### 1

#### Interpretation: outer space consists of regions outside the atmospheres of celestial bodies

Tanabe 19 [(Rosie, updater and writer at NWE) “Outer space,” New World Encyclopedia, 1/8/2019] JL

Outer space (often called space) consists of the relatively empty regions of the universe outside the atmospheres of celestial bodies. *Outer* space is used to distinguish it from airspace and terrestrial locations. There is no clear boundary between Earth's atmosphere and space, as the density of the atmosphere gradually decreases as the altitude increases.

#### Violation: Star Trek doesn’t exist and they cannot prove it does. A fictional place isn’t outer space. You don’t advocate a change in the status quo because it’s just fiction.

#### There’s two Impacts –

#### Clash – it’s a pre-requisite to debate which is an intrinsic good since we are all here for the purpose of debating – yes this may seem tautological, but so is every impact – you should use your ballot to assert that since we all took our weekend and spent it here, that clash does have meaning

#### Iterative argumentative testing – the ability to subject controversial ideas to rigorous testing allows debaters to better engage in the research process, discern what arguments are most accurate, and learn how to refine our own beliefs to become more compelling advocates – not being topical allows a constant spew of new content that never reaches those high levels of contestation without the constraints of the topic – Even if this topic isn’t the perfect topic, the predictability of debates under it are worth potential substantive tradeoff. Without a bridge for subjecting beliefs to a rigorous test, we are left with might-makes-right.

Cheryl MISAK Philosophy @ Toronto ‘8 “A Culture of Justification: The Pragmatist's Epistemic Argument for Democracy” *Episteme* 5 (1) p. 100-104

The charge that Rorty has had to face again and again is that he really is a relativist, holding that one belief is no better than another, and that one must “treat the epistemic standards of any and every epistemic community as on a par” (Haack 1995, 136). Rorty, that is, leaves us with no way of adjudicating claims that arise in different communities. It is argued that this is not only an unsatisfactory view, but it is incompatible with his commitment to his own set of beliefs and with his practice of arguing or giving reasons for them. Peirce would join in this charge, arguing that it is the community of inquirers or reasoners that matter, not this or that local community. One of Rorty’s responses to this clutch of objections is to say that he doesn’t have to treat the epistemic standards of every community as on a par: “I prize communities which share more background beliefs with me above those which share fewer” (Rorty 1995b, 153). There is nothing incoherent about asserting that your community has it right, for all “right” amounts to is what your community agrees upon. I have argued (2000, 12ff) that this kind of comeback puts Rorty in a very difficult position, giving him nothing to say against the likes of Carl Schmitt, the fascist legal philosopher who found it natural to join the Nazi bandwagon. Schmitt, like Rorty, argued that there is no truth and rationality in politics. Rather, politics is the arena in which groups assert themselves, with the strongest coming out on top and the weaker groups disappearing. One makes an existential choice – opts for a conception of the good – and then tries to attain “substantive homogeneity” in the population. Might ends up being right and the elimination of those who disagree with us ends up being a fine method of reaching our political decisions. A democrat or liberal like Rorty has an impossible time in giving us – and himself – reasons for opting for his view rather than his fascist opponent’s view. Once you give up aiming at truth, once you give up aiming at something that goes beyond the standards of your own community, then you give up the wherewithal to argue against the might-is-right view. The charge I am trying to answer here, on behalf of the non-Rortian pragmatist, is that mixing truth and politics is dangerous. One of the points I want to make is that, whatever the dangers are in saying morals and politics aim at the truth, the dangers of denying it are even more alarming. If we were to get rid of the notion of truth, nothing would protect us from the idea that there is nothing to get right, no better or worse action, and no better or worse way of treating others. Nothing would protect us from the Schmittian worldview. Another point is that the pragmatist view encourages something which is downright salutary, not dangerous at all. It encourages a culture of justification, a culture the importance of which grows as we face the challenges of living in a global society with worldviews struggling against each other. This thought was prominent in the debate about how the new democratic order in South Africa should be conceived. Here is how Etienne Murienik put it: If the new constitution is a bridge away from a culture of authority, it is clear what it must be a bridge to. It must lead to a culture of justification – a culture in which every exercise of power is expected to be justified; in which the leadership given by government rests on the cogency of the case offered in defense of its decisions, not the fear inspired by the force of its command. The new order must be a community built on persuasion, not on coercion.4 A final point rests on the nature of the kinds of answers the pragmatist envisions. Rorty and Rawls seem to think that any view of truth carries with it the idea that there is one and only one true answer to every question. It is important to see that, whatever the case might be for other views of truth, the pragmatist’s view of truth does not entail anything about the precise nature of right answers. On the Peircean view of truth, it might be true that the best solution to a problem is to compromise in a certain way. Or a question might have a number of equally right answers: it might be true that either A or B or C is an acceptable solution to a problem. That is, bringing truth into politics need not result in a view on which one theory of the good triumphs over the others. Indeed, the pragmatist account of truth does not require agreement at the end of the day (whatever that might mean) and it does not require the consent of all who are affected by a particular decision here and now. The right answer to a question might be one that only a few see is right. A right answer is the one that would be best – would stand up to the evidence and arguments – were we to inquire into the matter as far as we fruitfully could. That is, we are not primarily aiming at agreement in deliberation – we are aiming at getting a view that will stand up to reasons and evidence**.** That said, there may be cases in moral and especially political deliberation in which we do aim for agreement because we think that what will best stand up to reasons in that case is a solution that is agreed upon by all or by all who are affected. But this will be just one kind of case amongst many. Right answers aren’t necessarily answers that are acceptable by all. Nor are right answers necessarily those that resolve a conflict with a compromise, although sometimes a compromise or cooperative solution may indeed be what is required. Nor is bargaining always not conducive to truth – in some cases, that may be exactly what is required. This view of truth does not lead to zeal, oppression, closing off of discussion, or a squashing of pluralism, even if it might happen to be the case that there is only one reasonable conception of the good out there. The idea is that we are always aiming at getting the best answer – whatever that may be – and to do that we need to take into account the views of all. 6 . WHO DECIDES? One of the first questions put to those who would like to think of politics as a species of truth-oriented deliberation is this: why deliberate with the ignorant multitude? Would it not be better to expose our moral and political beliefs only to the reasons and experience of experts? Science, after all, doesn’t work by asking the person in the street what he or she thinks about quantum mechanics. The reason that the pragmatist’s epistemic justification is a justification of democratic politics, rather than of a hierarchical politics, in which an elite makes decisions, is that we do not and will not ever have an identifiable pool of moral and political experts. Dewey saw this clearly. As experts become specialized, “they are shut off from knowledge of the needs which they are supposed to serve” (Dewey 1926/1984, 364). Everyone engages in moral and political deliberation and it is not obvious that having special education makes you better at it – just look at priests, politicians, and moral philosophers/political theorists and ask yourself if they seem especially decent or especially wise when it comes to practical matters. Some people are good at examining moral and politi\cal issues, but it’s not clear that they are the ones trained to do so. Even if we could identify genuinely wise people, this kind of expertise is liable to be corrupted merely by being identified – merely by the wise person starting to think of herself as a moral expert.5 And it is far from clear that the rule of the wise would really take the views and experiences of all into account better than the democratic rule of the people. So how do we distinguish deliberating well and deliberating badly if we cannot appeal to education and training? No account of deliberative democracy can ignore the call to make the distinction. The trouble is that, in saying what good, as opposed to poor, deliberation amounts to, one finds oneself facing a justificatory problem: how can we specify what good deliberation is without simply assuming that our current standards of deliberation and inquiry are the gold standards? (This is the deep and central question of pragmatism: how do genuine norms arise out of contingent practices?) It will be unsurprising that I agree with Robert Talisse that the way forward is to focus on an epistemic justification of the whole range of deliberative virtues. Some of the virtues we think important in inquiry are open-mindedness, courage, honesty, integrity, rigor, willingness to listen to the views of others and to seriously entertain challenges to one’s own views, willingness to put oneself in another’s shoes, and the like. These virtues may well have a number of kinds of justifications – justifications, for instance, with their origins in the canons of etiquette or in this or that substantive moral or religious view. Politeness and Christianity (do unto others . . . ), for instance,may both dictate that we should listen to the views of others. But this kind of justification doesn’t break out of the circle of local practices. Talisse argues that the virtues are justified because they lead to true belief. Listening to others is not merely the polite thing to do, but it is also good because we might learn something. The epistemic argument I have presented on Peirce’s behalf gets us this far: we need to expose our beliefs to the views of others if we are to follow a method that will get us good or better or true beliefs. Talisse takes us the next step – there are other characteristics that make one an inquirer who aims at the truth. Honesty is the trait of following reasons and evidence, rather than self-interest. Modesty is the trait of taking your views to be fallible. Charity is willingness to listen to the views of others. Integrity is willingness to uphold the deliberative process, no matter the difficulties encountered. The distinction between deliberating well (having deliberative virtues) and deliberating badly (having deliberative vices), that is, is drawn in terms of whether a method promotes beliefs which are responsive to and fit with the reasons and evidence. 7 . THE SOURCE OF AUTHORITY The pragmatist has offered us a compelling reason to take the views of others seriously and encourage the values associated with deliberative democratic politics. For inquirers must engage in the ongoing project of continually subjecting their beliefs to the tests of further experience and argument. The virtues inherent in a deliberative model of democratic citizenship must be cultivated if we are to come to good beliefs about how to treat others, how to resolve conflicts, and how to arrange society. The model of democratic citizenship which results is one that makes democratic citizenship part of a culture of justification. Citizens search for how best to structure our institutions and how best to live our lives. Democratic citizenship is a quest to get things right, with a genuine engagement in looking for right answers to pressing questions.We are not after mere agreement and we are not after the transformation of initial preferences into something that others can accept. We aim at getting things right – at getting beliefs that would forever stand up to scrutiny. In so aiming, citizens commit themselves to abiding by the decisions produced by the democratic procedure. For those decisions are the best we can do here and now. Here we find the justification of the coercive power of democracies. Eventually there has to be a decision in politics. The question that faces all societies is who decides and who wields the power to coerce once the decision is made? My argument is that as more people deliberate and more reasons and experience go into the mix, it will become more likely that the decisions made will account for the reasons and experience of all. The more likely, that is, that the answer will be right. Decisions produced by a democratic deliberative process are made by a rational method and so they are enforceable.

#### Vote negative – there is a distinction between debate as an institution and debate as a game, and while the affs intervention may or may not be effective on an institutional level, the ballot only signifies a win or loss within debate as a game. This answers their Role of the Judge

#### We are both in this round primarily to get a win - its why we all adhere to other rules of the game like speech times and prep time, even if breaking those norms might make the debate “better” – its why you would vote neg if they read a 10 hour long AC about why speech time constraints are bad

#### Not reading a topical aff creates incredible structural advantages for the aff – they get first and last speech and perms which means without a stable advocacy they get to morph their aff into whatever minimizes direct clash, and allows for a retreat to moral high ground

#### You don’t have to disagree with the aff to vote neg. But, the ballot is fundamentally tied to the structure of the *game* of debate, not the *institution*, which means that your ballot can only ascribe who did a better job playing the game that we agreed upon before the start of the tournament.

#### They have no offense

#### View T impacts as a process, not a product – any education impact about their content being important are solved by reading a book – filter impacts through what is unique to the process of debating itself

#### They get to read it on the neg – if their k of being topical is true then reading the aff as a K on the neg means they get auto-wins, we still access their education, and if forces affs to shift to better arguments

#### The TVA solves – they could have read an aff that talks about private space colonization’s effects furthering capitalism rather than Star Trek’s effects - this would allow a discussion of the aff in a forum that allows us to have nuanced responses – yes, it isn’t perfect, but those imperfections are neg ground – if they aren’t forced to defend a controversy, then the meaning of any wins the gets become hollow anyway which takes out solvency

### 2

#### The affirmative isn’t radical, and it’s far from revolutionary. The infrapolitics of the 1AC conflates “political” with “politics,” which eschews organizing a broad base of constituents to make demands in order to transform power relations. Voting affirmative projects an image of popular insurgency through a performance of radicalism, accelerating neoliberalism by carving out rhetorical space for resistance without a program to enact change.

Reed, 16 (Adolph, Political Science Professor @ University of Pennsylvania, “Splendors and Miseries of the Antiracist “Left””, <http://nonsite.org/editorial/splendors-and-miseries-of-the-antiracist-left-2>)

Key among their errors of the familiar sort is the tendency that I have described as a cargo-cult politics, “the wish for some magical intervention or technical fix that will substitute for organizing a broad popular base around a clearly articulated, alternative vision that responds to most people’s pressing concerns.”1 Kenneth Warren has characterized it also as a form of argument, or non-argument, that depends on asserting the not-yet-visible revolutionary potential of political expressions that seem unformed, inchoate, incoherent, or even decidedly nonradical in the present. Such claims, he notes, typically adduce esoteric insight supposedly derived from privileged relationship to the currents in question. They also, he observes, amount to exhortations for faith in things as yet unseen, which, like the cargo cults, only those with special vision can recognize. This is an alternative to argument; it is a call for religious-like faith.2 So Birch and Heideman begin with an extravagant assertion, that “After forty years of decline and retreat, the Left is undergoing a mini-revival. This development has been driven by millennials, whose political awakening has unfolded through Occupy, Black Lives Matter, and, most recently, the Bernie Sanders campaign. In all of this, we can see the rise of a potential mass base for a left political program.” Their next paragraph, however, acknowledges that much of what can be seen at the moment are “inability to sustain high levels of mobilization” and a tendency toward “empty posturing, self-promotion, and moralism.” They omit, moreover, that reactionary “libertarian” Gary Johnson also has had significant impact among those demographic groups. How, therefore, do they see radical potential as definitive in this motion? They find it via two fallacious interpretive moves. The first is a post hoc, propter hoc fallacy, based on a reading of the postwar civil rights insurgency that would be logically impertinent if it were correct – just because B followed A does not mean that A caused, was necessary for, or even instrumental in the appearance of, B, and even if A did plausibly cause B in one historical context, that does not mean that it necessarily would in another. But their view of the trajectory of postwar black politics is shallow and ill-informed. They imagine that the postwar insurgency was initially committed to a “conservative social vision…rooted in the ideology of the middle class leadership of the black church” and later discarded that ideology in favor of “a process epitomized by Martin Luther King, Jr.’s radicalization over the course of the 1960s.” This is a potted narrative that is blind to the tensions and contradictions within black politics – including actual class contradictions – that shaped the insurgency, as well as mainstream institutional black political participation, between the 1940s and mid-1960s. In fact, another, more richly grounded and textured perspective makes clear that their characterization of an initially conservative movement that became radical “through the course of struggle itself” is exactly the opposite of the movement’s trajectory. Preston Smith II’s important account of the constitutive tension between programs of racial democracy – an ideal of strict equality of opportunity within capitalism – and social democracy shows how the former tendency, under pressure of Cold War anti-leftism, the predominant class commitments among black civic elites, and positive reinforcement from the courts, liberal opinion-leaders, and the national Democratic coalition, became the dominant trend in the 1950s. The social-democratic tendency persisted; e.g., through the agency of A. Philip Randolph, Bayard Rustin and their Negro American Labor Council, that tendency was the originating and primary organizing force of the 1963 March on Washington for Jobs and Freedom, which became Martin Luther King, Jr.’s event only in posthumous reinvention.3 But the victory of the racial-democratic orientation in the mid-1960s – illustrated symbolically in the emergence of Black Power ideology and defeat of the social-democratic initiatives spearheaded by Randolph and Rustin — underwrote consolidation of a new black political class of public officials, functionaries, and race relations administrators as the central force in black political agenda-formation.4 And, contrary to Birch and Heideman’s odd contention that racial redistribution is actually intrinsically anti-capitalist, the record of the black political regime consolidated in the late 1960s and early 1970s is most markedly class-skewed and amounts to at best a sort-of racial trickle down. That is, on this front, Birch and Heideman simply do not know what they’re talking about. The second interpretive fallacy on which they ground their claim—that a left resurgence lies just beyond the horizon—is also tiresomely familiar. They ventriloquize popular protest actions and impute meanings and motivations to them that the authors find congenial. On one level, this move is an expression of what all political agitators do. Across the ideological spectrum part of the militant’s repertoire is a rhetorical tactic of urging history toward one’s desired objective by asserting that it is already all but there. We all do it. In the televisual and You Tube era, especially in a context in which the left has no significant social or political capacity, imputing programmatic political motives to participants in large, essentially mute demonstrations has become a standard move in what Mark Dudzic has described as a “pageantry of protest.”5 Birch and Heideman do this regarding Occupy and Black Lives Matter, to the point even of projecting political profiles onto demonstrators in “cities like Baltimore, Ferguson, and now Charlotte” to counter my arguments regarding the class character of anti-disparitarianism as a political program. Basing themselves on what they understand to be “the logic of [demonstrators’] actions,” they assert “[p]eople do not risk their lives just to tinker with the social order, just as civil rights workers in the South did not risk theirs merely in the hopes of registering some more black voters.” Of course, describing what opposition BLM protesters may confront as at all comparable to the dangers faced by campaigners in the high period of southern civil rights activism is absurd and trivializes the conditions those activists faced. Moreover, very many civil rights workers most certainly did risk their lives “merely” to fight for registering black voters, but that is beside the point at the moment and is only another illustration of how poorly the authors understand the political history they declaim about. This move becomes pathological when it is an instance of what Rogers Brubaker, a sociologist I suspect Birch and Heideman could benefit from reading, describes as a tendency to conflate “categories of practice” and “categories of analysis”6 and what my father characterized as a tendency to be “victimized by one’s own propaganda.” That is, the interpretive pathology is the failure to distinguish the hortatory project of working to call a phenomenon into existence by asserting that it already exists and the more scrupulously descriptive project of examining the world as it currently is. This is a problem to which participants in insular, sectarian discourses are particularly susceptible, as are those who understand their academic work to be a program of political mobilization in itself. Theirs is a politics unconstrained by needing to think strategically because it is unconcerned with the imperative to build a deep and broad political base. No nominally insurgent expression in recent American political history illustrates this problem more clearly than the intermittent chatter concerning reparations for slavery, or slavery+, as the program of an authentically radical black politics. Advocacy of the issue has been driven exclusively by moralizing proclamations of what black Americans deserve or are “owed” (a frame of reference with decidedly non-left premises and implications7, a point to which I return below) and how elaborately the debt has accrued and been compounded across time and social contexts; at the same time proponents of reparations as a politics consistently evade discussion of how it might be possible to construct a political alliance capable of prevailing on the issue. At most, response to that pragmatic question has generated sophistries of the sort to which Birch and Heideman resort. There are too many other wrongheaded formulations of the familiar sort in the essay to bother cataloguing. For example, another prop supporting Birch and Heideman’s assertions regarding the radical, anti-capitalist potential of BLM is their belief that “protest movements the world over” follow a standard trajectory that leads from initial expression “with ideological tools fashioned from their society’s dominant ideology” to more radical or revolutionary programs as they are directed by “the course of struggle itself.” (They seem not to notice that the first instance of this pattern that they adduce – king and country mobilizations in peasant societies – typically did not culminate in radical movements.) They proffer that trajectory as a buttress, in lieu of concrete evidence, to their contention that Black Lives Matter is on course to realize a radicalism they posit, on the basis of that purported trajectory, as immanent within it. This contention depends on both post hoc, propter hoc thinking in interpretation of the past and the fallacy of circular reasoning vis-à-vis the present. More than a decade and a half ago I criticized similar formulations of a notion of “infrapolitics,” understood as the domain of pre-political acts of everyday “resistance” undertaken by subordinated populations, which was then all the rage in cultural studies programs. Proponents of the political importance of this domain insisted that, because insurgent movements emerge within such cultures of quotidian resistance, a) examining them could help in understanding the processes through which insurgencies develop and/or b) they therefore ought to be considered as expressions of an insurgent politics themselves. Several factors accounted for the popularity of that version of the argument, which mainly had to do to with the political economy of academic life, including the self-propulsion of academic trendiness and the atrophy of the left outside the academy, which encouraged flights into fantasy for the sake of optimism. The infrapolitics idea also resonated with the substantive but generally unadmitted group essentialism underlying claims that esoteric, insider knowledge is necessary to decipher the “hidden transcripts” of the subordinate populations; put more bluntly, elevating infrapolitics to the domain on which the oppressed express their politics most authentically increased its interpreters’ academic capital.8 I discussed those factors in my critique. However, the point in that argument most pertinent for evaluating Birch and Heideman’s confidence that the contradictions they acknowledge in BLM should be seen only as growing pains of a “new movement” is the following: At best, those who romanticize “everyday resistance” or “cultural politics” read the evolution of political movements teleologically; they presume that those conditions necessarily, or even typically, lead to political action. They don’t. Not any more than the presence of carbon and water necessarily leads to the evolution of Homo sapiens. Think about it: infrapolitics is ubiquitous, developed political movements are rare.9 I assume that Trotskyists of their stripe still call themselves Marxists; if so, theirs is a Marxism that has more in common with geometry texts and the Baltimore Catechism than with open-ended historical materialist analysis. Indeed, the catechistic disposition is the spirit animating their snarky observation that it is “telling” – though they never indicate what it would tell if the charge were correct — that I supposedly “never engage” with any of the “massive” evidence that racial discrimination persists against black Americans. I have never denied the persistence of racial discrimination and therefore have no idea what they mean by “engage with.” I assume that what they want is for me to recite a litany of abuses or violations, doing the Confiteor at the same time, whether or not doing so would contribute to understanding or rectifying anything. I don’t have to testify to my knowledge of the existence of racial discrimination. I’ve dealt with being on the receiving end of it all my life.10 Moreover, racial discrimination and racial disparity are not the same thing. The latter does not automatically result from the former. And discrimination is often not necessary for, or even implicated in, reproduction of disparities. This is a key argument that Merlin Chowkanyun and I develop in our critique of the discourse of racial disparity.11 We do not deny the existence of racial disparities. We do argue that “racism,” accompanied by whatever adjectives – institutional, structural, postracial, etc.12 — is often not helpful for understanding the genesis of those disparities, how they are reproduced, or how to address them in policy interventions. Instead of engaging with that argument Birch and Heideman resort to baseless observations such as their claim that I have “always prided [myself] on being ahead of the curve.” This personal characterization is a bizarre alternative to critical argument about what I actually contend. And, of course, this is yet another area in which Birch and Heideman have no idea what they’re talking about. They don’t know me or for that matter anything about me that’s not a matter of public record, in what I’ve written for public consumption. Like much in their essay, this is an instance of uninformed proclamation of what they would like to be true to fit the a priori commitments of their dogma, which, by the way, is rather surprisingly like liberal individualism in the extent to which it hinges on speculation regarding individuals’ motives rather than examination of patterned social relations and processes. Haste to proclaim the magical ship’s pending arrival on the coastline is more an effusion of True Belief – and that’s the generous characterization — than sober analysis. And the magical predictions don’t require evidence of oppositional agency of any sort. Many in the Jacobin audience may be too young to recall how ventriloquy of the kind that Birch and Heideman and others now project onto BLM demonstrations supported proclamations of grand, transformative potential that some ersatz leftists assigned to the 1995 Million Man March and then to the 1999 Seattle anti-WTO demonstrations. More, however, should be able to remember the tsunami of almost clinically naïve pronouncements in 2008 and 2009 that the financial crash had either put neoliberalism on its deathbed or perhaps already killed it. For those who don’t recall that moment, Merlin Chowkwanyun’s fine critical assessment should be a bracing corrective.13 The authors also construct straw men and blatantly misrepresent arguments to provide themselves with easy targets. They adduce the fact that BLM has generated a program as a counter to my contention that that fact is not especially meaningful. They do so, of course, without fully addressing my actual argument: Some, perhaps many, of the items propounded in the initial 10 Point Plan are fine as a statement of reforms that could make things better in the area of criminal justice policy and practice. Many, if not most, of those assembled under the rubric ‘Vision for Black Lives’ are empty sloganeering and politically wrongheaded and/or unattainable and counterproductive. However, the problem is not a shortage of potentially effective reforms that could be implemented. The problem is much more a political and strategic one. And the focus on racial disparity both obscures the nature and extent of the strategic challenges we face and…undercuts our ability to mount a potentially effective challenge (italics added).14 I noted as well that, reminiscent of the trajectory of Black Power, a similar moment of affectively evocative political expression, the programs articulated in the name of BLM came primarily as responses to criticisms that it lacked a program. Their relation to the actual political practice of those who purport to represent the brand – and how else are we to understand the reality beneath the fatuous justifications offered by Garza and others as to why it’s important to honor the hashtag and its originators? — is not at all clear. The notion that having a program is eo ipso an indication of being “part of a broader radicalization around issue [sic] of class and inequality” is reasonable only within the sectarian universe of resolutionary socialists15 who measure one another’s significance by whether or not they publish newspapers or have good websites. Birch and Heideman and I apparently talk past each other regarding whether BLM should be seen as a serious political movement. Where one comes down on that question depends on how one understands what counts as a movement. I have no idea what their criteria are; I do know that, as public relations engineering has become increasingly prominent as an alternative to slow, careful organizing and constituency building, the label has been thrown around ever more promiscuously. When I refer to a political movement, as I’ve stressed for many years,16 I mean a relatively durable social and political force with a demonstrated capacity to mobilize resources and clearly defined constituencies – including actual people who have names and addresses – to advance programs and agendas with the goal of altering public policy and/or power relations. I don’t see how BLM qualifies by that standard. Activism undertaken under that name has contributed significantly to focusing public attention on patterns of police abuse and broader miscarriages of justice in the criminal justice system. However, from the perspective I indicate, extrapolations from that fact to broader claims that BLM is a substantial political movement are hyperbolic or aspirational. Birch and Heideman may operate with a different understanding of what constitutes a political movement. I assume they do because of their insistence that BLM is one, but they don’t address that question. They seem to accept proclamation by the self-appointed spokespersons – including those who claim not to be spokespersons while obviously adopting that role – press releases, demonstrations and other staged events in the mass-mediated (including social media) pageantry of protest as adequate evidence. In any event, I thought I had also made clear that the principal reason I, in their view, “refuse to engage even with the aspects” of the BLM current that the authors presume to be “in sync with” my politics and am not interested in helping to “advance a class perspective within the movement” is that my judgment is that what passes under the rubric BLM is primarily a mélange of episodic actions and performances and is not a coherent political movement. I know the response to that skepticism is assertion of BLM’s inner potentiality, which supporters contend is visible through a combination of esoteric interpretation and Faith and which skeptics are too jaundiced or biased to see – i.e., the cargo-cult pathology. Birch and Heideman say as much themselves: It is of course true that “Black Lives Matter” is shorthand for a variety of organizing efforts, whose goals can sometimes be opaque. The protests of the past two years are hardly the first to focus on questions of police violence or racism. And like many movements today, Black Lives Matter suffers from chronic volatility and organizational weakness.17 Thus even they acknowledge that, as Cedric Johnson indicates in a forthcoming article, who and what BLM is are in no way clear. The contemporary “movement for black lives” is a diverse phenomenon – horizontal, decentralized, and driven by organizations like #BlackLivesMatter, the Dream Defenders, the Black Youth Project 100, Assata’s Daughters, Freedom, Inc., Southerners on New Ground, Leaders of a Beautiful Struggle, as well as dozens of other youth groups, black student unions and community-based organizations. Contemporary protests have found broad support among liberals, black nationalists, socialists, clergy, politicians, civil liberties advocates, and urbanites…Of course, there are different ideological tendencies operating within the movement for black lives. Broad acceptance of black ethnic politics, however, facilitates the very brokerage politics that many activists dislike about older black civil rights organizations. The spats between black lives matter’s founders and those who sought to use the hashtag without their permission reflected a proprietary sensibility, more suited to product branding and entrepreneurship than popular social struggle. Despite the various allusions to class and insistence by some supporters that there is a class-politics at the heart of black lives matter activism, the rapture of “unapologetic blackness” and the ethnic politics that expression implies will continue to lead away from the kind of political work that is needed to end the policing crisis.18 Comparing BLM’s commitment to the romantic racialism of the National Black Convention movement and following its trajectory through the 1972 Gary Convention, which rested on a similar commitment to a romantic racialism, Johnson contends: If the Gary Convention is the model here, then what we might expect is the fracturing of the movement into different brokerage camps, each claiming to represent the “black community” more effectively than the other, and more capable of amassing the necessary counterpower that might be politically impactful. One signpost of this possible outcome is the growing fissure among activists over school privatization and futile attempts to reconcile those differences with romantic calls to black unity…Black Lives Matter co-founder Patrice Cullors gives a sense of this problem, when she says that she will continue to work with black neoliberals because of their common bond as blacks. “That I don’t agree with neoliberalism doesn’t encourage me to launch an online assault against those who do. We can, in fact, agree to disagree. We can have healthy debate. We can show up for one another as Black folks inside of this movement in ways that don’t isolate, terrorize, and shame people – something I’ve experienced first hand.” She mistakes the core basis of political life, however. Sustained political work is held together by shared historical interests, especially those that connect to our daily lives and felt needs, not sentimental “ties of blood.”19 To what, then, are Birch and Heideman referring when they declare BLM’s potential? Which strains are the real or even the really real expressions of the tendency’s radical anti-capitalist telos? The answer, steeped in circular reasoning, is the ones that Birch and Heideman want to believe are consistent with their transhistorical, preformationist notions of how movements grow. This is not simply a matter of stipulating different criteria for assigning the label “political movement.” BLM’s amorphousness reflects and enables another tiresome political pathology that has become increasingly common in an era when an actually insurgent left is so remote from living memory and cargo-cult politics is so prominent. Activists, typically without visible institutional connections, stage more or less flamboyant events that often evoke nostalgic associations with earlier insurgencies – civil rights/Black Power demonstrations, sit-ins, militant “street action,” even purely rhetorical appropriation of the phrase “general strike” as a reference that sounds appealingly militant, totally disconnected from any concrete practice. Prior to BLM, Occupy and, more cynically, the Tea Party were the most highly publicized illustrations of this phenomenon, which is similar to an ad agency approach to movement-building. The point of these performances is to project simulacra of popular insurgency, which then become justification for issuing press statements and manifestos and, depending on the mood of the moment and skills of the operators, being recognized as spokespersons for the fictive movement. In the public interest world such groups are described as “astro-turf,” as contrasted to grassroots. Proliferation of this Kabuki theater politics among leftists stems in part from the dialectic of desperation and wishful thinking that underlies the cargo-cult tendency; it is commonly driven by an understandable sense of urgency that the dangers facing us are so grave as to require some immediate action in response. That dialectic encourages immediatist fantasies as well as tendencies to define the direct goal of political action as exposing, or bearing witness against, injustice. Occupy, for instance, proceeded from premises at least overlapping a tendency I have described as the Myth of the Spark,20 the notion that single events or dramatic acts can in themselves galvanize mass mobilization. That was also the dream that too many enthusiasts crafted for themselves about the Sanders campaign. Fetishization of the power of social media feeds the fantasy that movement-building can be automatic and instantaneous. That disposition is exacerbated in a context in which organizing as a project of deepening and broadening an actual base through building solidaristic relationships around shared interests is not part of an activistist culture in which radicalism is more posture and performance than strategic pursuit of a program.21 The strains of Trotskyism and anarchism popular in some activist quarters are drawn to spontaneist and voluntarist approaches to politics, which fit comfortably as well with the logic of insta-celebrity generated through Potemkin internet and social media campaigns. From that perspective, one of the most revealing and chilling features of the BLM phenomenon has been the unself-conscious clarity with which Alicia Garza and other of its prominent personalities represent, and no doubt genuinely understand, crafting and projecting their individual personae as identical with advancing political objectives.22 The potential for opportunism is great because the inertial material imperatives impel in that direction and unrestrained because the “movement” has no concrete constituency to which its spokespeople are accountable. What we get instead are shopworn calls to distinguish the really authentic BLM voices – i.e., what DeRay McKesson was until he wasn’t – from the fakers and hustlers and those who are genuinely grassroots from those who aren’t. So Birch and Heideman finger McKesson as epitomizing a “black professional class selling a desiccated form of opposition to racism as radical politics.” What distinguishes this “desiccated form of opposition to racism” from the good, radical anti-racism they insist is out there? The only clue we have is that McKesson embodies the former. Yet a year ago he embodied the latter! This kind of political differentiation grounded on claims to racial authenticity rehearses the product cycle in the hip-hop industry in the 1990s, in which an act started out packaged as authentic or hardcore, attained success and became crossover and thence became a target against which those that follow proclaim their own real authenticity. This sort of politics is also, as we’ve seen at least since Black Power, a hustler’s paradise. And all the millennial versions of New Age-y bullshit about leaderlessness and structurelessness obscure the fact that absence of organizational mechanisms of accountability enable anyone to say anything, or deny anything said, in the name of the “movement.” Overestimation of the political significance of protest and a related, all too familiar problem of confusing militancy and radicalism contribute to exaggerating the significance of eruptions like those associated with BLM. Militancy is a posture; radicalism is linked to program for social transformation, and protests do not necessarily challenge power relations at all. In some ways, as political scientists have pointed out for generations, they can validate existing power relations insofar as they appeal to established authority to accommodate their demands and pursue more effective incorporation into extant governing coalitions.23 Although they are so commonplace now that most people no doubt rehearse them unreflectively, presumptions that protest actions and militant postures are intrinsically radical or follow a natural trajectory leading them toward radicalism depend on the nostalgic wishful thinking and forms of fallacious reasoning I’ve already discussed. But Birch and Heideman’s narrative is also plagued by their utter innocence of the history of the last half-century of black politics, which is truly astonishing, especially in light of their profound self-assuredness, though I suspect the former may be a key enabling condition for the latter. They show no knowledge or understanding of the relation of black political development to the growth of the large national, state, and local public-private anti-discrimination and diversity apparatus, or of the broader incorporation of black people into the various distributive regimes, market-based and not, that constitute and reproduce hegemonic neoliberalism. At this moment, in one tiny illustration of this phenomenon, my mother is engaged in dealings with a black-owned or black-fronted firm – not clear whether it’s for-profit or a non-profit NGO — that is enmeshed in a web of boondoggles outsourced from the Road Home program that the state of Louisiana created and administers in concert with the federal Department of Housing and Urban Development to provide assistance to people who suffered property damage in Hurricanes Katrina and Rita. Granted, the Road Home is an extraordinary policy intervention, and this is a trivial illustration. But this instance’s trivial and quotidian character is in a way the point. This sort of public-private, outsourced, marketized or semi-marketized activity is a node in an ever-expanding and reorganizing array of opportunity structures generated through neoliberalism and that contribute to its legitimation as everyday reality. More accurately, this activity and the individuals and organizations that participate in it constitute neoliberalization as an evolving political-economic, cultural and ideological order. People reproduce their material existence, not to mention pursue the entrepreneurial dreams that attest to the extent of Thatcherite ideological victory, through such nooks and crevices in the social administrative apparatus, whose public and private extrusions become ever more difficult to disentangle.24 At the same time, those structures and processes of neoliberalization are enmeshed with evolving black politics. The fact is that black people not only have access to these opportunity structures; they also participate in the processes that generate, shape, and legitimize them. The ambiguous relations of many prominent BLM figures and other black antiracist voices to the corporate and nonprofit interests that drive the assault on public goods and working people’s living standards underscore the class contradictions that antiracist politics papers over. The black political regime that emerged out of contestation and negotiation over the terms on which the victories of the 1960s would be consolidated institutionally was rooted from its inception in the dynamics simultaneously articulating market-driven pro-growth politics from the municipal level through national Democratic politics.25 It is not simply that the center of gravity of black politics accommodated to the regime of regressive redistribution and punitive social policy as it took shape and became hegemonic. Race-conscious black political discourse and practice, grounded on underclass ideology and a sharply class-skewed communitarian rhetoric of uplift and self-help26 and racial redistribution – anti-disparitarianism — as the crucial metric of social justice helped to define the left wing of Democratic neoliberalism over the 1980s and 1990s. Moreover, black people participate as active and committed agents in the processes of neoliberalization, public and private – charterization of public education, devolution and outsourcing of the social service sector, direct and indirect attacks on public goods and labor standards in the name of individual enterprise (e.g., Uber, which openly promotes itself as providing opportunities for black Americans) or “community development,” private contracting at all levels, including the rent-intensifying real estate development that is unhelpfully called gentrification. Any serious left critique of black politics has to take those dynamics into account and must proceed from examining the actual complexities and contradictions, including class contradictions, in contemporary black political life. That is why my colleagues and I who authored “On the End(s) of Black Politics” singled out as problematic “the conceptual and political confusion that underwrites the very idea of a Black Freedom Movement.”27 Formulations like Black Freedom Movement and Black Liberation Struggle suffer from the circularity problem: they posit what needs to be demonstrated through historical and political analysis. This is not simply a formal flaw. Those formulations impose an idealist coherence, what is in effect a racial supra-consciousness or the teleological equivalent of a vanguard party, that obscures the history of political differentiation among black Americans and its significance for understanding both past and present. They posit a transcendent goal – empty signifiers like “freedom,” “liberation,” or “self-determination” — that most crucially unites and defines black Americans’ political aspirations. This presumption that a deeper racial truth, constant across historical and social contexts, guides black politics requires diminishing the significance, and often enough necessitates the procrustean erasure, of the historical specificity of political dynamics involving black Americans at any moment in order to sustain the teleological narrative of fundamental continuity.

#### Capitalism causes mass inequality and social devastation---these concrete realities necessitate a material-focused strategy.

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The grosteque conditions that inspired Marx to pen his original critique of capitalism are present and flourishing. The inequalities of wealth and the gross imbalances of power that exist today are leading to abuses that exceed those encountered in Marx’s day (Greider, 1998, p. 39). Global capitalism has paved the way for the obscene concentration of wealth in fewer and fewer hands and created a world increasingly divided between those who enjoy opulent affluence and those who languish in dehumanizing conditions and economic misery. In every corner of the globe, we are witnessing social disintegration as revealed by a rise in abject poverty and inequality. At the current historical juncture, the combined assets of the 225 richest people is roughly equal to the annual income of the poorest 47 percent of the world’s population, while the combined assets of the three richest people exceed the combined GDP of the 48 poorest nations (CCPA, 2002, p. 3). Approximately 2.8 billion people—almost half of the world’s population—struggle in desperation to live on less than two dollars a day (McQuaig, 2001, p. 27). As many as 250 million children are wage slaves and there are over a billion workers who are either un- or under-employed. These are the concrete realities of our time—realities that require a vigorous class analysis, an unrelenting critique of capitalism and an oppositional politics capable of confronting what Ahmad (1998, p. 2) refers to as ‘capitalist universality.’ They are realities that require something more than that which is offered by the prophets of ‘difference’ and post-Marxists who would have us relegate socialism to the scrapheap of history and mummify Marxism along with Lenin’s corpse. Never before has a Marxian analysis of capitalism and class rule been so desperately needed. That is not to say that everything Marx said or anticipated has come true, for that is clearly not the case. Many critiques of Marx focus on his strategy for moving toward socialism, and with ample justification; nonetheless Marx did provide us with fundamental insights into class society that have held true to this day. Marx’s enduring relevance lies in his indictment of capitalism which continues to wreak havoc in the lives of most. While capitalism’s cheerleaders have attempted to hide its sordid underbelly, Marx’s description of capitalism as the sorcerer’s dark power is even more apt in light of contemporary historical and economic conditions. Rather than jettisoning Marx, decentering the role of capitalism, and discrediting class analysis, radical educators must continue to engage Marx’s oeuvre and extrapolate from it that which is useful pedagogically, theoretically, and, most importantly, politically in light of the challenges that confront us.

#### The alternative commits to building a revolutionary socialist party---only a movement with organizational capacity and strategic planning can link global liberation movements to a broader horizon of social transformation.

Hallas 16 – (Duncan, a leading member of the Socialist Workers’ Party in Britain, Towards a revolutionary socialist party, ISR Issue 100 Spring 2016, https://isreview.org/issue/100/towards-revolutionary-socialist-party)//a-berg

The events of the last forty years largely isolated the revolutionary socialist tradition from the working classes of the West. The first problem is to reintegrate them. The many partial and localized struggles on wages, conditions, housing, rents, education, health, and so on have to be coordinated and unified into a coherent forward movement based on a strategy for the transformation of society. In human terms, an organized layer of thousands of workers, by hand and by brain, firmly rooted amongst their fellow workers and with a shared consciousness of the necessity for socialism and the way to achieve it, has to be created. Or rather it has to be recreated. For such a layer existed in the twenties in Britain and internationally. Its disintegration, initially by Stalinism and then by the complex interactions of Stalinism, fascism, and neoreformism, reduced the authentic socialist tradition in the advanced capitalist countries to the status of a fringe belief. As it reemerges from that status, old disputes take on new life. The nature of the socialist organization is again an issue. That an organization of socialist militants is necessary is common ground on the left, a few anarchist purists apart; but what kind of organization? One view, widespread amongst newly radicalized students and young workers, is that of the libertarians. In the nature of the case this is something of a blanket term covering a number of distinct tendencies. The essence of what they have in common is hostility to centralized, coordinated activity and profound suspicion of anything smacking of “leadership.” On this view nothing more than a loose federation of working groups is necessary or desirable. The underlying assumptions are that centralized organizations inevitably undergo bureaucratic degeneration and that the spontaneous activities of working people are the sole and sufficient basis for the achievement of socialism. The evidence for the first assumption is, on the face of it, impressive. The classic social-democratic parties of the early twentieth century are a textbook example. It was German social democracy that furnished Robert Michels with the material from which he formulated the “iron law of oligarchy.” The communist parties, founded in the first place to wrest the politically conscious workers from the influence of conservative social-democratic bureaucracies, became in time bureaucratized and authoritarian to a degree previously undreamt of in working-class parties. Moreover, the basic mass organizations, the trade unions, have everywhere become a byword for bureaucratization and thus, apparently, irrespective of the political complexion of their leadership. From this sort of evidence some libertarians draw the conclusion that a revolutionary socialist party is a contradiction in terms. This is, of course, the traditional anarcho-syndicalist position. More commonly it is conceded that a party may, in favorable circumstances, avoid succumbing to the embraces of the establishment. However, the argument goes, such a party, bureaucratized by definition, inevitably contains within its structure the embryo of a new ruling group and will, if successful, create a new exploitative society. The experience of Stalinist parties in power is advanced as evidence here. Much of the plausibility of views of this sort derives from their highly abstract and therefore universal character. It would be unfair to equate them with the currently fashionable “naked apery” but there is certainly some similarity in their psychological appeal. Writers like [Desmond] Morris and [Robert] Ardrey dispense with the difficult and complicated job of analyzing actual societies and actual conflicts in order to deduce from an allegedly unchanging human (or animal) nature the “inevitability” of this or that. In the same way, much libertarian thinking proceeds from very general ideas about the evils of formal organization to highly specific conclusions without much effort to investigate the actual course of events. Thus Stalinism is seen as the “inevitable” consequence of Lenin’s predilection for a centralized party. A few general notions, a few supposed “universal truths” which are easily mastered in half an hour, become the substitute for serious theoretical equipment. Since the real world is a very complicated place it is highly reassuring to have at one’s disposal the ingredients for an instant social wisdom. Unfortunately it is also highly misleading. The equation “centralized organization equals bureaucracy equals degeneration” is in fact a secularized version of the original sin myth. Like its prototype it leads to profoundly reactionary conclusions. For what is really being implied is that working people are incapable of collective democratic control of their own organizations. Granted that in many cases this has proved to be true; to argue that it is necessarily, inevitably true is to argue that socialism is impossible because democracy, in the literal sense, is impossible. This is precisely the conclusion that was drawn by the “neo-Machiavellian” social theorists of the early twentieth century and which is deeply embedded in modern academic sociology. It lies at the root of modern social democratic theory, such as it is. Of course, libertarian socialists will have none of this. The essence of their position is rejection of the tired old cliché that there must always be élites and masses, leaders and led, rulers and ruled. Nevertheless the opposite conclusion is implicit in their approach to organizational questions for the simple reason that formal organizations are an essential feature of any complex society. In fact, useful argument about the problems of socialist organization is impossible at the level of “universal” generalizations. Organizations do not exist in a vacuum. They are composed of actual people in specific historical situations, attempting to solve real problems with a limited number of options open to them. Failure to take adequate account of these rather obvious considerations vitiates discussion. This is particularly clear in the disputes about the origins of Stalinism. That Bolshevism was the father of Stalinism is an article of faith with most libertarians. It is also the view of the great majority of social-democratic, liberal, and conservative writers, and, of course, in the purely formal sense that the Stalinist bureaucracy emerged from the Bolshevik party, it is incontestable. But this does not get us very far. By the same reasoning Jesus Christ was the father of the Spanish Inquisition and Abraham Lincoln the father of United States imperialism, but nobody, one hopes, imagines that statements of this type lead to any useful conclusion. The question is how and why Stalinism emerged and what role, if any, the structure of the Bolshevik party played in the process. Daniel Cohn-Bendit’s treatment of the matter in his book Obsolete Communism is instructive.1 He sets out to show that “far from leading the Russian Revolution forwards, the Bolsheviks were responsible for holding back the struggle of the masses between February and October 1917, and later for turning the revolution into a bureaucratic counterrevolution—in both cases because of the party’s very nature, structure and ideology.” The first point is not relevant here and will be discussed later. The second is developed by means of quotations, suitably selected to establish the calculated malevolence of Lenin and Trotsky. It is shown, correctly, that in 1917 Lenin favored management of enterprises by elected committees of workers and that in 1918 he came out strongly for one-man management, that Trotsky in 1920 called for the militarization of labor, and that the suppression of the Kronstadt revolt in 1921 was an important turning point in the process by which the Russian workers lost power. What is really astonishing about Cohn-Bendit’s account of these events is his complete omission of any consideration of the circumstances in which they took place. The ravages of war and civil war, the ruin of Russian industry, the actual disintegration of the Russian working class; all this, apparently, has no bearing on the outcome. True it is conceded in passing that Russia was a backward country and was isolated by the failure of the German revolution but we are told, “these general factors can in no way explain the specific turn it [the revolution] took.” Now it is usually supposed that there is some sort of connection between the type and level of the production of the necessities of life and the kinds of social organization that are possible at any stage. No doubt it is very unfortunate that this should be so. Otherwise mankind might have leapt straight from the old-stone age to socialism. If, however, it is conceded that one of the preconditions for socialism is a fairly highly developed industry with a high productivity of labor then some of the “general factors,” so casually dismissed by Cohn-Bendit, assume a certain importance. Russia at the time of the revolution was not just a backward country. By the standards of the developed capitalist countries of the time it was very backward indeed: 80 percent of the total population was still engaged in agriculture; the comparable figure for Britain was 4.5 percent of the work force. The economist Colin Clark estimated the real income per head per occupied person in Russia in 1913 as 306 units; the comparable figure for Britain was 1,071 units. Indeed on Clark’s calculations, the figure for Britain as early as 1688, some 370 units, was higher than that for Russia in 1913. All such assessments contain a large margin of error no doubt, but even if the maximum allowance is made for this the prospects for an immediate transition to a noncoercive society in early twentieth century Russia were very slender indeed. True, man does not live by bread alone; the cultural heritage is also important, and the cultural heritage of Russia was Tsarist barbarism. Not surprisingly there was no tendency whatever in the prerevolutionary Russian Marxist movement that believed that socialism was on the agenda for an isolated Russia, though this illusion had, it is true, been entertained by the Narodniks. Yet the economic level of 1913, miserable as it was, represented affluence compared to what was to come. War, revolution, civil war, and foreign intervention shattered the productive apparatus. By May 1919 Russian industry was reduced to 10 percent of its normal fuel supply.2 By the end of that year 79 percent of the total railway track mileage was out of action, and this in a huge country where motor transport was practically nonexistent. By the end of 1920 the output of all manufactured goods had fallen to 12.9 percent of the 1913 level. The effect on the working class was catastrophic. As early as December 1918 the number of workers in Petrograd had fallen to half the level of two years earlier. By December 1920 that city had lost 57.5 percent of its total population. In the same three years Moscow lost 44.5 percent. The number of industrial workers proper was over three million in 1917. In 1921 it had fallen to one and a quarter million. The Russian working class was disappearing into the countryside to avoid literal starvation. And what a countryside! War, famine, typhus, forced requisitioning by red and white alike, the disappearance of even such manufactured goods as matches, paraffin, and thread; this was the reality in the Russia of 1920–21. According to Trotsky even cannibalism was reported from several provinces. In these desperate conditions the Bolshevik party came to substitute its own rule for that of a decimated, exhausted working class that was itself a small fraction of the population, and within the party the growing apparatus increasingly edged the membership from control. All this is incontestable, but it seems reasonable to suppose that the actual situation had rather more influence on these developments than the “very nature, structure and ideology” of the party. As a matter of fact, the party regime was astonishingly liberal in this period. The most balanced summary of the matter is that of Victor Serge, himself a communist with strong libertarian leanings, an eye-witness and a participant: “It is often said that ‘the germ of all Stalinism was in Bolshevism at its beginning.’ Well, I have no objection. Only, Bolshevism also contained many other germs—a mass of other germs—and those who lived through the enthusiasm of the first years of the first victorious revolution ought not to forget it. To judge the living man by the death germs which the autopsy reveals in a corpse—and which he may have carried in him since his birth—is this very sensible?” Given the backwardness of Russia, which germs flourished and which stagnated, which of the several potential outcomes actually materialized, depended above all on the international situation. The Bolshevik seizure of power took place in the context of a European revolution. The revolutionary movements proved strong enough to overthrow the German Kaiser, the Austrian Emperor, and the Turkish Sultan as well as the Russian Tsar. They proved strong enough to prevent a foreign intervention sufficiently massive and sustained to overthrow the Soviet regime, assisted of course by the conflicts between the remaining great powers. But they were aborted or crushed before the critical transition, the establishment of working class power in one or two advanced countries, was reached. The failure of the German revolution in 1918–19 to pass beyond the stage of the capitalist-democratic republic seems, in retrospect, to have been decisive. The defeat of the Spartacists3 sealed the fate of working-class rule in Russia, for only substantial economic aid from an advanced economy, in practice from a socialist Germany, could have reversed the disintegration of the Russian working class. The actual outcome, the transformation of what Lenin, in 1921, called a “workers’ and peasants’ State which is bureaucratically deformed” into a totalitarian State capitalism, was itself complex and lengthy. The point that is relevant to this discussion is that an essential part of that process was the destruction of all the wings and tendencies of the Bolshevik party. It was not sufficient for the counterrevolution to liquidate the various oppositions of left and right. So little was the party suitable as an instrument “for turning the revolution into a bureaucratic counter-revolution” that most of the original Stalinist cadre too had to be eliminated before the new ruling class stabilized its position. By 1934, the year of the Seventeenth Party Congress, all open opposition in the party had long been suppressed. The fate of the delegates to that Congress, Stalinists almost to a man, was revealed by Khruschev in 1956. “Of the 1,966 delegates, 1,108 were arrested.... Of the 139 members and candidates of the party’s central committee elected at the Congress 98, i.e. 70 percent were arrested and shot.” In short, the vast majority of those who had any roots in the Bolshevik past—80 percent of the Seventeenth Congress delegates had joined by 1921—were liquidated and replaced by new personnel “uncontaminated” by even the most tenuous ties with the working-class movement. These events, which have had such profound and lasting consequences, are facts of an altogether different order of magnitude from the deficiencies, real or alleged, of Bolshevik organizational practice. To suppose otherwise is to fall into that extreme voluntarism which many libertarians share with the Maoists. It does not follow that the last word in organizational wisdom is to be found in the Bolshevik model. In the very different conditions of late twentieth-century capitalism, arguments for or against Lenin’s position of 1903 are not so much right or wrong as irrelevant. The “vanguard partyism” of some of the Maoist and Trotskyist sects is the obverse of the libertarian coin. Both alike are based on a highly abstract and misleading view of reality. What is in dispute here is in part the usefulness of the analogy. It is clear that any substantial revolutionary-socialist party is necessarily, in one sense, a “vanguard.” But there is no substance in the argument that the concept is elitist. The essence of elitism is the assertion that the observable differences in abilities, consciousness, and experience are rooted in unalterable genetic or social conditions, and that the mass of the people are incapable of self-government now or in the future. Rejection of the elitist position implies that the observed differences are wholly or partly attributable to causes that can be changed. It does not mean denial of the differences themselves. The real objection to the emphasis on the “vanguard party” is that it is often part of an obsolete world outlook that directs attention away from contemporary problems and leads, in extreme cases, to a systematic false consciousness, an ideology in the strict Marxian sense of that term. A vanguard implies a main body, marching in roughly the same direction and imbued with some sort of common outlook and shared aspiration. When, for example, Trotsky described the German Communist Party of the 1920s and early thirties as the vanguard of the German working class, the characterization was apt. Not only did the party itself include, amongst its quarter of a million or so members, the most enlightened, energetic, and self-confident of the German workers; it operated in a working class which, in its vast majority, had absorbed some of the basic elements of Marxist thought and which was confronted, especially after 1929, with a deepening social crisis which could not be resolved within the framework of the Weimar Republic. In that situation the actions of the party were of decisive importance. What it did, or failed to do, influenced the whole subsequent course of European and world history. The sharp polemics about the details of tactics, history, and theory, which were the staple output of the oppositional communist groups of the period, were entirely justified and necessary. In the given circumstances the vanguard was decisive. In Trotsky’s striking metaphor, switching the points could change the direction of the whole heavy train of the German workers’ movement. Today the circumstances are quite different. There is no train. A new generation of capable and energetic workers exists but they are no longer part of a cohesive movement and they no longer work in a milieu where basic Marxist ideas are widespread. We are back at our starting point. Not only has the vanguard, in the real sense of a considerable layer of organized revolutionary workers and intellectuals, been destroyed. So too has the environment, the tradition that gave it influence. In Britain that tradition was never so extensive and influential as in Germany or France, but it was real enough in the early years of the Communist Party. The crux of the matter is how to develop the process, now begun, of recreating it. It may be true, as Gramsci said, that it is harder to create generals than to create an army. It is certainly true that generals without an army are entirely useless—even if it is supposed that they can be created in a vacuum. In fact, “vanguardism,” in its extreme forms, is an idealist perversion of Marxism, which leads to a moralistic view of the class struggle. Workers are seen as straining at the leash, always ready and eager to fight but always betrayed by corrupt and reactionary leaders. Especially pernicious are the “left” leaders whose radical phraseology conceals a fixed determination to sell the pass at the first opportunity. Such things certainly happen of course. Corruption in the literal sense is not unknown in the British labor movement, and in its more subtle manifestations it is widespread. But it is grotesquely one-sided to suppose that, for example, the history of Britain since the war can be explained in terms of “betrayals,” and it is idiotic to imagine that all that is necessary is to “build a new leadership” around some sect or other and then offer it as an alternative to the waiting workers. The reality is much more complex. The elements of a working-class leadership already exist. The activists and militants who actually maintain the shop floor and working class organizations from day to day are the leadership in practical terms. That they are, typically, more or less under the influence of reformist or Stalinist ideas or ideas more reactionary still, is not to be explained in terms of betrayal. It is to be explained both in terms of their experience and in terms of the absence of a socialist tendency seen as credible and realistic. The first point has been crucial. Reformist policies have been successful in the advanced economies in the last twenty-odd years. Not always or for everyone but for enough people enough of the time to create a widespread belief in reformism as a viable proposition. As conditions change the second point becomes increasingly important, and excessive emphasis on the vanguard concept can become a real barrier to the process of fusing the tradition and the activists. One of the negative features of the leadership/betrayal syndrome is the assumption that the answers to all problems are known in advance. They are contained in a program that is definitive and final. To safeguard the purity of the program is seen as one of the main tasks of the selected few. That there may be new problems which require new solutions, that it is necessary to learn from one’s fellow workers as well as to teach, are unwelcome ideas. And yet they are fundamental. Omniscience is no more granted to organizations than to individuals. A certain amount of modesty, of flexibility, of awareness of limitations is necessary. It is, on the face of it, rather unlikely that a program written in, let us say, 1938, contains the complete solution to the questions of the 1970s. It is certainly the case that in the process of recreating a considerable socialist movement many old concepts will have to be modified. Ideas, at least useful, operative ideas, have some sort of relationship to facts, and it is a platitude that the world in which we work is changing at an unparalleled rate. As a matter of fact the development of a program, in the sense of a detailed statement of partial and transitional aims and tactics in all-important fields, is inseparable from the development of the movement itself. It presupposes the participation of a large number of people who are, themselves, actively engaged in those fields. The job of socialists is to connect their theory and aims with the problems and experiences of militants in such a way as to achieve a synthesis that is both a practical guide to action and a springboard for further advance. Such a synthesis is meaningful to the extent that it actually guides the activities of participants and is modified in the light of practice and that change in circumstances which it itself produces. This is the real meaning of the “struggle for a program” that is so often turned into a fetish. Similar considerations apply to internationalism. Internationalism, the recognition of the long-run common interests of workers everywhere and of the priority of this interest over all sectional and national considerations is basic to socialism. Today, with the increasing weight and influence of great international big business concerns, this is more obvious than ever. There cannot be a purely national socialist organization. It is one of the merits of the Trotskyist groupings to have consistently emphasized this fundamental truth. Yet the conclusion often drawn from it: “One must start with the International” is another example of the distorting influence of over-concentration on “leadership.” An “International” which consists of no more than a grouping of sects in various countries is a fiction. It is a harmful fiction because, as experience has shown, it leads to delusions of grandeur and hence to evasion of the real problems. The ludicrous situation, in which no less than three bodies exist, each claiming to be the Fourth International and exchanging mutual anathemas like rival mediaeval popes, is a sufficient indication of the bankruptcy of ultra-vanguardism in the international field. To develop a real current of internationalism—and without such a current all talk of an International is self-deception—it is necessary to start by linking the concrete struggles of workers in one country with those of others: of Ford workers in Britain and Germany for example, of dockers in London and Rotterdam, and so on. This means starting where such workers actually exist, namely in the various countries. It means putting aside grandiose ideas of “international leadership,” “World Congresses” and the like, in favor of the humdrum tasks of propaganda and agitation in one’s own country together with the development of international links which, however limited at first, are meaningful to advanced workers outside the sectarian milieu. Meetings and discussions between socialist grouplets in the various countries are essential, theoretical discussion is essential, but above all the creation of real links between groups of workers is essential. Only after this has been done on a considerable scale will the preconditions for the recreation of the International be achieved. In the existing situation the analogy of Marx and the First International is in some ways more relevant than that of Lenin and the Third. Neither provides a blueprint that can be followed mechanically. Of course, after all the dross is discarded, there is an important grain of truth in the “vanguard” analogy. It lies in the recognition of the extreme unevenness of the working people in consciousness, confidence, experience, and activity. A rather small and constantly changing fraction of the working class is actually involved, to any extent, in the activities of the existing mass organizations. A larger fraction is episodically involved and the vast majority is drawn into activity only in exceptional circumstances. Moreover even when largish numbers of workers are engaged in actions, in strikes, or rent struggles, etc., these actions are typically sectional and limited in their objectives. The only major exception which occurs more or less regularly, the act of voting for a party seen as, in some sense, the working man’s party, is itself increasingly ritualistic in character. And even at this level it has to be remembered that at every election since the war something like one-third of the working class has voted Tory.4 To state these well-known facts is sometimes regarded as something of a betrayal, a slander against the working class. And yet it is merely a statement, not only of what exists, but also of what must exist for capitalist class society in its “democratic” form to continue at all. Once large numbers of people actually act directly, collectively, and continuously to change their conditions, they not only change themselves; they undermine the whole basis of capitalism. The relevance of a party is, firstly, that it can give the real vanguard, the more advanced and conscious minority of workers and not the sects or self-proclaimed leaders, the confidence and the cohesion necessary to carry the mass with them. It follows that there can be no talk of a party that does not include this minority as one of its major components. The problem of apathy has to be seen in this context. As has often been pointed out, the essence of apathy is the feeling of powerlessness, of inability to change the course of events in more than a marginal way, if that. The growth of apathy, the increase in “privatization,” in turning one’s back on the world, is naturally closely connected with the decline in the ability of reformist politics to deliver the goods as the power of the international capitalist firms to evade “national” restrictions grows steadily. This is why apathy can be very rapidly turned into its opposite if a credible alternative is presented. That alternative must be more than a mere collection of individuals giving general adherence to a platform. It must also be a center for mutual training and debate, for raising the level of the raw activist to that of the experienced, for the fusion of the experiences and outlook of manual and white-collar workers and intellectuals with the ideas of scientific socialism. It must be a substitute for those institutions, special schools, universities, clubs, messes and so on, through which the ruling class imbues its cadres with a common outlook, tradition, and loyalty. And it must do this without cutting off its militants from their fellow workers. That hoary red herring, the question of whether socialist consciousness arises “spontaneously” amongst workers or is imposed by intellectuals from the “outside,” has absolutely no relevance to modern conditions. It is strictly a nonquestion because it assumes the existence of a more or less autonomous working class world-outlook into which something is injected. Whether the relatively homogeneous working class outlook, so lovingly described by writers like [Richard] Hoggart, was ever so autonomous as has often been supposed may be questioned. In any case it is dead, killed by changing social conditions and above all by the mass media. It is rather ridiculous to argue about whether one should bring ideas from “outside” to workers who own television sets. Certainly most workers and especially the activists see things rather differently than the denizens of the stockbroker belt. Their whole life experience ensures this. But workers are not automata responding passively to the environment. Everyone has to have some picture of the world, some frame of reference into which data are fitted, some assumptions about society. The whole vast apparatus of mass communications, educational institutions, and the rest have, as one of their principal functions, what sociologists call “socialization” and what the old Wobblies called head-fixing. The assumptions convenient to the ruling class are the daily diet of all of us. Individuals, whether bus drivers or lecturers in aesthetics can resist the conditioning process to a point. Only a collective can develop a systematic alternative worldview, can overcome to some degree the alienation of manual and mental work that imposes on everyone, on workers and intellectuals alike, a partial and fragmented view of reality. What Rosa Luxemburg called “the fusion of science and the workers” is unthinkable outside a revolutionary party. Such a party cannot possibly be created except on a thoroughly democratic basis. Unless, in its internal life, vigorous controversy is the rule and various tendencies and shades of opinion are represented, a socialist party cannot rise above the level of a sect. Internal democracy is not an optional extra. It is fundamental to the relationship between party members and those amongst whom they work. The point was well illustrated by Isaac Deutscher in discussing the Communist Parties in the late twenties and early thirties. When the European communist went out to argue his case before a working class audience, he usually met there a Social Democratic opponent whose arguments he had to refute and whose slogans he had to counter. Most frequently he was unable to do this, because he lacked the habits of political debate, which were not cultivated within the party, and because his schooling deprived him of the ability to preach to the unconverted. He could not probe adequately into his opponents’ case when he had to think all the time about his own orthodoxy.... He could propound with mechanical fanaticism a prescribed set of arguments and slogans... When called upon, as he often was, to answer criticism of the Soviet Union, he could rarely do so convincingly, his thanksgiving prayers to the workers’ fatherland and his hosannas for Stalin covered him with ridicule in the eyes of any sober-minded audience. This ineffectiveness of the Stalinist agitation was one of the main reasons why over many years, even in the most favorable circumstances, that agitation made little or no headway against Social Democratic reformism. Latter-day parallels will spring to mind. The self-education of militants is impossible in an atmosphere of sterile orthodoxy. Self-reliance and confidence in one’s ideas are developed in the course of that genuine debate that takes place in an atmosphere where differences are freely and openly argued. The “monolithic party” is a Stalinist concept. Uniformity and democracy are mutually incompatible. Naturally a party cannot be a hold all in which any and every conceivable standpoint is represented. The limits of membership are democratic collective control by the working class over industry and society. Within these limits a variety of views on aspects of strategy and tactics is necessary and inevitable in a democratic organization. The heresy-hunting characteristic of certain sects is self-defeating; an atmosphere of quasi-religious fanaticism is incompatible with the reintegration of the socialist tradition with a broad layer of workers. The discipline that is certainly necessary in any serious organization can arise in one of two ways. It can arise from a system of artificial unanimity enforced by edicts and prescriptions, a system that is counterproductive in a socialist group. Or it can arise from a common tradition and loyalty built on the basis of common work, mutual education and a realistic and responsible relationship to the spontaneous activities of workers. Spontaneity is a fact. But what does it mean? Simply, groups of workers who are not active with any political or even trade union organization take action on their own behalf or in support of others. From the point of view of organizations the action is “spontaneous”; from the point of view of the workers concerned it is conscious and deliberate. Such activity is constantly occurring and reflects the aspirations for self-government that is widespread even amongst workers commonly regarded as “backward.” It is an elemental expression of the class struggle. Without it conscious militants would be suspended in a vacuum. To use the hackneyed but useful analogy, it is the steam that drives the pistons of working-class organization. Pistons without propellants are useless. Steam unchanneled has only a limited effect. Spontaneity and organization are not alternatives; they are different aspects of the process by which increasing numbers of workers can become conscious of the reality of their situation and of their power to change it. The growth of that process depends on a dialogue, on organized militants who listen as well as argue

, who understand the limitations of a party as well as its strengths and who are able to find connections between the actual consciousness of their fellows and the politics necessary to realize the aspirations buried in that consciousness. It sometimes happens that even the best militants find themselves overtaken by events and occupy a position, for a shorter or longer time, to the right of previously unmilitant workers. The experience is familiar to active rank-and-file trade unionists. Slogans and demands that were yesterday acceptable only to the more conscious people can quite suddenly be too limited for the majority when a struggle develops beyond the expected point. Inevitably the greater experience and knowledge of the activists induces a certain caution, normally appropriate but which, in a rapidly changing situation, can sometimes become a real barrier to advance. The same tendency is bound to occur with an organization. This is the valid element in Cohn-Bendit’s critique of socialist parties. The danger is inherent in the nature of the environment. Sudden changes of consciousness amongst this group or that cannot always or even usually be predicted. What can be predicted is the need for the sensitivity to detect them rapidly and the flexibility to react appropriately. Neither the existence of such spontaneous changes of mood, unexpected upheavals nor the frequent tendency towards caution amongst the layer of experienced and committed socialists constitutes an argument against a party. On the contrary, given the unevenness of consciousness and the industrial and geographical divisions of the working class, a party, indeed a centralized party, is essential to give to various actions of different groups that cohesion and coordination without which their effect will be limited to local and sectional gains. It is an argument against that bureaucratic caricature of a party that Stalinism has caused many on the left to confuse with the genuine article. One of Cohn-Bendit’s chosen illustrations of party conservatism, the fact that in July 1917 the Bolshevik party lagged behind the workers of Petrograd and tried to restrain and limit their demonstrations, illuminates the point. The party was caught in a dilemma inherent in the uneven development of the movement in Russia as a whole. As Trotsky wrote, “There was the fear that Petrograd might become isolated from the more backward provinces; on the other hand there was the hope that an active and energetic intervention by Petrograd might save the situation.” This “conservatism” was a reflection of the pressure of the party members in other centers who, in turn, transmitted the mood of working class circles in these centers. The fact that there was a party sufficiently flexible to react to that pressure probably prevented a repetition of the Paris Commune in 1917. This, of course, was the most extreme situation possible, but similar problems are inevitable at every stage of development. A revolutionary socialist party is necessary, then; but such a party has been necessary for a long time. Why should it be supposed that it is possible to create it in the 1970s? Basically the case rests on the analysis of the world crisis developed in International Socialism, and particularly on the thesis that, in the changing conditions of capitalism, reformist policies will be less and less able to provide those partial solutions to the problems confronting the working class that they have been able to provide in the decades since World War II. This is the objective factor. The most important subjective factor is the decline in the ideological power of Stalinism. The past influence of Stalinism on the left and its effects, direct and by reaction, in effectively excluding the building of an alternative are difficult to exaggerate. For fifteen years that power has been eroded, slowly at first and then more and more quickly. Today it is in full disintegration. This ideological decomposition is not to be confused with the organizational decline of Communist parties. Though the British party has certainly declined, this is not the decisive consideration. The party still commands the allegiance of a good many industrial militants. But it no longer commands it on the old basis. It is no longer a Stalinist party. All kinds of tendencies exist within it and now that the papal infallibility of Moscow is gone forever—the monolithic party cannot be restored. The dominant group in the party, the Gollan leadership,5 is effectively reformist. Whether, as some of its critics suspect, the leadership aims to liquidate the party into the Labour Party, or whether, as seems more likely, it clings to the illusion that there is room in British politics for a second reformist workers’ party, makes little difference. As an obstacle to regroupment on the left, the Communist Party is a rapidly waning force. Nor is the Labour Party left the force it used to be. In part this is a reflection of the decline of the Communist Party, for every significant left-wing in the Labour Party in the past has leaned heavily on the Communist Party’s trade union base. In part it is an effect of the decline of the Labour Party’s own membership organizations—youth, wards, constituencies—that has become so marked in recent years. There are still genuine socialists active in the Labour Party as there are also amongst the passive cardholders. But it seems unlikely, though it is not inconceivable, that any fairly massive socialist current will develop in the party. The basis for the beginnings of a revolutionary socialist party exists amongst those industrial militants who used to look to the Communist Party, amongst increasing numbers of radicalized young workers and students and amongst the revolutionary groups.

# CASE

#### Can’t solve –

#### no reason why Star Trek key to all of semio-cap. Err heavily neg here – they have no evidence that Stark Trek being a metaphor is any better than all other metaphors for communism like Star Wars and Battlestar Galactica

#### Empirically disproven – income inequality has only skyrocketed since the 1980s, when Stark Trek aired

#### No offense – their Shapiro card isn’t critiquing appropriation of Star Trek or similarities between Bezos and Stark but rather the Star Trek universe itself.

#### Their affirmation of linguistic indeterminacy and sovereignty challenges to the state feed the conservative playbook – their supposed transgressiveness gives neo-cons justification for unrestrained executive warmaking

Passavant 10 - Associate Professor of Political Science Habart and William Smith College (Paul, “Yoo's Law, Sovereignty, and Whatever,” Constellations, 17 doi: 10.1111/j.1467-8675.2010.00614.x)

For some on the left, it has become conventional to celebrate, if not cultivate, pluralism, whether this means multiple forms of being or multiple interpretive possibilities with regard to texts. It has also become conventional to be critical of “sovereignty” and of “law.” Multiplicity is thought to be a threat to sovereignty, and this threat is thought to be democratizing or a force that resists oppression. The Italian philosopher Giorgio Agamben exemplifies these tendencies within contemporary political and legal theory. In some of his earlier and less well-known work, he aspires toward a “coming community” that he calls “whatever being.” Whatever being embraces the infinite communicative possibilities of language as pure means beyond a preoccupation with true or false propositions.∂ In his best-known work, Agamben links sovereignty to the production of rightless subjects and the Nazi death camps. He urges us to rethink the very ontological basis of politics in the West, creating a human being beyond sovereignty or law, in order to avoid perilous outcomes. One key to surpassing the logic of sovereignty, according to Agamben, is whatever being's positive relation to the singularities of life and the multiplicities of communication.∂ Whatever being is also being outside of law. If “law” persists in this “coming community,” it would be a “law” that has become deactivated and deposed from its prior purposes. “Law” will have become an object for play – something to be toyed with the way that children might come upon a disused object and play with it by putting it to uses disconnected from whatever purpose this object might once have had.∂ Why does the fact of playful communicative possibilities lead to either more democracy or a less brutal world? The most conservative United States Supreme Court justices have recently embraced the fact that texts are open to multiple interpretations. For example, Samuel Alito has suggested that the meaning of public monuments is open to multiple interpretations that may shift over time to avoid a potential First Amendment establishment clause problem over a monument of the Ten Commandments in a public park.1 Yet, as the late Justice Blackmun has written regarding state endorsement of religion, “government cannot be premised on the belief that all persons are created equal when it asserts that God prefers some.”2 Recognizing the possibility of multiple interpretations, as this instance shows, does not lead necessarily to outcomes friendly to democracy.∂ In this essay, I investigate how playing with the multiplicity of communicative possibilities can, contrary to Agamben's expectations, actually facilitate aspirations for unitary sovereign power. My argument unfolds in the context of the legal arguments put forward by Bush administration lawyer John Yoo, particularly those enabling torturous interrogations.∂ Those, like Agamben, who favor interpretive pluralism in itself rarely, if ever, have right-wing supporters of unchecked presidentialism in mind. Reading the scholarship and legal memoranda of John Yoo, formerly in the Bush administration's Office of Legal Counsel (OLC) and presently a University of California, Berkeley law professor, however, approaches an experience of pure mediality or of law that has become deposed or disconnected from its purposes. Yoo is well known as the author of the key legal memoranda asserting the president's discretionary power to make war, to engage in warrantless surveillance, and, most infamously, justifying torturous methods of interrogation. Some scholars refer to Lewis Carroll's Alice in Wonderland to describe the experience of reading Yoo's legal memos.3 Is John Yoo an exemplar of the whatever being and pure mediality that Agamben describes and to which he contends politics should aspire?∂ In this paper, I describe how Yoo gestures toward pure mediality, as he indicates the experience of language itself as pure communicability or as pure means in his legal work when he emphasizes the openness of law to being exposed to new, different, flexible, or plural interpretive possibilities. I argue, however, that Yoo is not well described as whatever being. His work repeats too consistently in the direction of absolute presidential decisionism to be open to whatever.∂ Instead, Yoo's work may capture a broader development within our society that Agamben describes as the emergence of whatever being. Without saying that there has been no resistance to the Bush administration's warrantless wiretapping and policies of torturous interrogations, the contrast between the response to the Nixon administration and the Bush administration is striking. Richard Nixon resigned one step ahead of impeachment in the midst of mass protests against his presidency. The articles of impeachment, for instance, addressed how Nixon engaged in warrantless wiretapping, and refused to execute laws passed by Congress faithfully while repeatedly engaging in conduct that violated the constitutional rights of citizens. Congress also passed major acts of legislation to prevent a president such as Nixon from ever again abusing power the way he had. These laws include the War Powers Act of 1973, the Budget Impoundment and Control Act of 1974, and the Foreign Intelligence Surveillance Act (FISA) of 1978.∂ In contrast, almost no one seems to have noticed that the Bush administration claimed power to make war at the president's sole discretion.

Additionally, upon learning that the Bush administration engaged in criminal acts of surveillance, Congress amended FISA in the summer of 2008 to expand the government's power to spy on Americans, while immunizing from legal accountability non-state actors who collaborated with the then-criminal acts of government officials who followed Bush's illegal orders. Congress tried to make it impossible for those detained to question, legally, their detention or to bring the torturous treatment they endured to a court's attention, while allowing the intelligence agencies to continue to engage in torturous acts by passing the Military Commissions Act of 2006 (MCA). This complicity on the part of Congress cannot be explained on partisan grounds as many Democrats voted in favor of the MCA, and upon becoming the majority party in Congress, they have not rescinded it. Indeed, it was a Democratic-controlled Congress that brushed the Bush administration's illegal surveillance under the rug in 2008.4 Moreover, upon taking power in 2006, the Democratic leadership immediately stated that they would not pursue impeachment. Former Reagan administration Department of Justice lawyer Bruce Fein has decried the lack of outrage at the Bush administration's illegalities by suggesting that the nation has become a collection of constitutional “illiterates.”5 Perhaps law is being deposed as Agamben suggests.∂ Both Agamben's and Fein's observations may also indicate a failure of what Michel Foucault would call disciplinary power – the power to constitute subjects capable of exercising power, here the powers of liberal democracy – a failure that Gilles Deleuze has identified with the emergence of societies of control, and a subjective and ontological diversity that Michael Hardt and Antonio Negri call the “multitude.”6 They also indicate practices of textual “interpretation” where interpretative acts extricate legal texts from the narratives that once oriented their purposes and animated these texts for a republican and anti-monarchical polity. Robert Cover argues, however, that law is part of a narrative practice constitutive of subjects and a way of life.7 Insofar as interpretive practices become extricated from the possibility of narrative, then, we may indeed doubt the continuing existence of “law,” as Agamben posits. Psychoanalytic theory also identifies a loss of a structuring meaning in contemporary society and describes this as the decline of symbolic efficiency.8∂ In sum, there appears to be a phenomenon emerging in contemporary society that a variety of different theoretical and political perspectives are struggling to grasp and evaluate. While Agamben welcomes the failures of disciplinary powers as enabling the emergence of whatever being and the “coming community,” it is a cause for concern among those seeking to keep the faith with republicanism, with liberal democracy, or with a Constitution representing these aspirations. In this light, we can be more specific than Agamben about the kind of threat that whatever being poses to the state or to sovereignty.

#### They’re a page out of Trump’s playbook – criticizing objective truth is a weapon of the alt-right. Nothing means anything, politics is just about trolling and negation, it doesn't make a positive demand for anything. that's why they're all just twitter trolls - when they stormed the capitol they had no agenda but violence, no policy demands of any kind, because it's just performance art, it's not a positive project to build anything

Williams 17—Ph.D. student in literature at Duke University (Casey, “Has Trump Stolen Philosophy’s Critical Tools?,” <https://www.nytimes.com/2017/04/17/opinion/has-trump-stolen-philosophys-critical-tools.html?_r=0>, dml)

Trump’s playbook should be familiar to any student of critical theory and philosophy. It often feels like Trump has stolen our ideas and weaponized them. For decades, critical social scientists and humanists have chipped away at the idea of truth. We’ve deconstructed facts, insisted that knowledge is situated and denied the existence of objectivity. The bedrock claim of critical philosophy, going back to Kant, is simple: We can never have certain knowledge about the world in its entirety. Claiming to know the truth is therefore a kind of assertion of power. These ideas animate the work of influential thinkers like Nietzsche, Foucault and Derrida, and they’ve become axiomatic for many scholars in literary studies, cultural anthropology and sociology. From these premises, philosophers and theorists have derived a number of related insights. One is that facts are socially constructed. People who produce facts — scientists, reporters, witnesses — do so from a particular social position (maybe they’re white, male and live in America) that influences how they perceive, interpret and judge the world.

They rely on non-neutral methods (microscopes, cameras, eyeballs) and use non-neutral symbols (words, numbers, images) to communicate facts to people who receive, interpret and deploy them from their own social positions. Call it what you want: relativism, constructivism, deconstruction, postmodernism, critique. The idea is the same: Truth is not found, but made, and making truth means exercising power. The reductive version is simpler and easier to abuse: Fact is fiction, and anything goes. It’s this version of critical social theory that the populist right has seized on and that Trump has made into a powerful weapon. One might object that Trump’s disregard for the truth is nothing new. American presidents have always twisted facts to fit their agenda and have always dismissed truths that threatened to sink them. Even George Washington’s great claim to honesty — that he ’fessed up to felling a cherry tree — was a deception. One could also argue that Trump is more Machiavellian than Foucauldian and that he doesn’t actually believe what he says: He propagates misinformation strategically, to excite his base and smear his opponents. There’s no question that past presidents have lied. And Trump is nothing if not a cynical manipulator. But Trump’s relationship to the truth seems novel, if only because he doesn’t try to hide his relativism. Mexican immigration, Islamic terrorism, free trade: For Trump, truth is always more about how people feel than what may be empirically verifiable. Trump admits as much in “The Art of the Deal,” where he describes his sales strategy as “truthful hyperbole.” For Trump, facts are fragile, and truth is flexible. Trump and Stephen K. Bannon probably don’t spend evenings poring over Jean Baudrillard’s “Simulacra and Simulation” or Michel Foucault’s “The Archaeology of Knowledge” (although Bannon’s adviser, Julia Hahn, did write her undergraduate thesis on the psychoanalytic theorist Leo Bersani). But the parallels between Trump’s attacks on accepted knowledge and critical philosophy’s insistence that we interrogate truth claims suggest that not all assaults on the authority of facts are revolutionary. Indeed, the social theorist Bruno Latour saw Trump coming back in 2004. In his essay “Why Has Critique Run Out of Steam?” Latour observed that conservatives had begun using methods similar to those of critical theory to muddy debates around issues, like climate change, that required immediate and decisive action. Conservatives were casting doubt on the reality of planetary warming by pointing to “the lack of scientific certainty” around the issue. Latour had made a career questioning “scientific certainty” and worried that his critical “weapons” had been “smuggled” to the other side: Entire Ph.D. programs are still running to make sure that good American kids are learning the hard way that facts are made up, that there is no such thing as natural, unmediated, unbiased access to truth, that we are always prisoners of language, that we always speak from a particular standpoint, and so on, while dangerous extremists are using the very same argument of social construction to destroy hard-won evidence that could save our lives.

#### The affirmative thinks they are a cool act of discursive resistance, in reality they are consumers of capitalisms newest product – dissent

Frank 97– prof of American History at Univ of Chicago [Thomas The Business of Culture in the new Gilded Age Commodify Your Dissent: Salvos from The Baffler ed. By Frank and Weiland; “Why Johnny Can’t Dissent”; Pages 31-32)

CAPITALISM IS CHANGING, obviously and drastically. From the moneyed pages of the Wall Street journal to TV commercials for airlines and photocopiers we hear every day about the new order’s globe spanning, cyber-accumulating ways. But our notion about what’s wrong with American life and how the figures responsible are to be confronted haven't changed much in thirty years. Call it, for convenience, the “countercultural idea.” It holds that the paramount ailment of our society is conformity, a malady that has variously been described as over-organization, bureaucracy, homogeneity, hierarchy, logocentrism, technocracy, the Combine, the Apollonian. We all know what it is and what it does. It transforms humanity into “organization man,” into “the man in the gray flannel suit.” It is “Moloch whose mind is pure machinery, ”the “incomprehensible prison” that consumes “brains and imagination.” It is artifice, starched shirts, tailfins, carefully mowed lawns, and always, always, the consciousness of impending nuclear destruction. It is a stiff, militaristic order that seeks to suppress instinct, to forbid sex and pleasure, to deny basic human impulses and individuality, to enforce through a rigid uniformity a meaningless plastic consumerism. As this half of the countercultural idea originated during the 1990s, it is appropriate that the evils of conformity are most conveniently summarized with images of 1950s suburban correctness. You know, that land of sedate music, sexual repression, deference to authority, Red Scares, and smiling white people standing politely in line to go to church. Constantly appearing as a symbol of arch backwardness in advertising and movies, it is an image we find easy to evoke. The ways in which this system are to be resisted are equally Well understood and agreed-upon. The Establishment demands homogeneity; we revolt by embracing diverse, individual lifestyles. It demands self-denial and rigid adherence to convention; we revolt through immediate gratification, instinct uninhibited, and liberation of the libido and the appetites. Few have put it more bluntly than jerry Rubin did in 1970: “America says: Don’t! The hippies say: Do lt!" The countercultural idea is hostile to any law and every establishment. “Whenever we see a rule, we must break it,” Rubin continued. “Only by breaking rules do we discover who we are. ”Above all rebellion consists of a sort of Nietzschean antinomianism, an automatic questioning of rules,\\

a rejection of whatever social prescriptions we 've happened to inherit. Just Do It is the whole of the law. But one hardly has to go to a poetry reading to see the countercultural idea acted out. Its frenzied ecstasies have long since become an official aesthetic of consumer society, a monotheme of mass as well as adversarial culture. Turn on the TV and there it is instantly: the unending drama of consumer unbound and in search of an ever-heightened good time, the inescapable rock 'n' roll soundtrack, dreadlocks and ponytails bounding into Taco Bells, a drunken, swinging-camera epiphany of tennis shoes, outlaw soda pops, and mind-bending dandruff shampoos. Corporate America, it turns out, no longer speaks in the voice of oppressive order that it did when Ginsberg moaned in 1956 that Time magazine was “always telling me about responsibility. Businessmen are serious. Movie producers are serious. Everybody 's serious but me.” Nobody wants you to think they’re serious today, least of all Time Warner. On the contrary: the Culture Trust is now our leader in the Ginsbergian search for kicks upon kicks. Corporate America is not an oppressor but a sponsor of fun, provider of lifestyle accouterments, facilitator of carnival, our slang-speaking partner in the quest for that ever-more apocalyptic orgasm. The countercultural idea has become capitalist orthodoxy, its hunger for transgression upon transgression now perfectly suited to an economic-cultural regime that runs on ever-faster cyclings of the new; its taste for self-fulfillment and its intolerance f1or the confines of tradition now permitting vast latitude in consuming practices and lifestyle experimentation. Consumerism is no longer about “conformity” but about “difference.” Advertising teaches us not in the ways of puritanical self-denial (a bizarre notion on the face of it), but in orgiastic, never-ending self'-fulfillment. It counsels not rigid adherence to the tastes of the herd but vigilant and constantly updated individualism. We consume not to fit in, but to prove, on the surface at least, that we are rock 'n' roll rebels, each one of us as rule-breaking and hierarchy-defying as our heroes of the 60s, who now pitch cars, shoes, and beer. This imperative of endless difference is today the genius at the heart of American capitalism, an eternal fleeing from “sameness” that satiates our thirst for the New with such achievements of civilization as the infinite brands of identical cola, the myriad colors and irrepressible variety of the cigarette rack at 7-Eleven. As existential rebellion has become a more or less official style of Information Age capitalism, so has the countercultural notion of a static, repressive Establishment grown hopelessly obsolete. However the basic impulses of the countercultural idea may have disturbed a nation lost in Cold War darkness, they are today in fundamental agreement with the basic tenets of Information Age business theory. So close are they, in fact, that it has become difficult to understand the countercultural idea as anything more than the self justifying ideology of the new bourgeoisie that has arisen since the 1960s, the cultural means by which this group has proven itself ever so much better skilled than its slow-moving, security-minded forebears at adapting to the accelerated, always-changing consumerism of today. The anointed cultural opponents of capitalism are now capitalism’s ideologues. The two come together in perfect synchronization in a figure like Camille Paglia, whose ravings are grounded in the absolutely noncontroversial ideas of the golden sixties. According to Paglia, American business is still exactly what it was believed to have been in that beloved decade, that is, “puritanical and desensualized.” Its great opponents are, of course, liberated figures like “the beatniks,” Bob Dylan, and the Beatles. Culture is, quite simply, a binary battle between the repressive Apollonian order of capitalism and the Dionysian impulses of the counterculture. Rebellion makes no sense without repression; we must remain forever convinced of capitalism's fundamental hostility to pleasure in order to consume capitalism’s rebel products as avidly as we do. It comes as little surprise when, after criticizing the “Apollonian capitalist machine” (in her book, Kamp.: 6' Tramps), Paglia applauds American mass culture (in Utne Reader), the preeminent product of that “capitalist machine,” as a “third great eruption” of a Dionysian “paganism.” For her, as for most other designated dissidents, there is no contradiction between replaying the standard critique of capitalist conformity and repressiveness and then endorsing its rebel products—for Paglia the car culture and Madonna—as the obvious solution: the Culture Trust offers both Establishment and Resistance in one convenient package. The only question that remains is why Paglia has not yet landed an endorsement contract from a soda pop or automobile manufacturer.