### OFF

Interpretation

Restrictions are a limitation that prohibits an action. It excludes terms for acting

Court of Appeals 12 [STATE OF WASHINGTON DEPARTMENT OF HEALTH, THE COURT OF APPEALS OF THE STATE OF WASHINGTON, DIVISION I, RANDALL KINCHELOE Appellant. vs. Respondent, BRIEF OF APPELLANT, http://www.courts.wa.gov/content/Briefs/a01/686429%20Appellant%20Randall%20Kincheloe's.pdf]

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation. Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as; A limitation often imposed in a deed or lease respecting the use to which the property may be put.

The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as;

To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

Financial incentives are grants or loans—

Czinkota et al 9—Associate Professor at the McDonough School of Business at Georgetown University, Michael, Fundamentals of International Business, p. 69 – google books

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. Fiscal incentives are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. Financial incentives offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. Nonfinancial incentives include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

“On” means directly targeted at and focused on production

Oxford Dictionary online, 12 [The World’s most trusted Dictionary, <http://oxforddictionaries.com/definition/american_english/on>]

5. having (the thing mentioned) as a target, aim, or focus: *five* air raids on the city*,* thousands marching on Washington ,*her* eyes were fixed on his dark profile

Prefer our interpretation

Limits – Allowing the affirmative to advocate anything tangential to the existence or history of energy production unlimits the topic – kills negative prep

Ground – Without advocating any kind of net increase in energy, the negative can’t get core generics – makes clash impossible

Topical version of your affirmative – increasing wind power on native American lands still allows discussions of native self-determination and the history of US colonialism – solves all their offense

### OFF

Interpretation—the resolution requires them to defend enactment of a topical USFG policy.

Ericson 3 Jon, Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4

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

Impacts

A. Limits—failure to adhere to the communal topic leaves one side unprepared, resulting in shallow and un-educational debate—a balanced controversy is key to decision-making skills.

Steinberg and Freeley 8 – Justin 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, p. 43-45

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

B. Switch-side debate—only our framework creates a form of education that improves critical thinking and prevents violent dogmatism.

Olbrys 6—Stephen Gencarella Olbrys (Ph.D., Indiana University, 2003) is Assistant Professor of Communication at the University of Massachusetts, Dissoi Logoi, Civic Friendship, and the Politics of Education, Communication Education, Vol. 55, No. 4, October 2006, pp. 353-369

Unlike the ABOR and Powell Memo, both of which institutionalize opposition, adaptation of dissoi logoi warrants engagement. The metaphor of balance shifts from one of equal distribution of opinions on campus to the action of keeping one’s poise, of teaching students to maintain an intellectual equilibrium through a deep understanding of their footing. The aim of practice in dissoi logoi is not simply awareness of other ideas\*often shorthand in consumer society for paying attention only to opinions one wishes to hear\*but rather the ability to reproduce them, to understand them, and to critique them all. This meets Bauerlein’s (2004) call for adversarial voices in higher education but also moves to internalize that process as a productive friction for the development of an individual’s intellect and character rather than simply externalize it through the establishment of a spokesperson marketplace; as such, this practice would place an onus on the student to take responsibility for their own education as a site of productive friction and on the professor for encouraging such responsibility and reflexivity. Judicious adaptation of dissoi logoi is thus necessary to combat the political divisiveness and enclaves ultimately encouraged by the Powell Memo and ABOR.

A thorough historical understanding of the Sophistic movement and early conceptualizations of democracy would benefit students in several ways. First, it provides ample preparation to argue one’s opinion eloquently. This is the closest sense to the Sophists’ notion, a way to influence the polity through oratorical finesse; the (ancient) metaphor here is a ‘‘throw,’’ the learned ability to parry an opponent in wrestling. Second, practice in dissoi logoi encourages the ethical appreciation of other positions, which in turn creates an empathy counter to the prevalent politics of ideological piety aiming for annihilation of differing opinions. A prochoice student assuming an anti-abortion role could not, for example, merely assert ‘‘I want to dominate women,’’ just as a anti-abortion student could not simply declare in opposition, ‘‘I want to kill babies.’’ Both would have to conduct considerable research to argue the contrary claim. Third, dissoi logoi in the curriculum places intellectual pressure on student ideologues of any persuasion, including those uncommitted to general education. Fourth, the responsibility to understand multiple perspectives activates an integrative approach to education (cf. Gayle, 2004). Earnest performances of dissoi logoi demand importing concepts, information, and experiences from other classes, while at the same time providing practical training for the adaptation of knowledge in nonclassroom situations. Fifth, dissoi logoi emphasizes necessary engagement with an alterity that is fundamental for the emergence of citizenship in democracy and public debate. It does not erase the significance of values\*indeed, a profitable topic for discussion could revolve around values as universals or as constructed conventions\*but locates them within historical contexts. Finally, appropriate performance of dissoi logoi affords an alternative to the shouting-matches or programmatic utterances that pass for contemporary debate; and, as a practice of listening (to others and to oneself) as much as speaking, it entails broad questions about human responsibility to other humans. In this manner, dissoi logoi aids a critical thinking marked by student involvement in their own education, but does not reduce talk in the public sphere to rational deliberation bereft of emotions or artistry. This is also a gesture to an ancient notion in which citizens learn to reach good judgments (personal and collective) by hearing various opinions on an issue.

Advocating the practice of dissoi logoi as an integral part of higher education will fuel criticism. Conservatives might argue against the inherent relativism implied by respect for contrary positions. Progressives might take issue with the justification for dominant order in expecting students to speak on its behalf, particularly in a classroom setting where opportunities to challenge that order are more readily available than in the ‘‘real’’ world. Both critiques are legitimate, and are related to concerns about deliberative democratic theories, notably the problems of unequal resources for expression (such as privileging particular cultural or gendered ways of speaking) and the normative approval of voicing opinion over silence. Both conservatives and progressives might call into question the definition of citizenship wrought through this practice, and assert that the other side would simply utilize dissoi logoi as a cover for indoctrination under the guise of neutrality. Likewise, they might note that intellectual exposure does not occur in a vacuum but is contingent upon outside social forces. In an era when progressivism reigns, students would be more inclined to accept progressive values, and vice versa when conservatism reigns. The problematic of detailing arguments for racist, sexist, classist, or homophobic beliefs might quickly arise as a serious concern for classroom decorum and institutional codes concerning hate and free speech, to say nothing of the unease in requiring a student to explain an opinion that they find reprehensible or for which there is no accepted widespread political value (such as fascism), but for which there exist seminal historical texts (such as Mussolini’s The Doctrine of Fascism).

Implementation of dissoi logoi within classroom practice is not simple. It requires an appreciation of the social contexts of education (in knowledge and in citizenship) as a kind of apprenticeship rather than as unchallenged instruction. The positions of power that distinguish students from professors would also require earnest address. While most formulations of academic freedom provide for assignments that require students to represent viewpoints with which they disagree as long as there is a reason germane to the subject matter and no hostility wrought upon the student, dissoi logoi necessitates a further step of open communication with students about the nature of pedagogy itself\*for example, its structure and aims\*if not involvement by the students in deciding upon controversies to engage, appropriate ways to assess their achievements, the possibility of conscientious objection, the shared responsibilities for safe expression, and the means to address inevitable tensions. Such a commitment also requires that professors interrogate their own pieties and practice engagement with adversaries (and the cultivation of civic friendship) themselves. Demonstration of sites of agreement and common human desires (itself a productive impiety in a world predicated on enclaves of political ideology) in tandem with respectful invitations for adversaries to present their case would not only be novel\*and thereby attractive to undergraduates\*but serve the purpose of modeling in the classroom the kind of democratic behavior hoped for outside it.

Before abandoning dissoi logoi as too risky or unsettling, then, let us consider the educative gains in its contentious nature. Let us assume that a class addresses terrorism from a perspective of dissoi logoi. The first topic for discussion might be whether this is even suitable for such a practice. That is, are some issues so obvious to common sense and community values that they cannot be made problematic, or so reprehensible that they should not be defended, even if hypothetically or in an attempt to understand the structure of their logic? A range of questions would follow. Beyond addressing the views on the left and the right for the causes of and responses to terrorism, would students need to discuss\*and therefore gain knowledge of\* militant fundamentalist Islam’s difference from mainstream Muslim religious practice? Should the history of Israel come into play, or European colonization of the Middle East? Should the representation of the United States in American media be juxtaposed to that on al-Jazeera? Should the United States close its borders to immigrants and keep tabs on minority communities? Should the sympathies and sensitivities of the classroom participants play in the decision to have a discussion in which all students would be responsible for voicing all opinions? All of these are important questions for serious public discussions concerning American responses to terrorism, and the pursuit of any of them requires thorough research and an abiding commitment to an active learning that challenges taken-for-granted assumptions.

Civic Friendship and the Question of Citizenship in Higher Education

Although they offer starkly different solutions, both the oppositional model of ABOR and the Powell Memo and the engagement model of dissoi logoi respond to the tyranny of any dominant ideology in higher education. Both also draw attention to the absence in contemporary American society of civic friendship as getting along with others whose opinions differ from one’s own. Discussions of civic friendship are missing from most assessments of pedagogy on either the left or the right, a lack that flatly impoverishes theories of democratic education to assist students in becoming citizens in a world predicated on pluralism and tolerance of other’s opinions.

Long theorized as a necessary component of healthy political order, the concept of civic friendship is itself currently in flux. Recent considerations have recognized its role in education (Blacker, 2003; Scorza, 2004) and as an antidote to what Kahane (1999) calls the politics of annihilation. These developments conceptualize civic friendship in a much different manner than do Neo-Aristotleans (who rely heavily on ancient notions of fraternity, similarity, and instrumentality), communitarians and civic republicans (who regard such bonds as a social obligation), theorists of an ethic of care (who require willing emotional capacities to embrace alterity), and traditional liberals (who locate friendship within the private sphere).

Blacker, for example, draws upon Rawlsian political liberalism in defining civic friendship as an expression of mutual respect and concern for democracy’s stability (Blacker, 2003, p. 249) but seeks a path that would accommodate the constitutional nonestablishment principle and the comprehensive moral groundings of religious and secular organizations in any given local community. In this model, civic friendship operates ‘‘in the service of deepening citizens’ chosen comprehensive allegiances’’ (Blacker, 2003, p. 254), but also fosters exposure to the moral codes of others to assist in the understanding of democratic pluralism and to overcome mutual suspicions; public schools assist in creating contexts for discussion and interaction rather than overtly teaching specific moral orthodoxies. For Blacker, exposure to rather than sheltering from the deepest moral convictions of others (whether political, religious, or aesthetic) is the sine qua non of civic friendship, ‘‘where one develops an ability to perceive and, where appropriate, appreciate what lies beneath and behind the politics of those who agree and, most importantly, those who do not’’ (Blacker, 2003, p. 261). To achieve these goals, he advocates a ‘‘school stamps’’ program for extracurricular activities and the creation of student counseling groups drawn from diverse community members. Blacker concludes with praise of civic friendship as a worthy challenge to an education that avoids controversy under the guise of decorum, and as sound pedagogical justification when ‘‘fundamentalist parents complain about environmentalist volunteers, atheist parents about clergy, and the whole lot of them about who-knows-what’’ (Blacker, 2003, p. 267).

Blacker’s comments coincide with Scorza’s, for whom civic friendship is best modeled on Emerson’s ‘‘turbulent union,’’ a regard for one’s friend as a ‘‘beautiful enemy’’ who tempts us to become like them (Scorza, 2004, p. 95). Emerson’s political friendship opposes as anti-democratic those ‘‘conceited’’ forms of interaction that seek only to conquer rather than to learn from the other. As such, Emerson (and Scorza) posit the communicative norms of ‘‘truth’’ and ‘‘tenderness’’ at the root of civic friendship, meaning a coupling of a frankness and the ‘incivility’ to speak one’s mind with a respect and the civility to engage the other as a worthy equal. Like Scorza, Kahane recognizes that friendships (personal and civic) evolve, and locates a recognition of the ‘‘ongoing relationship\*not shared objective qualities or capacities’’ (Kahane, 1999, p. 269) as the basis for this practice, since such evolving commitment also permits friends to disagree and even to fight but to likewise establish limits preventing a total dissolution of the friendship. Scorza (2004, p. 91) upholds the case of Jefferson and Adams as an example of a friendship that developed over time and between fierce political rivals. Similarly for Kahane, an ongoing relationship necessitates a developing sense of a history of contact to cement a valued coformation and encourage its repeated performance in the future.

Blacker, Scorza, and Kahane do not declare a one-to-one correlation between personal friendship and civic friendship but do perceive politically significant structural similarities. Recognizing also that friendship cannot be imposed from authority, they all suggest that materialized opportunities for civic friendship (without long-standing artificialities or limits to communication, as installed by many versions of discourse ethics) might ignite very positive ventures for the individual’s moral development and for the improvement of democratic pluralism by fostering respect for alterity. This is not to suggest a naı¨vete´ about what leads contemporary undergraduates to establish bonds of friendship, nor to deny the massive number of influences beyond the classroom that may pull them against civic friendship with those who differ ideologically, nor to propose that higher education should unconditionally and primarily become a conduit for friendship. It is, instead, to recognize a correlation between undergraduates struggling to define themselves as citizens in a society marked by lip-service to diversity and extreme divisiveness in politics on the one hand, and the possible function of education to assist the young in becoming participants in a pluralist democracy on the other.

Civic friendship provides a context for the appreciation of citizenship as both a subject of intellectual inquiry and a communicative practice. In turn, the question of citizenship emerges as an apt topic for disputation within the classroom. The differences between the Powell Memo, ABOR, and Campus Compact might, for example, provide a point of entry for students to examine the different configurations of citizenship within liberal democracy depending on the inflection of liberal democracy or liberal democracy. That is, all three programmatic statements suggest a correlation between ideas taught in the classroom and behaviors of matriculated students in public culture. The Powell Memo does not specifically address higher education’s role in civic education but implies such influence in the argument against radicalizing pedagogies. The actual word ‘‘citizen’’ appears infrequently in the document, but in usage reveals an intimate connection between education and citizenship. Powell claims, for example, that business executives must be ‘‘good citizens,’’ dismisses the head of the AFL-CIO as not ‘‘the most endearing or publicminded of citizens’’ from a business perspective, and justifies ‘‘citizen groups’’ who rewrite textbooks. ‘‘Citizen’’ here functions rhetorically in two ways: as a catch phrase for someone whose behavior is judged by others and as an organized political group. Given the context of the corporate mission outlined by Powell, it would be judicious to view this notion of citizenship within the lens of liberal democracy, which emphasizes particular rights (property and voting especially) and maintains a close kinship with consumer identity.

The language of ABOR differs from the Powell Memo in this regard, a point that would be instructive for students to recognize so as not to assume all oppositional models of education are alike. ABOR opens with a direct commentary on the mission of the university as the pursuit of truth, the discovery of new knowledge through scholarship and research, the study and reasoned criticism of intellectual and cultural traditions, the teaching and general development of students to help them become creative individuals and productive citizens of a pluralistic democracy, and the transmission of knowledge and learning to a society at large. This commitment to citizenship aligns ABOR with the aforementioned Campus Compact Presidents’ Declaration, which warrants that institutions provide students opportunities to ‘‘embrace the duties of active citizenship and civic participation’’ and to demonstrate and teach democratic principles. A cynical reading of ABOR might take its abundant mission statement as parasitic, drawing upon metaphors from the Ivory Tower and civic education to appear authentic to both. Let us assume, however, that the language of ABOR is genuine and in agreement with Campus Compact. If so, they advance a notion of citizenship as a performative mode, one that emphasizes the democratic more strongly than liberalism.

Drawing the distinction between these two inflections of liberal democracy\*or between those that argue higher education should have no role in the training of citizens (as Fish’s aforementioned essay does) and those that do (such as the Memo, ABOR, and Campus Compact)\*is no easy task but certainly one that exists within the purview of legitimate academic exercise, especially in classes dedicated to the theory and practice of rhetoric. The nuances and multiple variations of each theme require substantial intellectual work, and any position on citizenship taken by students could be held responsible to such informed research. Yet, the students’ discussion need not terminate solely with demonstration of knowledge of the histories and trajectories of various conceptualizations of citizenship. They might also become the topic for a formidable exchange over the nature and needs of citizenship in contemporary society, and might likewise entail debate over the ‘‘best’’ kind of ‘‘education suited to the realization of citizenship’’ (Callan 2004, p. 71). In other words, through their research on the subject of citizenship, students could be encouraged towards reflexive action that asks them to debate the values they come to understand. Such a cultivation of reflexivity, performed within a context of dissoi logoi, also suggests that the question of citizenship in higher education is not left strictly to faculty and administrators to decide. Rather, students must come to terms with and take up the question of citizenship themselves. A pedagogy that encourages civic friendship provides a stable and ‘safe’ ground for this unfolding, a scaffolding into citizenship through civic friendship.

Conclusion

In the interest of all students, it is important to treat seriously the recent call for diversity in higher education by conservative critics. Analysis of the rhetorical structures of the Powell Memo and ABOR reveals, however, a similarity that justifies cause for alarm among progressive, moderate, and even libertarian educators. These texts call for higher education to be moved by degrees to serve corporate conservatism rather than the general good. Still, throughout ABOR and other calls for civic education such as Campus Compact, there arises a common exhortation for a balanced relationship between teaching knowledge and training in citizenship in public higher education. One problem inherent in oppositional models of education such as ABOR (or its progressive equivalents) is the development of a history of contact between different political traditions and moralities. ABOR and the Powell Memo establish forums for opposition, not exchange; taken to their extremes, the end result is that youth simply pen themselves into their own tribe’s enclaves and never test ideas and beliefs against alternatives. This would be a disaster in terms of student intellectual and ethical development. In contrast, an emphasis on engagement models of education such as dissoi logoi would address this absence of contact, and through them the classroom would become a site for lively disputation over public virtues and the impetus for fostering relationships predicated on respect and understanding.

In direct response to those who, like Fish, assert that educators ‘‘do their job,’’ I contend that training in democratic citizenship is an important part of the work of scholars in rhetoric, following a tradition that hearkens to antiquity. Adaptations ofdissoi logoi are necessary to expand the practice’s applicability for the intellectual development and civic engagement of all students in contemporary society, but such practice echoes an ancient expectation for a mixture of knowledge and oratorical display in presenting a case. This emphasis on knowledge united with rhetorical performance should satisfy those who seek the academic benefits of the Ivory Tower and those who regard public education as civic training. To require participation in this practice within the classroom would provide an antidote to the apathy permeating contemporary public culture and prevent higher education from becoming an instrument of party politics without resorting to closed enclaves of thought.

Both oppositional and engagement models raise the question of suitable contexts to cultivate civic friendships through which students gain a more thorough understanding of their own moral capacities and of those in others with whom they must find a way to get along in pluralist democratic society. Although there are no definitive reasons why an oppositional model could not promote civic friendship, when such opposition unfolds on campus merely as the creation of antagonist enclaves rather than opportunities for students to struggle internally and with others over political ideas that inform their social worlds and identities, the meaningfulness of the gesture of friendship is easily lost. This essay has argued that the practice of dissoi logoi more readily serves the purpose of civic friendship, particularly if it puts into play debate over the very meanings of citizenship and friendship, and the role of higher education in the cultivation of both. In this manner, all educators and students may participate in the discussion of public virtues as an intellectual and civic enterprise, and appreciate higher education as a place to interrogate everything and to take nothing for granted in the pursuit of understanding and knowledge.

Dogmatic decision-making causes extinction—the habits of thinking formed by switch-side debate solve every global problem.

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Popular culture offers one other myth about decision-making which is worth questioning. And that is the belief that when we make reflective decisions we carefully weigh each of our options, giving due consideration to all of them in turn, before deciding which we will adopt. Although perhaps it should be, research on human decision-making shows that this simply is not what happens.4 When seeking to explain how people decide on an option with such conviction that they stick to their decision over time and with such confidence that they act on that decision, the concept that what we do is build a Dominance Structure has been put forth. In a nutshell this theory suggests that when we settle on a particular option which is good enough we tend to elevate its merits and diminish its flaws relative to the other options. We raise it up in our minds until it becomes for us the dominant option. In this way, as our decision takes shape, we gain confidence in our choice and we feel justified in dismissing the other options, even though the objective distance between any of them and our dominant option may not be very great at all. But we become invested in our dominant option to the extent that we are able to put the other possibilities aside and act on the basis of our choice. In fact, it comes to dominate the other options in our minds so much that we are able to sustain our decision to act over a period of time, rather than going back to re-evaluate or reconsider constantly. Understanding the natural phenomenon of dominance structuring can help us appreciate why it can be so difficult for us to get others to change their minds, or why it seems that our reasons for our decisions are so much better than any of the objections which others might make to our decisions. This is not to say that we are right or wrong. Rather, this is only to observe that human beings are capable of unconsciously building up defenses around their choices which can result in the warranted or unwarranted confidence to act on the basis of those choices. Realizing the power of dominance structuring, one can only be more committed to the importance of education and critical thinking. We should do all that we can to inform ourselves fully and to reflect carefully on our choices before we make them, because we are, after all, human and we are as likely as the next person to believe that we are right and they are wrong once the dominance structure begins to be erected. Breaking through that to fix bad decisions, which is possible, can be much harder than getting things right in the first place. There are more heuristics than only those mentioned above. There is more to learn about dominance structuring as it occurs in groups as well as in individuals, and how to mitigate the problems which may arise by prematurely settling on a “good enough” option, or about how to craft educational programs or interventions which help people be more effective in their System 1 and System 2 thinking. There is much to learn about human thinking and how to optimize it in individuals of different ages; how to optimize the thinking of groups of peers and groups where organizational hierarchies influence interpersonal dynamics. And, happily, there is a lot we know today about human thinking and decision-making that we did not know a few years ago. Which brings us to the final question, “Why is critical thinking of particular value?” Let us start with you first. Why would it be of value to you to have the cognitive skills of interpretation, analysis, evaluation, inference, explanation, and self- regulation? Why would it be of value to you to learn to approach life and to approach specific concerns with the critical thinking dispositions listed above? Would you have greater success in your work? Would you get better grades? Actually the answer to the grades question, scientifically speaking, is very possibly, Yes! A study of over 1100 college students shows that scores on a college level critical thinking skills test significantly correlated with college GPA.5 It has also been shown that critical thinking skills can be learned, which suggests that as one learns them one’s GPA might well improve. In further support of this hypothesis is the significant correlation between critical thinking and reading comprehension. Improvements in the one are paralleled by improvements in the other. Now if you can read better and think better, might you not do better in your classes, learn more, and get better grades. It is, to say the least, very plausible. Learning, Critical Thinking, and Our Nation’s Future But what a limited benefit — better grades. Who really cares in the long run? Two years after college, five years out, what does GPA really mean? Right now college level technical and professional programs have a half-life of about four years, which means that the technical content is expanding so fast and changing so much that in about four years after graduation your professional training will be in serious need of renewal. So, if the only thing a college is good for is to get the entry level training and the credential needed for some job, then college would be a time-limited value. Is that the whole story? A job is a good thing, but is that what a college education is all about, getting started in a good job? Maybe some cannot see its further value, but many do. A main purpose, if not the main purpose, of the collegiate experience, at either the two-year or the four-year level, is to achieve what people have called a “liberal education.” Not liberal in the sense of a smattering of this and that for no particular purpose except to fulfill the unit requirement. But liberal in the sense of “liberating.” And who is being liberated? You! Liberated from a kind of slavery. But from whom? From professors. Actually from dependence on professors so that they no longer stand as infallible authorities delivering opinions beyond our capacity to challenge, question, and dissent. In fact, this is exactly what the professors want. They want their students to excel on their own, to go beyond what is currently known, to make their own contributions to knowledge and to society. [Being a professor is a curious job — the more effective you are as a teacher, less your students require your aid in learning.] Liberal education is about learning to learn, to think for yourself, on your own and in collaboration with others. Liberal education leads us away from naïve acceptance of authority, above self- defeating relativism, and beyond ambiguous contextualism. It culminates in principled reflective judgment. Learning critical thinking, cultivating the critical spirit, is not just a means to this end, it is part of the goal itself. People who are poor critical thinkers, who lack the dispositions and skills described, cannot be said to be liberally educated, regardless of the academic degrees they may hold. Yes, there is much more to a liberal education, than critical thinking. There is an understanding of the methods, principles, theories and ways of achieving knowledge which are proper to the different intellectual realms. There is an encounter with the cultural, artistic and spiritual dimensions of life. There is the evolution of one’s decision making to the level of principled integrity and concern for the common good and social justice. There is the realization of the ways all our lives are shaped by global as well as local political, social, psychological, economic, environmental, and physical forces. There is the growth that comes from the interaction with cultures, languages, ethnic groups, religions, nationalities, and social classes other than one’s own. There is the refinement of one’s humane sensibilities through reflection on the recurring questions of human existence, meaning, love, life and death. There is the sensitivity, appreciation and critical appraisal of all that is good and all that is bad in the human condition. As the mind awakens and matures, and the proper nurturing and educational nourishment is provided, these others central parts of a liberal education develop as well. Critical thinking plays an essential role in achieving these purposes. Any thing else? What about going beyond the individual to the community? The experts say critical thinking is fundamental to, if not essential for, “a rational and democratic society.” What might the experts mean by this? Well, how wise would democracy be if people abandoned critical thinking? Imagine an electorate that cared not for the facts, that did not wish to consider the pros and cons of the issues, or if they did, had not the brain power to do so. Imagine your life and the lives of your friends and family placed in the hands of juries and judges who let their biases and stereotypes govern their decisions, who do not attend to the evidence, who are not interested in reasoned inquiry, who do not know how to draw an inference or evaluate one. Without critical thinking people would be more easily exploited not only politically but economically. The impact of abandoning critical thinking would not be confined to the micro-economics of the household checking account. Suppose the people involved in international commerce were lacking in critical thinking skills, they would be unable to analyze and interpret the market trends, evaluate the implications of interest fluctuations, or explain the potential impact of those factors which influence large scale production and distribution of goods and materials. Suppose these people were unable to draw the proper inferences from the economic facts, or unable to properly evaluate the claims made by the unscrupulous and misinformed. In such a situation serious economic mistakes would be made. Whole sectors of the economy would become unpredictable, and large scale economic disaster would become extremely likely**.** So, given a society that does not value and cultivate critical thinking, we might reasonably expect that in time the judicial system and the economic system would collapse. And, in such a society, one that does not liberate its citizens by teaching them to think critically for themselves, it would be madness to advocate democratic forms of government. Is it any wonder that business and civic leaders are maybe even more interested in critical thinking than educators? Critical thinking employed by an informed citizenry is a necessary condition for the success of democratic institutions and for competitive free-market economic enterprise. These values are so important that it is in the national interest that we should try to educate all citizens so that they can learn to think critically. Not just for their own personal good, but for the good of the rest of us too. Generalizing, imagine a society, say, for example, the millions of people living in the Los Angeles basin, or in New York and along the east coast, or in Chicago, or Mexico City, Cairo, Rome, Tokyo, Baghdad, Moscow, Beijing, or Hong Kong. They are, de facto, entirely dependent upon one another, and on hundreds of thousands of other people as well for their external supplies of food and water, for their survival. Now imagine that these millions permitted their schools and colleges to stop teaching people how to think critically and effectively. Imagine that because of war, or AIDS, or famine, or religious conviction, parents could not or would not teach their children how to think critically. Imagine the social and political strife, the falling apart of fundamental systems of public safety and public health, the loss of any scientific understanding of disease control or agricultural productivity, the emergence of paramilitary gangs, strong men, and petty warlords seeking to protect themselves and their own by acquiring control over what food and resources they can and destroying those who stand in their path. Look at what has happened around the world in places devastated by economic embargoes, one-sided warfare, or the AIDS epidemic. Or, consider the problem of global warming, and how important it is for all of us to cooperate with efforts to curtail our uses of fossil fuels in order to reduce emissions of greenhouse gases. Consider the “cultural revolutions” undertaken by totalitarian rulers. Notice how in virtually every case absolutist and dictatorial despots seek ever more severe limitations on free expression. They label “liberal” intellectuals “dangers to society” and expel “radical” professors from teaching posts because they might “corrupt the youth.” Some use the power of their governmental or religious authority to crush not only their opposition but the moderates as well -- all in the name of maintaining the purity of their movement. They intimidate journalists and those media outlets which dare to comment “negatively” on their political and cultural goals or their heavy handed methods. The historical evidence is there for us to see what happens when schools are closed or converted from places of education to places for indoctrination. We know what happens when children are no longer being taught truth-seeking, the skills of good reasoning, or the lessons of human history and basic science: Cultures disintegrate; communities collapse; the machinery of civilization fails; massive numbers of people die; and sooner or later social and political chaos ensues. Or, imagine a media, a religious or political hegemony which cultivated, instead of critical thinking, all the opposite dispositions? Or consider if that hegemony reinforced uncritical, impulsive decision making and the “ready-shoot-aim” approach to executive action. Imagine governmental structures, administrators, and community leaders who, instead of encouraging critical thinking, were content to make knowingly irrational, illogical, prejudicial, unreflective, short-sighted, and unreasonable decisions. How long might it take for the people in this society which does not value critical thinking to be at serious risk of foolishly harming themselves and each other? In 2007 world news reports spoke of school buildings and teachers being shot terrorists and violently extreme religious zealots. Education which includes a good measure of critical thinking skills and dispositions like truth-seeking and open- mindedness, is a problem for terrorists and extremists because they want to have complete control of what people think. Their methods include indoctrination, intimidation, and the strictest authoritarian orthodoxy. In the “black-and-white” world of “us vs. them” a good education would mean that the people might begin to think for themselves. And that is something these extremists do not want.

Decision-making is the only portable skill—means framework turns case.

Steinberg and Freeley 8 – Justin 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, p. 9-10

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

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

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

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

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

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

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

C. Policy deliberation key

Our particular type of decision-making skills actually influence the energy agenda

Hager, professor of political science – Bryn Mawr College, ‘92

(Carol J., “Democratizing Technology: Citizen & State in West German Energy Politics, 1974-1990” *Polity*, Vol. 25, No. 1, p. 45-70)

During this phase, the citizen initiative attempted to overcome its defensive posture and **implement an alternative politics.** The strategy of legal and technical challenge might delay or even prevent plant construction, but it would not by itself accomplish the broader goal on the legitimation dimension, i.e., democratization. Indeed, it worked against broad participation. The activists had to find a viable means of achieving change. Citizens had proved they could contribute to a **substantive policy discussion.** Now, some activists turned to the parliamentary arena as a possible forum for an energy dialogue. Until now, parliament had been conspicuously absent as a relevant policy maker, but if parliament could be reshaped and activated, citizens would have a forum in which to address the broad questions of policy-making goals and forms. They would also have an **institutional lever** with which to pry apart the bureaucracy and utility. None of the established political parties could offer an alternative program. Thus, local activists met to discuss forming their own voting list.

These discussions provoked internal dissent. Many citizen initiative members objected to the idea of forming a political party. If the problem lay in the role of parliament itself, another political party would not solve it. On the contrary, parliamentary participation was likely to destroy what political innovations the extraparliamentary movement had made. Others argued that a political party would give the movement an institutional platform from which to introduce some of the grassroots democratic political forms the groups had developed. Founding a party as the parliamentary arm of the citizen movement would allow these groups to play an active, critical role in institutionalized politics, participating in the policy debates while retaining their outside perspective. Despite the disagreements, the Alternative List for Democracy and Environmental Protection Berlin (AL) was formed in 1978 and first won seats in the Land parliament with 7.2 percent of the vote in 1981.43 The founders of the AL were encouraged by the success of newly formed local green parties in Lower Saxony and Hamburg,44 whose evolution had been very similar to that of the West Berlin citizen move-ment. Throughout the FRG, unpopular administrative decisions affect-ing local environments, generally in the form of state-sponsored indus-trial projects, prompted the development of the citizen initiative and ecology movements. The groups in turn focused constant attention on state planning "errors," calling into question not only the decisions themselves, but also the conventional forms of political decision making that produced them.45 Disgruntled citizens increasingly aimed their critique at the established political parties, in particular the federal SPD/ FDP coalition, which seemed unable to cope with the economic, social, and political problems of the 1970s. Fanned by publications such as the Club of Rome's report, "The Limits to Growth," the view spread among activists that the crisis phenomena were not merely a passing phase, but indicated instead "a long-term structural crisis, whose cause lies in the industrial-technocratic growth society itself."46 As they broadened their critique to include the political **system as a whole**, many grassroots groups found the extraparliamentary arena too restrictive. Like many in the West Berlin group, they reasoned that the necessary change would require a degree of political restructuring that could only be accomplished through their direct participation in parliamentary politics. Green/alternative parties and voting lists sprang up nationwide and began to win seats in local assemblies. The West Berlin Alternative List saw itself not as a party, but as the parliamentary arm of the citizen initiative movement. One member explains: "the starting point for alternative electoral participation was simply the notion of achieving a greater audience for [our] own ideas and thus to work in support of the extraparliamentary movements and initia-tives,"47 including non-environmentally oriented groups. The AL wanted to avoid developing structures and functions autonomous from the citizen initiative movement. Members adhered to a list of principles, such as rotation and the imperative mandate, designed to keep parliamentarians attached to the grassroots. Although their insistence on grassroots democracy often resulted in interminable heated discussions, the participants recognized the importance of experimenting with new forms of decision making, of not succumbing to the same hierarchical forms they were challenging. Some argued that the proper role of citizen initiative groups was not to represent the public in government, but to mobilize other citizens to **participate directly in politics themselves**; self-determination was the aim of their activity.48

Once in parliament, the AL proposed establishmento f a temporary parliamentaryco mmissiont o studye nergyp olicy,w hichf or the first time would draw all concernedp articipantst ogetheri n a discussiono f both short-termc hoicesa nd long-termg oals of energyp olicy. With help from the SPD faction, which had been forced into the opposition by its defeat in the 1981 elections, two such commissions were created, one in 1982-83 and the other in 1984-85.49T hese commissionsg ave the citizen activists the forum they sought to push for modernizationa nd technicali nnovation in energy policy.

Although it had scaled down the proposed new plant, the utility had produced no plan to upgrade its older, more polluting facilities or to install desulfurizationd evices. With proddingf rom the energyc ommission, Land and utility experts began to formulate such a plan, as did the citizen initiative. By exposing administrative failings in a public setting, and **by producing a** modernization **plan itself**, the combined citizen initiative and AL forced bureaucratic authorities to push the utility for improvements. They also forced the authorities to consider different technological solutions to West Berlin's energy and environmental problems. In this way, the activists served as technological innovators. In 1983, the first energy commission submitted a list of recommendations to the Land parliament which reflected the influence of the citizen protest movement. It emphasized goals of demand reduction and efficiency, noted the value of expanded citizen participation and urged authorities to "investigate more closely the positive role citizen participation can play in achieving policy goals."50 The second energy commission was created in 1984 to discuss the possibilities for modernization and shutdown of old plants and use of new, environmentally friendlier and cheaper technologies for electricity and heat generation. Its recommendations strengthened those of the first commission.51 Despite the non-binding nature of the commissions' recommendations, the public discussion of energy policy motivated policy makers to take stronger positions in favor of environmental protection.

III. Conclusion

The West Berlin energy project eventually cleared all planning hurdles, and construction began in the early 1980s. The new plant now conforms to the increasingly stringent environmental protection requirements of the law. The project was delayed, scaled down from 1200 to 600 MW, moved to a neutral location and, unlike other BEWAG plants, equipped with modern desulfurization devices. That the new plant, which opened in winter 1988-89, is the technologically most advanced and environmen-tally sound of BEWAG's plants is due entirely to the long legal battle with the citizen initiative group, during which nearly every aspect of the original plans was changed. In addition, through the efforts of the Alter-native List (AL) in parliament, the Land government and BEWAG formulated a long sought modernization and environmental protection plan for all of the city's plants. The AL prompted the other parliamentary parties to take pollution control seriously. Throughout the FRG, energy politics evolved in a similar fashion. As Habermas claimed, underlying the **objections against particular projects** was a reaction against the administrative-economic system in general.

One author, for example, describes the emergence of two-dimensional protest against nuclear energy: The resistance against a concrete project became understood simul-taneously as resistance against the entire atomic program. Questions of energy planning, of economic growth, of understanding of democracy entered the picture. . . . Besides concern for human health, for security of conditions for human existence and protec-tion of nature arose critique of what was perceived as undemocratic planning, the "shock" of the delayed public announcement of pro-ject plans and the fear of political decision errors that would aggra-vate the problem.52 This passage supports a West Berliner's statement that the citizen initiative began with a project critique and arrived at *Systemkritik*.53 I have labeled these two aspects of the problem the public policy and legitima-tion dimensions. In the course of these conflicts, the legitimation dimen-sion emergd as the more important and in many ways the more prob-lematic.

Parliamentary Politics

In the 1970s, energy politics began to develop in the direction Offe de-scribed, with bureaucrats and protesters avoiding the parliamentary channels through which they should interact. The citizen groups them-selves, however, have to a degree reversed the slide into irrelevance of parliamentary politics. Grassroots groups overcame their defensive posture enough to begin to **formulate an alternative politics**, based upon concepts such as decision making through mutual understanding rather than technical criteria or bargaining. This new politics required new modes of interaction which the old corporatist or pluralist forms could not provide. Through the formation of green/alternative parties and voting lists and through new parliamentary commissions such as the two described in the case study, some members of grassroots groups attempted to both operate within the political system and fundamentally change it, to restore the link between bureaucracy and citizenry.

Parliamentary politics was partially revived in the eyes of West German grassroots groups as a legitimate realm of citizen participation, an outcome the theory would not predict. It is not clear, however, that strengthening the parliamentary system would be a desirable outcome for everyone. Many remain skeptical that institutions that operate as part of the "system" can offer the kind of substantive participation that grass-roots groups want. The constant tension between institutionalized politics and grassroots action emerged clearly in the recent internal debate between "fundamentalist" and "realist" wings of the Greens. Fundis wanted to keep a firm footing outside the realm of institutionalized politics. They refused to bargain with the more established parties or to join coalition governments. Realos favored participating in institutionalized politics while pressing their grassroots agenda. Only this way, they claimed, would they have a chance to implement at least some parts of their program.

This internal debate, which has never been resolved, can be interpreted in different ways. On one hand, the tension limits the appeal of green and alternative parties to the broader public, as the Greens' poor showing in the December 1990 all-German elections attests. The failure to come to agreement on basic issues can be viewed as a hazard of grass-roots democracy. The Greens, like the West Berlin citizen initiative, are opposed in principle to forcing one faction to give way to another. Disunity thus persists within the group. **On the other hand**, the tension can be understood not as a failure, but as a kind of success: grassroots politics has not been absorbed into the bureaucratized system; it retains its critical dimension, both in relation to the political system and within the groups themselves. The **lively debate** stimulated by grassroots groups and parties **keeps questions of democracy on the public agenda.**

Technical Debate

In West Berlin, the two-dimensionality of the energy issue forced citizen activists to become both participants in and critics of the policy process. In order to defeat the plant, **activists engaged in technical debate.** They won several decisions in favor of environmental protection, often **proving to be more informed than bureaucratic experts** themselves. The case study demonstrates that grassroots groups, far from impeding techno-logical advancement, can actually serve as technological innovators.

The activists' role as technical experts, while it helped them achieve some success on the policy dimension, had mixed results on the legitimation dimension. On one hand, it helped them to challenge the legitimacy of technocratic policy making. They turned back the Land government's attempts to displace political problems by formulating them in technical terms.54 By demonstrating the fallibility of the technical arguments, activists forced authorities to acknowledge that energy demand was a political variable, whose value at any one point was as much influenced by the choices of policy makers as by independent technical criteria.

Submission to the form and language of technical debate, however, weakened activists' attempts to introduce an alternative, goal-oriented form of decision making into the political system. Those wishing to par-ticipate in energy politics on a long-term basis have had to accede to the language of bureaucratic discussion, if not the legitimacy of bureaucratic authorities. They have helped break down bureaucratic authority but have not yet offered a viable long-term alternative to bureaucracy. In the tension between form and language, goals and procedure, the legitima-tion issue persists. At the very least, however, grassroots action challenges critical theory's notion that technical discussion is inimical to democratic politics.55 Citizen groups have raised the possibility of a dialogue that is both technically sophisticated and democratic.

In sum, although the legitimation problems which gave rise to grass-roots protest have not been resolved, citizen action has worked to counter the marginalization of parliamentary politics and the technocratic character of policy debate that Offe and Habermas identify. The West Berlin case suggests that the solutions to current legitimation problems may not require total repudiation of those things previously associated with technocracy.56

In Berlin, the citizen initiative and AL continue to search for new, more legitimate forms of organization consistent with their principles. No permanent Land parliamentary body exists to coordinate and con-solidate energy policy making.57 In the 1989 Land elections, the CDU/ FDP coalition was defeated, and the AL formed a governing coalition with the SPD. In late 1990, however, the AL withdrew from the coali-tion. It remains to be seen whether the AL will remain an effective vehi-cle for grassroots concerns, and whether the citizenry itself, now includ-ing the former East Berliners, will remain active enough to give the AL direction as united Berlin faces the formidable challenges of the 1990s. On the policy dimension, grassroots groups achieved some success. On the legitimation dimension, it is difficult to judge the results of grass-roots activism by normal standards of efficacy or success. Activists have certainly not radically restructured politics. They agree that democracy is desirable, but troublesome questions persist about the degree to which those processes that are now bureaucratically organized can and should be restructured, where grassroots democracy is possible and where bureaucracy is necessary in order to get things done. In other words, grassroots groups have tried to remedy the Weberian problem of the marginalization of politics, but it is not yet clear what the boundaries of the political realm should be. It is, however, the act of calling existing boundaries into question that keeps democracy vital. In raising alternative possibilities and encouraging citizens to take an active, critical role in their own governance, the **contribution of grassroots** environmental **groups has been significant.** As Melucci states for new social movements in general, these groups mount a "symbolic" challenge by proposing "a different way of perceiving and naming the world."58 Rochon concurs for the case of the West German peace movement, noting that its effect on the public discussion of secur-ity issues **has been tremendous**.59 The effects of the legitimation issue in the FRG are evident in increased citizen interest in areas formerly left to technical experts. Citizens have formed nationwide associations of environmental and other grassroots groups as well as alternative and green parties at all levels of government. The level of information within the groups is generally quite high, and their participation, especially in local politics, has raised the awareness and engagement of the general populace noticeably.60 **Policy concessions** and new legal provisions for citizen participation **have not quelled grassroots action.** The attempts of the established political parties to coopt "green" issues have also met with limited success. Even green parties themselves have not tapped the full potential of public support for these issues. The persistence of legitima-tion concerns, along with the growth of a culture of informed political activism, will ensure that the search continues for a space for a delibera-tive politics in modern technological society.61

### OFF

**When faced with the problem of the historical oppression, the aff’s solution is to simply integrate the native into the proletariat, forcing capitalism further and further into lands and onto subjects that do not comform with it. The aff’s assimilative strategy has been at the root of historical oppression in America from the Dawes act to casinos.**

**Duffy and Stubben,** 98 (Diane, assistant professor of political science at Iowa State University, and Jerry, adjunct associate professor in the Professional Studies Department at ISU, former chair of the American Indian Studies Program at ISU, Studies in Comparative International Development, v32, issue 4, 1998 Winter)

The second major implication of the United States' Indian economic policies was that it created confusion among Indians. Concepts such as private property and contractual agreements were not part of the Indian conceptual map, nor were norms that put a premium on bureaucratic values like routinization, efficiency, professionalization, secularity, differentiation, and specialization. While Anglo-American conceptualizations emphasized economic growth and increased income as a mechanism to acquire material goods through exchange between two parties, traditional societies conceived of goods exchange in an entirely different light. For Indians, exchange was part of a gift-giving tradition that not only created economic bonds, but also psychological, social, and spiritual ones**.** Such exchanges fostered decentralized cohesion by creating a series of interconnected relationships emphasizing cooperation and sharing in the economic sphere (Pommersheim, 213). Because of these differences**,** economic development according to Anglo-American culture amounted to a paradigm shift for Indians.[14] White culture emphasized individuality, the profit motive, and material accumulation; Indian cultures are oriented toward the collective and, while the individual was important, he or she was socialized to think in terms of the collective good. For many Indians, social and cultural continuities remain important, including kinship relations, indigenous patterns of community and thought, and systems of meaning and interpretation (Cornell and Kalt 1990). The view of economic life that the white culture advocates requires a mental reorientation for Native Americans.Rather than thinking in terms of connectedness, oneness between the physical and spiritual world, group rather than individual concerns, and agreed upon (rather than stipulated) modes of action, Indians increasingly have had to compartmentalize their lives to accommodate and interact with the dominant (white) culture in economic development efforts. Some have made the transition completely, some reject the white conceptualization, other switch between Indian and white paradigms depending on the situation.

The affirmative misidentifies the enemy – it is useless to think of colonizers in an indigenous vs. non-indigenous binary.

Herod 1

[James Herod. Indigenism. Summer, 2001. http://site.www.umb.edu/faculty/salzman\_g/Strate/GetFre/21.htm]

This is actually the same issue as the nationalities question and the identity question, but it might be worthwhile to treat it separately because there is an outstanding Native-American writer, Ward Churchill, who develops and advocates this theory. It is a theory, of native or indigenous peoples, which tends to replace class analysis, and generates a view of the history of the last five hundred years of world history which is quite at odds with an understanding of capitalism. I have never seen a critique of the idea (although surely some marxist journal has published one). It is quite erroneous to identify the enemy as Western Civilization, Europeans, or White People and to attribute the world's problems to these false abstractions. The rise and spread of capitalism was not only massively resisted by peoples all over the world, generating brilliant articulations of this resistance by writers and leaders like Fanon, James, Cabral, Nkrumah, Gandhi, Magon, Mandela, and Cesaire. It was also resisted by Europeans themselves. The European peasants were among the first so-called indigenous or native peoples to be dispossessed and colonized by the emerging capitalist ruling class. They were driven off their lands and forced into wage-slavery. Their villages were destroyed, and their local cultures, as were their unique languages. European resistance to capitalism was vigorous and long lasting. It gave rise to massive movements: the labor movement, the cooperative movement, communism, socialism, anarchism, syndicalism. It resulted in revolutions: the revolutions of 1848, the Paris Commune, the failed revolutions in Central Europe in 1919, the Spanish Civil War, the Hungarian Revolution of 1956, Polish Solidarity, and so forth. There was a worldwide upsurge of anti-capitalist resistance in 1968, and this took place also throughout Europe and the West. Recently there has been another such wave of global opposition to capitalism, but which has appeared also in Seattle, Quebec City, and Genoa. Thus I believe that Indigenism mis-identifies the enemy, and is therefore incompatible with an Association of Free Peoples (anarchism, communism). Actually, we are just now witnessing a still basically peasant population in Europe, in the Balkans, being hit with an improved, strengthened, new, enclosures movement. Are the peasants in twenty-first century Eastern Europe indigenous peoples who are being attacked by Western Civilization or are they being dispossessed by the neoliberal offensive of late capitalism? Indigenists I think will have to be double-jointed to apply their theory to recent events in Eastern Europe, because peasants there are White, European, a part of Western Civilization, and are Indigenous, if by that term we mean that they have lived there for eons (although most of them moved there from elsewhere in some distant past, as have all so-called Indigenous peoples on earth). So I guess they are attacking themselves, if we follow Indigenism. Thus, rejection of and resistance to capitalism, imperialism, and colonialism has been going on in Europe too, not just in the world outside Europe. It distorts the picture to deny this. Marx himself wrote some of the earliest analyses of colonialism in his essays on India and Ireland. Western Civilization thus includes not only capitalism, but also the critique of capitalism. If we use the term at all it should include both these movements, the evil of capitalism and the good of anti-capitalism. It includes not only White Europeans who fought to impose capitalism on the world, but White Europeans who fought to stop this and to get free from capitalism completely. The terms European and White are false abstractions, in that it is only some Europeans and only some Whites that have colonized the world. Just as it was wrong for some radical feminists to see all men as the enemy, or for some black nationalists to see all whites as the enemy, so also it is wrong for Native Americans to see all non-indigenous people as the enemy, and for Indigenists to blame all Europeans and all Whites for imperialism. Thus I can no longer accept the notion of indigenous versus nonindigenous people. I much prefer to think in terms of oppressors and the oppressed, exploiters and the exploited, criminals and victims, rulers and the ruled, rather than in terms of western civilization versus the rest of the world, and certainly rather than Whites versus People of Color. Ireland, one of the first countries to be colonized, was a nation of white people. In Africa, the ruling classes are Africans, in the Middle East they are Arabs, Turks, Persians, or Jews, in Asia they are Asians. Local ruling classes, generally speaking, are of the race and ethnicity of their nations, and yet are intimately tied into the world capitalist system, vigorously defend it, and use it to exploit their peoples, for their own enrichment. Japanese exploit Japanese in Japan, Chinese exploit Chinese in China, Indians exploit Indians in India, Haitians exploit Haitians in Haiti. So how can it be claimed that oppressors are all European and White?

Their alternative pits Europeans against the rest of the world, preventing coalition building.

Herod 1

[James Herod. Indigenism. Summer, 2001. http://site.www.umb.edu/faculty/salzman\_g/Strate/GetFre/21.htm]

Obviously, the idea of an indigenous people sets up a contrast with non-indigenous peoples. And in our present historical situation we all know who that refers to -- Europeans. We certainly never see it used with regard to the Japanese colonizing Southeast Asia, or the Chinese colonizing Tibet. No, it is a current, but badly misguided, attempt to conceptualize the expansion of capitalism to all corners of the earth. This is actually a mis-conceptualization, because it blames all Europeans for something that only a few of them have done. It sets up a conflict between Europeans and the rest of humanity, ignoring the fact that European peasants were among the first to be colonized, dispossessed, uprooted, and sent packing, as well as ignorning the fact that local ruling classes have helped affix the ball and chain of capitalism to every nook and cranny of the earth.

Capitalism is the reason that we expanded onto native American lands in the first place – without resolving capitalism, the expansion onto native land will be endlessly replicated

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(“”POLITICAL, ECONOMIC, AND SOCIAL CONDITIONS OF NATIVE AMERICANS IN THE UNITED STATES AND AFRICANS IN SOUTH AFRICA: A COMPARISON”, <http://ghaa.jsums.edu/journals/articles/albertapaperfinalcopy.pdf>) chip

It is common knowledge that the economic conditions of both Native Americans in the United States and Blacks in South Africa is fraught with poverty, unemployment, and lack of resources in the reservations and the homelands that both groups were thrown into through the Indian Removal Act and the Group Areas Act respectively. For most Native Americans and Black South Africans, their economic conditions have worsened since the 1950s which has resulted in many of them migrating to urban areas in search of better economic opportunities. In this section, the poverty, unemployment, and lack of resources that exist among both groups are analyzed and compared. The loss of land to European colonizers by both Native Americans and Black South Africans led to the destruction of their traditional economies and the imposition of European economic systems which both groups have found difficult to adjust to. The loss of land also led to loss of the resources that were sustaining both groups before the invasion of Europeans. Economic exploitation of the two groups led to the growth of industrial capitalism, building of large wealthy cities, and economic and technological advancement for Europeans while both groups became poorer and poorer particularly after the 1950s. One of the most unfortunate consequences of the pervasive poor economic conditions of Native Americans in the United States is that about 43 percent of Native American children under the age of five live in poverty (Food Research and Action Center [FRAC], 2001). Native Americans lost millions of acres of land to Europeans during the westward expansion in the 1880s and millions more acres were lost with the breakup of the remaining lands under the 1887 Dawes Act (Banks, 2003; Feagin & Feagin, 2008; Hildebrand et al., (2000); Schaefer, 2004). According to Banks, most Native Americans became poverty-stricken after the passage of the Dawes Act, and when they lost about 90 million acres of land out of 138 million acres between 1887 and 1932. Unfortunately, Native Americans have never recovered from the state of abject poverty that most of them were thrown into after the Dawes Act. Unemployment or marginal employment (employment in low wage jobs), which are sources of poverty among Native Americans, have been persisting economic problems for them, especially since the 1950s. Before 1940, most Native American males were poor farmers and unskilled workers. The proportion of farm occupations has however dropped from 68% in 1940 to 5% in 2002 (Feagin and Feagin). Native Americans, before and especially after the 1950s have been concentrated in the secondary labor market which is characterized by job instability, low wages, and little to no upward mobility (Banks; Feagin & Feagin; Schaeffer). The bleak employment picture of Native Americans was vividly painted by Feagin and Feagin when they wrote, Today, Native Americans are far less likely than U. S. workers to hold managerial or professional positions (26.1 percent versus 34.1 percent). Native American men tend to be concentrated in blue-collar and service-sector jobs while most Native American women hold clerical, sales, or service-sector jobs. [In some white-collar occupational categories, Native Americans are very rare. For example, as of Spring, 2001, there were in the United States and Canada together, only seven Native American broadcast reporters]. Through the years, unemployment rates for Native Americans, [both on and off reservations], have been far higher than for most other groups. In 1940, one-third of all Native American men were unemployed, compared with fewer than one-tenth of white men. By 1960, the rate had risen to 38 percent, compared with just 5 percent for all men. This increase reflected in part the move from agriculture to the less certain work opportunities in urban areas. [By 1970, the rate had dropped to 12 percent for Native American men, still three times the national figure]. By 1990 the unemployment rate had dropped but was still high. For Native American men, the 15 percent was also three times that of white men, and the 13.1 percent rate for Native American women was almost three times that of white women. In that year, the unemployment rate for Native Americans living on reservations was much higher, at 26 percent; [on some reservations the rate exceeded 50 percent....Native Americans have endured the longest depression-like economic situation of any U.S. racial or ethnic group] (pp.153 - 155).

Capitalism leaves hundreds of millions starving and suffering and is pushing the world to the brink of nuclear extinction. Its collapse is inevitable - either by its own hands or by socialist revolution.

Callinicos 4 [Alex, Director of the Centre for European Studies at King’s College, The Revolutionary Ideas of Karl Marx, 2004 pg. 196-197]

Capitalism has not changed its spots. It is still based on the exploitation of the working class, and liable to constant crises. The conclusion that Marx drew from this analysis, that the working class must overthrow the system and replace it with a classless society, is even more urgent now than in his day. For **the military rivalries which are the form increasingly assumed by competition between capitals now threaten the** very **survival of the planet**. As Marx’s centenary approached, the **fires of war flicker**ed **across the globe**—in **Lebanon, Iran** and **Iraq**, Kampuchea, southern Africa, the Horn of **Africa, Afghanistan** and the South Atlantic. The accumulation of **vast armouries of nuclear destruction by the superpowers**, missilerattling in the Kremlin, **talk of ‘limited’ and ‘protracted’ nuclear war** in Washington—these cast a shadow over the whole of humanity. **Socialist revolution is an imperative** if we are **to change a world** in the grip of economic depression and war fever, a world w**here 30 million rot on Western dole queues and 800 million go hungry in the Third World**. To that extent, Marx’s ideas are more relevant today than they were 100 years ago. **Capitalism** has tightened its grip of iron on every portion of the planet since 1883, and **is rotten-ripe for destruction, whether at its own handsthrough nuclear war, or at the hands of the working class**. The choice is between workers’ power or the ‘common ruination of the contending classes’—between socialism or barbarism. Many people who genuinely wish to do something to remedy the present state of the world believe that this stress on the working class is much too narrow. The existence of nuclear weapons threatens everyone, whether workers or capitalists or whatever. Should not all classes be involved in remedying a problem which affects them all? What this ignores is that what Edward Thompson has called ‘exterminism’— **the vast and competing military apparatuses which control the arms race—is an essential part of the working of capitalism today. No sane capitalist desires a nuclear war** (although some insane ones who believe that such a war would be the prelude to the Second Coming now hold positions of influence in Washington). **But** sane or insane, **every capitalist is part of an economic system which is bound up with military competition between nation-states**. Only a class with the interest and power to do away with capitalism can halt the march to Armageddon. Marx always conceived of the working class as the class whose own self-emancipation would also be the liberation of the rest of humanity. The socialist revolution to whose cause he devoted his life can only be, at one and the same time, the emancipation of the working class and the liberation of all the oppressed and exploited sections of society. Those who accept the truth of Marx’s views cannot rest content with a mere intellectual commitment. There are all too many of this sort around, Marxists content to live off the intellectual credit of Capital, as Trotsky described them. We cannot simply observe the world but must throw ourselves, as Marx did, into the practical task of building a revolutionary party amid the life and struggles of the working class. ‘The philosophers have interpreted the world,’ wrote Marx, ‘the point, however, is to change it.’ If Marxism is correct, then we must act on it.

**Our alternative is communal living as an abandonment of capitalism. Communal organization provides freedom from the productive apparatus that fashions capitalist subjectivity and biopolitics. Only by the actual creation of an alternative can we collapse the capitalist nation-state and free human creativity – anything less ensures we all face the equality of nuclear extinction.**

**Marcuse**, German Philosopher and Professor at Columbia and Harvard, 19**69** (Herbert, member of the Frankfurt School, An Essay on Liberation, p. 85-91)

What kind of life? We are still confronted with the demand to state the "concrete alternative." The demand is meaningless if it asks for **a blueprint** of the specific institutions and relationships which would be those of the new society: they **cannot be determined a priori; they will develop, in trial and error, as the new society develops**. If we could form a concrete concept of the alternative today, it would not be that of an alternative; the **possibilities of the new society are sufficiently "abstract,"** i.e., removed from and incongruous with the established universe **to defy any attempt to identify them in terms of this universe. However,** the question cannot be brushed aside by saying that what matters today is the destruction of the old, of the powers that be, making way for the emergence of the new. Such an answer neglects the essential fact that **the old is not simply bad**, that it delivers the goods, and that **people have a real stake in it.** There can be societies which are much worse – there are such societies today. The system of corporate capitalism has the right to insist that those who work for its replacement justify their action. But the demand to state the concrete alternatives is justified for yet another reason. Negative **thinking draws** whatever **force** it may have **from its empirical basis:** the actual human condition in the given society, **and the "given" possibilities to transcend this condition**, to enlarge the realm of freedom. In this sense, **negative thinking is by virtue of its own internal concepts "positive":** oriented toward, and comprehending a future which is "contained" in the present. And in this containment (which is an important aspect of the general containment policy pursued by the established societies), the future appears as possible liberation. It is not the only alternative: the advent of a long period of "civilized" barbarism, with or without the nuclear destruction, is equally contained in the present. Negative thinking, and the praxis guided by it, is the positive and positing effort to prevent this utter negativity. The concept of the primary, initial institutions of **liberation is** familiar enough and **concrete enough: collective ownership,** collective **control and planning of the means of production** and distribution. This is the foundation, a necessary but not sufficient condition for the alternative: **it would make possible** the **usage of all available resources for** the **abolition of poverty**, which is the prerequisite for the turn from quantity into quality: the creation of a reality in accordance with the new sensitivity and the new consciousness. **This goal implies rejection of** those **policies of reconstruction, no matter how revolutionary, which are bound to perpetuate** (or to introduce) the pattern of the **unfree societies** and their needs. Such false policy is perhaps best summed up in the formula "to catch up with, and to overtake the productivity level of the advanced capitalist countries." **What is wrong with this formula is** not the emphasis on the rapid improvement of the material conditions but on **the model guiding their improvement. The model denies the alternative**, the qualitative difference. The latter is not, and cannot be, the result of the fastest possible attainment of capitalist productivity, but rather the development of new modes and ends of production "**new" not only** (and perhaps not at all) **with respect to technical innovations** and production relations, **but with respect to** the **different human needs** and the different human relationships in working for the satisfaction of these needs. These new relationships would be the result of a "biological" **solidarity in work and purpose, expressive of** a true **harmony** between social and individual needs and goals, **between recognized necessity and free development** -the exact opposite of the administered and enforced harmony organized in the advanced capitalist (and socialist?) countries. It is the image of this solidarity as elemental, instinctual, creative force which the young radicals see in Cuba, in the guerrillas, in the Chinese cultural revolution. Solidarity and cooperation: not all their forms are liberating. Fascism and militarism have developed a deadly efficient solidarity. Socialist solidarity is autonomy: selfdetermination begins at home -and that is with every I, and the We whom the I chooses. And this end must indeed appear in the means to attain it, that is to say, in the strategy of those who, within the existing society, work for the new one. **If the socialist relationships** of production **are to be a new way of life,** a new Form of life, then **their existential quality must show forth,** anticipated and demonstrated, in the fight for their realization. **Exploitation in all its forms must** have **disappeare**d from this fight: from the work relationships among the fighters as well as from their individual relationships. **Understanding, tenderness toward each other**, the **instinctual consciousness of** that which is evil, false, **the heritage of oppression, would then testify to the authenticity of the rebellion**. In short, the economic, political, and cultural features of a classless society must have become the basic needs of those who fight for it. This ingression of the future into the present, this depth dimension of the rebellion accounts, in the last analysis, for the incompatibility with the traditional forms of the political struggle. The **new radicalism militates against** the **centralized bureaucratic communist as well as** against the semi-democratic **liberal organization**. There is a strong element of **spontaneity, even anarchism, in this rebellion**, expression of the new sensibility, sensitivity against domination: the feeling, the awareness, that the joy of freedom and the need to be free must precede liberation. Therefore the aversion against preestablished Leaders, apparatchiks of all sorts, politicians no matter how leftist. The initiative shifts to **small groups, widely diffused, with a high degree of autonomy, mobility, flexibility. Not regression to a previous stage of civilization**, **but** return to an imaginary temps perdu in the real life of mankind: **progress to a stage of civilization where [hu]man has learned to ask for the sake of** whom or of **what he[or she] organizes** his **society**; the stage where he checks and perhaps even halts his incessant struggle for existence on an enlarged scale, surveys what has been achieved through centuries of misery and hecatombs of victims, and decides that it is enough, and that it is time to enjoy what he has and what can be reproduced and refined with a minimum of alienated labor: **not the** arrest or **reduction of technical progress, but the elimination of** those of its **features which perpetuate** man's **subjection** to the apparatus and the intensification of the struggle for existence -to work harder in order to get more of the merchandise that has to be sold. In other words, electrification indeed, and **all technical devices which alleviate and protect life, all the mechanization which frees human energy and time**, all the standardization which does away with spurious and parasitarian "personalized" services rather than multiplying them and the gadgets and tokens of exploitative affiuence. In terms of the latter (and only in terms of the latter), this would certainly be a regression -but freedom from the rule of merchandise over man is a precondition of freedom. The **construction of a free society would create new incentives for work.** In the exploitative societies, the so-called work instinct is mainly the (more or less effectively) introjected necessity to perform productively in order to earn a living. But **the life instincts themselves strive for the unification and enhancement of life; in nonrepressive sublimation they would provide the libidinal energy for work** on the development of a reality **which no longer demands** the **exploitative repression** of the Pleasure Principle. The "**incentives" would** then **be built into the instinctual structure of men**. Their **sensibility would register**, as biological reactions, the **difference between** the ugly and the beautiful, between calm and noise, **tenderness and brutality, intelligence and stupidity**, joy and fun, and it would correlate this distinction with that between freedom and servitude. Freud's last theoretical conception recognizes the erotic instincts as work instincts -work for the creation of a sensuous environment. The **social expression of the liberated work instinct is cooperation**, which, **grounded in solidarity, directs the organization of** the realm of **necessity and the development of** the realm of **freedom.** And there is an answer to the question which troubles the minds of so many men of good will: what are the people in a free society going to do? The answer which, I believe, strikes at the heart of the matter was given by a young black girl. She said: for the first time in our life, we shall be free to think about what we are going to do.

### Contention One

Intervention is not inherently imperialist—There’s no scenario for escelation

Youngs 11 – Director of FRIDE and Asst Prof @ U of Warwick and Research Fellow @ Norwegian Institute for IR, Richard, “Misunderstanding The Maladies Of Liberal Democracy Promotion”, FRIDE (European Think Tank), Working Paper, 2-18, http://www.eurasiareview.com/misunderstanding-the-maladies-of-liberal-democracy-promotion-18022011/

Democracy promotion has lost traction around the world. This atrophy has myriad causes and a range of consequences. One of its results is that calls have become more audible for a fundamental rethink of what type of ‘democracy’ should be supported in different regions. Many now chorus the view that the ‘democracy’ in ‘democracy promotion’ requires re-examination. Most critics of international policies berate Western governments for an inflexible and inappropriate adherence to a specific form of ‘liberal democracy**’**. They are right to take democracy promoters to task for the many unduly narrow ways in which they conceive political reform. But it is not convincing to argue that democracy promotion’s most serious problem today is its excessive adherence to a ‘liberal’ form of democracy. This critique fails to grasp the way in which democracy support policies have evolved and confuses what is entailed in meeting local demands for reform in nondemocratic states. The routine admonishments cast at Western governments under the now standard critique of liberal democracy do not weather the scrutiny of empirical evidence. They risk becoming widely accepted myths that have little grounding in reality. Democracy promoters do not overwhelmingly prioritise the procedural over the social and substantive elements of reform;they do not seek deliberately to hollow out the state; they do not conflate economic with political liberalisation; they are not brow-beaten into backing façade democracy by multinational companies; they are not fixated with elections; and they are not completely unreceptive to alternative forms of representation. The problem with democracy promotion lies not in its unbending and overly zealous imposition of liberal norms. Rather, its most serious pathology is governments’ failure to defend core liberal norms in a way that would allow local variations in and choices over democratic reform – along with genuine civic empowerment and emancipation – to flourish. Current criticisms of the democracy agenda risk pushing policy deliberations in exactly the opposite direction to their required improvement**.**

Reject their generalizations-making universal claims about all state development is asinine and means they don’t solve─

Youngs 11 – Director of FRIDE and Asst Prof @ U of Warwick and Research Fellow @ Norwegian Institute for IR, Richard, “Misunderstanding The Maladies Of Liberal Democracy Promotion”, FRIDE (European Think Tank), Working Paper, 2-18, http://www.eurasiareview.com/misunderstanding-the-maladies-of-liberal-democracy-promotion-18022011/

There are many eloquent critiques that have added much of value to debates over democracy’s international trajectory. But what is now the mainstream general critique tends rather easily to assume many things that in fact require more careful interrogation. Is it really the case that to recover legitimacy, the democracy support agenda requires a whole new concept of democracy? Is the problem really that democracy promoters have insisted upon an unduly narrow form of either electoral or liberal democracy? Is liberal democracy really quite the demon that many now suggest it is? This working paper offers a modest, but hopefully distinctive contribution to these debates by focusing on the nexus between conceptual debate and policy practice. Amelioration of this link is sorely needed. At present, academics’ and diplomats’ perceptions of each other are hardly positive. Academics dismiss policy-makers as hopelessly reductionist in their understanding of democracy. Policy-makers see academics as selfabsorbed, abstract and behind-the-curve. It is argued here that the stance required is a nuanced one. Some of the key aspects common to critical perspectives are sound and have made an important contribution to debates over democracy promotion. The concept of democracy does indeed need to be opened up to a wider range of ideas. However, this paper questions how far the scepticism heaped on liberalism’s shoulders captures what is most seriously wrong with real world policy developments. Two commonly-made assumptions rest on empirical ground that is not firm. The first of these is that Western powers are in essence over-promoting liberal democracy. The facts suggest instead that they are not doing much to promote democracy of any type, whether liberal or otherwise. This is the most notable policy trend of recent years, under-stressed if not entirely ignored by arguments that derive from critical theory. Second is the supposition that where they are active in democracy support, Western powers follow a rigidly liberal template that is inappropriate and inattentive to local demands and specificities. Of course, in places some such concerns are well founded and injustices are undoubtedly committed in the pursuit of political change. But this argument is far too sweeping when forwarded as a general meta-critique of democracy promotion. Real life policy formulation is much more ad hoc and varied in its conceptual bases. This is evident if one takes the trouble to look at the nitty-gritty substance of what democracy promoters are doing on the ground. In some cases Western powers assertively promote liberal democracy. But other combinations are also adopted. Sometimes policy favours illiberal democracy; sometimes it seeks advances in liberal rights without democracy; and sometimes it is active in supporting neither the ‘liberal’ nor the ‘democracy’ strand of liberal democracy. The precise nature and balance of such policy options varies across different democracy promoters, different ‘target’ states and over different moments in time.Critical theory inspired approaches risk seeing a uniformity that simply does not exist in concrete democracy support strategies. They are if anything more straight-jacketed than the policy-makers they mock as rigidly simplistic in their conceptual understanding of democracy. This is not to suggest that all is well in the democracy promoters’ house; but the renovations needed are more subtle in nature.

They lead to cycles of violence against natives—

Bradford, Chiricahua Apache and Associate professor of Law, Indiana University School of Law, 2005

(William, “Beyond Reparations,” Ohio State Law Journal, 66 Ohio St. L.J. 1)

Still, while JAR is the most normatively attractive of the three theoretical clusters, JAR theory is not the final stop on the theoretical journey to justice for Indians. JAR theory is susceptible to criticism on several grounds. As compelling as the argument that non-Indian land owners are obligated to vacate their entitlements in favor of the descendants of their Indian predecessors-in-title may be, principles of equity, as JAS theory is quick to assert, should proscribe the wholescale evacuation of millions of acres of land and the forced relocation of innocent and newly-homeless non-Indians to places uncertain. Even if equity alone is not sufficient to counsel prudence, the prospect that non-Indians threatened in the security of their property interests might organize to induce political action resulting in further abridgement of Indian resources and rights [n340](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n340) must be accounted for in any theory of Indian justice. If the only remedy for a  [\*68]  past injustice is a present injustice, a perpetual cycle of bloody conflict over land is inevitable. [n341](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n341) However, the most radical of JAR theorists are practically oblivious to the broad externalities the restorative element of their philosophy might spawn: despite warnings that it is now much too late to "give back Manhattan," [n342](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n342) some insist that nothing short of the dissolution of the U.S. will suffice if we are to "tak[e] seriously . . . morality and justice." [n343](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n343) If politics is the art of the possible, [n344](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n344) a theory that insists on the dismemberment of the modern-day U.S. or other forms of "radical social surgery" [n345is](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n345is) too fantastic to be given serious consideration as a political proposal.

Demands for land restoration lead to backlash – turns solvency

Bradford, Chiricahua Apache and Associate professor of Law, Indiana University School of Law, 2005

(William, “Beyond Reparations,” Ohio State Law Journal, 66 Ohio St. L.J. 1)

One of the most difficult stages in applying JAI theory will be the process of land restoration. Scholars have posited that the diffusion of transnational rights- based arguments claiming the sanctity of private property and objections to unjust enrichment may have generated a more favorable political and legal climate for restitution of Indian lands. [n410](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n410) However, even if preceding stages in JAI commit the U.S. and its people in theory to do "justice," it will prove far more difficult in practice to reach an agreement with Indian tribes as to what measures must be implemented to yield a "just" result, and still more difficult to cobble together legislation implementing agreed-upon measures without catalyzing opposition. For much of the non-Indian majority, a land restoration agenda resonates not as the legal obligation of a constitutional republic descended heavily upon prior sovereigns but rather as an existential threat. Indeed, non-Indians are Americans too, and they have nowhere to go if transformations in land tenure regimes evict them from their homes. Broaching the subject of land restoration with a non-Indian can trigger defensive backlash: as a white businessman huffed, "I didn't persecute anybody at Plymouth Rock . . . This is the 1990's. We didn't do anything to them, and we don't owe them anything." [n411](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.639705.6169223625&target=results_DocumentContent&reloadEntirePage=true&rand=1216329132802&returnToKey=20_T4186741430&parent=docview" \l "n411)

The impact is genocide

Shaw ‘01

(Martin, Prof of IR and Politics @ U of Sussex "The Unfinished Global Revolution: Intellectuals and the New Politics of International Relations" 10/3, http://www.martinshaw.org/unfinished.pdf)

From these political fundamentals, strategic propositions can be derived. First, democratic movements cannot regard non-governmental organisations and civil society as ends in themselves. They must aim to civilise local states, rendering them open, accountable and pluralistic, and curtail the arbitrary and violent exercise of power. Second, democratising local states is not a separate task from integrating them into global and often Western-centred networks. Reproducing isolated local centres of power carries with it classic dangers of states as centres of war.84 Embedding global norms and integrating new state centres with global institutional frameworks are essential to the control of violence. (To put this another way: the proliferation of purely national democracies is not a recipe for peace.) Third, while the global revolution cannot do without the West and the UN, neither can it rely on them unconditionally. We need these power networks, but we need to tame them too, to make their messy bureaucracies enormously more accountable and sensitive to the needs of society worldwide. This will involve the kind of 'cosmopolitan democracy' argued for by David Held85. It will also require us to advance a global *social*-democratic agenda, to address the literally catastrophic scale of world social inequalities. This is not a separate problem: social and economic reform is an essential ingredient of alternatives to warlike and genocidal power; these feed off and reinforce corrupt and criminal political economies. Fourth, if we need the global-Western state, if we want to democratise it and make its institutions friendlier to global peace and justice, we cannot be indifferent to its strategic debates. It matters to develop international political interventions, legal institutions and robust peacekeeping as strategic alternatives to bombing our way through zones of crisis. It matters that international intervention supports pluralist structures, rather than ratifying Bosnia-style *apartheid*. As political intellectuals in the West, we need to have our eyes on the ball at our feet, but we also need to raise them to the horizon. We need to grasp the historic drama that is transforming worldwide relationships between people and state, as well as between state and state. We need to think about how the turbulence of the global revolution can be consolidated in democratic, pluralist, international networks of both social relations and state authority. We cannot be simply optimistic about this prospect. Sadly, it will require repeated violent political crises to push Western and other governments towards the required restructuring of world institutions.87 What I have outlined is a huge challenge; but the alternative is to see the global revolution splutter into partial defeat, or degenerate into new genocidal wars - perhaps even nuclear conflicts. The practical challenges for all concerned citizens, and the theoretical and analytical challenges for students of international relations and politics, are intertwined.

### Contention Two

Their interrogation is useless without a defense of its manifestation—

Isaac, 2002 (Jeffrey C., James H. Rudy professor of Political Science and director of the Center for the Study of Democracy and Public Life at Indiana University, Bloomington, “Ends, Means and politics,” *Dissent*, Spring)

As writers such as Niccolo Machiavelli,Max Weber, Reinhold Niebuhr, and HannahArendt have taught, an unyielding concern with moral goodness undercuts political responsibility.The concern may be morally laudable, reflectinga kind of personal integrity, but it suffersfrom 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 commoncause 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 alwaysa potentially immoral stand. In categorically repudiatingviolence, it refuses in principle tooppose 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 thelesson of communism in the twentieth century:it is not enough that one’s goals be sincere oridealistic; it is equally important, always, to askabout the effects of pursuing these goals andto judge these effects in pragmatic and historicallycontextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

Their version of historical analysis is bad – it prevents structural analysis of events

Plamper, 2002 (Jan, Assistant professor of Russian History at the University of Tübingen, Germany, “Foucault’s Gulag,” Kritika, 3.2)

**When situating the Gulag, Foucault ran into paradox and was ultimately unsuccessful** for reasons that I want to term methodological and epistemological -general reasons dramatized by the Russian case. Methodologically, Foucault espoused genealogy over archaeology around 1970.[40](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT40) Archaeology, conventionally associated with Foucault's structuralist phase, is devoted to an unearthing of the structures and continuities (discourse) underlying cultural practices.[41](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT41) **Genealogy**, in contrast, is directed at the discontinuities of cultural practices. More precisely, the genealogical method has at least two clusters of distinguishing characteristics.[42](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT42) First, it **is counter-hermeneutical**. Genealogy does not strive to uncover hidden truths or deep meanings but rather seeks truth at the surface. Second**, it is directed against essences**, laws, and teloi. Genealogy resists Hegelian essentialism and the Marxist search for laws that drive history. It does not accept any metaphysical finalities, whether religious or secularized utopian. Correspondingly, [End Page 271] it has no concern for origins and ends, as can be discerned on a formal level from the virtual absence of biological and organic metaphors (e.g. the topoi of life-stages - birth, adolescence, adulthood - so prevalent in national histories).[43](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT43) **As a result of these two sets of characteristics, texts appear to have no authors, factual events no agents.**[44](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT44) In comparison to historical monographs, moreover, **Foucault's "scholarly apparatus" is thin** - the notes are only the barest attributions to the source or consist of elaboration of his arguments. Citations never attempt to cover a totality of materials on a given topic or lead to a maximum number of related sources, as Foucauldian history never aims thoroughly to cover a topic "totally" and "definitively." **A** Foucauldian **genealogist can cull equal meaning from any kind of source** - archival or not, secret or not, authored or not.[45](http://muse.jhu.edu/journals/kritika/v003/3.2plamper.html#FOOT45) **This leveling of sources** may be acceptable for such Foucauldian projects as a history of Western subjectivity, but it **proves disastrous for any historian working in a field that privileges traditional questions: what happened? Why? And who is to blame**? Since the fall of the Soviet Union and the concomitant opening of the archives the field of Soviet history is to a considerable extent preoccupied with these questions. Phenomena like the Gulag and the Great Purges lend the questions of causes and perpetrators a special poignancy, since the answers put forward are immediately relevant not only to traumatized individuals but also to collective identities, as well as to legal-financial issues of compensation and restitution. [End Page 272] In other words, because the Gulag and the Great Purges are a subject of public debate, constitutive of collective identities, and have an impact on contemporary legal-economic decision-making**, historians**, whether they like it or not, **cannot keep their debates purely academic**. Moreover, the function of public documents and other records differed sharply in the Soviet Union from documents in West European countries like France. Public legal documents often have no relationship to life practices. **By establishing**, for example, **discursive continuities between the Stalin Constitution** of 1936 **and** such constitutional documents as **the French Declaration of Rights of Man, a genealogist would overlook an ocean of practices that were in direct contradiction** to the Stalin Constitution. The kinds of evidence Foucault privileged himself - legal documents and scientific treatises - in the French case were predicated on a closer linkage between discourse and practices than ever conceivable in the Russian-Soviet context.

Decisionmaking skills learned from debate over technical energy issues are key to actualizing political change

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(Derek, “Science Education as a Call to Action,” Canadian Journal of Science, Mathematics and Technology Education, Vol. 10, Issue 3, p. 197-206)

\*\*note: SSI = socioscientific issues

The final (fourth) level of sophistication in this issues-based approach is concerned with students findings ways of putting their values and convictions into action, helping them to prepare for and engage in responsible action, and assisting them in developing the skills, attitudes, and values that will enable them to take control of their lives, cooperate with others to bring about change, and work toward a more just and sustainable world in which power, wealth, and resources are more equitably shared. Socially and environmentally responsible behavior will not necessarily follow from knowledge of key concepts and possession of the “right attitudes.” As Curtin (1991) reminded us, it is important to distinguish between caring about and caring for. It is almost always much easier to proclaim that one cares about an issue than to do something about it. Put simply, our values are worth nothing until we live them. Rhetoric and espoused values will not bring about social justice and will not save the planet. We must change our actions. A politicized ethic of care (caring for) entails active involvement in a local manifestation of a particular problem or issue, exploration of the complex sociopolitical contexts in which the problem/issue is located, and attempts to resolve conflicts of interest.

FROM STSE RHETORIC TO SOCIOPOLITICAL ACTION

Writing from the perspective of environmental education, Jensen (2002) categorized the knowledge that is likely to promote sociopolitical action and encourage pro-environmental behavior into four dimensions: (a) **scientific and technological knowledge** that informs the issue or problem; (b) knowledge about the underlying social, political, and economic issues, conditions, and structures and how they contribute to creating social and environmental problems; (c) knowledge about how to bring about changes in society through direct or indirect action; and (d) knowledge about the likely outcome or direction of possible actions and the desirability of those outcomes. Although formulated as a model for environmental education, it is reasonable to suppose that Jensen's arguments are applicable to all forms of SSI-oriented action. Little needs to be said about dimensions 1 and 2 in Jensen's framework beyond the discussion earlier in the article. With regard to dimension 3, students need knowledge of actions that are likely to have positive impact and knowledge of how to engage in them. It is essential that they gain robust knowledge of the social, legal, and political system(s) that prevail in the communities in which they live and develop a clear understanding of how decisions are made within local, regional, and national government and within industry, commerce, and the military. Without knowledge of where and with whom power of decision making is located and awareness of the **mechanisms by which decisions are reached**, intervention is not possible. Thus, the curriculum I propose requires a concurrent program designed to achieve a measure of political literacy, including knowledge of how to engage in collective action with individuals who have different competencies, backgrounds, and attitudes but share a common interest in a particular SSI. Dimension 3 also includes knowledge of likely sympathizers and potential allies and strategies for encouraging cooperative action and group interventions. What Jensen did not mention but would seem to be a part of dimension 3 knowledge is the nature of science-oriented knowledge that would enable students to appraise the statements, reports, and arguments of scientists, politicians, and journalists and to present their own supporting or opposing arguments in a coherent, robust, and convincing way (see Hodson [2009b] for a lengthy discussion of this aspect of science education). Jensen's fourth category includes awareness of how (and why) others have sought to bring about change and entails formulation of a vision of the kind of world in which we (and our families and communities) wish to live. It is important for students to explore and develop their ideas, dreams, and aspirations for themselves, their neighbors and families and for the wider communities at local, regional, national, and global levels—a clear overlap with futures studies/education. An essential step in cultivating the critical scientific and technological literacy on which sociopolitical action depends is the application of a social and political critique capable of challenging the notion of technological determinism. We can control technology and its environmental and social impact. More significantly, we can control the controllers and redirect technology in such a way that adverse environmental impact is substantially reduced (if not entirely eliminated) and issues of freedom, equality, and justice are kept in the forefront of discussion during the **establishment of policy.**

Their abandonment of civil society locks us into oppression because we become structurall dependent on it

Pinn 2004 (Anthony, Anthony B. Pinn is an American professor and writer whose work focuses on liberation theology, Black religion, and Black humanism. Pinn is the Agnes Cullen Arnold Professor of Humanities and Professor of Religious Studies at Rice University, “‘‘Black Is, Black Ain’t’’: Victor Anderson, African American Theological Thought, and Identity,” Dialog: A Journal of Theology, Volume 43, Number 1 . Spring 2004)

This connection between ontological blackness and religion is natural because: ‘‘ontological blackness sig- nifies the totality of black existence, a binding together of black life and experience. In its root, religio, religion denotes tying together, fastening behind, and binding

together. Ontological blackness renders black life and experience a totality.’’13 According to Anderson, Black theological discussions are entangled in ontological blackness. And accordingly, discussions of black life revolve around a theological understanding of Black experience limited to suffering and survival in a racist system. The goal of this theology is to find the ‘‘mean- ing of black faith’’ in the merger of black cultural consciousness, icons of genius, and post-World War II Black defiance. An admirable goal to be sure, but here is the rub: Black theologians speak, according to Anderson, in opposition to ontological whiteness when they are actually dependent upon whiteness for the legitimacy of their agenda. Furthermore, onto- logical blackness’s strong ties to suffering and survi- val result in blackness being dependent on suffering, and as a result social transformation brings into question what it means to be black and religious. Liberative outcomes ultimately force an iden- tity crisis, a crisis of legitimation and utility. In Anderson’s words:

Talk about liberation becomes hard to justify where freedom appears as nothing more than defiant self-assertion of a revolutionary racial consciousness that requires for its legitimacy the opposition of white racism. Where there exists no possibility of transcending the black- ness that whiteness created, African American theologies of liberation must be seen not only as crisis theologies; they remain theologies in a crisis of legitimation.14

This conversation becomes more ‘‘refined’’ as new cultural resources are unpacked and various religious alternatives acknowledged. Yet the bottom line remains racialization of issues and agendas, life and love. Falsehood is perpetuated through the ‘‘herme- neutic of return,’’ by which ontological blackness is the paradigm of Black existence and thereby sets the agenda of Black liberation within the ‘‘postrevolu- tionary context’’ of present day USA. One ever finds the traces of the Black aesthetic which pushes for a dwarfed understanding of Black life and a sacrifice of individuality for the sake of a unified Black ‘faith’. Yet differing experiences of racial oppression (the stuff of ontological blackness) combined with vary- ing experiences of class, gender and sexual oppres- sion call into question the value of their racialized formulations. Implicit in all of this is a crisis of faith, an unwillingness to address both the glory and guts of Black existence—nihilistic tendencies that, unless held in tension with claims of transcendence, have the potential to overwhelm and to suffocate.

At the heart of this dilemma is friction between ontological blackness and ‘‘contemporary postmodern black life’’—issues, for example related to ‘‘selecting marriage partners, exercising freedom of movement, acting on gay and lesbian preferences, or choosing political parties.’’15 How does one foster balance while embracing difference as positive? Anderson looks to Nietzsche.

European genius, complete with its heroic epic, met its match in the aesthetic categories of tragedy and the grotesque genius revived and espoused by Friedreich Nietzsche. The grotesque genius served as an effective counter-discourse by embracing both the ‘light’ and ‘dark’ aspects of life, and holding in tension oppositional sensations—pleasure and pain, freedom and oppression.16 Utilizing Nietzsche’s work, Anderson ask: ‘‘what should African Ameri- can cultural and religious criticism look like when they are no longer romantic in inspiration and the cult of heroic genius is displaced by the grotesquery—full range of expression, actions, atti- tudes, behaviors everything found in African American life—of contemporary black expressive culture and public life?’’17

Applied to African Americans, the grotesque embodies the full range of African American life—all expressions, actions, attitudes, and behav- ior. With a hermeneutic of the grotesque as the foci, religio-cultural criticism is free from the total- izing nature of racial apologetics and the classical Black aesthetic. By extension, Black theology is able to address both issues of survival (Anderson sees their importance.) and the larger goal of cultural fulfillment, Anderson’s version of liberation. That is to say, placing ‘‘blackness’’ along side other indi- cators of identity allows African Americans to define themselves in a plethora of ways while main- taining their community status. This encourages African Americans to see themselves as they are— complex and diversified—no longer needing to surrender personal interests for the sake of mono- lithic collective status.

Their discussion of civil society makes equality impossible because it locks those affected by oppression into their social location. Explanation and interrogation is not enough to deal with the failures of civil society
Moten 2008 (Fred, English Professor at Duke University, “The Case of Blackness,” Criticism, 50.2, MUSE)

The cultural and political discourse on black pathology has been so pervasive that it could be said to constitute the background against which all representations of blacks, blackness, or (the color) black take place. Its manifestations have changed over the years, though it has always been poised between the realms of the pseudo-social scientific, the birth of new sciences, and the normative impulse that is at the heart of—but that strains against—the black radicalism that strains against it. From the origins of the critical philosophy in the assertion of its extra-rational foundations in teleological principle; to the advent and solidification of empiricist human biology that moves out of the convergence of phrenology, criminology, and eugenics; to the maturation of (American) sociology in the oscillation between good-and bad-faith attendance to "the negro problem"; to the analysis of and discourse on psychopathology and the deployment of these in both colonial oppression and anticolonial resistance; to the regulatory metaphysics that undergirds interlocking notions of sound and color in aesthetic theory: blackness has been associated with a certain sense of decay, even when that decay is invoked in the name of a certain (fetishization of) vitality.

Black radical discourse has often taken up, and held itself within, the stance of the pathologist. Going back to David Walker, at least, black radicalism is animated by the question, What's wrong with black folk? The extent to which radicalism (here understood as the performance of a general critique of the proper) is a fundamental and enduring force in the black public sphere—so much so that even black "conservatives" are always constrained to begin by defining themselves in relation to it—is all but self-evident. Less self-evident is the normative striving against the grain of the very radicalism from which the desire for norms is derived. Such striving is directed toward those lived experiences of blackness that are, on the one hand, aligned with what has been called radical and, on the other hand, [End Page 177] aligned not so much with a kind of being-toward-death but with something that has been understood as a deathly or death-driven nonbeing. This strife between normativity and the deconstruction of norms is essential not only to contemporary black academic discourse but also to the discourses of the barbershop, the beauty shop, and the bookstore.

I'll begin with a thought that doesn't come from any of these zones, though it's felt in them, strangely, since it posits the being of, and being in, these zones as an ensemble of specific impossibilities:

As long as the black man is among his own, he will have no occasion, except in minor internal conflicts, to experience his being through others. There is of course the moment of "being for others," of which Hegel speaks, but every ontology is made unattainable in a colonized and civilized society. It would seem that this fact has not been given enough attention by those who have discussed the question. In the Weltanschauung of a colonized people there is an impurity, a flaw, that outlaws [interdit] any ontological explanation. Someone may object that this is the case with every individual, but such an objection merely conceals a basic problem. Ontology—once it is finally admitted as leaving existence by the wayside—does not permit us to understand the being of the black man. For not only must the black man be black; he must be black in relation to the white man. Some critics will take it upon themselves to remind us that the proposition has a converse. I say that this is false. The black man has no ontological resistance in the eyes of the white man.1

This passage, and the ontological (absence of) drama it represents, leads us to a set of fundamental questions. How do we think the possibility and the law of outlawed, impossible things? And if, as Frantz Fanon suggests, the black cannot be an other for another black, if the black can only be an other for a white, then is there ever anything called black social life? Is the designation of this or that thing as lawless, and the assertion that such lawlessness is a function of an already extant flaw, something more than that trying, even neurotic, oscillation between the exposure and the replication of a regulatory maneuver whose force is held precisely in the assumption that it comes before what it would contain? What's the relation between explanation and resistance? Who bears the responsibility of discovering an ontology of, or of discovering for ontology, the ensemble of political, aesthetic, [End Page 178] and philosophical derangements that comprise the being that is neither for itself nor for the other? What form of life makes such discovery possible as well as necessary? Would we know it by its flaws, its impurities? What might an impurity in a worldview actually be? Impurity implies a kind of non-completeness, if not absence, of a worldview. Perhaps that non-completeness signals an originarily criminal refusal of the interplay of framing and grasping, taking and keeping—a certain reticence at the ongoing advent of the age of the world picture. Perhaps it is the reticence of the grasped, the enframed, the taken, the kept—or, more precisely, the reluctance that disrupts grasping and framing, taking and keeping—as epistemological stance as well as accumulative activity. Perhaps this is the flaw that attends essential, anoriginal impurity—the flaw that accompanies impossible origins and deviant translations.2

What's at stake is fugitive movement in and out of the frame, bar, or whatever externally imposed social logic—a movement of escape, the stealth of the stolen that can be said, since it inheres in every closed circle, to break every enclosure. This fugitive movement is stolen life, and its relation to law is reducible neither to simple interdiction nor bare transgression. Part of what can be attained in this zone of unattainability, to which the eminently attainable ones have been relegated, which they occupy but cannot (and refuse to) own, is some sense of the fugitive law of movement that makes black social life ungovernable, that demands a para-ontological disruption of the supposed connection between explanation and resistance.3 This exchange between matters juridical and matters sociological is given in the mixture of phenomenology and psychopathology that drives Fanon's work, his slow approach to an encounter with impossible black social life poised or posed in the break, in a certain intransitive evasion of crossing, in the wary mood or fugitive case that ensues between the fact of blackness and the lived experience of the black and as a slippage enacted by the meaning—or, perhaps too "trans-literally," the (plain[-sung]) sense—of things when subjects are engaged in the representation of objects.

The title of this essay, "The Case of Blackness," is a spin on the title of the fifth chapter of Fanon's Black Skins, White Masks, infamously mistranslated as "the fact of blackness." "The lived experience of the black" is more literal—"experience" bears a German trace, translates as Erlebnis rather than Tatsache, and thereby places Fanon within a group of postwar Franco-phone thinkers encountering phenomenology that includes Jean-Paul Sartre, Maurice Merleau-Ponty, Emmanuel Levinas, and Tran Duc Thao.4 The phrasing indicates Fanon's veering off from an analytic engagement with the world as a set of facts that are available to the natural scientific attitude, so it's possible to feel the vexation of certain commentators with what might [End Page 179] be mistaken for a flirtation with positivism. However, I want to linger in, rather than quickly jump over, the gap between fact and lived experience in order to consider the word "case" as a kind of broken bridge or cut suspension between the two. I'm interested in how the troubled, illicit commerce between fact and lived experience is bound up with that between blackness and the black, a difference that is often concealed, one that plays itself out not by way of the question of accuracy or adequation but by way of the shadowed emergence of the ontological difference between being and beings. Attunement to that difference and its modalities must be fine. Perhaps certain recalibrations of Fanon—made possible by insights to which Fanon is both given and blind—will allow us to show the necessity and possibility of another understanding of the ontological difference. In such an understanding, the political phonochoreography of being's words bears a content that cannot be left by the wayside even if it is packaged in the pathologization of blacks and blackness in the discourse of the human and natural sciences and in the corollary emergence of expertise as the defining epistemological register of the modern subject who is in that he knows, regulates, but cannot be black. This might turn out to have much to do with the constitution of that locale in which "ontological explanation" is precisely insofar as it is against the law.

One way to investigate the lived experience of the black is to consider what it is to be the dangerous—because one is, because we are (Who? We? Who is this we? Who volunteers for this already given imposition? Who elects this imposed affinity? The one who is homelessly, hopefully, less and more?) the constitutive—supplement. What is it to be an irreducibly disordering, deformational force while at the same time being absolutely indispensable to normative order, normative form? This is not the same as, though it does probably follow from, the troubled realization that one is an object in the midst of other objects, as Fanon would have it. In their introduction to a rich and important collection of articles that announce and enact a new deployment of Fanon in black studies' encounter with visual studies, Jared Sexton and Huey Copeland index Fanon's formulation in order to consider what it is to be "the thing against which all other subjects take their bearing."5 But something is left unattended in their invocation of Fanon, in their move toward equating objecthood with "the domain of non-existence" or the interstitial space between life and death, something to be understood in its difference from and relation to what Giorgio Agamben calls naked life, something they call raw life, that moves—or more precisely cannot move—in its forgetful non-relation to that quickening, forgetive force that Agamben calls the form of life.6 [End Page 180]