# 1NC R2 Colley

## 1

#### Interpretation - the affirmative can only garner offense from the hypothetical implementation of their plan text

#### "Resolved" requires a policy.

Merriam Webster '18 (Merriam Webster; 2018 Edition; Online dictionary and legal resource; Merriam Webster, "resolve," <https://www.merriam-webster.com/dictionary/resolve;> RP)  
: a legal or official determination especially: a legislative declaration

#### Resolved requires policy action

Louisiana State Legislature (<https://www.legis.la.gov/legis/Glossary.aspx>) Ngong

**Resolution**

**A legislative instrument** that generally is **used for** making declarations, **stating policies**, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution **uses the term "resolved".** Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11 , 13.1 , 6.8 , and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

#### Three Standards to Prefer:

#### First - Fairness – radically re-contextualizing the resolution lets them defend any method tangentially related to the topic exploding Limits, which erases neg ground via perms and renders research burdens untenable by eviscerating predictable limits. Procedural questions come first – debate is a game and it makes no sense to skew a competitive activity as it requires effective negation which incentivizes argument refinement, but skewed burdens deck pedagogical engagement.

#### Second - Clash – picking any grounds for debate precludes the only common point of engagement, which obviates preround research and incentivizes retreat from controversy by eliminating any effective clash. Only the process of negation distinguishes debate and discussion by necessitating iterative testing and effective engagement, but an absence of constant refinement dooms revolutionary potential.

#### Third - Movement Lawyering Skills – contingent, focused debates around locus points of difference are key to develop activists skills for political justice.

Archer 18, Deborah N. "Political Lawyering for the 21st Century." Denv. L. Rev. 96 (2018): 399. (Associate Professor of Clinical Law at NYU School of Law)//Elmer

Political justice lawyers must be able to break apart a systemic problem into manageable components. The complexity of social problems, can cause law students, and even experienced political lawyers, to become overwhelmed. In describing his work challenging United States military and economic interventions abroad, civil rights advocate and law professor Jules Lobel wrote of this process: “Our foreign-policy litigation became a sort of Sisyphean quest as we maneuvered through a hazy maze cluttered with gates. Each gate we unlocked led to yet another that blocked our path, with the elusive goal of judicial relief always shrouded in the twilight mist of the never-ending maze.”144 Pulling apart a larger, systemic problem into its smaller components can help elucidate options for advocacy. An instructive example is the use of excessive force by police officers against people of color. Every week seems to bring a new video featuring graphic police violence against Black men and women. Law students are frequently outraged by these incidents. But the sheer frequency of these videos and lack of repercussions for perpetrators overwhelm those students just as often. What can be done about a problem so big and so pervasive? To move toward justice, advocates must be able to break apart the forces that came together to lead to that moment: intentional discrimination, implicit bias, ineffective training, racial segregation, lack of economic opportunity, the over-policing of minority communities, and the failure to invest in non-criminal justice interventions that adequately respond to homelessness, mental illness, and drug addiction. None of these component problems are easily addressed, but breaking them apart is more manageable—and more realistic—than acting as though there is a single lever that will solve the problem. After identifying the component problems, advocates can select one and repeat the process of breaking down that problem until they get to a point of entry for their advocacy. 2. Identifying Advocacy Alternatives As discussed earlier, political justice lawyering embraces litigation, community organizing, interdisciplinary collaboration, legislative reform, public education, direct action, and other forms of advocacy to achieve social change. After parsing the underlying issues, lawyers need to identify what a lawyer can and should do on behalf of impacted communities and individuals, and this includes determining the most effective advocacy approach. Advocates must also strategize about what can be achieved in the short term versus the long term. The fight for justice is a marathon, not a sprint. Many law students experience frustration with advocacy because they expect immediate justice now. They have read the opinion in Brown v. Board of Education, but forget that the decision was the result of a decades-long advocacy strategy.145 Indeed, the decision itself was no magic wand, as the country continues to work to give full effect to the decision 70 years hence. Advocates cannot only fight for change they will see in their lifetime, they must also fight for the future.146 Change did not happen over night in Brown and lasting change cannot happen over night today. Small victories can be building blocks for systemic reform, and advocates must learn to see the benefit of short-term responsiveness as a component of long-term advocacy. Many lawyers subscribe to the American culture of success, with its uncompromising focus on immediate accomplishments and victories.147 However, those interested in social justice must adjust their expectations. Many pivotal civil rights victories were made possible by the seemingly hopeless cases that were brought, and lost, before them.148 In the fight for justice, “success inheres in the creation of a tradition, of a commitment to struggle, of a narrative of resistance that can inspire others similarly to resist.”149 Again, Professor Lobel’s words are instructive: “the current commitment of civil rights groups, women’s groups, and gay and lesbian groups to a legal discourse to legal activism to protect their rights stems in part from the willingness of activists in political and social movements in the nineteenth century to fight for rights, even when they realized the courts would be unsympathetic.”150 Professor Lobel also wrote about Helmuth James Von Moltke, who served as legal advisor to the German Armed Services until he was executed in 1945 by Nazis: “In battle after losing legal battle to protect the rights of Poles, to save Jews, and to oppose German troops’ war crimes, he made it clear that he struggled not just to win in the moment but to build a future.”151 3. Creating a Hierarchy of Values Advocates challenging complex social justice problems can find it difficult to identify the correct solution when one of their social justice values is in conflict with another. A simple example: a social justice lawyer’s demands for swift justice for the victim of police brutality may conflict with the lawyer’s belief in the officer’s fundamental right to due process and a fair trial. While social justice lawyers regularly face these dilemmas, law students are not often forced to struggle through them to resolution in real world scenarios

—to make difficult decisions and manage the fallout from the choices they make in resolving the conflict. Engaging in complex cases can force students to work through conflicts, helping them to articulate and sharpen their beliefs and goals, forcing them to clearly define what justice means broadly and in the specific context presented. Lawyers advocating in the tradition of political lawyering anticipate the inevitable conflict between rights, and must seek to resolve these conflicts through a “hierarchy of values.”152 Moreover, in creating the hierarchy, the perspectives of those directly impacted and marginalized should be elevated “because it is in listening to and standing with the victims of injustice that the need for critical thinking and action become clear.”153 One articulation of a hierarchy of values asserts “people must be valued more than property. Human rights must be valued more than property rights. Minimum standards of living must be valued more than the privileged liberty of accumulated political, social and economic power. Finally, the goal of increasing the political, social, and economic power of those who are left out of the current arrangements must be valued more than the preservation of the existing order that created and maintains unjust privilege.”154 C. Rethinking the Role of the Clinical Law Professor: Moving From Expert to Colleague Law students can learn a new dimension of lawyering by watching their clinical law professor work through innovative social justice challenges alongside them, as colleagues. This is an opportunity not often presented in work on small cases where the clinical professor is so deeply steeped in the doctrine and process, the case is largely routine to her and she can predict what is to come and adjust supervision strategies accordingly.155 However, when engaged in political lawyering on complex and novel legal issues, both the student and the teacher may be on new ground that transforms the nature of the student-teacher relationship. A colleague often speaks about acknowledging the persona professors take on when they teach and how that persona embodies who they want to be in the classroom—essentially, whenever law professors teach they establish a character. The persona that a clinical professor adopts can have a profound effect on the students, because the character is the means by which the teacher subtly models for the student—without necessarily ever saying so— the professional the teacher holds herself to be and the student may yet become. In working on complex matters where the advocacy strategy is unclear, the clinical professor makes himself vulnerable by inviting students to witness his struggles as they work together to develop the most effective strategy. By making clear that he does not have all of the answers, partnering with his students to discover the answers, and sharing his own missteps along the way, a clinical law professor can reclaim opportunities to model how an experienced attorney acquires new knowledge and takes on new challenges that may be lost in smaller case representation.156 Clinical law faculty who wholeheartedly subscribe to the belief that professors fail to optimize student learning if students do not have primary control of a matter from beginning to end may view a decision to work in true partnership with students on a matter as a failure of clinical legal education. Indeed, this partnership model will inevitably impact student autonomy and ownership of the case.157 But, there is a unique value to a professor working with her student as a colleague and partner to navigate subject matter new to both student and professor.158 In this relationship, the professor can model how to exercise judgment and how to learn from practice: to independently learn new areas of law; to consult with outside colleagues, experts in the field, and community members without divulging confidential information; and to advise a client in the midst of ones own learning process.159 III. A Pedagogical Course Correction “If it offends your sense of justice, there’s a cause of action.” - Florence Roisman, Professor, Indiana University School of Law160 In response to the shifts in my students’ perspectives on racism and systemic discrimination, their reluctance to tackle systemic problems, their conditioned belief that strategic litigation should be a tool of last resort, and my own discomfort with reliance on small cases in my clinical teaching, I took a step back in my own practice. How could I better teach my students to be champions for justice even when they are overwhelmed by society’s injustice; to challenge the complex and systemic discrimination strangling minority communities, and to approach their work in the tradition of political lawyering. I reflected not only on my teaching, but also on my experiences as a civil rights litigator, to focus on what has helped me to continue doing the work despite the frustrations and difficulties. I realized I was spending too much time teaching my students foundational lawyering skills, and too little time focused on the broader array of skills I knew to be critical in the fight for racial justice. We regularly discussed systemic racism during my clinic seminars in order to place the students’ work on behalf of their clients within a larger context. But by relying on carefully curated small cases I was inadvertently desensitizing my students to a lawyer’s responsibility to challenge these systemic problems, and sending the message that the law operates independently from this background and context. I have an obligation to move beyond teaching my students to be “good soldiers for the status quo” to ensuring that the next generation is truly prepared to fight for justice.161 And, if my teaching methods are encouraging the reproduction of the status quo it is my obligation to develop new interventions.162 Jane Aiken’s work on “justice readiness” is instructive on this point. To graduate lawyers who better understand their role in advancing justice, Jane Aiken believes clinics should move beyond providing opportunities for students to have a social justice experience to promoting a desire and ability to do justice.163 She suggests creating disorienting moments by selecting cases where students have no outside authority on which to rely, requiring that they draw from their own knowledge base and values to develop a legal theory.164 Disorienting moments give students: experiences that surprise them because they did not expect to experience what they experienced. This can be as simple as learning that the maximum monthly welfare benefit for a family of four is about $350. Or they can read a [ ] Supreme Court case that upheld Charles Carlisle’s conviction because a wyer missed a deadline by one day even though the district court found there was insufficient evidence to prove his guilt. These facts are often disorienting. They require the student to step back and examine why they thought that the benefit amount would be so much more, or that innocence would always result in release. That is an amazing teaching moment. It is at this moment that we can ask students to examine their own privilege, how it has made them assume that the world operated differently, allowing them to be oblivious to the indignities and injustices that occur every day.165 Giving students an opportunity to “face the fact that they cannot rely on ‘the way things are’ and meet the needs of their clients” is a powerful approach to teaching and engaging students.166 But, complex problems call for larger and more sustained disorienting moments. Working with students on impact advocacy in the model of political lawyering provides a range of opportunities to immerse students in disorienting moments. A. Immersing Students in “Disorienting Moments”: Race, Poverty, and Pregnancy Today, I try to immerse my students in disorienting moments to make them justice ready and move them in the direction of political lawyering. My clinic docket has always included a small number of impact litigation matters. However, in the past these cases were carefully screened to ensure that they involved discrete legal issues and client groups. In addition, our representation always began after our outside co-counsel had already conducted an initial factual investigation, identified the core legal issues, and developed an overall advocacy strategy, freeing my students from these responsibilities. Now, my clinic takes on impact matters at earlier stages where the strategies are less clear and the legal questions are multifaceted and ill- defined. This mirrors the experiences of practicing social justice lawyers, who faced with an injustice, must discover the facts, identify the legal claims, develop strategy, cultivate allies, and ultimately determine what can be done—with the knowledge that “nothing” is not an option. This approach provides students with the space to wrestle with larger, systemic issues in a structured and supportive educational environment, taking on cases that seem difficult to resolve and working to bring some justice to that situation. They are also gaining experience in many of the fundamentals of political lawyering advocacy. Recently, my students began work on a new case. Several public and private hospitals in low-income New York City neighborhoods are drug testing pregnant women or new mothers without their knowledge or informed consent. This practice reflects a disturbing convergence between racial and economic disparities, and can have a profound impact on the lives of the poor women of color being tested at precisely the time when they are most in need of support. We began our work when a community organization reached out to the clinic and spoke to us about complaints that hospitals around New York City were regularly testing pregnant women—almost exclusively women of color—for drug use during prenatal check ups, during the chaos and stress of labor and delivery, or during post-delivery. The hospitals report positive test results to the City’s Administration for Children’s Services (“ACS”), which is responsible for protecting children from abuse and neglect, for further action.167 Most of the positive tests are for marijuana use. After a report is made, ACS commences an investigation to determine whether child abuse or neglect has taken place, and these investigations trigger inquiries into every aspect of a family’s life. They can lead to the institution of child neglect proceedings, and potentially to the temporary or permanent removal of children from the household. Even where that extreme result is avoided, an ACS investigation can open the door to the City’s continued, and potentially unwelcome, involvement in the lives of these families. These policies reflect deeply inequitable practices. Investigating a family after a positive drug test is not necessarily a bad thing. After all, ACS offers a number of supportive services that can help stabilize and strengthen vulnerable families. And of course, where children’s safety is at risk, removal may sometimes be the appropriate result. However, hospitals do not conduct regular drug tests of mothers in all New York City communities. Private hospitals in wealthy areas rarely test pregnant women or new mothers for drug misuse. In contrast, at hospitals serving poor women, drug testing is routine. Race and class should not determine whether such testing, and the consequences that result, take place. Investigating the New York City drug-testing program immersed the students in disorienting moments at every stage of their work. During our conversations, the students regularly expressed surprise and discomfort with the hospitals’ practices. They were disturbed that public hospitals— institutions on which poor women and women of color rely for something as essential as health care—would use these women’s pregnancy as a point of entry to control their lives.168 They struggled to explain how the simple act of seeking medical care from a hospital serving predominantly poor communities could deprive patients of the respect, privacy, and legal protections enjoyed by pregnant women in other parts of the City. And, they were shocked by the way institutions conditioned poor women to unquestioningly submit to authority.169 Many of the women did not know that they were drug tested until the hospital told them about the positive result and referred them to ACS. Still, these women were not surprised: that kind of disregard, marginalization, and lack of consent were a regular aspect of their lives as poor women of color. These women were more concerned about not upsetting ACS than they were about the drug testing. That so many of these women could be resigned to such a gross violation of their rights was entirely foreign to most of my students. B. Advocacy in the Face of Systemic Injustice Although the students are still in the early stages of their work, they have already engaged in many aspects of political justice lawyering. They approached their advocacy focused on the essence of political lawyering— enabling poor, pregnant women of color who enjoy little power or respect to claim and enjoy their rights, and altering the allocation of power from government agencies and institutions back into the hands of these women. They questioned whose interests these policies and practices were designed to serve, and have grounded their work in a vision of an alternative societal construct in which their clients and the community are respected and supported. The clinic students were given an opportunity to learn about social, legal, and administrative systems as they simultaneously explored opportunities to change those systems. The students worked to identify the short and long term goals of the impacted women as well the goals of the larger community, and to think strategically about the means best suited to accomplish these goals. And, importantly, while collaborating with partners from the community and legal advocacy organizations, the students always tried to keep these women centered in their advocacy. In breaking down the problem of drug testing poor women of color, the students worked through an issue that lives at the intersection of reproductive freedom, family law, racial justice, economic inequality, access to health care, and the war on drugs. In their factual investigation, which included interviews of impacted women, advocates, and hospital personnel, and the review of records obtained through Freedom of Information Law requests, the students began to break down this complex problem. They explored the disparate treatment of poor women and women of color by health care providers and government entities, implicit and explicit bias in healthcare, the disproportionate referral of women of color to ACS, the challenges of providing medical services to underserved communities, the meaning of informed consent, the diminished rights of people who rely on public services, and the criminalization of poverty. The students found that list almost as overwhelming as the initial problem itself, but identifying the components allowed the students to dig deeper and focus on possible avenues of challenge and advocacy. It was also critically important to make the invisible forces visible, even if the law currently does not provide a remedy. Working on this case also gave the students and me the opportunity to work through more nuanced applications of some of the lawyering concepts that were introduced in their smaller cases, including client-centered lawyering when working on behalf of the community; large-scale fact investigation; transferring their “social justice knowledge” to different contexts; crafting legal and factual narratives that are not only true to the communities’ experience, but can persuade and influence others; and how to develop an integrated advocacy plan. The students frequently asked whether we should even pursue the matter, questioning whether this work was client- centered when it was no longer the most pressing concern for many of the women we met. These doubts opened the door to many rich discussions: can we achieve meaningful social change if we only address immediate crises; can we progress on larger social justice issues without challenging their root causes; how do we recognize and address assumptions advocates may have about what is best for a client; and how can we keep past, present, and future victims centered in our advocacy? The work on the case also forced the clinic students to work through their own understanding of a hierarchy of values. They struggled with their desire to support these community hospitals and the public servants who work there under difficult circumstances on the one hand, and their desire to protect women, potentially through litigation, from discriminatory practices. They also struggled to reconcile their belief that hospitals should take all reasonable steps to protect the health and safety of children, as well as their emotional reaction to pregnant mothers putting their unborn children in harms way by using illegal drugs against the privacy rights of poor and marginalized women. They were forced to pause and think deeply about what justice would look like for those mothers, children, and communities. CONCLUSION America continues to grapple with systemic injustice. Political justice lawyering offers powerful strategies to advance the cause of justice—through integrated advocacy comprising the full array of tools available to social justice advocates, including strategic systemic reform litigation. It is the job of legal education to prepare law students to become effective lawyers. For those aspiring to social justice that should include training students to utilize the tools of political justice lawyers. Clinical legal offers a tremendous opportunity to teach the next generation of racial and social justice advocates how to advance equality in the face of structural inequality, if only it will embrace the full array of available tools to do so. In doing so, clinical legal education will not only prepare lawyers to enact social change, they can inspire lawyers overwhelmed by the challenges of change. In order to provide transformative learning experiences, clinical education must supplement traditional pedagogical tools and should consider political lawyering’s potential to empower law students and communities.

#### TVA – 1] Affirm that the

#### 2] Affirm a Right to Strike for Prison Laborers to push for an end to the Prison Industrial Complex.

#### The TVA is terminal defense – proves compatibility of our Models AND Solvency Deficits proves ground for engagement.

#### SSD solves – it preaches self-reflexive ideologies that are key to check back dogmatism – arbitrarily bracketing off topics of discussion creates a groupthink mentality that dooms Social Movements.

## 2

#### Interp: If the affirmative defends anything other than “Resolved: The appropriation of outer space by private entities is unjust.” then they must provide a counter-solvency advocate for their specific advocacy in the 1AC. (To clarify, you must have an author that states we should not do your aff, insofar as the aff is not a whole res phil aff)

#### Violation

#### Prefer

#### 1. Limits – there are infinite things you could defend outside the exact text of the resolution which pushes you to the limits of contestable arguments, even if your interp of the topic is better, the only way to verify if it’s substantively fair is proof of counter-arguments. Nobody knows your aff better than you, so if you can’t find an answer, I can’t be expected to. Our interp narrows out trivially true advocacies since counter-solvency advocates ensure equal division of ground for both sides.

#### 2. Research – Forces the aff to go to the other side of the library and contest their own view points, as well as encouraging in depth-research about their own position. Having one also encourages more in-depth answers since I can find responses. Key to education since we definitionally learn more about positions when we contest our own.

#### Education is a voter since it is the only portable and durable skill that influences our subject formation. Fairness is a voter since a] debate is a game, competition equity matters proven by desire for wins, b] is worthless without rules and equal access.

#### Drop the debater – a] deters future abuse through a loss and b] set better norms for debate since you are less likely to repeat a practice you can lose for

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear model of debate, [b] it creates a race to the top where we create the best possible norms for debate through offense [c] offense defense paradigm is the best method for evaluation since you can compare benefits under both interps easier.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, if logic isn’t true then you should hack against them, b] RVIs incentivize baiting theory and prepping it out which leads to maximally abusive practices

## 3

#### I advocate for the aff absent being read against a fellow Asian.

#### Causes psychological violence since you force us to negate our identity and suffering O/ws A] perf-con and pre-meditated murder – you know what you were doing awas bad but did it anyways B] Link turn – aff can’t solve when it recreates violence.

#### Asian coalitions are key to their method.

* Colitations good
* Solves all their offense shakes off stereotypes or smthing
* Only way to actualize “back up intentions with actions” and “we uplift and support each other”
* Nuance is bad surrounding w absolutism ignores nuances between intersectionality and dif ethnicities of asians

Arti **Kohli** and Becky **Belcore, 21** [Aarti Kohli, (Aarti Kohli is the executive director of Asian Americans Advancing Justice–Asian Law Caucus, the organization that convenes the Asian American Leaders Table.) Becky Belcore, (Becky Belcore is executive director of the National Korean American Service and Education Consortium (NAKASEC), a progressive grassroots organization and a member of the Asian American Leaders Table.)]. "Coalitions and solidarity with others are vital to Asian American activism." Prism, 6-10-2021, Accessed 1-9-2022. https://prismreports.org/2021/06/10/coalitions-and-solidarity-with-others-are-vital-to-asian-american-activism/ // duongie

For many Asian Americans, it can feel as if we live surrounded by absolutism and extremes, with little room for nuance. But we often occupy “in-between” spaces and identities, and nuance is necessary in order to understand our work with Asian American and Pacific Islander (AAPI) communities. It’s also essential when it comes to understanding ourselves as immigrants from colonized nations, and as Indigenous people, multi-racial people, undocumented people, or trans-racial adoptees. It may be uncomfortable, but we must persist in the complex work of making progress toward racial solidarity so that we can create a more just future for our communities. In the wake of increased violence targeting Asian Americans, a new network of 100+ organizations serving AAPI communities was convened. Its goal is to coalesce and leverage our power toward policy change, solidarity, and shifting the public narrative. The “Asian American Leaders Table” provides a ray of hope in the type of coalition building and mutual support that can buoy us during hard times. Our work broadens our understanding of our own communities, revealing layers that influence how we uplift and support each other, or step aside when necessary. For example, we acknowledge that Pacific Islanders were deliberately combined together with Asian Americans by government systems that have no knowledge or interest in our distinct histories and needs. We know Southeast Asians face higher risks when it comes to criminalization and deportation. We see that East Asians are more likely to be targeted for street harassment and assault due to racist COVID-19 narratives. We know that our Indian American colleagues are feeling high levels of stress with families in the homeland who are struggling with a raging pandemic. Sikh American communities were severely targeted post-9/11, and were the target of a mass shooting in Indianapolis. And our Muslim siblings need our solidarity and support amidst the Israeli-Palestinian conflict. Our coalition work doesn’t shy away from these complicated aspects of Asian American and Pacific Islander identities. We cleave deeper into the histories, identities, and stories that make us different from one another, and back up our intentions with actions. Our vision is to shift the narrative around heritage and solidarity. For example, portraying Asian Americans solely as victims does a disservice to the many examples of Asian American resistance, solidarity, organizing, and community development that has benefited our society. Our campaign, “Resistance is our Heritage,” tells stories to inspire current generations of people to change their actions, to effect change within our systems, and catalyze a better future for new generations of Asian American and Pacific Islander communities. In addition to stories of resistance, it’s also important to share stories of solidarity in order to counteract stereotypes that pit Asian Americans against other marginalized groups and paint Asian Americans as disengaged in politics and activism. That’s why we’ve launched a new series of videos with stories and educational guides that we hope will spark discussions around solidarity in service of transformative change, including stories like: How Indo-Caribbean populations have organized around economic justice, resulting in new budgetary earmarks for exploited workers affected by COVID-19 in the New York state budget. Efforts to build a broad multi-racial coalition to end the surveillance of Muslim, South Asian, and Arab community members by local law enforcement and federal authorities. Using the experience of Japanese American internment to end detention sites and support immigrant and refugee communities targeted by racism, state violence, injustice, and oppression in the United States. Resistance as heritage carries us through our day-to-day work as well. We owe so much to the work of Black activists and civil rights movements that influences the ethics, values, and strategies that allow us to meet the diverse needs of all communities of color, and enact necessary changes that ultimately make for a stronger U.S. This includes work like advocating for language access at the polls—not just Asian languages, but Spanish and African languages, too, so that a greater and more diverse cross-section of our citizenry can engage in free, fair, and accessible elections. We advocate for justice for those whose citizenship, legal status, and livelihood hang in the balance due to outdated immigration laws that hurt families in the U.S. and internationally. For generations, the model minority myth painted Asian Americans as a successful monolith and stymied policymakers’ understanding of the widening Asian American wealth gap—neglecting the fact that Asian Americans are the most economically unequal racial group in the U.S. Our work channels the voices of millions of Asian Americans calling for good jobs, union rights, affordable housing, strong public education, and reliable health care, not just for us but for all of the groups who depend on these rights. We remember the lessons of the 1982 garment workers’ strike in New York’s Chinatown and the impact Asian American coalition building had on workers’ rights. As COVID-19 cases drop, the number of vaccinated people grows, and we “return to normal,” workers need to be paid fair wages and get basic safety and health protections. Without those at minimum, the economic divide will only keep growing. The benefits of cross-racial solidarity work are clear. The hard part is figuring out how to do it. We are inspired by the stories of our predecessors because it’s helpful to remind ourselves that the idea of co-liberation is not a new one. The history of Asian American and Pacific Islander coalitions with other oppressed groups includes the Filipino and Mexican farmworkers who organized the Delano grape strike, the civil rights collaboration between Grace Lee Boggs and Malcom X, Japanese Americans first protesting the anti-Muslim and xenophobic violence that followed 9/11, and later the inhumane treatment of migrants and immigrants at the U.S. southern borders. Solidarity and co-liberation isn’t a rarity for Asian Americans; it’s a vital part of our activism. Systems and communication methods have changed, but the intent remains the same. We’re inspired by the energy and dedication of the groups involved with the Asian American Leaders Table, and we hope that others will join us as we forge new paths toward allyship and a co-liberated future.

## 4

#### Commercial Space Race favors American Companies that cements space dominance – shift away endangers our lead – losing green-lights Chinese Dominance across the board.

Autry and Kwast 19 Greg Autry and Steve Kwast 8-22-2019 "America Is Losing the Second Space Race to China" (Greg Autry, a clinical professor of space leadership, policy, and business at Arizona State University’s Thunderbird School of Global Management, and Steve Kwast)//Elmer

America Is Losing the Second Space Race to China The private sector can give the United States a much-needed rocket boost. The current U.S. space defense strategy is inadequate and on a path to failure. President Donald Trump’s vision for a Space Force is big enough. As he said on June 18, “It is not enough to merely have an American presence in space. We must have American dominance in space.” But the Air Force is not matching this vision. Instead, the leadership is currently focused on incremental improvements to existing equipment and organizational structures. Dominating the vast and dynamic environment of space will require revolutionary capabilities and resources far deeper than traditional Department of Defense thinking can fund, manage, or even conceive of. Success depends on a much more active partnership with the commercial space industry— and its disruptive capabilities. U.S. military space planners are preparing to repeat a conflict they imagined back in the 1980s, which never actually occurred, against a vanished Soviet empire. Meanwhile, China is executing a winning strategy in the world of today. It is burning hard toward domination of the future space markets that will define the next century. They are planning infrastructure in space that will control 21st-century telecommunications, energy, transportation, and manufacturing. In doing so, they will acquire trillion-dollar revenues as well as the deep capabilities that come from continuous operational experience in space. This will deliver space dominance and global hegemony to China’s authoritarian rulers. Despite the fact that many in the policy and intelligence communities understand exactly what China is doing and have been trying to alert leadership, Air Force leadership has convinced the White House to fund only a slightly better satellite command with the same leadership, while sticking a new label onto their outmoded thinking. A U.S. Space Force or Corps with a satellite command will never fulfill Trump’s call to dominate space. Air Force leadership is demonstrating the same hubris that Gen. George Custer used in convincing Congress, over President Ulysses S. Grant’s better experience intuition, that he could overtake the Black Hills with repeating rifles and artillery. That strategy of technological overconfidence inflamed conflict rather than subduing it, and the 7th Cavalry were wiped out at the Battle of the Little Bighorn. The West was actually won by the settlers, ranchers, miners, and railroad barons who were able to convert the wealth of the territory itself into the means of holding it. They laid the groundwork that made the 20th century the American Century and delivered freedom to millions of people in Europe and Asia. Of course, they also trampled the indigenous people of the American West in their wake—but empty space comes with no such bloody cost. The very emptiness and wealth of this new, if not quite final, frontier, however, means that competition for resources and strategic locations in cislunar space (between the Earth and moon) will be intense over the next two decades. The outcome of this competition will determine the fate of humanity in the next century. China’s impending dominance will neutralize U.S. geopolitical power by allowing Beijing to control global information flows from the high ground of space. Imagine a school in Bolivia or a farmer in Kenya choosing between paying for a U.S. satellite internet or image provider or receiving those services for free as a “gift of the Chinese people.” It will be of little concern to global consumers that the news they receive is slanted or that searches for “free speech” link to articles about corruption in Western democracies. Nor will they care if concentration camps in Tibet and the Uighur areas of western China are obscured, or if U.S. military action is presented as tyranny and Chinese expansion is described as peacekeeping or liberation. China’s aggressive investment in space solar power will allow it to provide cheap, clean power to the world, displacing U.S. energy firms while placing a second yoke around the developing world. Significantly, such orbital power stations have dual use potential and, if properly designed, could serve as powerful offensive weapons platforms. China’s first step in this process is to conquer the growing small space launch market. Beijing is providing nominally commercial firms with government-manufactured, mobile intercontinental ballistic missiles they can use to dump launch services on the market below cost. These start-ups are already undercutting U.S. pricing by 80 percent. Based on its previous success in using dumping to take out U.S. developed industries such as solar power modules and drones, China will quickly move upstream to attack the leading U.S. launch providers and secure a global commercial monopoly. Owning the launch market will give them an unsurmountable advantage against U.S. competitors in satellite internet, imaging, and power. The United States can still build a strategy to win. At this moment, it holds the competitive advantage in every critical space technology and has the finest set of commercial space firms in the world. It has pockets of innovative military thinkers within groups like the Defense Innovation Unit, under Mike Griffin, the Pentagon’s top research and development official. If the United States simply protects the intellectual property its creative minds unleash and defend its truly free markets from strategic mercantilist attack, it will not lose this new space race. The United States has done this before. It beat Germany to the nuclear bomb, it beat the Soviet Union to the nuclear triad, and it won the first space race. None of those victories was achieved by embracing the existing bureaucracy. Each of them depended on the president of the day following the only proven path to victory in a technological domain: establish a small team with a positively disruptive mindset and empower that team to investigate a wide range of new concepts, work with emerging technologies, and test innovative strategies. Today that means giving a dedicated Space Force the freedom to easily partner with commercial firms and leverage the private capital in building sustainable infrastructure that actually reduces the likelihood of conflict while securing a better economic future for the nation and the world.

#### Hegemony solves Extinction.

Ikenberry 20 John Ikenberry 6-9-2020 “The Next Liberal Order: The Age of Contagion Demands More Internationalism, Not Less” <https://www.foreignaffairs.com/articles/united-states/2020-06-09/next-liberal-order> (Albert G. Milbank Professor of Politics and International Affairs at Princeton University and Global Eminence Scholar at Kyung Hee University, in South Korea)//Elmer

The rivalry between the United States and China will preoccupy the world for decades, and the problems of anarchy cannot be wished away. But for the United States and its partners, a far greater challenge lies in what might be called “the problems of modernity”: the deep, worldwide transformations unleashed by the forces of science, technology, and industrialism, or what the sociologist Ernest Gellner once described as a “tidal wave” pushing and pulling modern societies into an increasingly complex and interconnected world system. Washington and its partners are threatened less by rival great powers than by emergent, interconnected, and cascading transnational dangers. Climate change, pandemic diseases, financial crises, failed states, nuclear proliferation—all reverberate far beyond any individual country. So do the effects of automation and global production chains on capitalist societies, the dangers of the coming revolution in artificial intelligence, and other, as-yet-unimagined upheavals. The coronavirus is the poster child of these transnational dangers: it does not respect borders, and one cannot hide from it or defeat it in war. Countries facing a global outbreak are only as safe as the least safe among them. For better or worse, the United States and the rest of the world are in it together. Past American leaders understood that the global problems of modernity called for a global solution and set about building a worldwide network of alliances and multilateral institutions. But for many observers, the result of these efforts—the liberal international order—has been a failure. For some, it is tied to the neoliberal policies that produced financial crises and rising economic inequality; for others, it evokes disastrous military interventions and endless wars. The bet that China would integrate as a “responsible stakeholder” into a U.S.-led liberal order is widely seen to have failed, too. Little wonder that the liberal vision has lost its appeal. Liberal internationalists need to acknowledge these missteps and failures. Under the auspices of the liberal international order, the United States has intervened too much, regulated too little, and delivered less than it promised. But what do its detractors have to offer? Despite its faults, no other organizing principle currently under debate comes close to liberal internationalism in making the case for a decent and cooperative world order that encourages the enlightened pursuit of national interests. Ironically, the critics’ complaints make sense only within a system that embraces self-determination, individual rights, economic security, and the rule of law—the very cornerstones of liberal internationalism. The current order may not have realized these principles across the board, but flaws and failures are inherent in all political orders. What is unique about the postwar liberal order is its capacity for self-correction. Even a deeply flawed liberal system provides the institutions through which it can be brought closer to its founding ideals. However serious the liberal order’s shortcomings may be, they pale in comparison to its achievements. Over seven decades, it has lifted more boats—manifest in economic growth and rising incomes—than any other order in world history. It provided a framework for struggling industrial societies in Europe and elsewhere to transform themselves into modern social democracies. Japan and West Germany were integrated into a common security community and went on to fashion distinctive national identities as peaceful great powers. Western Europe subdued old hatreds and launched a grand project of union. European colonial rule in Africa and Asia largely came to an end. The G-7 system of cooperation among Japan, Europe, and North America fostered growth and managed a sequence of trade and financial crises. Beginning in the 1980s, countries across East Asia, Latin America, and eastern Europe opened up their political and economic systems and joined the broader order. The United States experienced its greatest successes as a world power, culminating in the peaceful end to the Cold War, and countries around the globe wanted more, not less, U.S. leadership. This is not an order that one should eagerly escort off the stage. Any alternative is worse and causes great power war. The major alternatives to a modernized world order supported by the United States appear unlikely, unappealing, or both. A Chinese-led order, for example, would be an illiberal one, characterized by authoritarian domestic political systems and statist economies that place a premium on maintaining domestic stability. There would be a return to spheres of influence, with China attempting to domi-nate its region, likely resulting in clashes with other regional powers, such as India, Japan, and Vietnam, which would probably build up their conventional or even nuclear forces. A new democratic, rules-based order fashioned and led by medium powers in Europe and Asia, as well as Canada, however attractive a concept, would simply lack the military capacity and domestic political will to get very far. A more likely alternative is a world with little order—a world of deeper disarray. Protectionism, nationalism, and populism would gain, and democracy would lose. Conflict within and across borders would become more common, and rivalry between great powers would increase. Cooperation on global challenges would be all but precluded. If this picture sounds familiar, that is because it increasingly corresponds to the world of today. The deterioration of a world order can set in motion trends that spell catastrophe. World War I broke out some 60 years after the Concert of Europe had for all intents and purposes broken down in Crimea. What we are seeing today resembles the mid-nineteenth century in important ways: the post– World War II, post–Cold War order cannot be restored, but the world is not yet on the edge of a systemic crisis. Now is the time to make sure one never materializes, be it from a breakdown in U.S.-Chinese relations, a clash with Russia, a conflagration in the Middle East, or the cumulative effects of climate change. The good news is that it is far from inevitable that the world will eventually arrive at a catastrophe; the bad news is that it is far from certain that it will not.

## Case

### Presumption

#### Vote neg on presumption –

#### A) Nothing spills over – there’s no connection between the ballot and chancing people’s attitudes. You encourage more teams to read framework which turns your offense and prevents the alteration of mindsets.

#### B) No warrant for a ballot – the competitive nature of debate coopts any ethical value of advocating the aff – winning rounds only makes it look like they just want to win which proves framework and means advocating by losing is more effective.

#### C) Debate – none of their evidence is specific to it – sets a high threshold for solvency and ignores how communicative norms operate.

#### D) Voting aff doesn’t access social change, but voting neg resolves our procedural impacts.

Ritter ‘13 (JD from U Texas Law (Michael J., “Overcoming The Fiction of “Social Change Through Debate”: What’s To Learn from 2pac’s Changes?,” National Journal of Speech and Debate, Vol. 2, Issue 1)

The structure of competitive interscholastic debate renders any message communicated in a debate round virtually **incapable of creating any social change**, either in the debate community or in general society. And to the extent that the fiction of social change through debate can be proven or disproven through empirical studies or surveys, academics instead have analyzed debate with **nonapplicable** rhetorical **theory** that **fails to account for the unique aspects** of competitive interscholastic debate. Rather, the current debate relating to activism and competitive interscholastic debate concerns the following: “What is the best model to promote social change?” But a more fundamental question that must be addressed first is: **“Can debate cause social change?”** Despite over two decades of opportunity to conduct and publish empirical studies or surveys, academic proponents of the fiction that debate can create social change have chosen **not to prove this fundamental assumption**, which—as this article argues—is **merely a fiction** that is **harmful in** most, if not **all, respects**. The position that competitive interscholastic debate can create social change is more properly characterized as a **fiction** than an argument. A fiction is an invented or fabricated idea purporting to be factual but is **not provable** by any human senses or rational thinking capability or is unproven by valid statistical studies. An argument, most basically, consists of a claim and some support for why the claim is true. If the support for the claim is false or its relation to the claim is illogical, then we can deduce that the particular argument does not help in ascertaining whether the claim is true. Interscholastic competitive debate is premised upon the assumption that debate is argumentation. Because fictions are necessarily not true or cannot be proven true by any means of argumentation, the competitive interscholastic debate community should be **incredibly critical** of those fictions and adopt them only if they promote the activity and its purposes.

#### Specifically on their method

#### Sdf

#### That moots the value of their performance –

#### A) Impact calc – only weigh impacts they can draw a causal connection to with solvency – systems of power aren’t offense against framework because they don’t have an internal-link to how the aff solves that

#### B) Structural changes only arise from the shifting of group interests – not academic discourse.

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ACADEMIC INJUSTICE DISCOURSE Just law can coexist with unjust practice and both are parts of “empirical law” or what Bendey called “the process of government.” Empirical law is constantly changing and some theorists are optimistic that verbal discourse has the ability to make written law more just, even though the same unjust practices recur or new ones emerge. These theorists, some of whom are or may aspire to become public intellectuals, hope that someday public political discourse on behalf of those who are treated unjustly will have the power to interrupt a cycle of just written law accompanied by continued unjust practice. That is, the “right” discourse perennially holds the promise of changing the beliefs, values, and goals of everyone in the public auditorium, so that the same kind of unjust practices do not perpetually chase the same kinds of just laws.11 This search for “magic words” is futile for academics who are professionally confined to dry and abstract prose. Our verbiage does not have the power to move the multitudes who do not read or listen to it anyway. But even when multitudes are inspired and emotionally stirred by great orators, action that follows is unlikely to result in lasting change, without the support of powerful interests. After the 1960s, academics began a robust practice of liberatory discourse about injustice that seems to grow more impassioned and intense each year. The quest for demographic diversity among students and faculty in higher education has weathered judicial defeat of explicit affirmative action policies, but only partly for the sake of justice. There are pragmatic prizes if the academy can justify itself by producing a racially integrated leadership and managerial class for business, politics, and the military. Top leaders throughout society realize that they need such racial diversity for broad consumption, voter support, and boots on the ground, and the expression of that need is evident in amicus curiae briefs submitted to the US Supreme Court as it has been torturously dismantling affirmative action, piece by piece, since Bakke in 1978.12 Academic political discourse has been deeper than polemics and debate, exactly because of its disciplined intellectual origins in different fields of study (i.e., discipline imposed by distinct “disciplines”). But it has been swimming upstream against a more rarefied and older academic tradition, particularly among many philosophers and their gate keepers outside of the profession. Even Hannah Arendt (see chapter 2) spoke approvingly of the life of the mind as cut off from real political activity that occurred in the realm of “opinion.” In her 1970 interview with Adelbert Reif, Arendt addressed the phenomenon of college-stu-dent protestors, noting that they had brought social change through optimistic belief in their ability to make a better world, while at the same time discovering joy in civic participation. Arendt credited such protests with the success of the civil rights movement and progress toward ending the Vietnam War.13 As discussed in chapter 4, it is doubtful that Arendt was correct that student protests caused the success of the civil rights movement. A historical analysis of the end to the Vietnam War is beyond the present scope, but what we already know about empirical Bentleyan analyses would warrant skepticism about Arendt’s causal thesis there as well. In the same interview, Arendt warned that demonstrations by student activists could be self-defeating in democratic Euro-American contexts, because in attacking their universities, they were attacking the very entities that made their protests possible, American universities, especially large state schools that were the sites of the protests Arendt had in mind, have perforce developed very different financial structures since 1970. These schools have become increasingly dependent on private corporate and philanthropic funding, with state government funds now a much reduced part of their budget. While this structural change is not generally viewed as an incursion on academic freedom, it has been coincident with a very flat era of student protest and activism. Still, Arendt's notion of the "life of the mind” remains useful if we consider that the progressive/change-seeking output of professional academics since 1970 has been professionally accepted in the institutions that employ its participants. Also, much of today’s liberatory academic discourse can be viewed as the legacy of earlier student protest, furthering a tradition that may have been founded when some of the 1960s student radicals became professors. This indicates that the connection between academic radicals and the hands that feed them is not as simple as Arendt thought. In the United States, everything now points to both the existence of real academic freedom and its real ineffectiveness. Progressive academic writers ply a craft of formal speech that deals with contemporary injustice through complex theoretical frameworks, with requisite scholarly apparatuses and without translation into more simple views of the world; there is often also a lack of translation from one discipline to another or between subdisciplines in the same field. The audience is other academics and students. Neither specialization nor the limited and partly captive audience should be viewed as problematic because that is the nature of academic work, given broad social divisions of labor. But there is a problem with the delusional nature of so much of this work. The delusion consists of a naive view of the power of academic speech to directly change reality. The rhetorical mode of address used by academics writing cultural criticism, political philosophy, social philosophy, or what is now called social-political philosophy (which combines the other subfield approaches), often proceeds as though its authors are making grand entries in a planetary cabala, where words have the immediate power to become their intended referents. Those who do not write and speak cabalistically may subscribe to the Trickle-Down Good Ideas Theory that can be traced from Plato to John Stuart Mill to John Rawls. Subscription to that theory is immediately self-flattering, but it lacks reliable empirical support.16 Although, after the US civil rights movement, there has been an uncanny coincidence of race-blind formal racial equality with the hegemony in political philosophy of Rawls’s requirement that those who plan fundamental social institutions do so in ignorance of their own societal environments. As we saw in chapter 1, Rawls was quite explicit about this: I assume that the parties do not know the particular circumstances of their own society. That is, they do not know its economic or political situation, or the level of civilization and culture it has been able to achieve. The persons in the original position have no information as to which generation they belong.17 Both race-blind racial equality and Rawlsian ideals are compatible with race-based real inequality. There are, of course, counter-examples, such as Katherine MacKinnon’s work on sexual harassment in the workplace as expressed in current law and institutional policy.18 Nevertheless even very good academic political discourse about justice and injustice cannot be relied upon to attract implementation or application in real life. This may be because there has not been sufficient time for the development of training programs for a new profession of “bridgers,” who could translate good ideas in the academy for those who govern and make policy. An internal problem for such translators would be to decide where to anchor their bridges in fields—every humanistic field—where experts disagree. However, the current tradition of progressive academic writing and speech is less than half a century old and if and when such translators emerge, they will develop their own professional criteria for choosing among contending experts. Public media, as a democratic analogue to disagreement within academic discourse, supports the idea that expressing and airing views in day-to-day practices or special “national conversations” also have immediate practical results. It is not evident how there could be such results, when opposing views and opinions are treated with the same respect and have equal access to the same mass auditorium that lacks rules for evidence or valid argument. As with academic discourse, there is no structured connection to official decision processes. The only reliable result of participation in such unbinding referenda is that those who participate are able to express themselves and get attention that may benefit them in the marketplace of their related endeavors. Public expression also serves to, represent and create collective atmospheres of belief, attitude, and opinion. These atmospheres are implicitly known by a majority of people in the culture, even though such knowledge is difficult to validate. Ambiguities cannot be resolved by recourse to public opinion polls, because understanding the results of those polls requires creative interpretive skills that draw on what is already known about relevant atmospheres. For example, suppose that more blacks than whites believe that white privilege is real and that O.J. Simpson was innocent, or that more whites than blacks believe that white American police officers are not, in general, racially biased. Are the views of whites evidence of racial bias or racial oblivion? Are the views of blacks evidence of racial preference or paranoia? Moreover, such polls almost always have a large racial overlap of opinion: If 29 percent of blacks compared to 71 percent of whites believe X, then 71 percent of blacks and 29 percent of whites do not believe X. Does this mean that the percentages of each group that does not contribute to the discrepancy in belief recorded in the polls are in some degree of agreement? Experiments in social psychology could be designed to answer such questions and others like them, but it is important to decide beforehand why the data is important and what it does and does not indicate. For instance, testing the claim that white privilege is a reality of contemporary life requires some prior definition of what is meant by “white privilege,” which can range from injustice to social courtesies. In a widely discussed 2013 experiment conducted in Queensland, Australia, economists Redzo Mujcic and Paul Frijters found that the majority of free bus rides, based on conductor generosity, were dispensed to whites, with blacks least likely to receive this courtesy, compared to all other racial groups among commuters. Journalist Britni Danielle, writing for a general audience on Yahoo News, touted this study as evidence that “white privilege is real,” without distinguishing between an amenity such as a free bus ride and recognition of one’s rights by not being subject to arbitrary stops and frisks by police officers.19 Conservatives reading Mujcic and Frijter’s study might say that the bus driver may have been acting rationally based on past experience with unruly black passengers. From a progressive perspective, more specifics would need to be introduced to defend the claim that this study revealed white privilege, such as controls for the apparent social class and gender of passengers, as well as the preexisting racial climate among bus commuters in Queensland, as well as the broader racial atmosphere throughout Australia in 2013. The 2015 Academy Awards What is racial atmosphere and climate? A US example that is also global could help clarify these vague ideas, provided that it is understood beforehand that in this context, as in most public references to "race," ‘racial” means “pertaining to racism.” From beginning to end, the 2015 Academy Awards ceremony hit racist notes that slid by unchecked, because it was an occasion of celebration. Neil Patrick Harris, the host, began with what might have been a critical remark about the lack of racial diversity among audience members and award winners: “Tonight we honor Hollywood’s best and whitest, sorry, bright est.” For those who were uncomfortable with the lack of robust racial diversity among audience members and award winners, his remark might have validated their unease. But those who would have been uncomfortable with more racial diversity may have been heard “best and whitest” as support for their social values. (The discourse of white privilege as a critique of contemporary anti-nonwhite racism is, as indicated, that kind of double-edged sword.) Midway through the ceremony, Patricia Arquette called for people of color and members of the lesbian, bisexual, gay, and transgender (LBGT) community to support legislation for equal pay for women and to commit themselves to supporting women, thereby overlooking the women who were either or both people of color and members of the LGВТ community. This kind of oversight may perhaps be excused by Arquette’s ignorance of what academics have been for decades analyzing as “intersectionality.” But Sean Penn’s remark at the grand finale awarding for Best Picture to Alejandro Gonzalez Inarritu, the Mexican director of Birdman, was simply, explicitly, racist: "Who gave this son of a bitch a green card?” Inarritu later brushed off the insult by saying he found it "hilarious,” because “Sean and I have that kind of brutal relationship. I think it was very funny.”20 Inarritu attempt at a “save” for Penn does not address the impact of Penn’s insult on other Mexicans and Mexican Americans, including those without green cards who struggle to remain employed in the face of anti-immigrant prejudice and discrimination. (That such a moment of maximum recognition was brought so low by a racist crack is not unusual in US culture, where the nastiest forms of racist insult are often let loose on people of color who have succeeded.) As a spectacle watched by almost thirty-four million, the 2015 Oscars, despite ratings lower than recent years, was a global public event.21 Symbolically, it has no peer for the display of beauty, talent, and artistic creativity. Its subtext inevitably has implications about current American race relations, which influence their future. The racial implications of the Oscars replays in millions of minds at countless other public celebrations and entertainment venues, as well as in private interactions (for a year at least). Such spectacles are forms of public discourse and what they represent or fail to represent about US racial demographics and the attitude of the dominant white group creates or augments a specific racial climate that in 2015 is part of a more general racial atmosphere of ambiguity and indeterminacy. At the 2015 Academy Awards, for many critical observers, the issue or subject pertaining to race (insofar as it is understood that subjects of race are subjects of racism), was recognition.22 The beauty, talent, and artistic creativity of people of color was not fully recognized. Some people of color did get awards and some audience members were people of color, so recognition, along with diversity, was not completely absent. But there appeared to be insufficient racial diversity for audience and award winners to be considered racially integrated. And that appearance was symbolic. However, the symbolic meaning is ambiguous: Were there people of color who were deserving of awards but did not get them because they were people of color? Is race a factor in who I becomes a member of the Academy of Motion Picture Arts and Sciences? In the future, will the racial makeup of award winners become more or less representative of their proportions in the motion picture industry? If the proportion of people of color in the motion picture industry is not proportional to their presence in the population at large, why is that? The answers to these questions are undetermined in the symbolic spectacle of the 2015 Academy Awards. The observer does not know if recognition of the achievements of people of color in the movie industry will improve, stay the same, or get worse, and she does not know how to find out. The racial (i.e., in regards to racism) climate of the Academy Awards is cloudy, subject to many different interpretations, some of them conflicting. It is an epistemologically unstable racial climate, because people of color do not know what the weather is in that climate, as a basis for prediction, and neither do they know how to find out. The shared judgment throughout the American atmosphere of race in the early twenty-first century is that racism is morally bad. This judgment is a general principle that leaves the nature of racism undefined throughout the atmosphere and most of the climates and subclimates of race. The overriding shared judgment is a bitter and ineffective refuge for nonwhites, because it does not protect them from either First Amendment-protected racist expressions or actions that turn out to be indirectly racist. Energetic self-aware racist whites can try to evade the judgment that they are racist through coded language for racial difference, and the use of intermediate activities and traits as subjects of direct action. That is, something other than race, which nonetheless does a good job of picking out members of a specific racial group, can be used instead of the race of that group to maintain prejudice and legitimize discrimination. The term “racial climate” has a history of meaning “micro-aggressions” based on race, small cuts, insults, and slights that can have a cumulative effect of individual harm.24 In using the term “racial atmosphere,” reference may be made to other issues of harm to people of color, such as ignorance of black history and contemporary racism or discrimination in career advancement.25 The implication of these meanings is that the micro-aggressions add up to what is perceived as a general predisposition of white people to treat people of color in unjust ways. But, at this time, ideas of racial atmosphere and climate also work as metaphors for what is unknown about race relations and attitudes; they capture the vagueness and unpredictability of racial prejudice and discrimination that occur in a society where nonwhites remain disadvantaged, even though there is formal equality. This “vague weather” aspect of atmosphere and climate is an epistemological condition of indecision that may or may not constitute a lasting crisis, although some syndromes of political injustice should be viewed as crises. A crisis is a period of indecision and uncertainty that requires a resolution before life can go on. Will blacks and other people of color achieve more equality with whites, or is the United States—and with it the world, because US racism is exported with business practices, tour-ism, and entertainment products—on the brink of a new era of explicitlу direct oppression of people of color? Are most white Americans, whose race-neutral economic and social activities have racist effects on nonwhites, genuinely ignorant of how the system in which they operate works, or are they secretly but knowingly hearts-and-minds not clear that this indeterminate aspect of present racial atmosphere and climates must be resolved now. We do not know if life can go on if it is not resolved or what it means for life to go on, or not. We do not even know if the putative crisis can be resolved at this time, because there is as yet no systematic and sustained, impassioned, liberatory dis- course for our condition of ambiguity, a time with a black president and police killing with impunity of unarmed black youth, a time of voting rights for everyone but new restrictions and requirements that disproportionately affect African Americans.26 Except for what academics write and say and how important they think their discourse is (among themselves), American discourse of racial liberation is at a standstill. And insofar as academic discourse is uttered and received in a closed system, with a semicaptive audience and no reliable means for it to affect the real world, that standstill remains at the disposal of history, where history is understood to be the unpredictable result of contingent events. However, if academic oppositional political discourse can be related to a longer historical trend, a more coherent and optimistic picture might emerge. Cornel West's ideas about the American black prophetic tradition appears to be a relation to such a trend.