## 2 Off

## T - Framework

#### Interp: The affirmative may only garner offense from the hypothetical implementation of the resolution – hold the line; CX proves there’s no I-meet

#### Resolved requires legislative action

Words and Phrases 64

Words and Phrases Permanent Edition. “Resolved”. 1964.

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Government

Oxford Lexico. Definition of government in English. <https://www.lexico.com/en/definition/government>

The governing body of a nation, state, or community. ‘an agency of the federal government’

#### Recognize

Oxford Lexico. Definition of recognize in English. <https://www.lexico.com/en/definition/recognize>

Acknowledge the existence, validity, or legality of. ‘the defense is recognized in Mexican law’

#### Unconditional

US Legal. Unconditional Law and Legal Definition. https://definitions.uslegal.com/u/unconditional/

Unconditional means without conditions; without restrictions; or absolute. For instance, unconditional promise is a promise that is unqualified in nature. A party who makes an unconditional promise must perform that promise even though the other party has not performed according to the bargain.

**Violation: x**

#### 5 Standards:

#### 1] Fairness – their model has no resolutional bound and creates the possibility for literally an infinite number of 1ACs. It allows someone to specialize in one area 4 years giving an huge edge over people who switch research focus ever 2 months

#### 2] 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 movement building and revolutionary potential

#### 3] SSD – a] their model that allows them to side-step the topic on both the Aff and Neg hurts debate as a site of role experimentation – choosing to individually engage both sides solves argument refinement and self-reflexivity breeding constantly evolving methodology which is key to activist resistance BUT side-stepping it ingrains ideological dogmatism by imposing artificial lines in the sand for what not to experiment replicating imperial ideologies about exclusion and b] that means their arguments are presumptively false because they haven’t been subject to well-researched scrutiny.

#### 4] Real-world ed. Debate is imperfect, but only our interpretation can harness legal education to understand the law’s strategic reversibility paired with intellectual survival skills.

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.

#### 5] Familiarity – their ideas aren’t stored in long-term memory, and can’t be easily recalled in future scenarios, so the effects of their method are short-lived and not retained as valuable information when opportunities to create real change present themselves. Not disclosing supercharges this link.

**Goodin and Niemeyer 03**

Robert E. Goodin and Simon J. Niemeyer- Australian National University- 2003, When Does Deliberation Begin? Internal Reflection versus Public Discussion in Deliberative Democracy, POLITICAL STUDIES: 2003 VOL 51, 627–649, <http://onlinelibrary.wiley.com/doi/10.1111/j.0032-3217.2003.00450.x/pdf> -CAT

What happened in this particular case, as in any particular case, was in some respects peculiar unto itself. The problem of the Bloomfield Track had been well known and much discussed in the local community for a long time. Exaggerated claims and counter-claims had become entrenched, and unreflective public opinion polarized around them. In this circumstance, the effect of the information phase of deliberative processes was to brush away those highly polarized attitudes, dispel the myths and symbolic posturing on both sides that had come to dominate the debate, and liberate people to act upon their attitudes toward the protection of rainforest itself. The key point, from the perspective of ‘democratic deliberation within’, is that that happened in the earlier stages of deliberation – before the formal discussions (‘deliberations’, in the discursive sense) of the jury process ever began. The simple process of jurors seeing the site for themselves, focusing their minds on the issues and listening to what experts had to say did virtually all the work in changing jurors’ attitudes. Talking among themselves, as a jury, did very little of it. However, the same might happen in cases very different from this one. Suppose that instead of highly polarized symbolic attitudes, what we have at the outset is mass ignorance or mass apathy or non-attitudes. There again, people’s engaging with the issue – focusing on it, acquiring information about it, thinking hard about it – would be something that is likely to occur earlier rather than later in the deliberative process. And more to our point, it is something that is most likely to occur within individuals themselves or in informal interactions, well in advance of any formal, organized group discussion. There is much in the large literature on attitudes and the mechanisms by which they change to support that speculation.31 Consider, for example, the literature on ‘central’ versus ‘peripheral’ routes to the formation of attitudes. Before deliberation, individuals may not have given the issue much thought or bothered to engage in an extensive process of reflection.32 In such cases, positions may be arrived at via peripheral routes, taking cognitive shortcuts or arriving at ‘top of the head’ conclusions or even simply following the lead of others believed to hold similar attitudes or values (Lupia, 1994). These shorthand approaches involve the use of available cues such as ‘expertness’ or ‘attractiveness’ (Petty and Cacioppo, 1986) – not deliberation in the internal-reflective sense we have described. Where peripheral shortcuts are employed, there may be inconsistencies in logic and the formation of positions, based on partial information or incomplete information processing. In contrast, ‘central’ routes to the development of attitudes involve the application of more deliberate effort to the matter at hand, in a way that is more akin to the internal-reflective deliberative ideal. Importantly for our thesis, there is nothing intrinsic to the ‘central’ route that requires group deliberation. Research in this area stresses instead the importance simply of ‘sufficient impetus’ for engaging in deliberation, such as when an individual is stimulated by personal involvement in the issue.33 The same is true of ‘on-line’ versus ‘memory-based’ processes of attitude change.34 The suggestion here is that we lead our ordinary lives largely on autopilot, doing routine things in routine ways without much thought or reflection. When we come across something ‘new’, we update our routines – our ‘running’ beliefs and pro cedures, attitudes and evaluations – accordingly. But having updated, we then drop the impetus for the update into deep-stored ‘memory’. A consequence of this procedure is that, when asked in the ordinary course of events ‘what we believe’ or ‘what attitude we take’ toward something, we easily retrieve what we think but we cannot so easily retrieve the reasons why. That more fully reasoned assessment – the sort of thing we have been calling internal-reflective deliberation – requires us to call up reasons from stored memory rather than just consulting our running on-line ‘summary judgments’. Crucially for our present discussion, once again, what prompts that shift from online to more deeply reflective deliberation is not necessarily interpersonal discussion. The impetus for fixing one’s attention on a topic, and retrieving reasons from stored memory, might come from any of a number sources: group discussion is only one. And again, even in the context of a group discussion, this shift from ‘online’ to ‘memory-based’ processing is likely to occur earlier rather than later in the process, often before the formal discussion ever begins. All this is simply to say that, on a great many models and in a great many different sorts of settings, it seems likely that elements of the pre-discursive process are likely to prove crucial to the shaping and reshaping of people’s attitudes in a citizens’ jury-style process. The initial processes of focusing attention on a topic, providing information about it and inviting people to think hard about it is **likely to provide a strong impetus to internal-reflective deliberation, altering not just the information people have about the issue but also the way people process that information and hence (perhaps) what they think** about the issue. What happens once people have shifted into this more internal-reflective mode is, obviously, an open question. Maybe people would then come to an easy consensus, as they did in their attitudes toward the Daintree rainforest.35 Or maybe people would come to divergent conclusions; and they then may (or may not) be open to argument and counter-argument, with talk actually changing minds. Our claim is not that group discussion will always matter as little as it did in our citizens’ jury.36 Our claim is instead merely that the earliest steps in the jury process – the sheer focusing of attention on the issue at hand and acquiring more information about it, and the internal-reflective deliberation that that prompts – will invariably matter more than deliberative democrats of a more discursive stripe would have us believe. However much or little difference formal group discussions might make, on any given occasion, the pre-discursive phases of the jury process will invariably have a considerable impact on changing the way jurors approach an issue. From Citizens’ Juries to Ordinary Mass Politics? In a citizens’ jury sort of setting, then, it seems that informal, pre-group deliberation – ‘deliberation within’ – will inevitably do much of the work that deliberative democrats ordinarily want to attribute to the more formal discursive processes. What are the preconditions for that happening? To what extent, in that sense, can findings about citizens’ juries be extended to other larger or less well-ordered deliberative settings? Even in citizens’ juries, deliberation will work only if people are attentive, open and willing to change their minds as appropriate. So, too, in mass politics. In citizens’ juries the need to participate (or the anticipation of participating) in formally organized group discussions might be the ‘prompt’ that evokes those attributes. But there might be many other possible ‘prompts’ that can be found in less formally structured mass-political settings. Here are a few ways citizens’ juries (and all cognate micro-deliberative processes)37 might be different from mass politics, and in which lessons drawn from that experience might not therefore carry over to ordinary politics: • A citizens’ jury concentrates people’s minds on a single issue. Ordinary politics involve many issues at once. • A citizens’ jury is often supplied a background briefing that has been agreed by all stakeholders (Smith and Wales, 2000, p. 58). In ordinary mass politics, there is rarely any equivalent common ground on which debates are conducted. • A citizens’ jury separates the process of acquiring information from that of discussing the issues. In ordinary mass politics, those processes are invariably intertwined. • A citizens’ jury is provided with a set of experts. They can be questioned, debated or discounted. But there is a strictly limited set of ‘competing experts’ on the same subject. In ordinary mass politics, claims and sources of expertise often seem virtually limitless, allowing for much greater ‘selective perception’. • Participating in something called a ‘citizens’ jury’ evokes certain very particular norms: norms concerning the ‘impartiality’ appropriate to jurors; norms concerning the ‘common good’ orientation appropriate to people in their capacity as citizens.38 There is a very different ethos at work in ordinary mass politics, which are typically driven by flagrantly partisan appeals to sectional interest (or utter disinterest and voter apathy). • In a citizens’ jury, we think and listen in anticipation of the discussion phase, knowing that we soon will have to defend our views in a discursive setting where they will be probed intensively.39 In ordinary mass-political settings, there is no such incentive for paying attention. It is perfectly true that citizens’ juries are ‘special’ in all those ways. But if being special in all those ways makes for a better – more ‘reflective’, more ‘deliberative’ – political process, then those are design features that we ought try to mimic as best we can in ordinary mass politics as well. There are various ways that that might be done. Briefing books might be prepared by sponsors of American presidential debates (the League of Women Voters, and such like) in consultation with the stakeholders involved. Agreed panels of experts might be questioned on prime-time television. Issues might be sequenced for debate and resolution, to avoid too much competition for people’s time and attention. Variations on the Ackerman and Fishkin (2002) proposal for a ‘deliberation day’ before every election might be generalized, with a day every few months being given over to small meetings in local schools to discuss public issues. All that is pretty visionary, perhaps. And (although it is clearly beyond the scope of the present paper to explore them in depth) there are doubtless many other more-or-less visionary ways of introducing into real-world politics analogues of the elements that induce citizens’ jurors to practice ‘democratic deliberation within’, even before the jury discussion gets underway. Here, we have to content ourselves with identifying those features that need to be replicated in real-world politics in order to achieve that goal – and with the ‘possibility theorem’ that is established by the fact that (as sketched immediately above) there is at least one possible way of doing that for each of those key features.

#### TVA: read your offense in an aff that defends implementation of the resolution.

#### [e.g. topic specific advantage: covid, asymmetries, WTO bad, etc.] –

#### SSD solves offense

#### any DA to the TVA negates – proves that there’s workable clash under my model.

#### Proves T > K since a TVA means being topical is compatible with your AC framework.

#### Procedural fairness outweighs

#### (1) Evaluation – even if their arguments seem true, that’s only because they already had an advantage – fairness is a meta constraint on your ability to determine who best meets their ROB. Can’t weigh case since I couldn’t disprove it.

#### (2) Inescapable – every argument you make concedes the authority of fairness – if they win fairness bad vote neg because you have no obligation to fairly evaluate their arguments

#### (3) Quality of discussion – Debate’s unique value is that it forces engagement and contestation of issues – but this is impossible if I don’t even know what to prepare for.

#### (4) Tangibility – voting aff has no terminal impact- it doesn’t educate anyone or cause us to make some societal shift whereas theory norms are set all the time like nibs and brackets.

#### That turns the Aff – a] an unlimited topic hurts low-income and minority debaters by allowing big schools infinite capacity to break non-T Affs – for people who can’t afford to work on debate full-time due to income concerns, their interp says unless you prep out every possible Aff, you will always lose; and b] Scope, it’s the only impact you can solve for, voting for them doesn’t resolve inequalities in debate generally but voting for T remedies procedural inequalities caused by their aff in this round

#### Paradigm issues

#### 1] DTD, it’s the 1AC & abuse has already occurred

#### 2] Competing interps—you were either topical or you weren’t.

#### 3] NO RVIs a] you don’t win by meeting a prima facie burden b] going for RVIs prove the 1AC is non-T; if you were T you could just beat back the shell with a legit competing interp and then win on case offense

#### 4] Fairness is a voter and comes first— a] debate is fundamentally a game – if it’s not fair, people won’t play; that controls the internal link to education. b] that O/Ws because every argument implicitly concedes to the validity of fairness, meaning if they win fairness bad vote neg because you have no obligation to fairly evaluate their arguments.

## Boring Politics K

**Their fatalism towards institutions as intrinsically dangerous is weaponized by neoliberals for privatization, and makes institutions more insidious by choosing the moral purity of refusal over challenging the Right.**

**Gray, 18**

Paul Christopher Gray, Faculty Member in Labour Studies, Brock University, “From the Streets to the State: Changing the World by Taking Power,” SUNY Press (2018)

Fourth, we neglect the **persisting importance of the state**. Widespread rejections of the political party as a form of organization are often associated with the **optimistic assertions** that, in the age of globalization, nation-states and national struggles are of diminishing importance. Those who espouse “Think globally, act locally” correctly expose the constraints on democratic spaces imposed by international institutions, trade agreements, currency zones, and new forms of imperialism. Nevertheless, they often ignore that **nation-states** are **not superseded** by, but rather are the **facilitators of, globalization** (Panitch 1994, 63). The prevalent depictions of contemporary capitalism as postindustrial or postmaterialist attempt to transcend **in thought** the social relations we have been **unable to transcend in practice**. The recent waves of technological and social innovations are staggering, but they remain developments within capitalism (Albo 2007, 12). An eroding collective memory and the obsession with academic novelty tend to neglect the extent of historical continuity in our era. Indeed, **the only things new under the sun are the carbon emissions that disastrously trap its rays**. Finally, disengaging from the state **cedes** much **political space** and operational terrain **to ruling classes**. It is true, Holloway’s anti-power politics has helped to cultivate a healthy wariness of co-optation by government institutions. Nevertheless, by rejecting all electoral politics as a legitimation of the state, much of the radical left relies, often unconsciously, on an anarcho-reformism which can only make radical demands from **outside of the state**. Consequently, we allow the **atrophy** of the **collective capacities** necessary to transform the state and stifle the development of new such capacities. Furthermore, there are **uncomfortable parallels** between anti-power politics and the **dominant neoliberal** assertions that public institutions are **inherently** corrupt and inefficient. **Ruling classes** have **harnessed** widespread discontent with government bureaucracy to promote the marketization, privatization, and deregulation of state institutions and practices. To the extent that the **radical left engages in the big refusal, we hasten** these **attacks on the welfare state**, redistributive measures, and social programs. Indeed, **the neoliberal hollowing of the state is complemented by a neo-anarchist Hollowaying of the state**. By **abstaining** from this terrain of politics, we play the game of the neoliberals “as conscientious objectors play the game of the conquerors.”4 Surely, we cannot glorify dirty hands, “right up to the elbows” (Sartre 1989, 218). But if the anti-power milieu has **clean hands**, it is **only because** **they hold them above their heads in surrender** as the tide of blood creeps up their legs. Anti-power politics has proven to be as **unable** to challenge capitalism from outside of the state as is any purely party politics from the inside. Transcending capitalist society and the state might very well depend on reconciling the best aspects of both of these equally one-sided tendencies. Indeed, this split has divided the radical left throughout the history of its resistance to capitalism. We can describe these two long-standing tendencies as parliamentarism and extra-parliamentarism. On the one hand, for the parliamentarist tendency, to the extent that the state is democratic, it embodies universal liberties, not the power of the capitalist class and elite groups. This tendency argues that the radical left can use this state to fully realize these liberties in ways that preserve the continuity between the partial democracy permitted under capitalism and the full democracy allowed by socialism. For the parliamentarist tendency, the most important factor is a sufficiently strong and long-lasting governing majority that can fundamentally transform the hindrances to full democracy in civil society. Nevertheless, this tendency, historically exemplified by the social democrats, has been completely absorbed by the state. It can reform capitalism, but not transform it. On the other hand, the extra-parliamentarist tendency believes that even the most democratic of states is essentially controlled by the capitalist class and ruling groups. Therefore, instead of attempting to win the already existing state power, this tendency builds alternative institutions in its shadows. Rather than being co-opted into the inferior forms of merely representative democracy, it creates qualitatively different forms of participatory, deliberative, and direct democracy. Ultimately, this tendency envisions **long preparations** for what will be a sudden and total break with capitalist institutions, either by violently smashing them or through a more nonviolent exodus from them. Those in the former subtendency, exemplified by the communists, have typically remained **dependent on** and **lacked real control** over the state that they have “conquered.” Thus, they resort to recruiting the former state officials and administrators of the ruling classes. This, among other causes, has meant that they tend to replace the capitalist state with a command economy that is just as undemocratic**, if not more so**. Those in the latter subtendency, exemplified by the anarchists, altogether refuse to operate on the terrain of the state, which, when it can no longer ignore them, **easily crushes them**. Despite all of their differences, these two subtendencies meet a similar fate. **They can oppose capitalism, but not transcend it**.5 In recent decades, the balance has shifted toward the extra-parliamentarism of those who espouse anti-power politics. As is often the case, they point to the shortcomings of parliamentarism without being sufficiently critical of their own attempts to change the world without taking power. But the pendulum might be swinging to the other tendency given the emergence of the new radical left parties, the “parties of a new type,” in Latin America, Europe, Turkey, the Philippines, Tanzania, and elsewhere (for more on this, see chapters 3 to 6 in this volume). **Even** Holloway’s major inspiration, **the Zapatistas**, have recently **announced their intention to engage in electoral politics** (Niembro 2017). Nevertheless, the new radical left parties are beginning to fall into the problems typical of traditional social democratic parties, as is illustrated by the ways in which the Syriza government has become co-opted into the Greek state and the institutions of the European Union (see chapters 2 and 3). These parties do not sufficiently heed the criticisms leveled by anti-power politics. Indeed, it has been the case historically that both the parliamentarist and the extra-parliamentarist tendencies bend the stick so far in their own directions that they turn it into a dull boomerang capable only of glancing the arguments of the other side before returning to their own. Surely, this is the most narcissistic of weapons.

#### Race is a material, historical formation—understanding it as transcendental reaffirms racism because the ideology of race is a product of colonialism that has its roots in class ideology. Only challenging the very terms of this ideology can render racial categories themselves contingent and reversible.

Haider 18. Asad Haider, founding Editor of Viewpoint Magazine, “Racial Ideology,” *Mistaken Identity: Race & Class in the Age of Trump*, Verso

How is it that a category that identity politics takes to be a fixed essence turns out to be so indeterminate? Indeed, how can something that is absolutely visible and obvious, right before our eyes, still manage to escape our grasp? Althusser pointed out that obviousness is one of the primary features of ideology; when something appears to us to be obvious, like the notion that human beings must compete with each other to gain access to what they need for survival, we know we are in the world of ideology.” “There is no intrinsic reason for organizing human beings on the basis of characteristics that ideology tells us are “racial.” The ideology of race claims that we can categorize people according to specific physical characteristics, which usually revolve around skin color. But this is an arbitrary form of classification that only has any meaning at all because it has social effects. Racism equates these social effects of the categorization of people with biological qualities. Such a reduction of human culture to biology is generally rejected and viewed as abhorrent. But it is possible to reject racism while still falling victim to the ideology of race. Taking the category of a race as a given, as a foundation for political analysis, still reproduces this ideology. This is not innocent, because in fact the ideology of race is produced by racism, not the other way around. There are many instances of the phenomenon of race, and they are all quite different. In order to understand how they operate, we have to talk about these instances in their specificity. Consider the following examples: Spanish settler colonialism and Dutch settler colonialism; English colonialism in India and Japanese colonialism in Korea; ethnic conflict in postcolonial Africa and ethnic conflict in the post-socialist Balkans. All of these examples are caught up with various ideologies of race. But we gain nothing by reducing these concrete instances to a single abstraction, which we then try to explain in isolation from the specific circumstances. As I have already suggested, the better way of proceeding is to recognize that this abstraction of “race” is already an active component of our ways of understanding the world, but to explain it by adding back all the specific, concrete factors that have generated it—moving from our thoughts to the material world and its history. We also have to break with the presumption that “race” only describes what is different, secondary, and “Other.” The primordial form of “race” is the “white race,” and we cannot accept it as the neutral, universal standpoint from which a theory of race as “difference” is advanced. In the discourses of identity politics, the category of the white race is rarely theorized because it is instrumentalized as the basis for white privilege. The history of this term is a contradictory one. It is usually associated with white author Peggy McIntosh and her influential article, “White Privilege: Unpacking the Invisible Knapsack.” Here, in a well-intentioned attempt to encourage more civilized behavior among whites, we see a clear example of an idealist movement from the concrete to the abstract. Of course, McIntosh was not the first to try to describe the consequences of whiteness. W.E.B. Du Bois famously wrote of the legal and social advantages granted to whites in Black Reconstruction: It must be remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference and titles of courtesy because they were white. They were admitted freely with all classes of white people to public functions, public parks, and the best schools. The police were drawn from their ranks, and the courts, dependent on their votes, treated them with such leniency as to encourage lawlessness. Their vote selected public officials, and while this had small effect upon the economic situation, it had great effect upon their personal treatment and the deference shown them.1 However, McIntosh’s article operates at a very different register from Du Bois’s historical investigation of the class composition of the postbellum United States. This is because McIntosh refers throughout her article, interchangeably, to “my race,” “my racial group,” and “my skin color.” The first “white privilege” she names is: “I can if I wish arrange to be in the company of people of my race most of the time.” Another is that she can “go into a music shop and count on finding the music of my race represented.”2 We will set aside what appears to be a lack of familiarity with the history of American popular music. What is significant is the equation of skin color, the category of “race,” and discrete groupings of human beings. With this equation, white guilt reproduces the founding fiction of race: that there is a biological foundation, expressed in physical phenotypes, for separate groups of human beings who have separate cultures and forms of life. The “white race” as a specific historical formation is obscured by the metaphor of the knapsack. McIntosh writes: “White privilege is like an invisible weightless knapsack of special provisions, maps, passports, codebooks, visas, clothes, tools and blank checks.”3 The knapsack is carried by an individual navigating an entirely open social field. It contains tools that enable the individual to navigate this field with greater effectiveness than those whose knapsacks are comparatively empty. The resources contained in the knapsack constitute whiteness as privilege, because the knapsack is carried by an individual who belongs to the white identity. If the knapsack of privileges is carried by an individual already identifiable as white, then whiteness must necessarily be understood as a biological trait. The falseness of this notion is evident: the people who are currently described as white have a wide and complex range of genetic lineages, many of which were previously considered to be separate “races” of their own. As Nell Irvin Painter points out in her revelatory The History of White People, “For most of the past centuries—when race really came down to matters of law—educated Americans firmly believed in the existence of more than one European race.”4 We might conclude that there has only been a minor error of description: in reality, whiteness itself is constituted by the contents of the knapsack. The constitution of whiteness as identity and its constitution as privilege are simultaneous: the knapsack’s provisions confer not only advantages but also identity upon its bearer. But how do we know, then, that the content of the identity conferred has something to do with “whiteness”? Surely, in addition to the specific items conferring a privilege, one would find in any knapsack of identity an infinity of arbitrary details: hair length, gait, dietary preference, computer skills, etc. That is, in order to describe an individual’s identity, the knapsack would have to contain everything constituting the this-ness of that particular individual. It would offer us no insight as to the organizing principle that constitutes these traits as something which can be called “white.” There would be no way to distinguish “white” characteristics from human ones, Pennsylvanian ones, or heavy-metal ones. This is the failure of liberal thought. A political formation such as whiteness cannot be explained by starting with an individual’s identity—the reduction of politics to the psychology of the self. The starting point will have to be the social structure and its constitutive relations, within which individuals are composed. And it is too often forgotten that decades before McIntosh’s knapsack, the term white privilege originated with such a theory. The theory of “white-skin privilege” was advanced by members of an early antirevisionist split-off from the Communist Party USA (the Provisional Organizing Committee), and would come to have an enormous influence on the New Left and the New Communist Movement. A series of essays by Theodore Allen and Noel Ignatiev, collected as the pamphlet White Blindspot, offered the initial formulation. Ignatiev and Allen’s argument was that the legacy of slavery was the imposition of white supremacy by the ruling class as an instrument of class division and social control. But this was a political theory, not a cultural or moral one, and it held that “white chauvinism” was actually detrimental to white workers, preventing unity with black workers. So fighting against white supremacy was in fact a central part of a political program that favored the self-organization of all workers. Ignatiev argued vehemently that “the ending of white supremacy is not solely a demand of the Negro people, separate from the class demands of the entire working class.” It could not be left to black workers to fight against white supremacy as their own “special” issue, while white workers did little more than express sympathy and “fight for their ‘own’ demands.” The fight against white supremacy was central to the class struggle at a fundamental level: The ideology of white chauvinism is bourgeois poison aimed primarily at the white workers, utilized as a weapon by the ruling class to subjugate black and white workers. It has its material base in the practice of white supremacy, which is a crime not merely against non-whites but against the entire proletariat. Therefore, its elimination certainly qualifies as one of the class demands of the entire working class. In fact, considering the role that this vile practice has historically played in holding back the struggle of the American working class, the fight against white supremacy becomes the central immediate task of the entire working class.5 As this language was taken up by the New Left, however, it went through considerable ideological transformations. The manifesto, “You Don’t Need a Weatherman to Know Which Way the Wind Blows,” circulated at the turbulent Students for a Democratic Society conference of 1969, proposed a politics centered on white guilt rather than proletarian unity. The Weather Underground used the language of “privilege” to reject the working class as a force for revolutionary change, writing, “Virtually all of the white working class also has short-range privileges from imperialism, which are not false privileges but very real ones which give them an edge of vested interest and tie them to a certain extent to the imperialists.”6 In practice, this meant that the Weather Underground equated political struggle with vanguard groups like itself, who attacked their own privilege by adopting a revolutionary lifestyle. What this amounted to was the self-flagellation (with explosives) of white radicals, who substituted themselves for the masses and narcissistically centered attention on themselves instead of the black and Third World movements they claimed to be supporting—reducing those movements to a romantic fantasy of violent insurrection. In other words, the project of black autonomy and “self-liberation—which implied the overall self-liberation of the poor and the working class—was effectively ignored by the Weather Underground’s race thinking. Ignatiev ruthlessly attacked the Weatherman problematic in a paper called “Without a Science of Navigation We Cannot Sail in Stormy Seas,” which is today a jarring discovery: White supremacy is the real secret of the rule of the bourgeoisie and the hidden cause behind the failure of the labor movement in this country. White-skin privileges serve only the bourgeoisie, and precisely for that reason they will not let us escape them, but instead pursue us with them through every hour of our life, no matter where we go. They are poison bait. This view of white supremacy entailed a very different conception of the politics of white privilege, as Ignatiev elaborated: To suggest that the acceptance of white-skin privilege is in the interests of white workers is equivalent to suggesting that swallowing the worm with the hook in it is in the interests of the fish. To argue that repudiating these privileges is a “sacrifice” is to argue that the fish is making a sacrifice when it leaps from the water, flips its tail, shakes its head furiously in every direction and throws the barbed offering.7 Today’s privilege politics cannot possibly permit a position of this kind. We are instead left with endless variations on the Weatherman position, though without the appeals to armed struggle, bank robberies, and Lenin’s theory of imperialism. When contemporary white liberals adapt the Weatherman position, they often end up claiming that a new wave of “pro-white” socialists has arisen to defend the “white working class.” But their caricature obscures the important point, made by black revolutionaries throughout American history, that the project of emancipation requires overcoming the ideology of race. Although he characterized the material advantages of whiteness as a “psychological wage,” W.E.B. Du Bois did not reduce whiteness to an effect of individual psychology. In fact, immediately preceding the passage on the psychological wage, Du Bois wrote: The theory of race was supplemented by a carefully planned and slowly evolved method, which drove such a wedge between the white and black workers that there probably are not today in the world two groups of workers with practically identical interests who hate and fear each other so deeply and persistently and who are kept so far apart that neither sees anything of common interest.8 When Du Bois suggested that white and black workers have “practically identical interests,” he was not making an appeal to some mythical “white working class.” Still less was he guilty of some kind of “class reductionism,” which decides in the abstract that class is more fundamental than race. Of course, some people really do make this argument—and they play right into the hands of identitarian liberals, who ask how the young woman seeking an abortion and the evangelical protester, the undocumented immigrant and the salaried worker, can possibly have the same “interests. But this challenge is afflicted by the same condition it claims to diagnose. It mistakes the casual description of a shared trait for a claim about identity. We all have numerous interests that are related to our identities but also to where we work and where we live. To say that these different spheres of life interact and intersect is a banal truism which explains neither how our society is structured and reproduced nor how we might formulate a strategy to change this structure. Du Bois was recognizing the lived reality of the working class, which contains white people and people of color, people of all genders and sexualities, the employed and the unemployed—a multitude of people irreducible to any single description. A meaningful common interest between them does not somehow exist by default. We cannot reduce any group of people and the multitudes they contain to a single common interest, as though we were reducing a fraction. A common interest is constituted by the composition of these multitudes into a group. This is a process of political practice. White supremacy is the phenomenon whereby the plurality of interests of a group of people is reorganized into the fiction of a white race whose very existence is predicated on the violent and genocidal history of the oppression of people of color. The self-organized struggles of oppressed people against white supremacy have managed to significantly undermine, though by no means eliminate, this kind of organization. It was no accident that these struggles ultimately put forward the insight that it was necessary to constitute a common interest through class organization, which extends to an opposition to the whole capitalist system—because it is the structure of the capitalist system that prevents all people who are dispossessed of the means of production, regardless of their identities, from having control over their own lives and thus from pursuing whatever interests they may have, in all their particularity. This does not mean, however, that a “class reductionist” argument is a viable position. As long as racial solidarity among whites is more powerful than class solidarity across races, both capitalism and whiteness will continue to exist. In the context of American history, the rhetoric of the “white working class” and positivist arguments that class matters more than race reinforce one of the main obstacles to building socialism. Allen and Ignatiev turned to this question in their further research, inspired by the insights of Du Bois. In the process they presented an exemplary model of a materialist investigation into the ideology of race, one that went from the abstract to the concrete. This work emerged alongside that of Barbara Fields and Karen Fields, David Roediger, and many others as a body of thought devoted to exposing race as a social construct. All of this research, in varying ways, has examined the history of the “white race” in its specificity. The guiding insight that must be drawn from it is that this racial phenomenon is not simply a biological or even cultural attribute of certain “white people”: it was produced by white supremacy in a concrete and objective historical process. As Allen put it on the back cover of his extraordinary vernacular history The Invention of the White Race: “When the first Africans arrived in Virginia in 1619, there were no white people there. At the most immediate level, Allen was pointing to the fact that the word white didn’t appear in Virginia colonial law until 1691. Of course, this doesn’t mean that there was no racism before 1691. Allen’s argument was to show that racism was not attached to a concept of the white race. There were ideas of the superiority of European civilization, but this did not correspond to differences in skin color. The clearest example is that of the Irish, whose racial oppression by the English precedes their racial oppression of Africans by several centuries. Today white nationalists distort this history, attempting to use the racial oppression of the Irish to try to dismiss the history of white supremacy. Yet this example actually demolishes their entire framework. What the example of the Irish illustrates is a form of racial oppression that is not based on skin color and that in fact precedes the very category of whiteness. Indeed, the early forms of English racial ideology represented the Irish as inferior and subhuman, and this ideology was later repeated word for word to justify both the genocide of Indigenous people in the Americas and the enslavement of Africans. Nor was it only a matter of words: the very practices of settler colonialism, land seizures, and plantation production were established in Ireland. Allen demonstrates this with reference to specific laws: If under Anglo-American slavery, “the rape of a female slave was not a crime, but a mere trespass on the master’s property,” so, in 1278, two Anglo-Normans, brought into court and charged with raping Margaret O’Rorke were found not guilty because “the said Margaret is an Irishwoman.” If a law enacted in Virginia in 1723, provided that, “manslaughter of a slave is not punishable,” so under Anglo-Norman law it sufficed for acquittal to show that the victim in a slaying was Irish. Anglo-Norman priests granted absolution on the grounds that it was “no more sin to kill an Irishman than a dog or any other brute.”9 So racial oppression arises in the Irish case without skin color as its basis. We are forced to ask how we end up with a racial ideology revolving around skin color that represents African people as subhuman and that considers both Irish and English to be part of a unitary “white race. The historical record quite clearly demonstrates that white supremacy and thus the white race are formed within the American transition to capitalism, specifically because of the centrality of racial slavery. However, we have to resist the temptation, imposed on us by racial ideology, to explain slavery through race. Slavery is not always racial. It existed in ancient Greece and Rome and also in Africa, and was not attached specifically to a racial ideology. Slavery is a form of forced labor characterized by the market exchange of the laborer. But there are various forms of forced labor, and its first form in Virginia was indentured labor, in which a laborer is forced to work for a limited period of time to work off a debt, often with some incentive like land ownership after the end of the term. The first Africans to arrive in Virginia 1619 were put to work as indentured servants, within the same legal category as European indentured servants. In fact, until 1660 all African American laborers, like their European American counterparts, were indentured servants who had limited terms of servitude. There was no legal differentiation based on racial ideology: free African Americans owned property, land, and sometimes indentured servants of their own. There were examples of intermarriage between Europeans and Africans. It was only in the late seventeenth century that the labor force of the American colonies shifted decisively to African slaves who did not have limits on their terms of servitude. As Painter points out in The History of White People, these forms of labor and their transformations are fundamental in understanding how racial ideology comes about: Work plays a central part in race talk, because the people who do the work are likely to be figured as inherently deserving the toil and poverty of laboring status. It is still assumed, wrongly, that slavery anywhere in the world must rest on a foundation of racial difference. Time and again, the better classes have concluded that those people deserve their lot; it must be something within them that puts them at the bottom. In modern times, we recognize this kind of reasoning as it relates to black race, but in other times the same logic was applied to people who were white, especially when they were impoverished immigrants seeking work.10 In sum,” Painter writes, “before an eighteenth-century boom in the African slave trade, between one-half and two-thirds of all early white immigrants to the British colonies in the Western Hemisphere came as unfree laborers, some 300,000 to 400,000 people.”11 The definitions of whiteness as freedom and blackness as slavery did not yet exist. It turns out that defining race involves answering some unexpected historical questions: How did some indentured servants come to be forced into bondage for their entire lives rather than a limited term? How did this category of forced labor come to be represented in terms of race? Why did the colonial ruling class come to rely on racial slavery when various other regimes of labor were available? The first economic boom of the American colonies was in Virginia tobacco production in the 1620s, and it was based on the labor of primarily European indentured servants. African Americans were only about a fifth of the labor force: most forced labor was initially European, and the colonial planter class relied on this forced labor for its economic growth. But they couldn’t just rely on European indentured labor because it was based on voluntary migration, and the incentive to participate in a life of brutal labor and die early was not sufficient to generate a consistently growing workforce. As Barbara Fields puts it, “Neither white skin nor English nationality protected servants from the grossest forms of brutality and exploitation. The only degradation they were spared was perpetual enslavement along with their issue in perpetuity, the fate that eventually befell the descendants of Africans.”12 African Americans, on the other hand, had been forcibly removed from their homelands. So the ruling class began to alter its laws to be able to deny some laborers an end to their terms of servitude, which they were only able to accomplish in the case of African laborers. What really changed everything was Bacon’s Rebellion in 1676. This began as a conflict within the elite planter class, directed toward a brutal attack on the Indigenous population. But it also gave rise to a rebellious mob of European and African laborers, who burned down the capital city of Jamestown and forced the governor to flee. The insurrectionary alliance of European and African laborers was a fundamental existential threat to the colonial ruling class, and the possibility of such an alliance among exploited peoples had to be prevented forever. Here we see a watershed moment in the long and complex process of the invention of the white race as a form of social control. The ruling class shifted its labor force decisively toward African slaves, and thus avoided dealing with the demand of indentured servants for eventual freedom and landownership. It fortified whiteness as a legal category, the basis for denying an end to the term of servitude for African forced labor. By the eighteenth century the Euro-American planter class had entered into a bargain with the Euro-American laboring classes, who were mostly independent subsistence farmers: it exchanged certain social privileges for a cross-class alliance of Euro-Americans to preserve a superexploited African labor force. This Euro-American racial alliance was the best defense of the ruling class against the possibility of a Euro-American and African American working-class alliance. It is at this point, Nell Painter concludes, that we see the “now familiar equation that converts race to black and black to slave.”13 The invention of the white race further accelerated when the Euro-American ruling class encountered a new problem in the eighteenth century. As the colonial ruling class began to demand its independence from the divinely ordained executives and landed wealth of the English nobility, they made claims for the intrinsic equality of all people and the idea of natural rights. As Barbara Fields puts it: Racial ideology supplied the means of explaining slavery to people whose terrain was a republic founded on radical doctrines of liberty and natural rights, and, more important, a republic in which those doctrines seemed to represent accurately the world in which all but a minority lived. Only when the denial of liberty became an anomaly apparent even to the least observant and reflective members of Euro-American society did ideology systematically explain the anomaly.14 In other words, the Euro-American ruling class had to advance an ideology of the inferiority of Africans in order to rationalize forced labor, and they had to incorporate European populations into the category of the white race, despite the fact that many of these populations had previously been considered inferior. This racial ideology developed further as the new American nation encountered the phenomenon of the voluntary migration of free laborers from Europe, many of whom came from populations that were viewed as distinct European races: the Italians, Eastern Europeans, and Jews, but especially the exemplary case of the Irish, whose emigration to the US spiked with the famines of the mid-nineteenth century produced by English colonialism. The Irish, among the most oppressed and rebellious groups in Europe, were offered the bargain that had protected the American ruling class. Frederick Douglass pointed this out very clearly in 1853, at the anniversary meeting of the American and Foreign Anti-Slavery Society in New York: The Irish, who, at home, readily sympathize with the oppressed everywhere, are instantly taught when they step upon our soil to hate and despise the Negro. They are taught to believe that he eats the bread that belongs to them. The cruel lie is told them, that we deprive them of labor and receive the money which would otherwise make its way into their pockets. Sir, the Irish-American will find out his mistake one day.15 Douglass had gone to Ireland to avoid being returned to slavery and said he was for the first time in his life treated as an ordinary person, exclaiming in a letter to the abolitionist William Lloyd Garrison, “I breathe, and lo! the chattel becomes a man … I meet nothing to remind me of my complexion.”16 Of course, this was not because of some intrinsic kindness of the Irish. It was rather because, at this stage in history, there were no white people there. This was clear to Douglass because he arrived during the Great Famine. Writing in his memoirs of the songs sung by slaves on the American plantations, he added: “Nowhere outside of dear old Ireland, in the days of want and famine, have I heard sounds so mournful.”17 But what Irish immigrants realized after immigrating to the United States is that they could ameliorate their subjugation by joining the club of the white race, as Ignatiev has recounted.18 They could become members of a “white race” with higher status if they actively supported the continuing enslavement and oppression of African Americans. So the process of becoming white meant that these previous racial categories were abolished and racialized groups like the Irish were progressively incorporated into the white race as a means of fortifying and intensifying the exploitation of black laborers. It was the great insight of Frederick Douglass to describe this as the Irish-American’s mistake. Douglass clearly emphasized the novelty of the very description of people as white: “The word white is a modern term in the legislation of this country. It was never used in the better days of the Republic, but has sprung up within the period of our national degeneracy.”19 Let us be clear on what the invention of the white race meant. It meant that Euro-American laborers were prevented from joining with African American laborers in rebellion, through the form of social control imposed by the Euro-American ruling class. In exchange for white-skin privilege, the Euro-American workers accepted white identity and became active agents in the brutal oppression of African American laborers. But they also fundamentally degraded their own conditions of existence. As a consequence of this bargain with their exploiters, they allowed the conditions of the Southern white laborer to become the most impoverished in the nation, and they generated conditions that blocked the development of a viable mass workers’ movement.

**The impact is extinction.**

**McBrien 16.** Justin McBrien, Ph.D. Candidate in History Department at University of Virginia, 5/1/16, “Accumulating Extinction: Planetary Catastrophism in the Necrocene,” https://static1.squarespace.com/static/53c91652e4b09f1cf07c75bc/t/57128384c2ea51df8fbc635a/1460831114097/anthropoceneorcapitalocene\_ch4.pdf

**Capital was born from extinction, and from capital, extinction has flowed**. Capital does not just rob the soil and worker, as Marx observes, it necrotizes the entire planet. Here is a “metabolic rif” (Foster 2000)— between earth and labor—driven by the contradictions of endless accumulation. That accumulation is not only productive; it is **necrotic**, unfolding a slow violence, occupying and producing overlapping historical, biological, and geological temporalities. **Capital is the Sixth Extinction personified**: it feasts on the dead, and in doing so, devours all life. The deep time of past cataclysm becomes the deep time of future catastrophe; the residue of life in hydrocarbons becomes the residue of capital in petrochemical plastics.¹ Capitalism leaves in its wake the disappearance of species, languages, cultures, and peoples. It seeks the planned obsolescence of all life. Extinction lies at the heart of capitalist accumulation. Today’s debate about planetary crisis has yielded the concepts of the Anthropocene and the Capitalocene. Both recognize extinction but have yet to grasp its ontological significance—for humanity or for capitalism. What I wish to propose is that we recognize the Necrocene—or “New Death”—as a fundamental biogeological moment of our era: the Capitalocene. The Necrocene reframes the history of capitalism’s expansion through the process of becoming extinction. The accumulation of capital is the accumulation potential extinction—a potential increasingly activated in recent decades. This becoming extinction is not simply the biological process of species extinction. It is also the extinguishing of cultures and languages, either through force or assimilation; it is the extermination of peoples, either through labor 117 or deliberate murder; it is the **extinction** of the earth in the depletion **fossil fuels**, **rare earth minerals**, even the chemical element **helium**; it is **ocean acidification** and **eutrophication**, **deforestation** and **desertification**, **melting ice sheets** and **rising sea levels**; the great Pacific garbage patch and **nuclear waste** entombment; McDonalds and Monsanto. Here the process of Necrosis is central. Unlike apoptosis, the process of programmed cell death beneficial to the organism, Necrosis is born of traumatic injury. Necrosis proceeds by autolysis, a form of self-digestion in which a cell destroys itself through its own enzymes action. Capitalism is the reciprocal **transmutation of life into death and death into capital**. Necrosis is capital’s mode of apoptosis, reproducing the means of production by its destruction. It is both saprophytic and parasitic: it feeds on live and dead nature the same; it seeks to render them indistinguishable. From the standpoint of the Necrocene, capital appears as a species, an opportunistic detritus feeder producing mass extinction in the present through the exploitation of past extinctions. The more capitalism exerts its planetary power through the intensification of surplus extraction from Cheap Natures (Moore 2015a),² the more it necrotizes the world-ecology it has created. The Necrocene is the Capitalocene’s shadow double, the future past of its necromancy, its monstrous sublime and uncanny paradox. Extinction is the both the **immediate success** and **ultimate failure** of the real subsumption of the earth by capital; the ecology of capital is constructed through attempted **erasure of existing ecologies**—ecologies that include humans. Nothing embodies the reciprocal conditioning between the Capitalocene and the Necrocene more than fossil fuels. Even if the Cheap Natures of charcoal fueled capital’s monstrous appetite long before fossil fuels became a general form of energy use, early modern deforestation quickly induced a shif from “shallow” to “deep” time. By the nineteenth century, world accumulation came to depend upon fossil fuels—the appropriation of the deep-time decay of life. Here the Necrocene, but an embryonic omen at the start of the Capitalocene, becomes actualized in capital’s novel conscription of deep time. The argument for the Necrocene flows from a view of capitalism as world-ecology, in which capital accumulation is understood as fundamentally embedded in, and shaped by, the web of life (see Moore 2015a; also Parenti and Hartley’s essays in this volume). The Necrocene highlights the relation between capital accumulation and **negative-value**. That latter encompasses those forms of nature that are directly hostile to capital accumulation, and which cannot be overcome through capital’s productivist logic. Questions of **waste** and **toxicity** loom large in Moore’s account, including of course the rising concentration of **g**reen**h**ouse **g**ases in the atmosphere. But waste and toxification are only part of the reality suggested by the “rise of negative-value” (Moore 2015b). Extinction must be conceptualized in relation to the longue durée of capitalism. We have, it seems, reached a historical **tipping point of negative-value** accumulation. The nonlinear reproduction of negative-value has clearly become an urgent problem—**for capital as well as for planetary life**. The “entwinement” of climate change and capital has produced a new contradiction in negative-value: “processes of extracting nature’s ‘free gifts’ (including human labor) and toxifying the biosphere (including humans) have now reached a breaking point.” While negative-value accumulation might become more apparent with capital’s increasingly frantic efforts to appropriate surplus value and restore Cheap Nature, its history is rooted in the origins of capitalism (Moore 2015b, 5). The Necrocene, coterminous with the Capitalocene, is the slow emergence of the crisis of negativevalue accumulation.

**The alt - vote negative for boring politics. Material praxis requires securing universal goods for the entire working class.**

**Smulewicz-Zucker & Thompson 15** Gregory, Editor of Logos and adjunct professor of Philosophy at Baruch College, CUNY; and Michael J., Associate Professor of Political Science at William Paterson University, “Introduction,” in Radical Intellectuals and the Subversion of Progressive Politics, pg. 1-32

Radical politics in contemporary Western democracies finds itself in a state of **crisis**. When viewed from the vantage point of social change, a progressive transformation of the social order, political radicalism is **found wanting**. This would seem to go against the grain of perceived wisdom. As an academic enterprise, radical theory has blossomed. Figures such as Slavoj Žižek openly discuss Marxism in popular documentaries, **new journals have emerged** touting a radical “anti-capitalism,” and whole conferences and subfields are dominated by questions posed by obscure theoretical texts. Despite this, there is a profound lack in **substantive**, meaningful **political, social, and cultural criticism** of the kind that once made progressive **and rational left political discourse relevant** **to the machinations of real politics and the broader culture** . Today, leftist political theory in the academy has fallen under the spell of ideas **so far removed** from actual political issues that the question can be posed whether the traditions of left critique that gave intellectual support to the great movements of modernity—from the workers’ movement to the civil rights movement—**possess a critical mass to sustain future struggles.** Quite to the contrary, **social movements have lost political momentum**; they are generally focused on questions of culture and **shallow discussions** of class and **obsessed with issues of identity**— racial, sexual, and so on—rather than on the great “social question” **of unequal economic power**, which once served as the driving impulse for political, social, and cultural transformation. As these new **radical mandarins** spill ink on futile debates over **“desire,”** “identity,” and **illusory visions** of anarchic democracy, **economic inequality has ballooned into oligarchic proportions,** working people have been **increasingly marginalized**, and ethnic minority groups turned into a coolie labor force. This has been the result, we contend, of a lack of concern with real politics in contemporary radical theory. Further, we believe that this is the result of a transformation of ideas, that contemporary political theory on the Left has witnessed a decisive **shift in focus** in recent decades—a shift that has produced nothing less than the **incoherence** **of the tradition of progressive politics in our age.** At a time when the Left is struggling to redefine itself and respond to current political and economic crises, a series of trends in contemporary theory has reshaped the ways that politics is understood and practiced. Older thinkers such as Michel Foucault, Jacques Lacan, and Jacques Derrida, and newer voices like Alain Badiou, Jacques Rancière, David Graeber, and Judith Butler, among others, have risen to the status of academic and cultural icons while their ideas have become embedded in the “logics” of new social movements. As some aspects of the recent Occupy Wall Street demonstrations have shown, political discourse has become increasingly **dominated** by the impulses of neo-anarchism, identity politics, **postcolonialism**, and other intellectual fads. This new radicalism has made itself **so irrelevant** with respect to real politics that it ends up serving as a kind of **cathartic space** for the **justifiable anxieties** **wrought by late capitalism,** further **stabilizing** its systemic and **integrative power** rather than disrupting it. These trends are the products as well as **unwitting allies** of that which they oppose. The transformation of radical and progressive politics throughout the latter half of the twentieth and the early decades of the twenty-first centuries is characterized by both a sociological shift as well as an intellectual one. A core thesis has been that the shift from industrial to postindustrial society has led to the weakening of class politics. But this is unsatisfying. There is no reason why class cannot be seen in the divisions of mental and service labor as it was with an industrial proletariat. There is no reason why political power rooted in unequal property and control over resources, in the capacity for some to command and to control the labor of others as well as the consumption of others **ought not to be a basic political imperative.** To this end, what we would call **a rational radical politics** should **seek not the utopian end of a “post-statist” politics**, but rather to enrich common goods, **erode the great divisions of wealth and class,** **democratize all aspects of society and economy**, and seek to orient the powers of individuals and the community **toward common ends.** Indeed, only by **widening the struggles of labor** **and rethinking the ends of the labor movement**—connecting the struggles of labor to issues beyond the workplace, to **education**, the **environment**, p**ublic life, issues of racial and gender equality**, culture, and the nature of the social order more broadly—can we envision a revitalization of a workers’ movement, one **that would have no need of the alienated theory of the new radicals**.1