## 1

#### The role of the ballot is to determine whether the resolution is a true or false statement

#### 1] Anything else moots 7 minutes of the nc – their framing collapses since you must say it is true that a world is better than another before you adopt it.

#### 2] Truth is a necessary part of any statement since any statement fundamentally asserts that some property is true. All statements devolve into some conception of truth-value since when you assert that your role of the ballot is true you concede to the validity of truth testing. Frege, Frege, Gottlob. “The Thought: A Logical Inquiry” in Logicism and the Philosophy of Language: Selections from Frege and Russell. Broadview Press. March 2003. Pg. 204.

It may nevertheless be thought that we cannot recognize a property of a thing without at the same time realizing the thought that this thing has the property to be true. So with every property of a thing is joined a property of thought, namely, that of truth. It is also worthy of notice that the sentence “I smell the scent of violets” has just the same content as the sentence “it is true that I smell the scent of violets”. So, it seems, then, that nothing is added to the thought by my ascribing it the property of truth.

#### 3] Argument diversity – inclusion – all debates can happen since you can use any position to prove truth or falsity, whereas specific frameworks exclude certain arguments i.e. a deontic framework excludes consequences

#### 4] Scalar methods like comparison increases intervention – the persuasion of certain DA or advantages sway decisions – T/F binary is descriptive and technical.

#### Isomorphism

#### 5] Text: Five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means the sole judge obligation is to vote on the resolution’s truth or falsity. This outweighs on common usage – it is abundantly clear that our roles are verified. Any other role of the ballot enforces an external norm on debate, but only truth testing is intrinsic to the process of debate i.e. proving statements true or false through argumentation. Constitutivism outweighs because you don’t have the jurisdiction not to truth test – if a chess player says you should break the rules for a more fun game, the proper response is to ignore them as a practice only makes sense based on its intrinsic rules. Jurisdiction is also an independent voter and a meta constraint on anything else since every argument you make concedes the authority of the judge fulfilling their jurisdiction to vote aff if they affirm better and neg the contrary – otherwise they could just hack against or for you which means it also controls the internal link to fairness since that’s definitionally unfair.

## 2

#### Embedding hope for liberation to an object like a ballot enacts cruel optimism that the 1AC’s rhetoric sustains.

Berlant 06 Lauren, professor of Literature at the University of Chicago. “Cruel Optimism” in Differences, 17.3. 2006.

When we talk about an object of desire, we are really talking about a cluster of promises we want someone or something to make to us and make possible for us. This cluster of promises could be embedded in a person, a thing, an institution, a text, a norm, a bunch of cells, smells, a good idea—whatever. To phrase “the object of desire” as a cluster of promises is to allow us to encounter what is incoherent or enigmatic in our attachments, not as confirmation of our irrationality, but as an explanation for our sense of our endurance in the object, insofar as prox- imity to the object means proximity to the cluster of things that the object promises, some of which may be clear to us while others not so much. In other words, all attachments are optimistic. That does not mean that they all feel optimistic: one might dread, for example, returning to a scene of hunger or longing or the slapstick reiteration of a lover or parent’s typi- cal misrecognition. But the surrender to the return to the scene where the object hovers in its potentialities is the operation of optimism as an affective form (see Ghent). “Cruel optimism” names a relation of attachment to compromised conditions of possibility. What is cruel about these attachments, and not merely inconvenient or tragic, is that the subjects who have x in their lives might not well endure the loss of their object or scene of desire, even though its presence threatens their well-being, because whatever the content of the attachment, the continuity of the form of it provides something of the continuity of the subject’s sense of what it means to keep on living on and to look forward to being in the world. This phrase points to a condition different than that of melancholia, which is enacted in the subject’s desire to temporize an experience of the loss of an object/scene with which she has identified her ego continuity. Cruel optimism is the condition of maintaining an attachment to a problematic object in advance of its loss.¶ One might point out that all objects/scenes of desire are prob- lematic, in that investments in them and projections onto them are less about them than about the cluster of desires and affects we manage to keep magnetized to them. I have indeed wondered whether all optimism is cruel, because the experience of loss of the conditions of its reproduction can be so breathtakingly bad. But some scenes of optimism are crueler than others: where cruel optimism operates, the very vitalizing or ani- mating potency of an object/scene of desire contributes to the attrition of the very thriving that is supposed to be made possible in the work of attachment in the first place. This might point to something as banal as a scouring love, but it also opens out to obsessive appetites, patriotism, a career, all kinds of things. One makes affective bargains about the costliness of one’s attachments, usually unconscious ones, most of which keep one in proximity to the scene of desire/attrition.¶ To understand cruel optimism as an aesthetic of attachment requires embarking on an analysis of the modes of rhetorical indirection that manage the strange activity of projection into an enabling object that is also disabling. I learned how to do this from reading Barbara Johnson’s work on apostrophe and free indirect discourse. In her poetics of indi- rection, each of these rhetorical modes is shaped by the ways a writing subjectivity conjures other ones so that, in a performance of phantasmatic intersubjectivity, the writer gains superhuman observational authority, enabling a performance of being made possible by the proximity of the object. Because the dynamics of this scene are something like what I am describing in the optimism of attachment, I will describe the shape of my transference with her thought

#### This turns the case, is an independent solvency takeout, and serves as a trauma DA—your frame posits revolutionary hope that debate and society might change but ultimately reinstitutes the same system that solidifies and naturalizes divisions within the world.

Berlant 2 Lauren, professor of Literature at the University of Chicago. “Cruel Optimism” in Differences, 17.3. 2006.

It is striking that these moments of optimism, which mark a possibility that the habits of a history might not be reproduced, release an overwhelmingly negative force: one predicts such effects in traumatic scenes, but it is not usual to think about an optimistic event as having the same potential consequences. The conventional fantasy that a revolutionary lifting of being might happen in proximity to a new object/scene would predict otherwise than that a person or a group might prefer, after all, to surf from episode to episode while leaning toward a cluster of vaguely phrased prospects. And yet: at a certain degree of abstraction both from trauma and optimism, the experience of self-dissolution, radically reshaped consciousness, new sensoria, and narrative rupture can look similar; the emotional flooding in proximity to a new object can also produce a similar grasping toward stabilizing form, a reanchoring in the symptom’s predictability.¶ I have suggested that the particular ways in which identity and desire are articulated and lived sensually within capitalist culture produce such counterintuitive overlaps. But it would be reductive to read the preceding as a claim that anyone’s subjective transaction with the optimistic structure of value in capital produces the knotty entailments of cruel optimism as such. This essay focuses on artworks that explicitly remediate singularities into cases of nonuniversal but general abstraction, providing narrative scenarios of how people learn to identify, manage, and maintain the hazy luminosity of their attachment to being x and having x, given that their attachments were promises and not possessions after all. Geoff Ryman’s historical novel Was provides a different kind of limit case of cruel optimism. Linking agrarian labor, the culture industries, and therapy culture through four encounters with The Wizard of Oz, its pursuit of the affective continuity of trauma and optimism in self-unfold- ing excitement is neither comic, tragic, nor melodramatic, but metaformal: it absorbs all of these into a literary mode that validates fantasy (from absorption in pretty things to crazy delusion) as a life-affirming defense against the attritions of ordinary history.

[Continues]

In Was, Baum goes on to write The Wizard of Oz as a gift of alternativity to the person who can’t say or do anything to change her life materially and who has taken in so much that one moment of relief from herself produces a permanent crack in the available genres of her survival. In “What Is a Minor Literature?” Deleuze and Guattari exhort people to become minor in exactly that way, to deterritorialize from the normal by digging a hole in sense, like a dog or a mole. Creating an impasse, a space of internal displacement, in this view, shatters the normal hierar- chies, clarities, tyrannies, and confusions of compliance with autonomous individuality. This strategy looks promising in the Ashbery poem. But in “Exchange Value,” a moment of relief produces a psychotic defense against the risk of loss in optimism. For Dorothy Gael, in Was, the optimism of attachment to another living being is itself the cruelest slap of all.¶ From this cluster we can understand a bit more of the magnetic attraction to cruel optimism, with its suppression of the risks of attach- ment. A change of heart, a sensorial shift, intersubjectivity, or transference with a promising object cannot generate on its own the better good life: nor can the collaboration of a couple, brothers, or pedagogy. The vague futurities of normative optimism produce small self-interruptions as the utopias of structural inequality. The texts we have looked at here stage moments when it could become otherwise, but shifts in affective atmosphere are not equal to changing the world. They are, here, only pieces of an argument about the centrality of optimistic fantasy to reproducing and surviving in zones of compromised ordinariness. And that is one way to take the measure of the impasse of living in the overwhelmingly present moment.

#### The alternative is a rejection of the affirmative’s cluster of cruel promises in favor of moving away from the discourse of trauma. This is not to say that the affirmative’s advocacy is necessarily wrong, but rather discussions of affect must come first because they frame the produced reality.

#### Negating allows us to understand a broad range of physical and aesthetic genres that pressure the subject’s sensorium, recognizing and moving away from the fantasy life reproduced with discourse of desire.

Berlant 3, Lauren Gail. *Cruel Optimism*. Duke University Press, 2011. KJ

The key here is not to see what happens to aesthetically mediated characters as equivalent to what happens to people but to see that in the affective scenarios of these works and discourses we can discern claims about the situation of contemporary life.15 At times I use terms like “neoliberal” or “transnational” as heuristics for pointing to a set of delocalized processes that have played a huge role in transforming postwar political and economic norms of reciprocity and meritocracy since the 1970s. But I am not claiming that they constitute a world- homogenizing system whose forces are played out to the same effect, or affect, everywhere. The differences matter, as do the continuities. My method is to read patterns of adjustment in specific aesthetic and social contexts to derive what’s collective about specific modes of sensual activity toward and beyond survival. Each chapter focuses on dynamic relations of hypervigilance, unreliable agency, and dissipated subjectivity under contemporary capitalism; but what “capitalism” means varies a lot, as each case makes its own singular claim for staging the general forces that dominate the production of the historical sensorium that’s busy making sense of and staying attached to whatever there is to work with, for life. This leads me to the book’s final conceptual aim. I have described its departure from modernist models of cognitive overload in the urban everyday, in order to engage a broader range of physical and aesthetic genres that mediate pressures of the present moment on the subject’s sensorium. Cruel Optimism argues, therefore, for moving away from the discourse of trauma— from Caruth to Agamben—when describing what happens to persons and populations as an effect of catastrophic impacts.16 Why does that follow? Given trauma’s primary location in describing severe transformations of physical health and life, it might be surprising to think about trauma as a genre for viewing the historical present. But in critical theory and mass society generally, “trauma” has become the primary genre of the last eighty years for describing the historical present as the scene of an exception that has just shattered some ongoing, uneventful ordinary life that was supposed just to keep going on and with respect to which people felt solid and confident. This book thinks about the ordinary as a zone of convergence of many histories, where people manage the incoherence of lives that proceed in the face of threats to the good life they imagine. Catastrophic forces take shape in this zone and become events within history as it is lived. But trauma theory conventionally focuses on exceptional shock and data loss in the memory and experience of catastrophe, implicitly suggesting that subjects ordinarily archive the intensities neatly and efficiently with an eye toward easy access. A traumatic event is simply an event that has the capacity to induce trauma. My claim is that most such happenings that force people to adapt to an unfolding change are better described by a notion of systemic crisis or “crisis ordinariness” and followed out with an eye to seeing how the affective impact takes form, becomes mediated. Crisis is not exceptional to history or consciousness but a process embedded in the ordinary that unfolds in stories about navigating what’s overwhelming. Each chapter narrates why a logic of adjustment within the historical scene makes more sense than a claim that merges the intense with the exceptional and the extraordinary. The extraordinary always turns out to be an amplification of something in the works, a labile boundary at best, not a slammed-door departure. In the impasse induced by crisis, being treads water; mainly, it does not drown. Even those whom you would think of as defeated are living beings figuring out how to stay attached to life from within it, and to protect what optimism they have for that, at least. Marcuse’s prophetic description of postwar U.S. society charts it out: while people comfort themselves with stories about beating the system or being defeated by it, they “continue the struggle for existence in painful, costly and obsolete forms.”17 I believe that these conceptual distinctions matter to how we view the ongoing activity of precariousness in the present, and each case points to how that mattering might open up the scenes we have delegated to the logic of trauma, with its fundamentally ahistoricizing logic. But some readers might respond to the questions I ask above by thinking that I’m overcomplicating things. They would call the fragilities and unpredictability of living the good- life fantasy and its systemic failures “bad luck” amid the general pattern of upward mobility, reliable intimacy, and political satisfaction that has graced liberal political/economic worlds since the end of the Second World War. They might see collectively experienced disasters as a convergence of accidents in an imperfect system, and they wouldn’t be wrong about that, either; there’s a lot of contingency involved in localizing any process in a life, a scene, or an event. They might take the sense of trauma as equal to its claim to exceptionality. They might think that precarity is existential; they might argue that the focus on structural induction oversystematizes the world. To this set of objections I would say that the current recession congeals decades of class bifurcation, downward mobility, and environmental, political, and social brittleness that have increased progressively since the Reagan era. The intensification of these processes, which reshapes conventions of racial, gendered, sexual, economic, and nation- based subordination, has also increased the probability that structural contingency will create manifest crisis situations in ordinary existence for more kinds of people. One might also point out critically that this book’s archive, which spans conventionally empirical and aesthetic kinds of knowledge, makes big claims on the backs of small objects about how people live now: claims derived from a variety of materials but from neither its own ethnography nor data from diaries, letters, or other primary materials of social history and autobiography. True enough! This book is not offering sociologically empirical cases about who beats the system and who succumbs to its systemic stresses, although it draws widely from an interdisciplinary body of secondary material on these matters. It is a book about the attrition of a fantasy, a collectively invested form of life, the good life. As that fantasy has become more fantasmatic, with less and less relation to how people can live— as the blueprint has faded—its attrition manifests itself in an emerging set of aesthetic conventions that make a claim to affective realism derived from embodied, affective rhythms of survival. I generate exemplary cases of adjustment to the loss of this fantasy of sustenance through the engaged construction of an archive of the impasse or transitional moment, and inquire into what thriving might entail amid a mounting sense of contingency. I don’t, however, claim to be being comprehensive about all of the ways that an adjustment between life and fantasy can or has occurred amid the spreading anxiety about what’s happened, happening, and potentially next in the relation of singular lives and translocal capitalist worlds. Cruel Optimism gives a name to a personal and collective kind of relation and sets its elaboration in a historical moment that is as transnational as the circulation of capital, state liberalism, and the heterofamilial, upwardly mobile good- life fantasy have become. As my previous work on the case study makes explicit, I am extremely interested in generalization: how the singular becomes delaminated from its location in someone’s story or some locale’s irreducibly local history and circulated as evidence of something shared. This is part of my method, to track the becoming general of singular things, and to give those things materiality by tracking their resonances across many scenes, including the ones made by nonverbal but still linguistic activities, like gestures. Aesthetics is not only the place where we rehabituate our sensorium by taking in new material and becoming more refined in relation to it. But it provides metrics for understanding how we pace and space our encounters with things, how we manage the too closeness of the world and also the desire to have an impact on it that has some relation to its impact on us.

## 3

#### Permissibility negates- Lack of obligation proves the resolution false- the res specifically says you have to prove an obligation, you cannot be obligated and lack an obligation simultaneously.

#### Presume Neg- [A] We assume statements to be false until proven true. That is why we don’t believe in alternate realities or conspiracy theories. [B] Statements are more often false than true. If I say this pen is red, I can only prove it true one way where I can prove it false in an infinite amount of ways.

#### Skepticism is true and it negates-

#### [1] Moral Skep: Justice requires us to act immediately since waiting in the face of injustice is itself an injustice. However, we need to be fully informed to avoid formulating a rule incorrectly and unjustly, so obligations are internally contradictory. Derrida,

But **justice,** however unpresentable it may be, doesn't wait.· It is that which **must not wait.** To be direct, simple and brief, let us say this: **a just decision is always required immediately, "right away." It cannot furnish itself with** infinite information and the **unlimited knowledge of conditions,** rules or hypothetical imperatives **that could justify it.** And **even if it did** have all that at its disposal, even if it did give itself the time, all the time and all the necessary facts about the matter, **the moment of decision,** as such, **always remains a finite moment of urgency** and precipitation, since it must not be the consequence or the effectof this theoretical or historical knowledge, of this reflection or this deliberation, **since it always marks the interruption of the** juridico- or ethico- or politico-**cognitive deliberation that precedes it,** that must precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness. **Even if time** and prudence,the patience of knowledge and the mastery of conditions **were** hypothetically **unlimited, the decision would be structurally finite,** however late it came, decision of urgency and precipitation, **acting in** the night of **non-knowledge and non-rule.**

**Absolute moral truth is impossible to attain, individual moral culpability is nonexistent, and categorical moral laws will eventually become obsolete – Ethics devolve to the individual perspective because people constantly gain new knowledge and shift identities. Anker1**

As mentioned and affirmed, all things (concepts, words, objects, subjects, etc.) are in a state of becoming. Gaining knowledge or insight into any of these particulars thus entails an unstable terrain. **If some-thing is constantly in a state of** also **becoming some-thing other, there is no stable ground for absolute knowledge** and judgment. Furthermore, and to complicate matters even more so, **it is not only the object** being considered **that exists in a state of transformation, but** also **the “subject” doing the interpretation. What we have** left **is a** thoroughly **perspectival** (Nietzsche) **relation to viewing and interpreting what we see and know of this world.** By affirming this, **knowledge becomes not** a ground or **an end in itself, but the means for a continual perspectival shifting**. Perspectivism, as a thoroughly ungrounded and continuously shifting mode of interpretation, furthermore affirms the uncertainty of an indeterminate subject, object, and conceptual becoming.

#### [2] Moral theories must be motivational or non-motivational. Double Bind. Either [A] they are non-motivational and won’t be followed so morality can’t guide action since guides need to be followed or [B] morality is motivational and people will do what is says no matter what so it’s just descriptive of action, not providing an obligation

#### [3] External World Skep: No amount of subjective evidence can ever prove objective knowledge. Searle,

**[Y]ou could have the best possible evidence about some domain and** still **be** radically **mistaken**. You could have the best possible evidence about other people’s behavior and still be mistaken about their mental states. You could have the best possible evidence about the past and still be mistaken about the future. You could have the best possible evidence aboutyour own perceptualexperiences and still be mistaken about the external world. This is so **because you could be dreaming, having hallucinations**, be a brain in a vat, **or** be **deceieved** systematically by an evil demon.Strange situations, yes, but **it is impossible to disprove the potentiality for** any of **these scenarios.”**

**That negates since providing an obligation requires that [A] the one assigning the obligation has some externally reliable source of authority and [B] it assumes we know the facts about a situation and can make a case for an obligation which is impossible.**

#### [4] Paradoxes- [A] Meno’s- In order to discover something, it must already be known – this makes the quest for knowledge incomprehensible and thus impossible [B] Good Samaritan- In order to say I want to fix X problem, you must say that you want X problem to exist, since it requires the problem to exist to solve, which makes a moral attempt inherently immoral [C] Induction- either it’s the case we can predict the outcome of a situation, or we cannot. We cannot, insofar as no situation is ever replicated exactly, and even if it can, there’s no guarantee the outcome will be the same. If we can predict situations, that means everyone can, which means we will always predict each other, making a paradox of action. Insofar as we always attempt to predict the outcomes of each other’s actions, and will cancel out the obligations

## Case

1ac advocates for some type of kinship – as long as its under the aff or under the world of a govt, then its going to get co-opted the govt is the space that

#### Using the state to resist domination only re-entrenches what it tries to oppose.

Newman 09 [Saul Newman, 2/18/09, The Anarchist’s Library “War on the State: Stirner and Deleuze’s Anarchism,”<https://theanarchistlibrary.org/library/saul-newman-war-on-the-state-stirner-and-deleuze-s-anarchism.pdf> //BWSKR]

Stirner and Deleuze’s anti-State thinking may allow us to conceptualise and develop forms of resistance which avoid the trap the State has laid for us — that by our absolute adherence to rational structures of thought, and essentialist modes of desire, we end up reaffirming, rather than overcoming, domination. One must be able to think beyond the question of what institution, what form of domination, is to replace the one we have overthrown. Deleuze and Stirner’s anti-State thought can maybe provide us with the conceptual armoury to free politics from the blackmail of this eternal question. Here I would also argue that although Stirner and Deleuze’s analysis of State power differs in many ways from traditional anarchism, it is precisely on this point that they are closest to anarchism. They share with anarchism a relentless critique of all forms of authority, and particularly a rejection of the idea that certain forms of authority can be liberating. The difference is that Stirner and Deleuze expose sites of potential domination in places where classical anarchism did not look — in moral and rational discourses, human essences and desire. In other words they have merely extended the critique of power and authority embarked upon by classical anarchism. In this sense Deleuze and Stirner’s critique of the State can be seen as a form of anarchism. But it is an anarchism without essences and the guarantees of moral and rational authority. Perhaps in this way Deleuze and Stirner’s anti-State philosophies may be considered as a post-anarchism — a series of conceptual strategies which can only advance anarchism by making it more relevant to contemporary struggles against authority. I have argued, then, that there is a surprising and unexplored convergence between Stirner and Deleuze on the question of the State. Moreover exploring this convergence may allow us to theorise a non-essentialist politics of resistance to State domination. Both thinkers see the State as an abstract 13 principle of power and sovereignty which is not reducible to its concrete forms. They develop a theory of the State which goes beyond Marxism in seeing the State as autonomous from economic arrangements, and beyond anarchism in seeing the State as operating through the very moral and rational discourses that were used to condemn it. In doing this they break with the paradigm of Enlightenmenthumanism, unmasking the links between power and human essence and showing that desire can sometimes desire its own repression. Stirner and Deleuze, then, may be seen as occupying a similar anti-authoritarian philosophical and political trajectory — one that declares conceptual war on the State, and whose considerable theoretical implications for anarchism must be reckoned with.

#### This act of civil disobedience of not voting spawns conscientious, communication, publicity, and nonviolence to create social change. Brownlee ‘07

[Brownlee, Kimberley, 1-4-2007 revised on 2013, "Civil Disobedience (Stanford Encyclopedia of Philosophy)," No Publication, https://plato.stanford.edu/entries/civil-disobedience/];creekkz

**Conscientiousness**: This feature, highlighted in almost all accounts of civil disobedience, points to the seriousness, sincerity and moral conviction with which civil disobedients breach the law. For many disobedients, their breach of law is demanded of them not only by self-respect and moral consistency but also by their perception of the interests of their society. Through their disobedience, they draw attention to laws or policies that they believe require reassessment or rejection. Whether their challenges are well-founded is another matter, which will be taken up in Section 2. On Rawls's account of civil disobedience, in a nearly just society, civil disobedients address themselves to the majority to show that, in their considered opinion, the principles of justice governing cooperation amongst free and equal persons have not been respected by policymakers. Rawls's restriction of civil disobedience to breaches that defend the principles of justice may be criticised for its narrowness since, presumably, a wide range of legitimate values not wholly reducible to justice, such as transparency, security, stability, privacy, integrity, and autonomy, could motivate people to engage in civil disobedience. However, Rawls does allow that considerations arising from people's comprehensive moral outlooks may be offered in the public sphere provided that, in due course, people present public reasons, given by a reasonable political conception of justice, sufficient to support whatever their comprehensive doctrines were introduced to support (Rawls 1996). Rawls's proviso grants that people often engage in the public sphere for a variety of reasons; so even when justice figures prominently in a person's decision to use civil disobedience, other considerations could legitimately contribute to her decision to act. The activism of Martin Luther King Jr. is a case in point. King was motivated by his religious convictions and his commitments to democracy, equality, and justice to undertake protests such as the Montgomery bus boycott. Rawls maintains that, while he does not know whether King thought of himself as fulfilling the purpose of the proviso, King could have fulfilled it; and had he accepted public reason he certainly would have fulfilled it. Thus, on Rawls's view, King's activism is civil disobedience. Since people can undertake political protest for a variety of reasons, **civil disobedience sometimes overlaps with other forms of dissent.** A US draft-dodger during the Vietnam War might be said to combine civil disobedience and conscientious objection in the same action. And, most famously**, Gandhi may be credited with combining civil disobedience with revolutionary action.** That said, despite the potential for overlap, some broad distinctions may be drawn between civil disobedience and other forms of protest in terms of the scope of the action and agents' motivations (Section 1.3). **Communication**: In civilly disobeying the law, a person typically has both forward-looking and backward-looking aims. She seeks not only to convey her disavowal and condemnation of a certain law or policy, but also to draw public attention to this particular issue and thereby to instigate a change in law or policy. A parallel may be drawn between the communicative aspect of civil disobedience and the communicative aspect of lawful punishment by the state (Brownlee 2012; 2004). Like civil disobedience, lawful punishment is associated with a backward-looking aim to demonstrate condemnation of certain conduct as well as a forward-looking aim to bring about a lasting change in that conduct. The forward and backward-looking aims of punishment apply not only to the particular offence in question, but also to the kind of conduct of which this offence is an example. There is some dispute over the kinds of policies that civil disobedients may target through their breach of law. Some exclude from the class of civilly disobedient acts those breaches of law that protest the decisions of private agents such as trade unions, banks, private universities, etc. (Raz 1979, 264). Others, by contrast, maintain that disobedience in opposition to the decisions of private agents can reflect a larger challenge to the legal system that permits those decisions to be taken, which makes it appropriate to place this disobedience under the umbrella of civil disobedience (Brownlee 2012; 2007). There is more agreement amongst thinkers that civil disobedience can be either direct or indirect. In other words, civil disobedients can either breach the law they oppose or breach a law which, other things being equal, they do not oppose in order to demonstrate their protest against another law or policy. Trespassing on a military base to spray-paint nuclear missile silos in protest against current military policy would be an example of indirect civil disobedience. It is worth noting that the distinction often drawn between direct civil disobedience and indirect civil disobedience is less clear-cut than generally assumed. For example, refusing to pay taxes that support the military could be seen as either indirect or direct civil disobedience against military policy. Although this act typically would be classified as indirect disobedience, a part of one's taxes, in this case, would have gone directly to support the policy one opposes. **Publicity**: The **feature of communication may be contrasted with that of publicity.** The latter is endorsed by Rawls who argues that civil disobedience is never covert or secretive; it is only ever committed in public, openly, and with fair notice to legal authorities (Rawls 1971, 366). Hugo A. Bedau adds to this that **usually it is essential to the dissenter's purpose that both the government and the public know what she intends to do** (Bedau 1961, 655). However, although sometimes advance warning may be essential to a dissenter's strategy, this is not always the case. As noted at the outset, publicity sometimes detracts from or undermines the attempt to communicate through civil disobedience. If a person publicises her intention to breach the law, then she provides both political opponents and legal authorities with the opportunity to abort her efforts to communicate (Smart 1991, 206). For this reason, unannounced or (initially) covert disobedience is sometimes preferable to actions undertaken publicly and with fair warning. Examples include releasing animals from research laboratories or vandalising military property; to succeed in carrying out these actions, disobedients would have to avoid publicity of the kind Rawls defends. Such acts of civil disobedience nonetheless may be regarded as ‘open’ when followed soon after by an acknowledgment of the act and the reasons for acting. Openness and publicity, even at the cost of having one's protest frustrated, offer ways for disobedients to show their willingness to deal fairly with authorities. **Non-violence:** A controversial issue in debates on civil disobedience is non-violence. Like publicity, non-violence is said to diminish the negative effects of breaching the law. Some theorists go further and say that civil disobedience is, by definition, non-violent. According to Rawls, violent acts likely to injure are incompatible with civil disobedience as a mode of address. ‘Indeed’, says Rawls, ‘any interference with the civil liberties of others tends to obscure the civilly disobedient quality of one's act’ (Rawls 1971, 366). Even though paradigmatic disobedients like Gandhi and Martin Luther King Jr embody Rawls's image of non-violent direct action, opponents of Rawls's view have challenged the centrality of non-violence for civil disobedience on several fronts. First, there is the problem of specifying an appropriate notion of violence. It is unclear, for example, whether violence to self, violence to property, or minor violence against others (such as a vicious pinch) should be included in a conception of the relevant kinds of violence. If the significant criterion for a commonsense notion of a violent act is a likelihood of causing injury, however minor, then these kinds of acts count as acts of violence (see Morreall 1991). Second, non-violent acts or legal acts sometimes cause more harm to others than do violent acts (Raz 1979, 267). A legal strike by ambulance workers may well have much more severe consequences than minor acts of vandalism. Third, violence, depending on its form, does not necessarily obscure the communicative quality of a disobedient's action as Rawls and Peter Singer suggests it does (Singer 1973, 86). Limited violence used to achieve a specific objective might heighten the communicative quality of the act by drawing greater attention to the dissenter's cause and by emphasising her seriousness and frustration. These observations do not alter the fact that **non-violent dissent normally is preferable to violent dissent.** As Raz observes, non-violence avoids the direct harm caused by violence, and non-violence does not encourage violence in other situations where violence would be wrong, something which an otherwise warranted use of violence may do. Moreover, as a matter of prudence, non-violence does not carry the same risk of antagonising potential allies or confirming the antipathy of opponents (Raz 1979, 267). Furthermore, **non-violence does not distract the attention of the public, and it probably denies authorities an excuse to use violent countermeasures against disobedients.**

#### Refusal re-inscribes power hierarchies

Samantha Balaton-Chrimes & Victoria Stead 17, “Recognition, power and coloniality,” https://www.tandfonline.com/doi/pdf/10.1080/13688790.2017.1355875

Hinkson moves us back again to a settler context, this time Australia, to interrogate the ever-present and often frustrating and contradictory recognition relationships between settlers and the Warlpiri people of Central Australia. Working with the praxis of one par- ticular indigenous man, Hinkson shows how the quotidian negotiations of this space can take the form of an attitude of seeking to be ‘free to the world’ by coming to terms with the Other, and seeking forms of pleasure and empowerment through that experience that cannot be reduced to assimilation or refusal of recognition. Kowal and Paradies, also writing in the Australian context, similarly explore spaces of contradiction and grappling, this time with respect to race. They theorise ‘race refusal’ as the practice through which an Aboriginal person who could pass as white refuses to do so, thereby refusing recognition of a certain sort. While emancipatory in some respects, Kowal and Paradies also show how these refusals can also be reappropriated by the state in order to redraw the hierarchical boundary between Indigenous and non-Indigenous people. Finally, in light of these insights into the freedom-diminishing effects of recognition, or at least the deep contradictions and risks of the politics of recognition, Ivison re-engages political theory directly to interrogate the ongoing relevance of recognition as a moral horizon for conceiving of and practicing intercultural justice. In its place, Ivison offers justification as an alternative, possibly more politically efficacious and morally progressive game for the struggles our contributors explore.

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)