## 1

#### Interpretation: Debaters must, with the contact info provided on their disclosure, disclose the plan text and framing mechanism of the aff, at least 30 minutes before the round. Tech difficulties must be explained on their wiki.

#### Violation: [screenshots]

Graphical user interface, application

Description automatically generated

#### Standards:

#### Vote neg for predictability and clash

#### 1] Breaking new affs forces us to rely on generics kills nuanced clash and turns their education arguments since we don’t get to discuss the aff in depth so we are forced into recycled T and kant debates.

#### 2] Forces students to value new over good which is a bad education model since it creates superficial learning. Counterinterp offense isn’t competitive you can still read new affs they just have to be disclosed before the round. Critical thinking is nonunique since people will still have to come up with answers to the aff since they only know a small amount of info.

#### Whole res doesn’t solve, my strategy changes completely from util, to winter, to rawls. i.e. Ks and CPs that are most strategic against the aff are all different telling me the aff is whole res says little to nothing

**Fairness is a voter—debate is a competitive activity that requires objective evaluation.**

**Drop the debater—to deter future abuse and set better norms.**

**Use competing interps— A) leads to a race to the top since we figure out the best possible norm B) avoids judge intervention since there’s a clear brightline C) debate over brightlines collapses since it relies on an offense defense paradigm.**

**No RVIs—**

**a. Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect and**

#### b. illogical – you don’t win because you’re fair. It means that we both should win which makes the round irresolvable.

#### c. Means they can collapse to theory for 4 mintues which skews the theory debate since I only read it for 1.

#### NC theory first A) abuse is self inflicted if I was abusive its because you forced me to B) It’s introduced earlier in the debate which means we have more time for norming C) scope disclosure impacts very speech starting from the 1AC

## 2

#### Interpretation: The affirmative may only get offense from a government recognizing an unconditional right to strike –

#### “Resolved” means to enact by law.

Words & Phrases ’64

(Words and Phrases; 1964; Permanent Edition)

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

#### Government

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

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

#### Recognize

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

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

#### They violate— THERE SHOULD BE NO DOUBT AFTER THIS IN THE 1NC

Recogize is ti ACKLOWEDGE the existece. They decide to g

#### Vote neg to preserve substantive engagement --

#### 1] Preparation- changing the topic gives the aff a huge edge, they can prepare for 6 months on an issue that catches us by surprise. Preparation is better than thinking on your feet – surface level discussions don’t allows us to discuss the nuances of a model which is key to portable skill development for specialization in the future.

#### 2] Limits- there are an infinite number of non topical affirmatives. not debating the topic allows someone to specialize in one area of the library for 4 years giving them a huge edge over people who switch research focus ever 2 months.

#### 3] Switch side debate is good -- it forces debaters to consider a controversial issue from multiple perspectives which prevents ideological dogmatism.

#### 4] fairness – debate is fundamentally a game which requires both sides to have a relatively equal shot at winning and is necessary for any benefit to the activity. That outweighs on decision-making: every argument concedes to the validity of fairness i.e. that the judge will make a fair decision based on the arguments presented. This means if they win fairness bad vote neg on presumption because you have no obligation to fairly evaluate their arguments.

#### TVA: read an aff about workers in which the just government enforces the unconditional right to communicatively strike for workers – none of their offense indicts unconditionality or governmentality, but even if it does, x-apply switch side debate and that’s ground for the neg – the aff can rectify problems in the squo via policy

#### Reject the team—T is question of models of debate and the damage to our strategy was already done. Drop the team on theory generally to deter infinite abuse

#### Competing interps – reasonability is arbitrary, you can’t be reasonably topical, and causes a race to the bottom of questionable argumentation.

#### RVIs and impact turns encourage all in on theory which decks substance and incentivize baiting theory with abusive practices.

#### No impact turns—exclusions are inevitable because we only have 45 minutes so it’s best to draw those exclusions along reciprocal lines to ensure a role for the negative

## 3

#### The 1AC’s glorification of spectacular revolution repeats every mistake in global revolutionary history. It creates artificial divides between good and bad resistance, fractures coalitions, and destroys movements.

Walid **el Houri** (Walid el Houri is lead editor of the North Africa West Asia section at openDemocracy and an affiliated fellow at ICI Berlin Institute for Cultural Inquiry. “Beyond failure and success: Revolutions and the politics of endurance”. Radical Philosophy 2.02 (20**18**)

Yet there is something peculiar in speaking of success and failure in the context of political transformation or revolutions: **the success of a revolutionary movement in producing a new system is also** the moment of **its failure to remain revolutionary**. In other words the ‘failure’ of politics as politics is not its inability to produce a new order, but precisely its transformation into an order. Politics as destabilisation can lead to the transformation of an existing order or its reproduction, but it is both predicated upon and destined to ‘failure’ in this sense. ‘**Politics presides over its own erosion’**, as Jacques Rancière puts it 8 – a problem that is addressed in his own well-known distinction between politics and police. Rancière defines police as the generally implicit law that regulates bodies and acts on both the bodies and the space in which they exist. It is what draws the line between what would be considered language or discourse and what would be dismissed as simply noise. Politics, on the other hand, names rare moments that disrupt and transform the police order but which can never substitute for it. **The task of politics**, then, **is** precisely **to provide new possibilities and spaces for those who are excluded**, uncounted and unheard. In this way, protest movements can turn into political moments by making visible what was previously not, and turning what was previously considered noise into a new language. **When** the **Egyptian protests** first **erupted in** January **2011**, protestors were demonised by the state media and the official state discourse. They were portrayed as a senseless chaotic force, immature and irrational kids, foreign agents or naive manipulated minds. The demonstrators were also accused of having no real demands or viable project. The state’s response was to attempt to silence, suppress and prevent them from voicing their demands at all, from being seen or from being heard. Consequently, with the lack of a space within the system from which to speak or in which to express themselves, **protestors had to create alternative places where they could challenge the regime and its narrative.** This was temporarily successful and the protest movement was able to delegitimise the regime, disrupt and destabilise it with their tactics, practices and modes of organisation and being.9 This should, then, be taken into account when considering common criticisms of the 2011 protesters for not having a clear programme, or a project for taking power, which, it is argued, thus led to the Muslim Brotherhood, and subsequently the military, coming forth to fill the gap left by this lack of a revolutionary program. This is, for example, what Nasser Abourahme describes as the result of the ‘organisational weakness in Egypt’s revolutionary street politics’: that ‘the revolts, by failing to produce a counter-ideological formation, have been a de-subjectification without the necessary symbolic resources for a re-attachment – one offered now by the ascendant and fatherly army chief.’10 This kind of analysis ignores, however, the question of how forms of authority and hegemonic structures are informed by, react to or are produced by movements of protest; something which is in fact central to any practice of emancipation. Any hegemonic structure is an articulation of frontiers: who belongs and who doesn’t, what is inside and what is outside.11 The shifting of these frontiers to be more or less inclusive always creates new exclusions. In this sense, hegemonic regimes are the product of a successful anti-hegemonic movement. While, then, there may be no pure politics outside of a police order, a disruption of that existing order always allows for a transformation of the fields of possibility. The emergence of new orders, institutions and exclusions does not signify an end, or a simple conclusion, but an inevitable consequence of politics as a disruption of any police order or an (always unfinished) practice of dissensus.12 This is apparent in the new strategies of authority in Egypt where the new regime targets precisely those communities that have established forms of solidarity, organisation and care that are outside of the state structure (workers, slum dwellers, football fans, homosexuals, students, activists, feminists, etc.). Specific practices of dissent, protest and destabilisation of the police order in Egypt lead in this way to a different order, with new policing mechanisms. Many claims, struggles, protests, demands, political acts, have had an effect on the transformation of the order they are set against, whether by strengthening that order, making it immune to some tactics, or forcing small changes in the order of distribution of power and opening new spaces and new modes of domination or inclusion. **Moments of protest are usually represented** and perceived **as** corporeal, emotional **moments of** solidarity, group formation, expectations, **excitement** and mobilisation. **However, around those** moments and **images**, whether before or after, **are those less visible moments, exclusions and disappointments**: institutional moments, bureaucratic and cold, often demotivating and certainly less spectacular. As Ian Alan Paul writes of a ‘revolutionary practice of endurance’: When people protest together ... they enter into situations that have unpredictable outcomes by virtue of the diverse individuals involved, introducing noise into an otherwise calm present and creating turbulence where unpredicted futures filled with novel relations can take hold; this noise is what makes resistance possible. The scattered and transversal movements that occur in the noisy aggregation and disaggregation of alliances produce plural futures that dislocate otherwise regulated social and political ar-rangements.13 This raises the question: is institutionalisation, or the moment when a political movement produces new structures (the Greek elections leading to a Syriza government but also the taking of power by the military regime in Egypt), something that destroys the momentum of protest, something that puts an end to the properly political moment, or is it the inevitable outcome to which politics as disruption and endurance necessarily needs (constantly and repeatedly) to respond? Is it necessary for a movement of protest to provide an alternative order, or have the structural ability to become an order, for it to have a positive impact on the reality it sets out to change? In fact, these questions exist as part of the conversations that take place among protesters themselves, in various places, and have to do with the choice between adopting a prefigurative politics or a strategic one. While proponents of the first emphasise the importance of the means, and the practices used in the present, proponents of the second claim that the most important aim is taking power in order to be able to provide meaningful change.14 But is there a possible middle ground between the importance of practices and the priority of strategy without equating party structures or parliamentarianism with the task of politics? **If revolution is to be understood as a total rupture** other to any continuity, **then**, as Paul argues, ‘**every revolution is an already-failed revolution, always stopping short of completely undoing past injustice.**’15 The present situation in Egypt, or in other places where major protest movements have taken or are taking place, does not mean simply that ‘the’ revolution has failed. Hanafi makes a similar point when he writes that ‘the significance of these revolutions resides in the realisation of social and democratic demands. **One should read them** **as** continuities in **a long history of protest** in the region **rather than a total rupture**.’16 These revolutions are, in other words, part of a genealogy that can be traced back years or decades. This genealogy can range from the 2008 worker protests in Gafsa in Tunisia and Mahalla in Egypt back to any moment in the anti-colonial struggle. This is why Hamid Dabashi can describe these revolutionary movements as being ‘driven by a delayed defiance’ against the ruling regimes as well as against imperialism and global injustice. These movements are able to impact not only the geopolitical reality in the region, but also elsewhere by triggering and influencing other movements **in** different locations.17 This is to say: failure is part of what makes **revolution** an exercise in endurance and continuity, ‘duration and patience’, ‘perseverance and stamina’, ‘a collective technique of producing futures through durational practices in the present’.18 It is not an ending but a constitutive part of a process of transformation, a constant narrative that is never truly sutured and where **everyday practices and unspectacular events are no less important than the spectacular** elements of a revolutionary ‘aesthetics’ **such as street battles** and demonstrations. These **everyday practices** **that** sometimes **produce new connections** and forms of organisation **are part of** what Asef Bayat calls **the ‘quiet encroachment of the ordinary’, and are an intrinsic part of what should be thought of as ‘politics’.**19 When imported into political theorising about protest and political action and transformation, failure is usually understood in relation or in opposition to a pre-established value system. However, this could well be challenged by redefining the problem of failure not as a question of ends but as a process intrinsic to politics. Indeed, many of the protest movements seen since 2010 are motivated by, mobilised by and judged through different meanings of failure, vulnerability, oppression or exclusion: failed states, or the failure of state institutions, syndicates or traditional political parties, and their inability to provide channels for people to express grievances or have their demands and needs met. This is not to say that considering failures, their causes and contexts, as practices and processes is about valourising aimless endurance. Rather, it is about recognising the ways in which the articulation of strategies is necessarily informed by their genealogy, and their past ‘failures’, so as to produce a response to discourses of fatalism and demotivation today.

#### This locks in burnout, decks revolution, and crushes value to life.

**Han 15** (Byung-Chul Han teaches philosophy and cultural studies at Berlin’s University of the Arts (UdK). Why Revolution is No Longer Possible”. November 03, 2015.)

**Any disciplinary power that expends effort to force human beings into** a straitjacket of commandments and **prohibitions proves inefficient. It is** significantly **more efficient to ensure that people subordinate themselves to domination on their own. The** efficacy defining the **system** today stems from the fact that, instead of operating through prohibition and privation, it **aims to please and fulfill.** Instead of making people compliant, it endeavors to make them dependent. This logic of neoliberal efficiency also holds for surveillance. In the 1980s, to cite one example, there were vehement protests against the German national census. Even schoolchildren took to the streets. From today’s perspective, the information requested therein— profession, education levels, and distance from the workplace — seem almost laughable. At the time, people believed that they were facing the state as an instance of domination wresting data from citizens against their will. That time is long past. **Today, people expose themselves willingly.** Precisely **this sense of freedom is what makes protest impossible.** In contrast to the days of the census, hardly anyone protests against surveillance. **Free self-disclosure and** self-**exposure follow the same logic of efficiency as free self-exploitation. What is there to protest against? Oneself**? Conceptual artist Jenny Holzer has formulated the paradox of the present situation: “Protect me from what I want.” It is important to distinguish between power that posits and power that preserves. Today, power that maintains the system assumes a “smart” and friendly guise. In so doing, it makes itself invisible and unassailable. The subjugated subject does not even recognize that it has been subjugated. The subject thinks she is free. This mode of domination neutralizes resistance quite effectively. Domination that represses and attacks freedom is not stable. **The neoliberal regime proves stable** by immunizing itself against all resistance, **because it makes use of freedom instead of repressing it.** Suppressing freedom quickly provokes resistance; exploiting freedom does not. After the Asian financial crisis, South Korea stood paralyzed and shocked. The IMF intervened and extended credit. In return, the government had to assert its neoliberal agenda by force. This was repressive, positing power — the kind that often proves violent and differs from system-preserving power, which manages to pass itself off as freedom. According to Naomi Klein, the state of social shock following catastrophes such as the financial crisis in South Korea — or the current crisis in Greece — offers the chance to radically reprogram society by force. Today, there is hardly any resistance in South Korea. Quite the opposite: a vast consensus prevails — as well as depression and burnout. South Korea now has the world’s highest suicide rate. People enact violence on themselves instead of seeking to change society. Aggression directed outward, which would entail revolution, has yielded to aggression directed inward, against oneself. Today, no collaborative, networked multitude exists that might rise up in a global mass of protest and revolution. Instead, the prevailing mode of production is based on lonesome and isolated self-entrepreneurs, who are also estranged from themselves. Companies used to compete with each other. Within each enterprise, however, solidarity could occur. Today, everyone is competing against everyone else — and within the same enterprise, too. Even though such competition heightens productivity by leaps and bounds, it destroys solidarity and communal spirit. No revolutionary mass can arise from exhausted, depressive, and isolated individuals. **Neoliberalism cannot be explained in Marxist terms. The famous “alienation” of labor does not even occur.** Today, we dive eagerly into work — until we burn out. **The first stage of burnout syndrome, after all, is euphoria. Burnout and revolution are mutually exclusive.** Accordingly, it is mistaken to believe that the Multitude will cast off the parasitic Empire to inaugurate a communist society.

**Spectacular revolution generates ontological insecurity, resulting in erratic behavior by states to re-assert control which locks in existential threats.**

Filip **Ejdus 19**, Associate Professor of Security Studies at the Faculty of Political Sciences, University of Belgrade, “Crisis, Anxiety and Ontological Insecurity,” Crisis and Ontological Insecurity pp 7-37, 7/2/19, https://link.springer.com/chapter/10.1007/978-3-030-20667-3\_2

This book fills this gap by proposing a conceptual framework to study ontological insecurity and critical situations. By drawing on the work of Anthony Giddens, I define ontological security in world politics as possession, on the level of the unconscious and practical consciousness, of answers to four fundamental questions that all polities in some way need to address. These questions are related to existence; finitude; relations and auto-biography. Collective actors become ontologically insecure when critical situations rupture their routines, thus bringing fundamental questions to the level of discursive consciousness. Their inability to ‘bracket out’ fundamental questions produces anxiety and a loss of agency. What does it mean to be ontologically secure? According to Giddens, ‘To be ontologically secure is to possess, on the level of the unconscious and practical consciousness, answers to fundamental existential questions which all human life in some way addresses’. These fundamental existential questions relate to existence and being, finitude and human life, the experience of others and the continuity of self-identity (Giddens 1991: 47). As he noted, ‘To live our lives we normally take for granted issues which, as centuries of philosophical enquiry have found, wither away under the sceptical gaze’ (Giddens 1991: 37). In other words, in order to be ontologically secure, agents have to be able to ‘bracket out’ these fundamental questions through routines of daily life, thus building trust into the constancy of their social and material environment and fending off existential anxieties. If unable to put aside these existential trepidations related to death, transience of life and the continuity of the self and others, individuals simply cannot ‘go on’ with their daily life. Ontological insecurity, on the other hand, is a result of critical situations, circumstances of radical and unpredictable disjuncture ‘that threaten or destroy the certitudes of institutionalised routines’ (Giddens 1984: 62). Critical situations remove the protective cocoon created by routines and move fundamental questions, previously taken for granted, into the realm of discursive consciousness. The result is the ‘flooding through’ of shame and guilt from the unconscious mind (ibid.: 57). The sudden inability of agents to ‘go on’ by relying on the unspoken know-how unleashes an upsurge of anxiety expressed in regressive modes of behaviour followed by attempts to re-establish routines and regain cognitive control over the changed environment (ibid.: 64). In these ‘faithful moments’ as Bahar Rumelili calls them, ‘anxieties can no longer be controlled’ and ‘ontological security comes under immediate strain’ (Rumelili 2015b: 11). The distinction between discursive consciousness, practical consciousness and unconsciousness is of paramount importance here (Giddens 1984: 41–45). Discursive consciousness is the ability of actors to verbally express their actions. Practical consciousness, crucial for the maintenance of ontological security, is tacit knowledge about how to ‘go on’ without a need to express it discursively. Between practical and discursive consciousness there is a free flow of information. When asked to give discursive expression of something that is based on background knowledge, such as driving a car or practising table manners for example, agents are more or less able to do it but they do not need much knowledge to carry out a competent performance. Finally, unconsciousness includes cognitions that are ‘either wholly repressed from consciousness or appear in consciousness only in distorted form’ (ibid.: 5). Unlike practical and discursive consciousness, the unconscious mind is therefore separated from the previous two with a bar of repression. The starting point of this book is that critical situations can also affect collective agents. However, in contrast to individual experience of anxiety that does not have to be expressed discursively, I posit that when collective actors are concerned, anxiety outbursts are performed through a public discourse on fundamental questions. Several studies on ontological security in IR have made a passing reference to this feature of ontological security as the ability to ‘bracket out’ fundamental questions in order to ‘go on’ with daily unfolding of international life (Kinnvall 2004: 759; Krolikowski 2008: 111; Steele 2008: 51). However, none of these studies have delved deeper into what these questions were, their relationship with critical situations and how all this could be translated into the field of world politics. In the rest of this section, I intend to bridge this gap. The first fundamental question is related to ‘existence and being’ that, according to Giddens, is about an ‘ontological framework of external reality’ (Giddens 1991: 48). This awareness ‘of being against non-being’ lies at the core of human freedom that generates anxiety. Giddens writes that answers to this fundamental question (like all others) are lodged at the level of practical consciousness. In pre-modern contexts, it was tradition that provided answers to this existential question and creates a sense of firmness of the world. In the context of high modernity, individuals can try to rely on tradition but this will not provide them with safe ground. Consequently, they have to continuously reflexively reorder their activities in light of new information.2 This book posits that collective actors in world politics also need to have trust in the continuity of their external environment. The society of states, with all its traditions and institutions, offers one such ontological framework for states (Bull 1977). To be ontologically secure in world politics, polities need to possess a practical understanding of what to expect from international society and build a sense of place in the existing order. To feel at home in international society is a precondition of states’ ontological security. The importance of home and dwelling to freedom from anxiety and ontological insecurity has been well documented in psychology and social theory (Dupuis and Thorns 1998; Padgett 2007). For individuals, home provides ‘a site of constancy in the social and material environment’ (Kinnvall 2004: 747). For polities, feeling at home in international society provides a sense of place in the international order and therefore a certain degree of cognitive control over their regional and international environment. Bracketing out the fundamental questions is accomplished through routinisation of what the English School calls the primary institutions of international society. Here I have in mind ‘deep and relatively durable social practices’ such as diplomacy or international law that define legitimate behaviour and build the shared identity of states (Buzan 2014: 17). But the trust in durability of the secondary institutions of international society, such as **security regimes** or international organisations, can also **inoculate states from existential anxieties**. ‘States invest in international security institutions’, argue Berenskoetter and Giegerich, ‘because they enable states to gain (and sustain) ontological security by negotiating a shared sense of international order with friends’ (Berenskoetter and Giegerich 2010: 410). Taking part in these durable practices of international society provides constancy and thus helps contain—although falling short of fully overcoming—the chaos that is lurking below the surface of everyday unfolding of world politics. Critical situations are generated by radical (real or perceived) ruptures in established routines of international society. As a result, the agent becomes disoriented, overwhelmed by ‘the anxiety of meaninglessness’ and ‘the loss of ultimate concern’ (Tillich 2000: 47; Rumelili 2015b: 12). Power transitions in the international system can engender ontological uncertainty even for the most powerful states that are fully integrated into the international society (Chacko 2014). However, states that are suspended in the outer tier of the society of states are much more vulnerable to ontological insecurity (Neumann 2010; Ejdus 2017). Even memories from past exclusion can provide fuel for the construction of critical situations. As Zarakol forcefully claimed, intersubjective pressures and stigmata exerted in the past by the ‘civilised’ society of states become with time an integral part of late entrants’ self-identity with significant consequences for their ontological (in)security (Zarakol 2010). ‘Rogue states’ such as North Korea, entirely ostracised from international society, face even greater intersubjective pressures. Ontologically vulnerable actors can try to routinise their subaltern position in the world through victimisation narratives and build their self-identity upon this feature. However, their anomic position and the relentless lack of trust in the world will occasionally fuel erratic outbursts of anxiety followed by defensive measures. These may wrongly appear to an outside observer as irrational behaviour, but they are in fact a form of ontological self-help.

#### The alternative is to endorse everyday acts of resistance. Only filtering resistance through the mundane can generate a balance of tactics and energy that deals with violence.

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For example, **the Palestinian practice of sumūd**, understood as steadfastness or perseverance, **is apparent especially among women who refuse to leave their land and** **instead** act as if life were normal [see, for example, Richter-Devroe (2011) and Ryan (2015)]. The home becomes a place of safety and resistance by maintaining a sense of normalcy in the face of a situation anything but normal. This resistance includes: “**uphold**ing **cultural traditions** such as weddings and holidays; maintaining a sense of normalcy; engaging in micro-enterprises; sharing songs and folklore despite threats to personal safety and surveillance; **and** **document**ing **the Palestinian struggle through writing, protest art and graffiti**;” **replanting uprooted trees; and staying on demolished homes claiming the space as home. Sumūd** then **is an** individual act, although collectively understood and practiced, meant to preserve a sense of self in the present oppressive situation looking toward a future of great self-determination and liberty. **Everyday act**s **of resistance** are individual; however, resisters often rely on the complicit silence of others and so are always in some way shared. This implies a common sense of shared rights and shared oppression, even if not everyone resists or does so simultaneously. And, **everyday acts of resistance are collectively shared knowledge**, as illustrated by the concept of samūd. **Organized collective resistance relies on strategy, everyday resistance on tactics**. There are common tactics (such as pilfering, strategic compliance, and mockery), but everyday resistance is contextual and the tactics used are **constitutive of the lived experience of power relations, embedded in the quotidian life, and reflect the creativity and imagination of the less powerful. Tactics derive from perceived cracks and vulnerability** within a particular context, and so there will be many forms of everyday resistance devised **to thwart power and appropriation.** “What gives these techniques a certain unity is that they are invariably quiet, disguised, anonymous, often undeclared forms of resisting claims imposed by claimants who have superior access to force and to public power” (Scott, 1989, p. 37**). Tactics are relatively safe (often because of the small scale nature of the resistance), often ambiguous** (so as to enable deniability), provide some clear sense of gain (often material, but also emotional or social), **and require** no or relatively **little** collaboration or **coordination**. A couple of examples of seemingly little import illustrate tactics, the first an act of noncompliance and the second literal responses. Example 1: The Right to Bare Arms2 Recently, women working in the British Columbia provincial legislative building were told by the legislature's sergeant-at-arms to cover their arms in the hallways of the capital. The Speaker of the House asserted the legislature dress code calls for “gender-neutral business attire,” generally consisting of layered clothing that includes covered shoulders for both men and women. The following day, many women came to work bare armed, individual choices made by workers challenging the restrictive dress code, forcing a change in that dress code, and winning ‘the right to bare arms.’ Example 2: Amelia Bedelia’s literal interpretations3 Peggy Parish’s book series about a young woman, Amelia Bedelia, often highlights women’s domestic labour and Amelia demonstrates resistance through literally doing what she is asked. In a sequence from Come Back, Amelia Bedelia she literally serves a cup of coffee with cereal mixed in after her employer Mrs. Rogers asks for cereal with her coffee. Amelia Bedelia’s resistance may seem amusing, but it is no less a commentary and self-dignifying act of resistance than when Jessie Jackson as a young man working as a restaurant server (before fame as a civil rights leader) would spit in the food he served to white people.4 Everyday Resistance in School Life In education we might be most interested in schools as contexts for everyday resistance. Schools are complex contexts of power relations, usually hierarchically structured with students at the bottom (or maybe it is support workers, like janitors and maintenance workers, who are at the bottom), teachers in the middle, then administrators. But, there are also policy makers outside of the school, parents, politicians, and other community players. In addition to these complex relations, schools are driven by a hegemonic narrative that says ‘we are all on the same side’ and ‘children come first,’ and thus power differentials are often masked and draw people relatively easily to ‘live within a lie.’ While these narratives are powerful deterrents to resistance, schools are nonetheless sites of daily resistance by many. Teachers resist, for example, by deviating from the official curriculum; hoarding supplies and materials; sending subversive messages to students and parents; working to rule. In an ethnographic study of the impact of government testing on teachers and students, teachers were told they could not pull students out of class for special individual reading instruction (Mathison & Freeman, 2003). Teachers had invested considerable time in preparing curricular materials and were pedagogically committed to the idea of individualized instruction. They went against the policy by teaching students in broom closets where they were unlikely to be detected by administrators. Students resist, for example, by expending the minimum amount of effort; being argumentative; playing with dress codes; responding to teachers with silence or mumbling; avoiding ‘diversions’ that get in the way of academic success; sleeping in class. Students may even resist by rejecting school—dropping out or seeking alternative forms of education. There are a number of critical ethnographic studies that illustrate students’ everyday resistance. One of the best is Paul Willis’ Learning to Labour, in which he describes student resistance as a meaningful political act to subvert the hidden implications of schooling. Willis (1977) illustrates how working class boys develop a counter school culture embodied in what they do, say, and believe to resist the disciplining of the school system that tracks them as if **they** are naturally less capable. And other less powerful actors will also resist; perhaps the janitor steals time by watching movies on his phone, as does the secretary who does online shopping during work, or the administrative assistant who fudges his over time to compensate for what he considers inadequate pay, or the principal who augments her work benefits by registering for conferences that are really an opportunity for a vacation. Revolutionary Possibility of the Mundane Two primary ways that mundane everyday acts of resistance have the potential to create change far in excess of what might be expected are: 1) when there is a significant accumulation of these acts such that real consequences ensue, and 2) the everyday narration of everyday acts of resistance **create**s **shared knowledge about tactics**, thus spreading their use and possible consequences across times and places. Accumulation of Everyday Resistance Individual acts of resistance are mundane, part of life as lived when taken individually, but if they are practiced widely by entire classes against a powerful elite or the state they have the potential for cumulative consequences. “[J]ust as millions of anthozoan polyps create, willy-nilly, a coral reef, thousands upon **thousands of petty acts of insubordination and evasion create a political and economic barrier** reef of their own. And whenever, to pursue the simile, the ship of state runs aground on such a reef, attention is typically directed to the shipwreck itself and not the vast aggregation of actions which make it possible” (Scott, 1985, p. 36) Scott uses the example of military desertions to illustrate the cumulative impact of everyday resistance. Desertion is contrasted with mutiny, the former being an individual everyday act of resistance and the latter being an organized collective action to gain control of military force. Scott points to desertions from the Confederate Army during the US civil war as key to the Confederacy’s collapse, and the desertions from the Czarist army contributing to the 1917 Bolshevik victory. In neither case were the desertions part of an organized rebellion, but their cumulative impact was as momentous as open acts of sedition might have been. A contemporary educational example of this cumulative consequence has occurred in Canada, in British Columbia. Teachers’ and parents’ everyday resistance to standardized testing has over time changed the ways this information can be used. This resistance stems from a right wing think tank’s use of the data to rank all schools in the province, a thinly disguised attack on public schools and the promotion of a narrative favoring privatization of schooling. The individual acts of teachers5 encouraging parents to opt their children out of the 4th and 7th grade standardized government tests, along with the individual acts of parents and children who opted out, have, over a period of a few years, so disrupted the available data (in some instances whole schools do not participate in the testing; in many others there is great irregularity in the data) that any rankings are suspect. While this right wing think tank continues to report rankings, the public and even right wing journalists know they are compromised and suspect the data are of little value. With the accumulation of these individual acts of resistance, the province-wide teacher union now carries the mantle of this resistance, providing cover for individual teachers, communicating directly with parents about how to opt their children out of the testing, and rejecting the provincial mandate in public contexts such as the media.6 Narratives of Everyday Resistance Everyday acts of resistance often serve to advantage the individual materially (stealing food, for example, and this is especially so when people live a life that is close to the margins of survival). **At a symbolic level, these acts** may also **maintain** or restore individuals’ desire for fairness or maintain a fundamental sense of human **dignity** and decency. Although **everyday resistance** may be individual **acts**, they **are not isolated and are understood collectively.** The acts of resistance become part of a narrative of the less powerful, shared and reinforced at a collective level. Indeed, these narratives of everyday resistance often challenge other narratives (such as narratives of vulnerability, incompetence, ignorance) meant to reinforce asymmetrical power relationships. These narratives create an understanding and a practice of everyday life and may even be the groundwork for more organized political action. Storytelling collectivizes and disseminates what is otherwise understood as only an individual act or experience. A study of **everyday resistance** to legal authority in the US by sociologists Ewick and Silbey (2003) illustrates how individual acts are **extend**ed in **time and space transcending the personal, even if not necessarily altering power relations.** It is in telling stories “to oppose and resist legal authority, [that] interviewees transformed a momentary transaction into a historical event, recorded not only in their own memory but reconstructed for an audience” (p. 1338). The story “extends temporally and socially what might otherwise be an individual, discrete, and ephemeral transaction” (p. 1328).

## 4

New affs bad

1. Predictability
2. Ground

C/a disclosure issues

## Case

#### Their lack of any strategy for political organization dooms their politics and means they can’t solve any of their impacts

Wilson 11 [Colin Wilson; Queer theory and politics; International Socialism Issue 132; 11th October 2011; <http://isj.org.uk/queer-theory-and-politics/> //BWSWJ]

The current understanding of queer, then, has its origins in an encounter in the early 1990s between the radical identity politics of groups like Queer Nation and constructionist accounts of sexuality derived from Foucault. Annamarie Jagose describes the resulting formation:

Broadly speaking, queer describes those gestures or analytical models which dramatise incoherencies in the allegedly stable relations between chromosomal sex, gender and sexual desire…queer focuses on mismatches between sex, gender and desire. Institutionally, queer has been associated most prominently with lesbian or gay subjects, but its analytic framework also includes such subjects as cross-dressing, hermaphroditism, gender ambiguity and gender-corrective surgery…queer locates and exploits the incoherencies in those three terms which stabilise heterosexuality. Demonstrating the impossibility of any “natural” sexuality, it calls into question even such apparently unproblematic terms as “man” and “woman”.34

There is nothing in queer theory as described above to which Marxists could, on the face of it, object. Since the 19th century—as I show below—Marxists have described how ideas of masculinity, femininity, marriage and so forth have developed historically. We accept that sexuality is socially constructed, setting Foucault’s account in the context of the development of capitalist society. We work towards a socialist revolution which will not only advance economic justice but involve profound changes around sex and sexuality, undermining accepted concepts of what it means to be a woman or a man, and vastly extending the choices people can make as regards sexuality.

Marxists’ initial response to queer activists must therefore be one of solidarity. Both Marxists and queers are revolted by the sexism, homophobia and transphobia that blight the lives of so many people in so many ways. We believe that a better world is possible, we long for it, and we commit ourselves to struggle towards it. That commitment means that we have a duty to debate, within our traditions and between them, how to bring about change. It’s in this spirit that I want to comment, from the Marxist side of the debate, on what seem to me to be weaknesses in queer politics—weaknesses in the sense that they make it harder to take the struggle forwards—before making some remarks about the word “queer” and the ideas of Judith Butler, and then finally outlining what seem to me the strengths of the Marxist position.

The first issue is the question of who queer activists believe to be our enemies, the main opponents of the liberatory project I describe above. Some writers identify the enemy as straight people. The anonymous author of “I Hate Straights” does this explicitly, and it’s not unusual to find references to such things as “heterosexual ideology” or “heterosexual world domination”.35 Yet the problematisation of sexual identities associated with queer theory itself would suggest that we cannot think of straight people or their ideas as an undifferentiated monolith. Straight people only exist in some parts of the world and some historical periods; they are divided into different classes, races and sexes. Marxists would point out, in particular, that most straight people are workers and as such have little control over social organisation, and have in fact more in common with LGBT workers than with straight members of the ruling class.

A second enemy commonly identified in queer theory is not straight people, but a minority of LGBT people. Writers, of course, oppose homophobia, and also what they identify as “heteronormativity”—the assumption that different-sex desire is a universal default position, from which same-sex desire is an unusual exception—but they also reject “homonormativity”, the attempt to promote a version of same-sex desire that accepts the values of existing society. Some of their targets here are groups like the HRC in the US and Stonewall in the UK. Now the HRC’s political approach is plainly wrong—they are reformists but have not been able to deliver reforms. Stonewall’s endorsement of partners including IBM and Barclays Bank plays a small role in supporting multinationals whose crimes include the exploitation of both LGBT and straight workers. Both Marxists and queer activists would reject this approach, but it does not make Stonewall our main enemy. Our main enemies are homophobes like the Tea Party, and the powerful corporations and governments that run capitalism, not Stonewall. Indeed, the legal changes they helped bring about have improved LGBT people’s lives. Their position is a contradictory one, based on the mistaken idea that the interests of big corporations and those of most LGBT people are compatible. Queer activists often devote much of their energy to attacks on the “respectable mainstream” of the LGBT movement. I would argue that this reflects the location of many queer activists in universities and the media, where homophobia is generally at a low level—in many other situations it is more important to build unity with other supporters of LGBT people, however moderate their views.

Many queer activists, however, argue against certain reforms—particularly the legalisation of same-sex marriage, on the grounds that it will make things worse for those who do not marry. Michael Warner claims, “Even though people think that marriage gives them validation, legitimacy and recognition, they somehow think that it does so without invalidating, delegitimating or stigmatising other relations, needs and desires.” Judith Butler argues that “recent efforts to promote lesbian and gay marriage also promote a norm that threatens to render illegitimate and abject those sexual arrangements that do not comply with the marriage norm”.36 But there is no sign in the UK that, since the introduction of civil partnerships, LGBT couples who have remained unmarried have suffered in any way. On the contrary, civil partnerships were part of a relaxation of ideas around marriage compared to previous decades. Of course, marriage and the family are repressive institutions. But, as with gays in the military, to demand equality means that LGBT people must be able to do the same things as straight people. For same-sex couples to be allowed to marry as different-sex couples do is a recognition that LGBT people are of equal worth to straight people, whether we actually marry or not. Again queer activists mistake their target.

A particular ambiguity lies in attacking those LGBT people who are seen as “respectable”. In some cases, this is a recognition of their class privilege. But in others, “respectability” refers to a person’s style of life or sexual preferences—Michael Warner contrasts unpolitical men who “are at home, making dinner for their boyfriends” with people who are into sadomasochism, and with “sluts and drag queens and trannies”.37 The main problem here is the assumption that there is such a thing as “radical sex”, or that doing drag or S/M undermines the present order of things.38 Of course, the right wing condemns various practices and we have to defend people’s ability to make their own choices. But there is nothing about, say, sadomasochism that makes it inherently incompatible with capitalism.

A second ambiguity concerns the category “queer” itself. Is it a new and better identity, or does it involve the rejection of identity politics altogether in favour of another way of organising? Judith Butler has argued for the second of these possibilities:

My understanding of queer is a term that desires that you don’t have to present an identity card before entering a meeting. Heterosexuals can join the queer movement. Bisexuals can join the queer movement. Queer is not being lesbian. Queer is not being gay… Queer is an argument against [a] certain normativity, what a proper lesbian or gay identity is.39

Yet it often seems that, in practice, queer functions as a subdivision of LGBT—a young, hip, boisterous subdivision. While queer activists highlight the inadequacies of identity politics, they fail to advance an alternative model of political organisation, and so tend to end up functioning as a “ginger group” within LGBT organisations rather than breaking from them, which seems the logical consequence of rejecting identity politics.

The word “queer” Our main response to queer theory and politics must engage with their political ideas, not with the use of a particular word. But the word “queer” itself still remains controversial, and its use is rejected by some LGBT people. A Marxist approach to issues of language and culture begins by recognising their importance. Hate speech such as the N-word and the C-word legitimises racism and sexism: their use demeans black people and women, and so makes it more likely that these people will suffer further harm, beyond the use of words. Because society and language are constantly changing, we need to review from time to time what language is most appropriate: in the early 1960s a person who wanted to show respect for people who desired their own sex would have used the word “homosexual”; after Stonewall, activists and supporters used the word “gay”. So our use of language is a tactical question, in part a response to the changing ideas of the broader movement. In some situations, socialists have used the word “queer” themselves—IS Canada hosted a discussion entitled “The Fight for Queer Liberation Today” at their Marxism event in May 2011.40

Our attitude to language is also part of our general approach to culture as Marxists and materialists. Marx takes the view that the production of material life—people’s efforts to find food, shelter and so forth—set the context for the development of cultural life:

The mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness.41

The use of the term LGBT, for example, followed from political changes: a rejection of narrow identity politics and a desire to include bi and trans people in the movement. This is quite different from the idea of “reclaiming” words such as queer, or “slut” in the “SlutWalk” protests of mid-2011: here the assumption is that changes in language cause political change, and thus change the material world.

The appeal of queer, however, is not centrally to do with articulated strategies about reclaiming words or subverting them. Rather it reflects the reality of LGBT oppression. The word’s disturbing, edgy quality reflects the hurt and anger people feel at that oppression, and their determination to oppose the heteronormative powers that be—for example by “queering” the dominant culture, by demonstrating that the supposed naturalness and coherence of such concepts as family, men, women, homosexual and heterosexual are in every case a sham. The roots of the word’s appeal in hurt and anger mean that it is never likely to be reclaimed, if by “reclaimed” we mean “made safe”. Annamarie Jagose writes:

The main reason why the self-application of “queer” by activists has proved so volatile is that there’s no way that any amount of affirmative reclamation is going to succeed in detaching the word from its associations with shame and with the terrifying powerlessness of gender-dissonant or otherwise stigmatised childhood. If queer is a politically potent term, which it is, that’s because, far from being detached from the childhood source of shame, it cleaves to that scene as a near inexhaustible source of transformational energy.42

Those who became politically active in the gay movements of the 1970s and 1980s fought against the use of words such as “queer”, which were, at that time, simply homophobic hate speech: we called on people to use “gay” because it was the word the movement used; it showed respect; it was our word. But now “gay” is used to mean “rubbish” in schools across the country and homophobic DJ Chris Moyles can use it with impunity on Radio 1. “Queer”, activists argue, is now our word.43

Yet some LGBT people, including those who are young and militant, who are fighting homophobia and the cuts, refuse the label “queer”. Often they do so because they are outside those areas of society—universities, the gay scene, the media—where levels of homophobia are generally low. In these few places you can hear the word “queer” without fearing a homophobic attack. But elsewhere “queer” remains hate speech. This means that the use of “queer” can be a mistake if we want to build an inclusive movement that reaches out to people far beyond a few narrow enclaves. This broader perspective explains, for example, the fact that, while the word “queer” is now sometimes used in the trade union movement, all unions continue to call their groups LGBT, not queer.

Judith Butler I have already repeatedly mentioned Judith Butler, currently by far the most significant figure in queer theory. As with queer activists in general, our response to Butler begins from a position of solidarity. Butler is a political activist as well as an academic philosopher, who has written in support of the anti-war movement. She supports the Boycott, Divestment and Sanctions movement against Israel, drawing, she argues, on the values of her Jewish upbringing:

As a Jew, I was taught that it was ethically imperative to speak up and to speak out against arbitrary state violence. That was part of what I learned when I learned about the Second World War and the concentration camps… What became really hard for me is that if one wanted to criticise Israeli state violence…one is told that one is either self-hating as a Jew or engaging [in] anti-Semitism… In my view, any effort to retain the idea of emancipation when you don’t have a state that extends equal rights of citizenship to Jews and non-Jews alike is, for me, bankrupt. It’s bankrupt.

In the same interview with the Israeli newspaper Haaretz, she links being an anti-Zionist Jew to her rejection of lesbian identity politics:

You’d bring someone home [as a childhood friend] and the first question was “Are they Jewish, are they not Jewish?” Then I entered into a lesbian community in college, late college, graduate school, and the first thing they asked was… “Are you a lesbian, are you not a lesbian?”… It felt like the same kind of policing of the community… Is that person really Jewish; maybe they’re not so Jewish. I don’t know if they’re really Jewish. Maybe they’re self-hating. Is that person lesbian? I think maybe they had a relationship with a man.44

Butler has also been active in LGBT politics, and provoked controversy at Christopher Street Day (CSD), Berlin’s Pride event, in 2010. She refused the Civil Courage Prize which the organisers had awarded to her, arguing that CSD had become too commercialised, that its organisers had failed to fight racism and that they had behaved in a racist way themselves.45

I want to address two issues in Butler’s writing, the concept of “performativity” and the political implications of poststructuralism. Both are issues which she addressed in her first book, Gender Trouble, which brought her to prominence in 1990, and on which she has written many times since then.

It is important to understand from the start that “performative” is a technical term in the philosophy of language. Speech acts, it has been argued, are of two kinds. Some are constative—they seek to describe the world, and are either true or false (“The sky is blue”; “I like philosophy”). Others are performative—they seek to change the world, and cannot be described as either true or false (“I now pronounce you man and wife”; “I promise to ring you tomorrow”).

In Gender Trouble, Butler examines how it is that some people are recognised in society as women. She rejects the idea that those acts that identify a person as a woman reflect an internal, feminine essence. Rather social forces pressure us to behave either as men or as women, and the belief that there exists an internal feminine identity is then the result of those repeated behaviours.

There is no gender identity behind the expressions of gender; that identity is performatively constituted by the very “expressions” that are said to be its results.46

Indeed, those acts must be repeated because the task is never fully complete; we never quite achieve success at being a man or a woman:

This “being a man” and this “being a woman” are internally unstable affairs. They are always beset by ambivalence precisely because there is a cost in every identification, the loss of some other set of identifications, the forcible approximation of a norm one never chooses.47

Butler is not claiming that the sexed body has no material reality, but rather that our ideas (“discourse”) always play some part in our perception of it:

To claim that discourse is formative is not to claim that it originates, causes or exhaustively composes that which it concedes; rather, it is to claim that there is no reference to a pure body which is not at the same time a further formation of that body… In philosophical terms, the constative claim is always to some degree performative.48

To refer to someone as a man or a woman, therefore, is not simply to state a fact: such statements always to some extent draw on and reinforce ideas about gender. Gender Trouble thus constitutes, in part, a polemic against feminist identity politics, conceived as a monolithic solidarity between all women, who have in common precisely that internal, feminine essence whose existence Butler denies.

However, there was some confusion about what constituted Butler’s positive agenda, and here the word “performativity” did not help achieve clarity. LGBT activism, since the chorus line at the Stonewall riot, has frequently included elements of theatricality, a tradition continued by Queer Nation. That theatricality drew on older traditions still, such as camp and drag. At the end of Gender Trouble Butler briefly discussed drag, and argued that:

part of the pleasure…is in the recognition of a radical contingency in the relation between sex and gender in the face of cultural configurations of causal unities that are regularly assumed to be natural and necessary.49

This was understood to mean that Butler was advocating drag and theatricality as ways of subverting heteronormativity, and was asserting that being a man or a woman was by its nature a performance—a confusion between “performative” and “performance” seems part of this. In Bodies That Matter Butler clarified her views: she did not believe “that one woke in the morning, perused the closet or some more open space for the gender of choice, donned that gender for the day, and then restored the garment to its place at night”. As regards drag, she commented, “Although many readers understood Gender Trouble to be arguing for the proliferation of drag performances as a way of subverting dominant gender norms, I want to underscore that there is no necessary relation between drag and subversion”.50 The point is of importance because a widespread common-sense had developed that Butler has endorsed certain styles of political protest and ways of living as politically effective, when she has not.

Butler has repeatedly discussed the political implications of her poststructuralist ideas. I want here to discuss her view of what sort of theory queer theory is—what power it has to explain the world, and so to help bring about political change. As noted above, many of the political ideas which motivated people 50 years ago have lost credibility. If that is true of systems of ideas like Marxism or anti-colonial nationalism, it also applies to ideas within the LGBT movement. The radicalism of the early 1970s did not bring the social transformation it promised; lesbian feminism retained the aim of transforming the world, but its impact was almost completely negative. Scepticism has developed towards systems of thought that promise to bring about a wholly different society—or even those that claim to give a coherent account of society as a whole, which are dismissed as “totalising” or “universal” accounts.

Now, does Butler believe queer theory to be a totalising system of thought? One could argue that it is—that to recognise that “homosexuals” and “heterosexuals”, or particular understandings of “women” and “men”, are specific to certain times and places is to make our thinking more generally valid, more universally true.51 In the past Butler—pointing out, for example, that the US went to war in Iraq in the name of supposedly “universal” values such as democracy—has rejected the project of constructing a more inclusive universality, because:

such a tantalising notion could only be achieved at the cost of producing new and further exclusions. The term “universality” would have to be left permanently open, permanently contested…from any historically constrained perspective, any totalising concept of the universal will shut down rather than authorise the unanticipated and unanticipatable claims that will be made under the sign of “the universal”. 52

She put a similar argument in Gender Trouble, where she wrote, in a style that echoed Foucault, that

power can neither be withdrawn nor refused, but only redeployed. Indeed, in my view, the normative focus for gay and lesbian practice ought to be on the subversive and parodic redeployment of power rather than on the impossible fantasy of its full-scale transcendence.53

These apparently abstract questions are politically significant. If we doubt that we can understand the world, we are far less likely to have the confidence to change it. Our fragmentary understanding only leaves us strategies such as subversion and parody: a generalised challenge to accepted ideas is impossible.

In the preface to the 1999 edition of Gender Trouble, however, Butler acknowledged that she had revised the consistently negative view of the universal she held when she originally wrote the book. That more sympathetic view of the universal can be seen, perhaps, in Butler’s contribution to a debate with Nancy Fraser in 1997 about Marxist attitudes to gender and sexuality. In this exchange of articles Fraser articulates what in 1980s socialist-feminist thought was called a “dual systems” theory: Marxism can help us understand economics, but to analyse gender and sexuality we need to turn to feminism. Butler rejects Fraser’s view, stating:

Homophobia, [Fraser] argues, has no roots in political economy, because homosexuals occupy no distinctive position in the division of labour, are distributed throughout the class structure, and do not constitute an exploited class…thus making their struggles into a matter of cultural recognition, rather than a material oppression.54

Fraser argues, according to Butler, that because there are LGBT people in all classes, their oppression cannot be rooted in capitalism. Butler replies by pointing out that capitalism needs not only to reproduce goods but also to reproduce people, including workers—and the institution through which capitalism does this, the family, is central to an understanding of how it creates oppression around gender and sexuality. Butler begins by referencing Marx and Engels, refers to political debates of the 1970s and 1980s, and argues:

Essential to the socialist feminism of the time was precisely the view that the family is not a natural given…scholarship in the 1970s and 1980s sought to establish the sphere of sexual reproduction as part of the material conditions of life… It also sought to show how the reproduction of gendered persons, of “men” and “women”, depended on the social regulation of the family… struggles to transform the social field of sexuality do not become central to political economy to the extent that they can be directly tied to questions of unpaid and exploited labour, but also because they cannot be understood without an expansion of the “economic” sphere itself to include both the reproduction of goods as well as the social reproduction of persons.55

Marx, Engels and the socialist tradition Such constructive dialogue between the queer and Marxist traditions is, unfortunately, rare. Foucault never engaged with non-Stalinist versions of Marxism, and provocatively dismissed Marx’s own writings: “Marxism exists in 19th century thought like a fish in water: that is, unable to breathe anywhere else”.56 Much of today’s queer theory accepts the common-sense view that Marxism is outdated, made irrelevant in developed societies by the decline of heavy engineering and coal mines, and everywhere by the fall of the Soviet Union.

This is not the place for a general defence of the Marxist tradition. But it is worth saying something about Marxist attitudes to gender and sexuality—beginning, as Butler does, with the works of Marx and Engels.

The first point is that Marxism has never been what many believe it to be, a politics about economic justice with no real interest in human emancipation. From his earliest to his last writings, Marx’s condemnation of capitalism includes its failure to give human beings the dignity they deserve. This process is rooted in the economic nature of capitalism, but goes beyond it:

The worker feels himself only when he is not working; when he is working he does not feel himself. He is at home when he is not working, and not at home when he is working. His labour is…not the satisfaction of a need but a mere means to satisfy needs outside himself.

Earlier in the same passage Marx has explained the effect on the worker of the fact that work under capitalism is not about the worker realising his potential, but necessary in order to live:

Labour is external to the worker…he therefore does not confirm himself in his work, but denies himself in his work, feels miserable and not happy, does not develop free mental and physical energy, but mortifies his flesh and ruins his mind.57

Marx refers to this experience as “alienation”, and it affects the whole of capitalist society. Public life is divided from private, and people are encouraged to think that isolated, private individuals are the basic units of society, instead of groups. We are told that the economy, an institution created by human beings, is beyond human control. Eating, drinking and sex, which should be social functions, and so, as Marx puts it, “human”, tend to become nothing more than the satisfaction of physical needs.

Capitalist society contradicts human nature. This is not a fixed human nature but one which is produced by the activity of human beings themselves. The Marxist philosopher István Mészáros comments:

Marx’s protest against alienation, privatisation and reification does not involve him in the contradictions of an idealisation of some kind of a “natural state”. There is no trace of a sentimental or a romantic nostalgia for nature in his conception. His programme…does not advocate a return to “nature”, to a “natural” set of primitive or “simple” needs but the “full realisation of man$7\_$\_s nature” through an adequately self–mediating human activity.58

Such accounts of history seem, in principle, compatible with the accounts of changing sexuality and human nature that emerge from social constructionist histories.

Marx and his collaborator Frederick Engels also comment more directly on sexuality and the family. In the Communist Manifesto, for example, they call for the abolition of the family and condemn bourgeois sexual hypocrisy.59 Late in his life Engels used anthropological evidence—some of the first of its kind—as the basis for his book The Origin of the Family, Private Property and the State.60 Just as Marx had sought to undermine capitalism by pointing out that institutions like private property are not natural, but have developed through history, so Engels is concerned to call into question current ideas about marriage and sexuality, to put them into context and show their historical development. Nor is this development a consoling story of advances from “primitive” beginnings to “advanced” civilisation: Engels suggests that the social position of women was much higher in some prehistoric societies, for example. There are problems with Engels’s book: most of the evidence on which it relies is outdated, it lapses occasionally into a teleological view in which human society is pushed forwards by natural selection, and Engels makes, in passing, a couple of homophobic remarks. Yet, in its suggestion that such things as male dominance, jealousy and monogamy are not natural or universal, but socially constructed, the book was enormously advanced for its time, and remains a testimony to Marxists’ involvement in issues of gender and sexuality.

That involvement has continued since Engels: high points of the Marxist tradition of sexual liberation have been those revolutionary or near-revolutionary situations where the struggles of workers to overthrow capitalism have opened up a space where many accepted ideas can be called into question, and sexual freedom advanced, as in the Russian Revolution of October 1917, the November 1918 Revolution and the Weimar Republic in Germany, and the struggle against apartheid in South Africa, leading to the first constitution in the world to guarantee lesbian and gay rights.61

Marxism shares many goals with queer theory and politics, and Marxists accept at least elements of its understanding of history and society. But other aspects of queer theory seem less helpful in taking forward struggles for gender and sexual freedom. Foucault tells us that sexual liberation is a myth; queer political strategies make it harder for activists to relate to moderate LGBT people who might want to marry, or to working class people far outside the campuses; postmodernism tells us that we can only understand the world, and can only change it, in fragmentary and marginal ways.

Yet economic crisis, the growth of fascism and the risk of environmental catastrophe, along with the continuing reality of homophobia and transphobia, make the need for a general challenge to existing society clear. One of the great strengths of the anti-capitalist movement in the first years of this century, after all, was its stress on the connections between different struggles. Marxists argue that homophobia is rooted in capitalism and its promotion of the family: the working class is the key agency in ending capitalism, because workers have the economic power to destroy it. General politics, class struggle, then forms the context for struggles around gender and sexuality, as the historical account above suggests—not the other way around. But this is not to say that sexuality is a secondary issue compared to the economy—the goal of all our struggles is to destroy the society that robs us of our humanity in a hundred ways, including those that involve gender and sexuality. Despite the real differences between Marxism and queer theory, on this we can all agree.

#### K turns and solves the case - legal engagement and reform is necessary for activating queer critique and achieving true equality---their institutional pessimism ignores genuine progress and exacerbates status quo violence.

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**In the context of mass incarceration**, in which reform can produce ever cleaner and more technologically advanced human warehouses, **Spade's arguments are well-taken**. **His critique** is less persuasive when he moves into the broader arena of LGBTQ rights. **Spade believes** that **law reform is at odds with distributive justice.** In his view, advocacy that departs from the idealized approach he champions harms the transgender community. **While we laud his critique of some elements of liberal law refom**1, we disagree with his zero-sum frame. Law reform is only one piece of a strategy. It cannot achieve everything, but it is sometimes a necessary precondition to reaching other goals and, at a minimum, is not a causative element for diminished opportunities and status. A transgender equality movement that includes expansion of antidiscrimination laws and marriage equality among its goals iscoextensive with the ~ project of "transformative change." **Spade argues** that **antidiscrimination laws "create the false impression** that,,, **fairness has been imposed**, and the legitimacy of the distribution of life chances restored." But such protections merely ensure that a person's sexual orientation or gender identity cannot be an obvious basis for an adverse employment action. **They are nowhere near broad enough to promise substantive equality**, for transgender people or anyone else. However, excluding gender identity and sexual orientation from existing employment protections is far more damaging than committing the resources for the advocacy required to expand them. In addition, **organizing to pass antidiscrimination laws has** activated and radicalized **LGBTQ advocacy** organizations. The California-based Transgender Law Center (incubated by the National Center for Lesbian Rights) and the Massachusetts Transgender Political Coalition (first envisioned by GLAD staff members and interns) are two examples of the generativity of liberal law reform efforts. Both organizations share many of the distributive justice goals of SRLP. **Spade is not the first to criticize the movement for marriage equality for same-sex couples**. In "Arguing Against Arguing for Marriage" (University of Pennsylvania Lnw Review, 2010), Shannon Gilreath claims that "marriage is dangerous for Gays conceptually, in its patriarchal and heteropatriarchical foundations." In less absolute terms, Katherine Franke writes in the New York Times Gune 23, 2011) that same-sex marriage is a "mixed blessing," which may undermine other arrangements that LGBTQ people have used to "order our lives in ways that have given us greater freedom than can be found in the one-size-fits-all rules of marriage." Spade goes too far in applying the same critique to both prison reform and marriage equality. Removing gender discrimination from the institution of marriage does not strengthen it in the way that modifying the criminal-punishment system reinforces mass incarceration. The institution of marriage has an evolving social meaning. Extending it to lesbians, gay men, bisexual and transgender people reaffirms our human dignity. **Even the most steadfast critics of the marriage-equality movement**-including the lesbian activists and law professors Nancy Polikoff and the late Paula Ettelbrick-**have acknowledged that critiques of marriage and the marriage equality -• movement need not be on a collision course,** In addition, **Spade** ignores **law-reform efforts** **spearheaded by LGBTQ legal organizations other than those focused on hate crimes, antidiscrimination, and marriage**. **These include** **challenges to discriminatory health** care **access and to prison regulations that deny essential medical care to transgender inmates;** **immigration reform advocacy**; **and support for transgender students and homeless LGBTQ youth**. To ignore these efforts is to miss the ocean for the tidal pool beside it. Although we do not subscribe unreservedly to the paradigm described by Normal Life, we believe that the book makes an important contribution to a new and emerging critical trans politic. It is provocative, comprehensive, and engaging. It should be widely discussed as an important strategic framework for work within the LGBTQ movement.