the affirmative act. Thus, affirmative teams often exclude an entire range of negative arguments, including arguments designed to challenge the hegemony, domination, and oppression inherent in topical approaches to the resolution. Becoming more than just a ritualistic tag-line of “fairness, education, time skew, voting issue,” fairness exists in the implicit right to be heard in a meaningful way. Ground is just that—a ground to stand on, a ground to speak from, a ground by which to meaningfully contribute to an ongoing conversation.

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

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

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

#### They’ll say limits are bad, but constraints are more conducive to creative thinking—following the rules is key to innovation.

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

Resource constraints can also fuel innovative team performance directly. In the spirit of the proverb "necessity is the mother of invention," [end page 15] teams may produce better results because of resource constraints. Cognitive psychology provides experimental support for the "less is more" hypothesis. For example, scholars in creative cognition find in laboratory tests that subjects are most innovative when given fewer rather than more resources for solving a problem.¶ The reason seems to be that the human mind is most productive when restricted. Limited—or better focused—by specific rules and constraints, we are more likely to recognize an unexpected idea. Suppose, for example, that we need to put dinner on the table for unexpected guests arriving later that day. The main constraints here are the ingredients available and how much time is left. One way to solve this problem is to think of a familiar recipe and then head off to the supermarket for the extra ingredients. Alternatively, we may start by looking in the refrigerator and cupboard to see what is already there, then allowing ourselves to devise innovative ways of combining subsets of these ingredients. Many cooks attest that the latter option, while riskier, often leads to more creative and better appreciated dinners. In fact, it is the option invariably preferred by professional chefs.¶ The heightened innovativeness of such "constraints-driven" solutions comes from team members' tendencies, under the circumstances, to look for alternatives beyond "how things are normally done," write C. Page Moreau and Darren W. Dahl in a 2005 Journal of Consumer Research article. Would-be innovators facing constraints are more likely to find creative analogies and combinations that would otherwise be hidden under a glut of resources.

#### A limited topic of discussion is key to equitable ground—even if their position is contestable that’s distinct from it being valuably debatable—this still provides room for flexibility, creativity, and innovation, but targets the discussion to avoid mere statements of fact

Steinberg & Freeley 8 \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

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.

#### You as a judge are responsible for intervening with your ballot—rules create the conditions of possibility for a game to exist—your ballot should go to whatever interpretation makes the game best.

Carter 8 [Leif A, Professor, The Colorado College, “Law and Politics as play,” Chicago-Kent Law Review, Vol 83:3, http://www.cklawreview.com/wp-content/uploads/vol83no3/Carter.pdf]

Precision of rules and unquestioned authority of judges: Substantive legal rules can seem notoriously ambiguous when compared to the codified rules of organized sports, but this is misleading.144 By the principle that “you can’t play the game without agreeing on the rules,” Roberts’ Rules of Order and the sometimes arcane accumulation of rules of procedure in legislative chambers precisely structure legislative tactics and debate just as The Bluebook: A Uniform System of Citation structures formal written legal advocacy and the rules of evidence and procedure govern formal litigation. More significantly, political and social play, like organized sports, requires regulatory and judicial independence from the “democratic game” itself. Fareed Zakaria recently reviewed for a general audience the horror sto-ries—the election of Hitler, for example—produced by popular democracy and suggests that other dynamics, and particularly “the rule of law,” con-tribute more to progressive government than does popular democracy it-self.145 Just as umpires, referees, and rules committees act outside competitive play, so a good political game depends on popular trust in the impartiality of judicial and regulatory decision making. The Federal Re-serve Board, the independent regulatory commissions, and ideally the judi-ciary itself, play the critical role of political and economic rules committees effectively only if they do not operate democratically but rather off the playing field altogether. Indeed, given the indeterminacy of substantive principles of morality and justice, rules committees—a category that in- cludes courts of law in common law legal systems—can only be said to act sensibly when they rule (using the good-game criteria noted above) so as to make the game a better game, and not by “seeking justice.” Good political games, hence, require something like the wrongly ma-ligned practice of “judicial activism,” where judges, like calls of umpires and referees, make the rules of the game clear in the moment of play. South Dakotan voters presumably sensed the importance of independent judicial authority when they rejected, by a ratio of nearly nine to one, the proposal on their 2006 ballots to allow a person to sue judges for rendering decisions that he or she didn’t like.146 When the United States Supreme Court issued its deeply flawed result in Bush v. Gore,147 the loser, Gore, and most Americans, accepted the result and moved on.148 The Bush administra-tion’s attempt to justify a “unitary executive” power to operate independent of legal checks from the other political branches is the equivalent of a bat-ter insisting that he, having the power to define the strike zone and dis-agreeing with the umpire’s called third strike on a 3–2 count, trots to first base. The administration’s unitary executive claim, and its patterned disre-gard of legality more generally, ignores an unbroken line of precedents balancing Article I’s legislative powers with those of the executive in Arti-cle II going back to 1804.149 Independence and impartiality of judges: In 2007, Pakistan’s Pervez Musharraf ousted Pakistani Supreme Court Chief Justice Iftikhar Muham-mad Chaudhry because he opposed Musharraf’s unconstitutional attempt to retain his position both as president and supreme military commander. Musharraf subsequently suspended the entire constitution and declared martial law across Pakistan. The public outcry against this violation of the principle of judicial independence forced Musharraf to resign his military command.150 Musharraf erred by ignoring the proven peacemaking tech- nique known as “triadic dispute resolution.” People routinely turn to trusted and independent third parties—mediators, arbitrators, and judges—to re-solve disputes. The dynamic keeps the peace, but only if the third party in the triad avoids appearing to favor one side. “To the extent that the triadic figure appears to intervene in favour of one of the two disputants and against the other, the perception of the situation will shift from the fairest to the most unfair of configurations: two against one.”151 Again, the incoher-ence of criticisms of “judicial activism” becomes clear when viewed in terms of games. Faced with ambiguous law, the judge should ask, “What ruling will make the game better?” There is ample evidence from the auto-biographies of umpires that they routinely think of their rulings in just this way.152 Most developed legal systems train their judges. Indeed, sports umpires and referees compete with each other to rise in their fields through training and experience.153 It makes no more sense to elect judges, as many U.S. jurisdictions do, than it would to have leagues and teams vote on the kind of game officials they want. In American football, imagine the “Pass-ing Party” putting up its slate of referees to run against the candidates slated by “Running Party.”

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#### The role of the ballot is to determine the best public policy approach – we suggest utilitarian consequentialism

William H. Shaw. PhD. Contemporary Ethics: Taking Account of Utilitarianism. P. 171-2. 1999

Utilitarianism ties right and wrong to the promotion of well-being, but it is not only a personal ethic or a guide to individual conduct. It is also a "public philosophy"' - that is, a normative basis for public policy and the structuring of our social, legal, and political institutions. Indeed, it was just this aspect of utilitarianism that primarily engaged Bentham, John Stuart Mill, his father James, and their friends and votaries. For them utilitarianism was, first and foremost, a social and political philosophy and only secondarily a private or personal moral code. In particular, they saw utilitarianism as providing the yardstick by which to measure, assess, and, where necessary, reform government social and economic policy and the judicial institutions of their day. In the public realm, utilitarianism is especially compelling. Because of its consequentialist character, a utilitarian approach to public policy requires officials to base their actions, procedures, and programs on the most accurate and detailed understanding they can obtain of the circumstances in which they are operating and the likely results of the alternatives open to them. Realism and empiricism are the hallmarks of a utilitarian orientation, not customary practice, unverified abstractions, or wishful thinking. Promotion of the well-being of all seems to be the appropriate, indeed the only sensible, touchstone for assessing public policies and institutions, and the standard objections to utilitarianism as a personal morality carry little or no weight against it when viewed as a public philosophy.

#### Existence is a prerequisite to ontological questioning.

Paul Wapner, Winter 2003, assoc. prof. and dir. of the Global Environmental Policy Program @ American Univ., “Leftist criticism of,” <http://www.dissentmagazine.org/article/?article=539>

THE THIRD response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn't mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn't postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of "nature" does deny the self-expression of the nonhuman world, but how would we know what such self-expression means? Indeed, nature doesn't speak; rather, some person always speaks on nature's behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation.

#### Their Lacanian alternative is nonfalsifiable – prioritization of ontology in this context ignores real political violence

Andrew **Robinson 2004** “The Politics of Lack” Blackwell Synergy

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

Cards Read

#### Psychoanalysis fails to generate real, substantiative change and only results in poitical quietism and passivity locking in status quo violence

Paul **Gordon** (psychotherapist living and working in London) **2001** “Race & Class”, v. 42, n. 4, p. 30-1

The postmodernists' problem is that they cannot live with disappointment. All the tragedies of the political project of emancipation -- the evils of Stalinism in particular -- are seen as the inevitable product of men and women trying to create a better society. But, rather than engage in a critical assessment of how, for instance, radical political movements go wrong, they discard the emancipatory project and impulse itself. The postmodernists, as Sivanandan puts it, blame modernity for having failed them: `**the intellectuals and** academics have fled into discourse and deconstruction and representation -- as though to interpret the world is more important than to change it, as though changing the interpretation is all we could do in a changing world'.58 **To justify their flight from a politics holding out the prospect of radical change through self-activity, the disappointed intellectuals find abundant intellectual alibis for themselves in the very work they champion**, including, in Cohen's case, **psychoanalysis.** What Marshall Berman says of Foucault seems true also of psychoanalysis; that it offers `a world-historical alibi' for the passivity and helplessness felt by many in the 1970s, and that it has nothing but contempt for those naive enough to imagine that it might be possible for modern human- kind to be free. At every turn for such theorists, as Berman argues, whether in sexuality, politics, even our imagination, we are nothing but prisoners: there is no freedom in Foucault's world, because his language forms a seamless web, a cage far more airtight than anything Weber ever dreamed of, into which no life can break . . . There is no point in trying to resist the oppressions and injustices of modern life, since even our dreams of freedom only add more links to our chains; however, once we grasp the futility of it all, at least we can relax.59 Cohen's political defeatism and his **conviction in the explanatory power of his new** faith of psychoanalysis lead him to be contemptuous and dismissive of any attempt at political solidarity or collective action. For him, `communities' are always `imagined', which, in his view, means based on fantasy, while different forms of working-class organisation, from the craft fraternity to the revolutionary group, are dismissed as `fantasies of self-sufficient combination'.60 In this scenario, the idea that people might come together**, think together, analyse together** and act together as rational beings is impossible. The idea of a genuine community of equals becomes a pure fantasy, a `symbolic retrieval' of something that never existed in the first place: `Community is a magical device for conjuring something apparently solidary out of the thin air of modern times, a mechanism of re-enchantment.' As for history, it is always false, since `We are always dealing with invented traditions.'61 Now**,** this is **not only nonsense, but** dangerous nonsense **at that**. Is history `always false'? Did the Judeocide happen or did it not? And did not some people even try to resist it? Did slavery exist or did it not, and did not people resist that too and, ultimately, bring it to an end? And are communities always `imagined'? Or, as Sivanandan states, are they beaten out on the smithy of a people's collective struggle? Furthermore, all attempts to legislate against ideology are bound to fail because they have to adopt `technologies of surveillance and control identical to those used by the state'. Note here the Foucauldian language to set up the notion that all `surveillance' is bad. But is it? No society can function without surveillance of some kind. The point, surely, is that there should be a public conversation about such moves and that those responsible for implementing them be at all times accountable. To equate, as Cohen does, a council poster about `Stamping out racism' with Orwell's horrendous prophecy in 1984 of a boot stamping on a human face is ludicrous and insulting. (Orwell's image was intensely personal and destructive; the other is about the need to challenge not individuals, but a collective evil.) Cohen reveals himself to be deeply ambivalent about punitive action against racists, as though punishment or other firm action against them (or anyone else transgressing agreed social or legal norms) precluded `understanding' or even help through psychotherapy. It is indeed a strange kind of `anti-racism' that portrays active racists as the `victims', those who are in need of `help'. But this is where Cohen's argument ends up. In their move from politics to the academy and the world of `discourse', the postmodernists may have simply exchanged one grand narrative, historical materialism, for another, psychoanalysis.62 For psychoanalysis is a grand narrative, par excellence. It is a theory that seeks to account for the world and which recognises few limits on its explanatory potential. **And the claimed radicalism of** psychoanalysis**, in the hands of the postmodernists at least,** is not a radicalism at all but a prescription for a politics of quietism, fatalism and defeat**.** Those wanting to change the world, not just to interpret it, need to look elsewhere**.**

#### Despite psychoanalytic problems – the 1ac’s act of prediction is key to mobilize populations to solve extinction in the short term

Fuyuki **Kurasawa** Constellations Volume 11, No 4, **2004** Cautionary Tales: The Global Culture of Prevention and the Work of Foresight

Rather than bemoaning the contemporary preeminence of a dystopian imaginary, I am claiming that it can enable a novel form of transnational socio-political action, a manifestation of globalization from below that can be termed preventive foresight. We should not reduce the latter to a formal principle regulating international relations or an ensemble of policy prescriptions for official players on the world stage, since it is, just as significantly, a mode of ethico-political practice enacted by participants in the emerging realm of global civil society. In other words, what I want to underscore is the work of farsightedness, the social processes through which civic associations are simultaneously constituting and putting into practice a sense of responsibility for the future by attempting to prevent global catastrophes. Although the labor of preventive foresight takes place in varying political and socio-cultural settings – and with different degrees of institutional support and access to symbolic and material resources – it is underpinned by three distinctive features: dialogism, publicity, and transnationalism. In the first instance, preventive foresight is an intersubjective or dialogical process of address, recognition, and response between two parties in global civil society: the ‘warners,’ who anticipate and send out word of possible perils, and the audiences being warned, those who heed their interlocutors’ messages by demanding that governments and/or international organizations take measures to steer away from disaster. Secondly, the work of farsightedness derives its effectiveness and legitimacy from public debate and deliberation. This is not to say that a fully fledged global public sphere is already in existence, since transnational “strong publics” with decisional power in the formal-institutional realm are currently embryonic at best. Rather, in this context, publicity signifies that “weak publics” with distinct yet occasionally overlapping constituencies are coalescing around struggles to avoid specific global catastrophes.4 Hence, despite having little direct decision-making capacity, the environmental and peace movements, humanitarian NGOs, and other similar globally-oriented civic associations are becoming significant actors involved in public opinion formation. Groups like these are active in disseminating information and alerting citizens about looming catastrophes, lobbying states and multilateral organizations from the ‘inside’ and pressuring them from the ‘outside,’ as well as fostering public participation in debates about the future. This brings us to the transnational character of preventive foresight, which is most explicit in the now commonplace observation that we live in an interdependent world because of the globalization of the perils that humankind faces (nuclear annihilation, global warming, terrorism, genocide, AIDS and SARS epidemics, and so on); individuals and groups from far-flung parts of the planet are being brought together into “risk communities” that transcend geographical borders.5 Moreover, due to dense media and information flows, knowledge of impeding catastrophes can instantaneously reach the four corners of the earth – sometimes well before individuals in one place experience the actual consequences of a crisis originating in another. My contention is that civic associations are engaging in dialogical, public, and transnational forms of ethico-political action that contribute to the creation of a fledgling global civil society existing ‘below’ the official and institutionalized architecture of international relations.6 The work of preventive foresight consists of forging ties between citizens; participating in the circulation of flows of claims, images, and information across borders; promoting an ethos of farsighted cosmopolitanism; and forming and mobilizing weak publics that debate and struggle against possible catastrophes. Over the past few decades, states and international organizations have frequently been content to follow the lead of globally-minded civil society actors, who have been instrumental in placing on the public agenda a host of pivotal issues (such as nuclear war, ecological pollution, species extinction, genetic engineering, and mass human rights violations). To my mind, this strongly indicates that if prevention of global crises is to eventually rival the assertion of short-term and narrowly defined rationales (national interest, profit, bureaucratic self-preservation, etc.), weak publics must begin by convincing or compelling official representatives and multilateral organizations to act differently; only then will farsightedness be in a position to ‘move up’ and become institutionalized via strong publics.7 Since the global culture of prevention remains a work in progress, the argument presented in this paper is poised between empirical and normative dimensions of analysis. It proposes a theory of the practice of preventive foresight based upon already existing struggles and discourses, at the same time as it advocates the adoption of certain principles that would substantively thicken and assist in the realization of a sense of responsibility for the future of humankind. I will thereby proceed in four steps, beginning with a consideration of the shifting socio-political and cultural climate that is giving rise to farsightedness today (I). I will then contend that the development of a public aptitude for early warning about global cataclysms can overcome flawed conceptions of the future’s essential inscrutability (II). From this will follow the claim that an ethos of farsighted cosmopolitanism – of solidarity that extends to future generations – can supplant the preeminence of ‘short-termism’ with the help of appeals to the public’s moral imagination and use of reason (III). In the final section of the paper, I will argue that the commitment of global civil society actors to norms of precaution and transnational justice can hone citizens’ faculty of critical judgment against abuses of the dystopian imaginary, thereby opening the way to public deliberation about the construction of an alternative world order (IV).