# Agamben AC v2

## 1AC

### 1AC – Contention

#### **We are in the state of exception – the sovereign has disregarded the law to create a politics that fits their whim. All politics is subject to the sovereign and political subjects are chosen to live or to die – bare life in an inevitability for those the sovereign deems unworthy.**

Damai 05 [Pupsa Damai, Marshall University, "The Killing Machine of Exception: Sovereignty, Law, and Play in Agamben's State of Exception", Winter 2005, https://mds.marshall.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1030&context=english\_faculty] **Tfane23**
Giorgio Agamben’s slender but profound monograph on the state of exception is an intervention into a world that is becoming more and more exceptionalist. The events of 9/11, the War on Terror, and the successive decrees and acts authorizing fingerprinting, interrogation, and indefinite detention of suspects in terrorist activities, all testify to Agamben’s prophetic portrayal of contemporary politics in which the state of exception—normally a provisional attempt to deal with political exigencies—has become a permanent practice or paradigm of government. When the exception becomes the rule, it results, argues Agamben, not only in the appropriation of the legislative or judiciary power by the executive, the suspension of the constitution, and the extension and encroachment of the military’s wartime authority into the civic sphere, but also in a state of global civil war, which “allows for the physical elimination not only of political adversaries but of entire categories of citizens who for some reason cannot be integrated into the political system” (2005b, 2). In a way, therefore, the State of Exception is an exploration or analysis of the ways in which this killing machine of exceptionalism works. Besides the scary and probably scandalous historical parallels drawn in this text, for instance, between Hitler’s Decree for the Protection of the People and the State and the USA PATRIOT Act, Agamben is also interested in theoretically and generally exposing the growing transformation of the contemporary government into a killing machine through a fictitious production of the exception by the executive. The reference to the specific historical instances of the state of exception, therefore, occasions a sustained philosophical meditation on the fate of law and life after the suspension of the juridical order in the exception or after the application of law is withdrawn in order to expose life to the force of law without application. In other words, the state of exception unfolds as an emptiness of law that at once bans in order to abandon the living being to law. Through the idea of the abandonment of life to law, Agamben succeeds in illustrating the biopolitical significance of the state of exception that culminates in “producing a legally unnamable and unclassifiable being”— bare life (or la nuda vita, as the original Italian text calls it). Along with undertaking the task to clarify the conceptual uncertainty around the syntagm, the state of exception—which, in its semantic as well as practical indeterminacy, has been conflated with the state of necessity, emergency, full powers, and martial law—Agamben, in the State of Exception, attempts to provide an answer to the question “that never ceases to reverberate in the history of Western politics: what does it mean to act politically” (2). That is to say, the retrieval of politics in the wake of the end of all politics by the exception is inextricably intertwined with the biopolitical nexus that binds life to law by means of exclusion. The biopolitical threshold of the exception is the extreme zone of intensity wherein law remains but its application is deactivated. Agamben characterizes this exceptional locus where law blurs with violence as a zone of anomie where law remains but 256 ● The Killing Machine of Exception only as a pure force of violence. Agamben puts this anomic place of law as the “force of law .” In this assessment of the proper locus of the exception, Agamben juxtaposes Carl Schmitt’s notion of dictatorship and Benjamin’s idea of pure violence. He also revisits ancient Roman institutions and practices of the iustitium and auctoritas only to find that the exception is a no man’s land, an absolute nonplace, an empty space in which is manifested a legal void (“vuoto” as the original text has it [15]) that runs, regardless of time and place, through the entire political life in the West. Thus, for Agamben, the exception is neither a purely constitutional nor strictly a historical problem. It is not constitutionally determined because it does not strictly belong to totalitarian governments only; rather it constitutes a threshold of indeterminacy between democracy and absolutism, thereby giving way to what have come to be known as “protected democracies.” Furthermore, it is not a historical issue, not only because it is as much present in ancient Roman republic as it is in contemporary republics, but also because there is no time prior to the state of exception. Agamben categorically rules out the possibility of any simple outside to the state of exception: “There are not first life as a natural biological given and anomie as the state of nature, and then their implication in law through the state of exception” (2005b, 87). Intrinsically too exceptionalism causes, for Agamben, the same destabilization of the opposition between the inside and the outside. As he argued in Means without End (2000), etymologically, exception (excapere) suggests that what is being excluded in various structures of exception is “captured outside, that is, it is included by virtue of its very exclusion” (39). Since the exception is a kenomatic (empty or void) instead of a pleromatic state in which the sovereign assumes plenary powers, it is not a dictatorship either. State of Exception is not only about what remains of law after its suspension, or the spectral effects of law; nor is it just a hunt for the principle of legitimacy of the violence wreaked in the absence of law or a norm. What interests Agamben most is that law and norm parasitically subsist on anomie and exception. That is the case not because the state of exception is a state of necessity, and, since necessity knows no law, exceptionalism is a Puspa Damai ● 257 lacunae in law to be filled by the subjective decision of the sovereign. Rather, he explains, “everything happens as if both law and logos needed an anomic (or alogical) zone of suspension in order to ground their reference to the world of life. Law seems to subsist only by capturing anomie . . .” (2005b, 60). Exceptionalism, to put it differently, is a state in which law is suspended without ceasing to be in force. Precisely at the moment when the nomos completely blurs into the anomic force does the exception assume its most lethal form as an unstoppable killing machine that, in its limbo, captures life and makes it possible to exterminate life with impunity. Agamben, in Homo Sacer, already had extended Schmitt’s definition of the sovereign as one “Who decides on the exception”; the “production of the biopolitical body,” that can be killed with impunity, is “the original activity of sovereign power” (Agamben 1998, 6).

#### **Western focus on creating productive structures has made the sovereign complicit with the wishes of the capitalist state – which only furthers the state of exception.**

Barkan 09 [Joshua Barkan , Rethinking Marxism: A Journal of Economics, Culture, and Society Vol. 21, "Use Beyond Value: Giorgio Agamben and a Critique of Capitalism: Rethinking Marxism: Vol 21, No 2", April 8, 2009, https://www.tandfonline.com/doi/abs/10.1080/08935690902743450?journalCode=rrmx20] **Tfane23**
In engaging Schmitt’s historical narrative directly, Agamben is able to show the unthought problematic of European public law. Yet, this also leads Agamben to incorporate Schmitt’s understanding of history into his own work. The connection is clear in the way they both accentuate the role of mid-twentieth-century economic crisis in the creation of the new nomos. Schmitt explicitly locates the dissolution of the European order of public law in the rise of capitalist social relations, beginning with the development of British maritime power and culminating in the post / World War I global economic dominance of the United States. Schmitt was troubled by what the rise of U.S. economic power implied for the legal order of Europe. His polemic chronicles the ways that the United States exercised a de facto form of global sovereignty through economic control without establishing a determinant legalterritorial order that could bracket war.7 Because Schmitt’s reading of nomoi (2003, 326 / 7) intertwined appropriation of land with the production and distribution of goods as fundamental to the establishment of law, the mid-twentieth-century expansion of U.S. capitalism offered a global system of production and distribution while lacking the requisite forms of global territoriality (see also Vilaro ´s 2005). Agamben follows Schmitt in asserting the centrality of capitalist economics in the interwar legal crisis. In his ‘‘brief history,’’ he describes the proliferation of emergency measures used to stabilize currencies. Conflating ‘‘politico-military and economic crises’’ (Agamben 2005, 13) was one of the primary rationalities enabling states to assume emergency powers, resulting in ‘‘an implicit assimilation between war and economics’’ (15). Beyond the regulation of trade and staples during World War I, Agamben notes the use of emergency powers, largely under executive authority, in order to stabilize the franc by French governments on both the Right, in 1924 and 1935, and the Left, in 1937 (13); prevent the devaluation of the German mark in 1923 (15); and respond to economic crises in the United States with New Deal programs such as the National Industrial Recovery Act of 1933 (22). If the argument about the relation between the exception and the structural logic of the value form outlined above is correct, it would suggest that the new nomos would be important not only in explaining how the exception became the norm, but also for understanding how capitalist value was able to territorialize the earth. As either a historical or historico-philosophical claim, this appears wanting. In terms of historiography, it would make emergency measures in mid-twentiethcentury Europe the key to the establishment of a new global legal and territorial order. Although these laws were certainly important in establishing the parameters of political inclusion and exclusion in Western welfare states that emerged in 7. Schmitt locates the first threats to the order of European public law with eighteenth-century British merchants and their commitment to free trade. For this reason, England ‘‘became the agency of the spatial turn to a new nomos of the earth, and, potentially, even the operational base for the later leap into the total rootlessness of modern technology’’ (Schmitt 2003, 178). What Schmitt finds troubling about capitalism is that it posits itself as eutopic and thus outside any determinant spatial order. For this reason, Schmitt locates the ultimate dissolution of the system of European public law and its failure to stop World War II in the simultaneous economic dominance of the United States and its formal absence from the legal order represented by the League of Nations. 252 BARKAN Downloaded by [Universite Laval] at 08:41 13 July 2014 response to the interwar depressions, it is difficult to see how these events explain the ‘‘new realities and unforeseen convergences of the end of the millennium’’ (10). But even at the historico-philosophical level, it suggests that the exception is something connected to the internal logic of European law, without accounting for the countervailing forces shaping these developments in different times and places. Although Agamben’s approach to history makes other readings difficult, it is important to treat his discussion of the camp as at once explaining a problem that goes beyond specific historical moments and that is internal to Western conceptions of law and politics, but that is also substantially transformed as it is articulated in different times and places and generates a variety of responses and oppositions. In other words, we might think of Agamben’s insights on the relationship between law and value in Western political theory as a crucial aspect of what Gillian Hart (2002) has called the ‘‘multiple trajectories of socio-spatial change.’’ The use of legally sanctioned suspensions of law for economic regulation could be seen as one of the ‘‘multiple, non-linear, interconnected trajectories’’ that leads to abandonment under contemporary neoliberalism. On these terms, Agamben’s focus on the mid-twentieth-century use of emergency measures to maintain monetary values is less an explanation than a provocation to think through the connections between public welfare, the lives of individuals, and the security of regimes of capital accumulation. In the emergency declarations that Agamben cites, the relation is explicit. The National Industrial Recovery Act, for instance, declared an emergency to resolve problems of unemployment and industrial organization that ‘‘burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people’’ (NIRA 133, sec. 1). By equating economics with war, these measures suggest that the economy, like the state of nature, was a bellum omnium contra omnes, a war of all against all, that required the production of a sovereign force to stand on the threshold and ensure the constituted order. This not only gives us an alternative formulation of sovereignty, in which the security of life, the economy, and the state are conflated, but it also suggests that the abandonment of populations under contemporary neoliberalism is not something that appears de novo. After all, before the economy was conceptualized as an autonomous field of social interaction, it was already a political object. Adam Smith made the point clear when he wrote of political economy as ‘‘a branch of the science of the statesman’’ that ‘‘enriched both the people and the sovereign’’ (2000, 455). Michel Foucault, in his 1977 / 8 lectures on governmentality, argued that the management of productive activity was a central concern of modern states going back to the ‘‘police’’ states of seventeenth- and eighteenth-century Europe. The police were not the municipal officers we associate with that term today, but were rather a legal-administrative framework that allowed the state to promote the health, wealth, and security of individuals, populations, and things, along with their interrelations. The model for the police state was the household economy. Police constituted an ‘‘economic pastorate’’ (Gordon 1991, 12), and it was in this respect that the eighteenth-century liberal jurist William Blackstone considered police ‘‘the due regulation of domestic order of the kingdom: whereby the individuals of the AGAMBEN, NOMOS, AND VALUE 253 Downloaded by [Universite Laval] at 08:41 13 July 2014 state, like members of a well-governed family, are bound to conform their general behavior to the rules of propriety, good neighborhood, and good manners’’ (Blackstone 1803). Yet, like a household economy, over which the patriarch maintained the power of life and death, the administration of the state on the basis of economy also included the power to transgress the existing legal order. Though Foucault gives little attention to how the suspension of law establishes the preconditions for the state’s management of the economy, the idea was captured in the legal maxim salus publica suprema lex esto (the public’s welfare is the supreme law), which was a central and often reiterated concept guiding police regulations (Novak 1996; see also Pasquino 1998; Raeff 1983; Neocleous 2000). If the people’s welfare was the goal of government, then any law, including a law that transgressed all others, could be justified under those terms. The use of law, and its legally authorized suspension, was not only central to ordering productivity within the territories of European states, but was also central to the legal and economic structures of European colonialism (see also Arendt 1968; Hussain 2003). For instance, British colonialism was coordinated through corporations whose powers were specified in corporate charters (Carr 1913). The charters were considered gifts from the sovereign and given in the name of the welfare of the state. Charters established a corporation’s proprietary claims to land and resources, methods of internal government, financial relations between the corporation and the state, and the rights, privileges, and obligations of the corporation with respect to the state, workers, other sovereigns, and broader populations. Stewart Kyd made the connection between corporation and police clear in his Treatise on the Laws of Corporations, arguing that corporate political structures provided ‘‘a more convenient system of police’’ (1794, 1). In the case of powerful corporations like the East India and Royal African Companies, the charters also included real police powers, including provisions for raising armies, holding trials, dispensing punishment, and even declaring martial law (Carr 1913, 191). Hobbes, the paradigmatic thinker of strong state sovereignty, captured the exceptional nature of charters when he referred to them as ‘‘not laws, but exemptions from law’’ (2004, 187).

#### Status quo modes of education are complicit in biocapitalism’s attempts to produce the competent, productive worker.

Lewis PhD 13 [Tyson, PhD in Educational Philosophy from UCLA] It’s a Profane Life: Giorgio Agamben on the freedom of im-potentiality in education. Educational Philosophy and Theory, 46(4), 334–347. RE

State of Necessity in Education For Agamben, the human community constitutes itself through the production of certain metaphysical distinctions between human and animal, living and dead, child and adult, and, most importantly, potentiality and impotentiality. The representation of the community as self-same or self-identical is therefore predicated on the work of a certain signifying machine that produces the appearance of ‘necessary’ distinctions. Yet these various lines in the sand that safeguard the boundaries of the community are always contaminated by a remnant that is produced in excess of all divisions and all representations separating self from the other. This remnant is both the stumbling block for achieving the purity of the human community and the infuriating kernel that continually calls for new articulations of the very borders and binaries which it subverts. Agamben’s work is ultimately an exploration of the atopic zone of indistinction that resists division, and testifies to a more primordially rich state of co-originary belonging of humans and animals, living and dead, child and adult, potentiality and impotentiality. By witnessing the remnant in the signifying machine, Agamben testifies to the violence that occurs in any act of representation predicated on a separation or division. This violence is most acutely captured in Agamben’s haunting depiction of the sovereign decision. A sovereign declares who lives and who dies, who is to be included and who is to be excluded. The result of such a decision is a sacrifice: a sacrifice of impotentiality that must be continually excised from the community. The prototypical sacrificial victim is the homo sacer or sacred individual who can be killed without trial (Agamben, 1995/1998). He or she becomes the embodiment of bare life, or life stripped of its rights and duties: a pure remnant or impotentiality without utility, identity or recognition granted by the state. In a legal limbo, the sacred individual is exposed directly to the force of the sovereign’s decision, and thus given over to the excessive violence of abandonment. In such cases, the law only applies through its withdrawal. Within the contemporary learning society, the sacrifice of im-potentiality takes the form of educational abandonment. Drawing on the work of Hannah Arendt and Michel Foucault, Jan Masschelein argues that within a society driven by capitalist production and consumption, political life has been overcome by the eternal return of laboring life. Masschelein’s thesis thus becomes: ‘The discourse of the learning society is at the same time an effect and an instrument of the victory of animal laborans’ (2001, p. 2). Learning is an organizing principle for optimizing labor productivity, and in turn the citizen becomes first and foremost a learner within a flexible, knowledge economy that demands constant ‘retraining’ or ‘reskilling’ to fulfill high-tech, informationally rich jobs. With the rise of the learning society, everyone is put under heightened risk, and survival becomes the ultimate imperative. Masschelein writes, ‘We can say that in the learning society we live in a situation of permanent threat: threatened in our survival (as species, school, university, scientist, teacher, organization, enterprise, citizen, nation and so on), threatened with exclusion, with no possibility of appeal’ (2001, p. 12). Within the learning society, the learner must be the ‘energetic, working, autonomous individual’ (Masschelein, p. 14) capable of continual adaptation to an unstable economic world where unemployment is always right around the corner. In this sense, Masschelein is very similar to Foucault, who argued that education is a type of ‘social orthopedics’ that has ceased to punish individuals and instead focuses on ‘correcting their potentialities’ (Foucault 2000, p. 57) in order to maximize competencies and efficiencies. Simons and Masschelein (2008) describe how potentialities within the learning society are connected to self-directed, self-managing behaviors in a form of ‘governmentality of the self’. As with Foucault’s (2008) description of neoliberalism, Simons and Masschelein describe how life-long learning is part of a ‘withdrawal of the state’ that shifts responsibility for governance to private individuals, thus transforming economic, political or educational problems into individual problems. For Foucault (2008, p. 229), ‘educational investments’ by the neoliberal state transform us into entrepreneurial individuals who can organize our own potentials for maximum economic outputs. The battery of tests which the individual undergoes throughout a lifetime help to identity, classify, train and actualize their unrealized potential as students, workers and citizens. Stated simply, the logic of the learning society is a logic of investment into economically profitable potentialities which must be actualized according to the needs of the market. The learner is the student who must sacrifice his or her im-potentiality in order to graduate on time, get a good paying job and ‘become somebody’. Otherwise, one may be abandoned——and this fundamental exclusion might very well be a threat to one’s very existence (Simons, 2006). In sum, capitalism commands the subject to demonstrate and show signs of competency. Without these demonstrable signs of competency, the subject is abandoned to a future wherein life itself is put at risk. If the logic of learning forces the child to actualize his or her potentiality through his or her entrepreneurial will, then the disavowed impotential is subsequently projected outwards onto the vulnerable other whose fate remains forever a source of humanitarian paternalism who becomes the object of deferred anxiety over the contingencies of our own fragile economic who becomes the object of political systems. The dominant logic is not one of investment into the potentialities of entrepreneurial selves, but rather systematic abandonment that attempts to drain life of its educational supplement (Lewis, 2006). Pedro Noguera (2009) argues that social, economic and political forces have resulted in diminishing educational returns for poor African American boys in particular. According to Noguera, African American boys are now more likely than other groups to be (1) suspended or expelled from school, (2) classified as ‘mentally retarded’ and placed in special education classes, and (3) absent from honors courses. In turn, black males tend to internalize low expectations and thus identify with and enact behaviors that reinforce their academic ‘failure’. In short, neoliberal society effectively manages anxieties concerning its own impotence by projecting it onto the internally excluded other: African American boys. High-stakes testing, zero tolerance policies, and teachers and administrators who lack commitment to the multicultural, lowincome communities they serve constantly demand that African American boys actualize their impotence through policies and procedures that create a self-fulfilling prophesy: the ‘school-to-prison pipeline’ (Lewis & Va´zquez Solo´rzano, 2006). In other words, ‘the trouble with Black boys’ (as Noguera argues) is that they are burdened with the responsibility to compensate for the anxieties of the learning society by self-actualizing the system’s own internal impotence. According to the discourse of learning, the student must be an entrepreneur who is engaged in constant self-management in order to ‘correct their potentialities’ by maximizing outputs. In the case of young black boys, the insidious obverse of this logic reveals itself. Rather than correct their potentialities by maximizing outputs, the governmentality of the self transforms into an impossible mandate: to maximize one’s own failure by internalizing the expectations of abandonment. In other words, the paradoxical charge seems to be: ‘master your capacity for incapacity’, thus cleaving potentiality from impotentiality, leading to an educational caste system that reproduces class and race divisions in the USA. Blame for failure can thus be projected onto these boys, all the while misrecognizing that they have been burdened with the mandate to fully actualize neoliberalism’s own ‘not yet’. Missing in this picture is the connection between potentiality and impotentiality, not as a separation but as a constitutive co-belonging in defiance of the logic of a sovereign decision that creates dichotomies through the necessity of sacrifice. An appeal to necessity justifies the sovereign decision to sacrifice impotentiality. Throughout history, Agamben (2003/2005, p. 25) finds a recurrent theory where ‘necessity is not a source of law, nor does it properly suspend the law; it merely releases a particular case from the literal application of the norm’. The source of the law lies outside the law in the realm of fact and of necessity, which in turn renders the illegality of the state of exception and its sacrifice justified. The objective conditions necessitate a certain decision that cannot be otherwise than the way it is. What is denied here is the aporia of necessity itself: ‘far from occurring as an objective given, necessity clearly entails a subjective judgment, and that obviously the only circumstances that are necessary and objective are those that are declared so’ (Agamben, p. 30) by a sovereign. In other words, the claim to necessity masks the arbitrary or contingent nature of a decision which must decide on that which, in itself, is undecidable. What the logic of necessity conceals is precisely its own foundational paradox which is, in a sense, a pure experience of the co-originary belonging of potentiality and impotentiality beyond any decision and any law. It is this ‘undifferentiated chaos’ of the exceptional which the claim to necessity attempts to bottle up via the decision of the sovereign to take this or that kind of action. The state of necessity informing the logic of the learning society excludes the potentiality that things could be different than they are, that other solutions to educational problems beyond reforming standardization could exist, that the problem with schools could be solved by other means than firing teachers and expelling students. Rather than a state of necessity, education should be reconceptualized as a state of contingency, an exceptional state that could be otherwise than. Against the hubris of educational reform which assumes that educational solutions can be found within the current system of learning imperatives (which themselves are seen as necessary and thus irrefutable), education as a state of contingency would be open to a non-sovereign possibility, a possibility beyond abandonment of teachers, students and their communities. This would be a form of education that breaks with the logic of learning which demands the constant translation of potentiality into actuality in order to compete in a global, capitalist market. Rather, it would be a precarious education which recognizes the fleeting, tenuous and fallible freedom of study which is beyond measure and beyond predefined ends.

#### Standardized tests are an attempt to dissect and predict human potential to sort society into our attendant roles – it exemplifies biocap control over students.

Lemann, PhD, 99

(Nicholas, Joseph Pulitzer II and Edith Pulitzer Moore Professor of Journalism @Columbia, The Big Test: The Secret History of the American Meritocracy)

The true winner of the competition, then, was the IQ-testing camp. With the merger in place and the SAT enshrined as the country’s test for college applicants, the United States had become the world’s leading user of IQ tests. But every victory contains hidden perils. Conant, without realizing it, had set the stage for a fundamental clash. He had helped to enshrine the idea that an absolute, formal guarantee of opportunity for all—not just for people with high IQ scores—was the central premise of American society. But he had also created a system for serially ranking people by a supposed innate worth expressed in the scores made on standardized intelligence tests, on the basis of which their place in society—their prosperity and their prestige— would be apportioned. This was the fundamental clash: between the promise of more opportunity and the reality that, from a point early in the lives of most people, opportunity would be limited. Exactly one week after the Zook report was submitted, the Educational Testing Service was chartered, with Chauncey as president and Conant as chairman of the board. (Chauncey later thought he might have chosen the name because it echoed that of his father’s alma mater, the Episcopal Theological Seminary.) On January 1, 1948, ETS opened for business in Princeton. The ACE Psychological Examination was immediately discontinued. Most people connected to the College Board chose to see what looks now like a crushing victory on their part—in which a handful of private Northeastern colleges maintained what Chauncey privately called “a bread and butter monopoly” over educational testing in the United States—as an act of self-abnegation. Hadn’t the College Board handed over a good portion of its cash on hand to ETS, while the ACE had contributed nothing? Hadn’t the College Board given its tests and part of their income stream to a new orga¬nization it did not control? “It seems to me ... an almost unparalleled action in that the Board itself voted to surrender, without any hope of material reward, so much of its assets of all kinds, in the hope that education as a whole may profit,'’ wrote Edward Noyes, dean of admissions at Yale and head of the College Board, to Devereux Josephs. Forever after, this view of what had happened in the merger—public-spirited sacrifice by the College Board, rather titan bureaucratic triumph—remained firmly lodged in Henry Chauncey s memory. “It was in the spirit of self-denial for the benefit of test¬ing as a whole that they agreed to participate,” he wrote decades later. This formulation allowed him to build his empire aggressively, secure in the con¬viction that there was no element of self-interest in his behavior. Which brings to mind the old Groton motto: To serve is to reign. During the summer of 1948, while on his first vacation since the establish¬ment of ETS, Chauncey read an article in a publication called The Scientific Monthly that troubled him considerably. The article, “The Measurement of Mental Systems (Can Intelligence Be Measured?),” was by two well-known liberal educators: W. Allison Davis, who had written Children of Bondage, a book about young Negroes in the South, and Robert J. Havighurst, whom Chauncey knew slightly from military testing work during the war. ^ hey argued that intelligence tests were a fraud, a way of wrapping the fortunate children of the middle and upper middle classes in a mantle of scientifically demonstrated superiority. The tests, they said, measured only “a very nar¬row range of mental activities' and carried “a strong cultural handicap for pupils of the lower socioeconomic groups.” Like most people familiar with testing, Davis and Havighurst treated educational aptitude tests like the SAT as being the same thing as IQ tests. And they didn t approve. Such tests, they said, measured primarily “acade¬mic or linguistic activities,” called them intelligence, and then validated die score against school performance. The process was “circular,” because the validation was too similar to die test itself: “a teacher’s rating of a pupil is an estimate of die pupil’s performance on the same kind of problems as those in the standard tests.” Although he was not generally a defensive person, Chauncey reacted touchily to the Scientific Monthly article. “They take the extreme and, I believe, radical point of view that any test items showing different difficulties for different socio-economic groups are inappropriate,” he wrote in his diary, and went on to take a mildly hereditarian position on intelligence tests: If ability has any relation to success in life parents in upper socioeconomic groups should have more ability than those in lower socio-economic groups. And if there is anything in heredity (such as tall parents having tall children) one would expect children of high socio-economic group parents to have more ability than children of low socio-economic group parents. But to Chauncey’s way of dunking, the real point was that die issues Davis and Havighurst were so upset about would soon be forgotten; testing and ETS were going to move beyond aptitude into a new era, when testers would achieve a broad, nuanced understanding of the whole spectrum of human abilities. Yes, it was disturbing that aptitude-test results so strongly reflected social inequities. During the war, Chaimcey had himself been qui- edy shocked and mystified when he saw, as the public and the test-takers had not, that overall statistics on the Army-Navy College Qualification Test showed far-below-average scores for Southerners, Negroes, and die poorly educated. But he felt certain that something much bigger dian aptitude testing was aborning. It was just too bad that aptitude testing was the only part of the great development that was then visible. Chauncey was thinking of writing a book or an article explaining all this, which would be called “The Dawn of Social Science.” It wasn't just Chauncey who believed a new age was dawning. The founding period of ETS represents one of the periodic high points of faith in the power of reason. In philosophy, in psychology, in physics, in anthropol- ogy, in medicine, in sociology—all across these fields of inquiry, expertise and logic were taken to be almost limitlessly fruitful. The first computer had just been unveiled. The new United Nations would end war. The disease that had crippled the privileged President Roosevelt was on die verge of being eliminated as a threat even to the poorest of the poor. No problem, no source of woe, no unsolved mystery, seemed immune to the miraculous good effects of human intervention through technology and organization. Chaimcey, typically, put an especially enthusiastic, romantic, boyish forward spin on die conventional wisdom of the moment. For centuries, he believed, the best scientific minds had turned their attention to die physical world, which once had been understood only in a mystical way, and they had relentlessly gotten to its underlying order and rationality. Now, at long last, the same process was beginning for the social world—for human capacity and interaction. “We seem ... to have arrived at the period in Man’s history when human affairs can be studied as impartially and scientifically as physical phenomena,” he wrote in his diary. Just as the Manhattan Project had split the atom, the Educational Testing Service, with its research department made up of the best minds in the field, would decode the mind. Many more people than just aspiring college and graduate students would be tested, and for many more qualities. ETS would measure all abilities, not just aptitude or intelligence. It would map and code the personality. This new knowledge would help human affairs to take on a new conformation: rational understanding would replace prejudice, hatred, emotion, and superstition. Human nature itself would be reformed. There was a match between this shining moment for Chauncey—poor boy who had been educated in schools for rich boys, administrator in a university run by scholars, now in middle age finally being put in charge of something—and the moment for social science. As one of Chauncey’s diary entries in 1948 put it: Psychology, die Cinderella of die Social Sciences. The day when the prince will arrive to take her to the ball is not far off. unappreciated, despised Chauncey was aware that in the past the principal way people had sought to understand their condition was through religion, liis family's tradi- tional vocation. But religion, he thought, however noble its aims, could never be fully effective in improving society because it was not scientific. And being unscientific, it had impeded progress: “die social sciences are at last freeing themselves from the bondage in which they have been held by ethics, religion, prejudices, value judgments,” Chauncey wrote. And, on another day: “Our mores should not be derived from ethical principles which stem from religion but from a study of man and society.” Once social science had completed its work, Chauncey believed, die question of ethics ought to be reintroduced. He was sufficiently pious to find it unthinkable to jettison moral principles in favor of data. He wanted moral principles to be in place, and he wanted to be sure they rested on a firm scientific base, as hadn t been possible before. Experts could be assembled who would sift through the discoveries of social science and use them to form a new, better set of fundamental precepts. Chauncey called this the “hierarchy of values/ Then, once it had been determined, we would have to find a way to inculcate it in the populace. How? “Only Plato had the answer, the insti-tutionalization of all children from birth.” But that was impracticable; for now, in an expanded educational system, Americans would “set about to indoctrinate the youth of the country with this set of values. Freedom of thought would still remain, as one of the values that are included in the framework, but the anarchy that presently exists to the confusion and unhappiness of most people would be replaced by a sense of order.” Back in 1922, Walter Lippmann had predicted that if intelligence testing ever really caught on, the people in charge of it would “occupy a position of power which no intellectual has held since the collapse of theocracy.” And indeed it was true that, as head of the Educational Testing Service, Chauncey hoped to perform a quasi-ministerial function. It would be an improvement upon, a modernization of, the work that past Chaunceys had done to help form America. In his diary, as he struggled to put into words what he had in mind, he kept making the same twist on a famous phrase of William James’s. “What I hope to see established,” he wrote in one such pas- sage, “is die moral equivalent of religion but based on reason and science rather than on sentiments and tradition.”(65-9)

#### That turns schools into a state of exception where a war against youth of color is justified on the basis of necessity.

Lewis PhD 06 [Tyson, PhD in Educational Philosophy from UCLA] THE SCHOOL AS AN EXCEPTIONAL SPACE: RETHINKING EDUCATION FROM THE PERSPECTIVE OF THE BIOPEDAGOGICAL. Educational Theory, 56(2), 159–176. RE

SCHOOLING AND THE LOGIC OF THE CAMP Education in the inner city is intimately linked with biopower in that its primary function no longer seems to be creating a productive, docile, industrially competent worker subject but rather simply children’s survival itself. Thus providing shelter to students without shelter, providing food in the form of free lunch programs, and providing medical care have supplanted education as the major goals of many schools serving poor populations. Here schools and refugee camps merge as spaces of biopower where survival takes precedence and bare life becomes the political and pedagogical issue. In this fragile zone, the negative potential of biopower through which sovereign force operates returns in the form of zero-tolerance laws. One can witness this preoccupation in the recent rise in school raids, lockdowns, and suspensions — which I regard as a bellum justum being waged against urban youth. I will then frame these various phenomena in relation to the U.S. legal theory of childhood and to students’ rights in schools. Through this analysis, I hope to demonstrate the validity of Adorno’s warnings by viewing them through the analytical language of Agamben’s theory of the state of exception. The zero-tolerance approach to U.S. education can be traced to the 1980s, when government and military officials adopted zero-tolerance policies to set penalties for adult drug offenders. By the early 1990s, national zero-tolerance policies trickled down to school systems where the punishment procedures and the lingo used in the ‘‘war against drugs’’ were rapidly adopted. While originally implemented to eliminate weapons and narcotics from schools, these policies became the blanket response to an array of school violations and have thus come to represent the educational equivalent of the mandatory ‘‘three strikes’’ criminal policy. The intensification of zero-tolerance policies in urban schools serving low-income, minority students has in many cases yielded inexplicable and excessive effects. As Ronnie Casella reports, harsh punishments to prevent possible school violence leads to a ‘‘police-state-like atmosphere’’ in which even ‘‘public displays of affection’’ are outlawed and subject to reprimand.25 For instance, in one case five African American boys at a Mississippi school were arrested for felony assault for accidentally hitting their white bus driver in the head with a peanut.26 The war against drugs, crime, and poverty has become a permanent and extended ‘‘war’’ against youth of color, and schools have become contested battlegrounds where everyday behaviors are interpreted as extreme and where extreme responses to such behaviors have become everyday occurrences. Thus, in New York’s urban schools students have been handcuffed simply for dress-code infringements; unsurprisingly, suspension rates in these schools have exceeded fifty percent of the student body.27 A further example of this state of siege occurred in 2003 at Charlestown High School in Boston. After a 15-year-old student was shot in the leg close to the school’s campus, police inaugurated ‘‘Operation Clean Slate.’’ As a result of this action (which was doubtless facilitated by the environment created by the school’s zero-tolerance policy), seventeen students were arrested, their lockers were raided, the school was placed in lockdown, and the suspects were detained and interrogated in the principal’s office. Mariellen Burns, a spokesperson for the police, said that this ‘‘war was done for the safety of the students and the faculty and to send a message at the beginning of the school year that anyone who has issues like this [related to school violence] needs to deal with them immediately.’’28 Here Foucauldian technologies of disciplinarity (such as interrogation) are implemented not to train, normalize, or rehabilitate so much as to punish students through police action and ‘‘shock and awe tactics.’’ If disciplinary schools in the modern era focused on capturing and training the potentials of students, then with zero tolerance we see a return of the logic of the Great Confinement (1600–1750) wherein schools served the negative function of containing social disorder. The return of this negative functionality signals that the break pinpointed by Foucault in Discipline and Punish is not so clean-cut and that the sovereign ban operates as the expression of the inner logic of pedagogy. In other words, the lockdown of Charlestown High School constituted a state of exception wherein students were subjected to a battery of surveillance examinations and physical harassment legitimated by the pervasive and moralizing language of war. This process opens a terrain between the panoptic, disciplinary model and the logic of the exception, where discipline is supplemented by a state of forced containment and educational arrested development. Another alarming example of the school as a state of exception occurred on November 5, 2003, at Goose Creek High School in South Carolina. That morning, the school was raided and militarily secured by a fully armed SWAT team. Soldiers wielding loaded weapons physically thrust students to the ground and slammed them against lockers; anyone who did not immediately respond to orders was handcuffed. The commando team proceeded to search the premises but in the end found neither drugs nor weapons of any kind.29 In the name of security, education as the normative practice of schooling was suspended, initiating a lockdown scenario in which students were subjected directly to force that in its implementation exceeded due cause. In fact, during this violent raid, some students actually thought that the school was under attack by terrorists rather than being infiltrated by the military. Such reactions speak to the unnecessary measures of zero tolerance that blur the line between safety and anomie and public and private spaces and ultimately produce an atmosphere of terror not captured in Foucault’s narrative of disciplinary normalization or in Althusser’s theory of interpellation. The sovereign force of Empire as a global policing agent reapplies itself to the very heart of the United States in the form of an inner-city civil war on drugs, poverty, and youth. If in the global state of exception described by both Agamben and Michael Hardt and Antonio Negri politics and war become inseparable, then so too does education become war by other means. Low-intensity warfare in the form of high-intensity police action comes to organize social relations and in turn acts as a proxy for safety in schools. Rather than microrelations of power (dispersed and invisible), we see the use of force over and against bodies in the form of restraint, punishment, and ultimately exile. If the school — as opposed to the camp — is classically thought of as a safe haven from the ‘‘terrors’’ of the outside world, here in the state of exception that which encloses to protect folds back on itself to become a space wherein safety and terror can become indistinguishable. As Annette Fuentes reports, in contemporary America, George W. Bush’s No Child Left Behind Act (2001) has given new life to the old ideology of zero tolerance: ‘‘Zero tolerance critics believe the current emphasis on standardized testing is one reason harsh policies continue even as school crime plummets.’’30 The Bush Administration’s fixation with standardized test scores has led to the overuse of exclusionary practices (for example, suspension or expulsion) against those students perceived as potential low-scorers. These in-school suspensions are a further indication of how biopedagogy has collapsed educational life into bare life. In the Denver Public School district, where suspension rates are on the rise, over half of all suspensions occurring between 2003 and 2004 were for subjective, nonviolent acts of disobedience by male students of color (predominantly African American and Latino).31 This escalating use of in-school suspension brings about a limbo state between inclusion and exclusion — in other words, educational life is included by its very exclusion in the school. It is here that educational life becomes interchangeable with bare life (a life devoid of pedagogical supplement), and the student is reduced to nothing more than a body that must be policed. In other words, pedagogy comes to concern itself with the unpedagogical (the monitoring of bare life at the expense of learning). If, as Foucault contended, schooling is a form of disciplinary investment, then the increased use of suspensions represents a return to the sovereign force of abandonment where students are seen as deficits. Daniel Cho has recently argued that knowledge of the student has become abject, transformed into an excluded object barred from being recognized in current standardization; it follows that students’ very bodies have become abject under zero-tolerance policies, rendering educational life inoperable.32 Here children must be left behind, or abandoned by the sovereign’s decision, in order (paradoxically) to sustain the No Child Left Behind law. Schools must suspend the mandate of the state in order to ensure school funding. They maintain their ability to continue to educate the nation’s poor precisely by no longer educating them. Stated differently, documents such as A Nation at Risk and No Child Left Behind usher in a state of educational emergency in ‘‘failing’’ schools, thus forcing the implementation of a ban over educational life in order to maintain school funding. This application of the ban might seem at first to be antithetical to No Child Left Behind, yet it is in reality the unstated inner paradox of biopower inherent in the law itself. If in-school suspension represents the abandonment of educational life within the biopedagogical, then out-of-school expulsion represents the educational ‘‘death penalty.’’ Expulsion in the Denver public schools rose from 9,846 in the 2000–2001 school year to 13,423 in 2003–2004 (an increase of over thirty-six percent in three years). Eighty-six percent of these expulsions were for nonviolent offences, including such acts as ‘‘interferes with school’s ability to provide educational opportunities to other students’’ or has a ‘‘personal appearance or lack of hygiene that is disruptive.’’33 Even more disturbing is that students of color were seventy percent more likely to be suspended or expelled than their white peers.34 Substantial evidence suggests that, once expelled, many students are likely to follow a path from the streets to juvenile detention and ultimately to prison.35 Even if students are able to return to school post-incarceration, they are often stigmatized by peers and teachers, tracked by hallway guards, and denied access to the educational materials and help needed to remain at their grade level. Such conditions greatly increase the likelihood that the student will simply drop out, and so the student, while physically present, is virtually dead as far as the school is concerned: biopedagogy transforms into thanatopedagogy, a pedagogy whose goal is not to facilitate learning but rather to enforce the end of educational life. As Foucault reminded us in describing the persistent life of sovereign force within the biopolitical, ‘‘When I say ‘killing,’ I obviously do not mean simply murder as such, but also every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection, and so on.’’36 Thus thanatopedagogy as the enactment of a ban on educational life constitutes what James would call ‘‘social death.’’37 Here students are not given a mandate (‘‘be cool, stay in school’’ or ‘‘just say no’’) as in Althusser’s model of the ISA. If they are hailed, they are not interpellated and, therefore, the message remains external. Individual students do not recognize themselves as students; the hailing does not recruit them as subjects of education but rather as anti-educative subjects. While Althusser did admit that the ISA contains within it repressive elements (such as punishment, expulsion, and the like), he saw these punishments as standard practices to aid in the process of ideological integration, not as violent actions justified by war. Furthermore, the most extreme examples of current zero-tolerance policies lack the necessary supplement of educational ideological interpellation and instead lead to exclusion through expulsion and high drop-out rates. This kind of violence does not easily fit Althusser’s model and instead speaks to an excessive moment where repressive possibilities are not simply realized but rather extended beyond their own proper limits and legitimated by the disciplinary restrictions of the ISA. Here we see the return of a repressed violent and traumatic kernel of education in which the dark supplement to normalizing discourses and disciplinary power relations is re-animated by means of the new ‘‘wars’’ on drugs, crime, and, ultimately, poor youth of color. As Michelle Fine writes, ‘‘In urban areas, especially for low-income African-American and Latino youths, public schools may offer everyone access in, but once inside the doors of public schools, many low-income urban youths are virtually disappeared.’’38 Consequently, access has not resulted in disciplinary inclusion or ideological interpellation but rather in an internal exiling of the least privileged in a state of indistinction between the outside and the inside of school life. This argument gives further credence to the claim, by Ivan Eugene Watts and Nirmala Erevelles, that poor inner-city schools are not so much prisons as they are internal colonies of a global system of Empire. Describing the plight of Latino/a and African American students attending ‘‘ghetto schools,’’ Watts and Erevelles invoke the notion of internal colonization where spatial locations are conquered and sealed off from the rest of society by tangible or intangible (symbolic) spatiotemporal boundaries, producing reservations or barrios that lack economic mobility or political voice.39 What Watts and Erevelles describe as the colony is very close to Agamben’s notion of the camp, since both operate through included exclusion, the state of exception by which a sovereign decision imposes itself directly on people under threat of siege. In this state of emergency, the school comes to function like a refugee camp (where life persists, but in an otherwise intolerable state) or even like a concentration camp (where educational life as bare life hangs in the balance of the sovereign’s decision). The dramatic image of the camp serves as a powerful spatial model for describing the deterioration of schooling in urban areas. The conditions that are transforming schools into protocamps — and, in turn, educational life into bare life — are inscribed directly into the U.S. legal apparatus. Although it is often thought that children lack certain adult freedoms (agency rights), they benefit from extended protection by the state (welfare rights). However, the use of the term ‘‘protection’’ here is an ideological mystification that obscures the continued construction of childhood as a determination of sovereign right. Children are denied many legal rights granted to adults, including the right to decide where they want to live, the school they will attend, the religion they will practice, and the type of medical treatment they might receive. As Nanette Davis has argued, ‘‘The moral, social, and legal subordination of children to family and various authority systems without rights of appeal mark the historical record, and provide the social conditions for the oppression of children and adolescents.’’40 Because they lack the rights of full citizens, children are exposed to the sovereign’s ban in a much more immediate way than are adults; the life of childhood innocence is easily reduced to bare life through force. If one thinks that equating childhood life with bare life overstates the case, think of the abuses against children at so-called ‘‘wilderness-therapy camps’’ during the mid 1990s. After several children’s deaths, it was exposed that such camps starved children to break their wills, exposed them to harsh elements, and even had professional kidnappers (equipped with pepper spray) ‘‘abduct’’ the children from their homes.41 In such cases, parents and the state implicitly agreed that children could be forcibly held against their will without due process and without state supervision. Here ‘‘protection’’ of children results in a ‘‘camp’’ in the strongest sense of the term: a zone of indistinction between law and violence where life is held in suspension before a sovereign’s force. The inferior legal status of children thus explains why students in schools can be subjected to searches, violations of free speech, and corporal punishment much more frequently than adults are. Simply put, students are not seen as citizen subjects but only as bearers of bare life, thus childhood emerges as the missing concept in Agamben’s work for understanding the ambiguities of a state between the human and the nonhuman. A brief history of Supreme Court decisions concerning the paradoxical location of children in relation to schooling exposes this point. Parham v. J.R. (1979) revealed the difficulty of granting children due process rights; Bethel School District No. 403 v. Fraser (1986) restricted rights of free speech in schools; New Jersey v. T.L.O. (1985) restricted children’s Fourth Amendment rights for freedom from unreasonable search and seizure, removing requirements for search warrants while also lowering probable cause thresholds; and Ingraham v. Wright (1977) did not require schools to use procedural safeguards before inflicting corporal punishment.42 This last case is most disturbing, especially when we consider that as of 2000, twenty-two states still permitted corporal punishment in schools, most of which is inflicted on youth of color. In fact, according to the National Coalition to Abolish Corporal Punishment in Schools, African American students are hit at a rate two times higher than their relative population size.43 Those procedural rights juvenile courts do grant children are either ‘‘watered down’’ (for example, they are not entitled to jury trials) or are being revoked at a surprising rate.44 As Agamben reminds us, the life worth living and the abandoned life are linked within the biopolitical — one supplements the other: ‘‘Every gesture, every event in the camp, from the most ordinary to the most exceptional, enacts the decision on bare life by which the German biopolitical body is made actual’’ (HS, 174). Thus in Germany the Jew as bare life became the necessary prop against which the German body could define itself. Could we not argue that the bare life of the poor, minority student exposed to the sovereign’s ban is intimately related to the overly commercialized body of the white, middle-class student? Are these bodies not intimately related to one another within a society divided along race and class lines? In the context of the state of exception, the two movements within biopedagogy — toward normalization and commodification and, conversely, toward immanent educational extermination — expose themselves as two sides of the pedagogical coin within Empire. As a result, the state of exception in education increasingly reveals its internal contradictions and the paradoxes issuing from the heart of biopedagogy itself: the tenuous relation between educational life and life in general. Education becomes a camp-like space where police and pedagogy enter a zone of indistinction sustained by the rhetoric of a just war. In this state of exception the contradiction reaches its climax, and the educational life of the student becomes indistinguishable from bare life: a state in which subjects are made to survive or subjected to social death in the form of abandonment. As John Devine has suggested, docile, autonomous, and productive subjects are not the end result of such exceptional circumstances in schooling.45 In fact, evidence suggests that the militarized implementation of zero-tolerance policies actually reinforces the behaviors that these policies are intended to prevent.46 Here surveillance panopticism is not meant simply to reform the soul or normalize conduct; rather, it acts as the gaze of the sovereign ban, leading to increased raids, confiscation of property, interrogations, and zero-tolerance suspensions. In sum, the state of war I have been outlining produces a disjunction that prevents the close alignment of schools with either the prison — which, according to Foucault, produces self-regulating and productive citizen subjects — or an ISA — which produces educated worker subjects through the process of ideological interpellation. Once the structure of the camp is exposed, then the school becomes an increasingly contested terrain where the stakes against educational death are clearly articulated.

#### **We affirm the resolution through the liberation of the test drive from the neoliberal learning-testing regime. Only an act of radical betrayal compromises the “sovereign’s” control over us – it ends abandonment by encouraging desubjectification as a method to liberate us from the standardization of tests. Vote aff to retake the test through the test drive and unlock the power of impotentiality.**

Backer and Lewis 15 [David Isaac Backer and Tyson Edward Lewis, Educational Studies Vol. 51, "Retaking the Test: Educational Studies: Vol 51, No 3", May 29, 2015, https://www.tandfonline.com/doi/abs/10.1080/00131946.2015.1033524] **Tfane23**
Ronell’s (2005) concluding chapter turns toward Nietzsche and his theory of the “wanderer” (p. 314)—a figure, writes Ronell, who submits the self to the ultimate test. The hardest test of all is to test one’s radical freedom by betraying conventions of self. For Ronell, the wanderer is connected to the idea of the “noble traitor” who has a “highly developed sensibility for betrayal” (p. 314). Ronell here cites Shakespeare’s and Nietzsche’s identification with Brutus as an inquiry into the highest form of testing: betrayal. This means that curiosity does not simply leap from one thing to the next, but ultimately leads to the untethering of the self from the self, an abandonment of the self to its pure test drive. Yet we must be cautious here. As Ronell points out, Nietzsche’s famous betrayal of his former idol, Wagner, was not a betrayal of the man as such, but of the Wagnerian ideology that had swept Germany and thus subsumed the man. For us, betrayal is not a rejection of all social relations, but rather an exodus from definable subject positions as worker, citizen, or student under the learning-testing regime. To be a wanderer is, in this sense, once again to reconnect with meaningful modes of human flourishing that are otherwise submitted to the logic of neoliberal utility, productivity, and so forth. To betray such conventions—what binds one to a recognizable form—is to be healthy. “Great health embraces the crash, plunges into the undertow if it means to rise up again as a sign of itself, becoming what it is: healthful” (Ronell, 2005, p. 290). Breaking up through betrayal is not only a sign of health but it is also a responsibility, hence Nietzsche’s fascination with Brutus. As a true embodiment of the hardest test of betrayal, Brutus, Nietzsche writes, is a clarion call of the “Independence of soul!” (Ronell, 2005, p. 309). The test drive here drives us to new Downloaded by [David Backer] at 13:00 31 May 2015 204 BACKER AND LEWIS heights of freedom and self-constitution. This is healthy because the gentrification of the test drive in the contemporary moment only concerns administration, management, and containment of such radical experimentation, thus estranging us from freedom. To be healthy means to bear the responsibility of betrayal with a clear conscience, and thus be willing to experience it over and over again in the eternal return as an expression of one’s freedom without regret or sadness. The emphasis on health stands in stark contrast to the unhealthy anxiety and stress of high stakes testing. Segool et al. (2013) reports that state testing programs have resulted in increased student anxiety, increased stress, lowered motivation, increased focus on test preparation, and increased job stress and lowered job satisfaction for teachers. (p. 490) The authors conclude that “students reported significantly more test anxiety in relation to the high-stakes NCLB assessment than to classroom tests” (p. 498). In this case, sickness must be endured for the vague correlation between “increased test scores” and human capital viability; for Ronell (2005), sickness is to be overcome precisely by a betrayal of that which violates the integrity of the subject. Fidelity to the practice of the self in the name of self-overcoming transgresses the injunction to manage the self according to standardized measures that rank, quantify, and label students according to the needs of the neoliberal market. Such health is accompanied by expanded and developed taste. As Ronell (2005) argues, Nietzsche turns every test into something of a taste test. The relation to taste is crucial. In a sense, this relation keeps the senses busy, involving instincts that otherwise might be dulled or deadened. Keeping the body intact and thinking tactile, Nietzsche develops an experimental ethos, a modified judgment of taste. (p. 175) Indeed, without aesthetic taste, “science would kill us” (Ronell, 2005, p. 212). Thus, art in many ways prepares the wanderer for radical experimentation on the self, for a transformation of the self by the self through the test drive. The taste acquired here is a taste for risk, for the freedom offered by betrayal. Of course, there is risk within high-stakes testing. Indeed, the risk for the student of not passing the New York State Common Core is that he or she will be held back, and the risk for the teacher subjected to the test is that he or she might be fired if adequate yearly progress is not met. Yet these risks remain recognizable risks within the logic of the learning-testing regime. The first risk is defined only in relation to efficiency and the second only in terms of economic utility. The test drive and its various proto-types open the subject to a more determinant risk: the risk of betraying that which defines the order of things and their operation. This is a risk to become otherwise than neoliberalism demands. It is a risk that violates the violation of the subject. Taste, in this sense, is more than a private faculty, skill, or credential that separates the cultured or educated from the ignorant masses, giving certain privileges to the entrepreneurial, self-made individual. As Vivasvan Soni (2006) argues, taste is never the result of a special education, cultural capital, or aesthetic training but is rather the spontaneous accord between the faculties of the subject and the object that cannot become the private jurisdiction of the few over and against the many. As such, there is no prerequisite for making a judgment of taste and the aesthetic community is radically open to all participants. Stated differently, taste always exceeds any attempt to police or restrict its domain to specific individuals, subject matter, or conventions. Downloaded by [David Backer] at 13:00 31 May 2015 EDUCATIONAL STUDIES 205 Indeed, the radical political possibility of aesthetic judgment is verified through the overthrowing of hierarchies between those who have and those who do not have taste. If neoliberalism is predicated on continual labeling to determine who to train and who to abandon, the shift to taste is a kind of exodus that puts such labels and evaluative claims in jeopardy. This is a taste for a monstrous excess that has no place within the smooth circulation of quantifiable value, learning outputs, or economic utility scales of neoliberalism (Lewis & Khan, 2010). In addition to health and taste, liberating the test drive from the learning-testing regime promotes personality. “Perhaps somewhat surprisingly for us moderns today,” speculates Ronell, “who associate experiment with some degree of desubjectivation, the experimental imagination, as Nietzsche calls it as one point, implies a strong personality” (Ronell, 2005, p. 177). As opposed to the cold, detached, distanced, analytical approach to problem solving supported by the learning testing regime, Ronell (2005), via Nietzsche calls for an impassioned, intimate, involved, and political relationship with the problems at hand. Personality, as we read it here, does not indicate the flowering of our authentic or natural selves, but rather a passionate and powerful involvement with experimentation through the test drive, and thus a certain pushing through and beyond limitations of a rather anemic sense of self within neoliberal society. Within the learning-testing regime, the subject is reduced to an abstract quantity that can be aggregated and disaggregated. The subject is captured as a resource for the world; his or her choices become nothing more than reflexes of the needs of the neoliberal world to replicate itself in a quantifiable form of human capital. As Agamben (2009) writes, What defines the apparatuses that we have to deal with in the current phase of capitalism [what we are referring to as a learning-testing regime and its various juridical, medical, and educational manifestations] is that they no longer act as much through the production of a subject, as through the processes of what can be called desubjectification. (p. 21) Within the learning-testing regime, desubjectification reduces students to nothing but impersonal data points to be aggregated and disaggregated according to standardized matrixes of measure. The result is an “identity without an identity” (Agamben, 2011, p. 52) or a desubjectification of the student as an irreducibly unique singularity to a statistical fact, an abstract quantity of human capital, or a generic skill set of an entrepreneurial self. The statistical obsession with numbers within the learning-testing regime illustrated by the example of the New York Common Core outlined herein is a case in point. The qualitative dimension of education is replaced by sets of numbers used to predict success and failure. This desubjectification is qualitatively different from the one described by Ronell (2005). For her, desubjectification is an active, productive care of the self that betrays the identification of subjectivity with the production of measurable data streams. Only through a radical desubjectification (as an exodus from the labels imposed by the learning-testing regime) can personality thrive. Here we return to Ronell’s example of desubjectification. When she becomes Husserl, she undergoes a displacement of the self in relation to otherness. Whereas the neoliberal, entrepreneurial self is predicated on autonomy, security, and certainty, the personality that Ronell experiments with is permeated with the other and thus has insecure boundaries that can—and should—be crossed. In this sense, the desubjectification process results in a kind of personality that betrays the very essence of the neoliberal, entrepreneurial self: immunization of property. For Roberto Esposito (2008), the internal contradictions of immunization are founded in liberal notions of property. If Downloaded by [David Backer] at 13:00 31 May 2015 206 BACKER AND LEWIS property is meant to immunize the individual against the commons (otherness), then ultimately the attempt to preserve the subject via external property results in a diminishing of the self. In Esposito’s (2008) reading of Locke, the personification of the thing in property is equally accompanied by “the reification of the person, disembodied of its subjective substance” (p. 69). Combining preservation and property, liberty becomes a quintessential form of immunization, resulting in an autoimmune disease that eats the subject away from the inside of its secured core. The modern immunizing of liberty begins with an emphasis on security and insurance that act as controls blocking the contingency of life. Yet these various controls produce a crisis in a subject now sealed off from the commons which, ironically enough, was the very source of property in the first place. In this sense, Ronell’s test drive opens up the neoliberal self to the contamination of otherness denied by the underlying notion of property and its immunizing contradictions. This is a self whose health no longer rests on immunization, and whose desubjectification process does not result in mere destitution but rather the construction of new valences of what it means to be a subject. In other words, instead of an entrepreneurial self that is secure in what it owns and how it statistically conforms, Ronell’s radical sense of self is always an insecure experiment in becoming otherwise than. The self itself is therefore reconceptualized as a proto-type. In the learning-testing regime, the freedom to test for health, taste, and personality becomes the command to test or be abandoned by a system that only responds to data supporting asset management. Health interrupts the logic of immunization; taste interrupts the logic of evaluation and hierarchical distribution; and personality interrupts the reduction of the subject to mere quantifiable unites of measure. Without these three operative logics, the management of the entrepreneurial self is suspended, and the imperative to “test, or else!” is rendered mute. To submit to the neoliberal learning-testing regime is a kind of submission to the logic of immunization, evaluative hierarchization, and abstraction. But to return to the constituting powers of the test drive opens up new avenues for reclaiming health, taste, and personality. In short, the test drive is, to paraphrase Nietzsche, a transvaluation of all values—a betrayal of the self as it exists within the parameters of neoliberal testing and learning. But this betrayal is more than simply a negative rejection of this or that; it is also a positive creation in its own right, expressing a profound love for an educational life beyond the parameters of neoliberal biopower. In conclusion, we assert that the test drive must not be abandoned, and that we must return to the ontology of the test in order to reclaim its constituting powers against the learning-testing regime. Siding with Masschelein and Simons (2013), we support the test as a fundamental technology of education that cannot easily be dismissed by critics of contemporary high-stakes testing. But furthering their analysis, we emphasize that what is really at stake here is not the test as such, but rather the ontology of the test drive. Indeed, the Zapatista educators cited herein seem to tap into this reserve drive, emphasizing that it must be struggled over, not simply on an individual level, but on a collective level as well. To foreclose on health, taste, and personality means that the ontology of the drive is itself forgotten, and thus the potential to be otherwise than the command set forth by neoliberal biopower. “The purpose of the exam,” write Masschelein and Simons (2013), “is not to drive young people to despair ... [but to] provide the pressure necessary to study and practice” (p. 56). Against the pressure to measure up, rank, and quantify the student (and increasingly the teacher and administrator), the test should be taken to fundamentally form a new sense of self, mark a starting point/point of departure, and finally to draw attention to unexplored potentialities of the world. This re-tak[e] of the test will, in turn demand its own Downloaded by [David Backer] at 13:00 31 May 2015 EDUCATIONAL STUDIES 207 biopolitical practice of test taking and test making which, ironically enough, involves the risk of betrayal—betrayal of what is and what can be according to the logic of the neoliberal learningtesting regime. Such betrayal opens the possibility that we, as educators, can turn our backs on testing as it exists in its standardized form without in turn abandoning the test drive altogether. The result is a new notion of education beyond the cooptation of learning and testing within the neoliberal dialectic of investment and divestment. Tests should resemble prototypes, seizing on what we may typically think of as nonevents but in fact constitute significant moments of self-experimentation. Such tests return testing to the test drive, betraying the testing regime in order to increase health, taste, and personality in the name of educational freedom.

#### The role of the ballot is to endorse the best model of education – the role of education is to expose the flaws of potentiality and open us to impotentiality

Lewis PhD 13 [Tyson, PhD in Educational Philosophy from UCLA] It’s a Profane Life: Giorgio Agamben on the freedom of im-potentiality in education. Educational Philosophy and Theory, 46(4), 334–347. RE

In this article I want to explore the educational importance of the concept of impotential. More often than not, education has concerned itself exclusively with the question of potentiality and its relation to actuality. For instance, in practice, it is not uncommon to hear pre-service teachers and active practitioners, as well as parents and principals, make statements such as ‘I want to help students fulfill their unique potentials in life’. This common-sense notion of potentiality is reiterated in a host of policies. For instance, the rousing crescendo to the executive summary of George W. Bush’s No Child Left Behind Act reads as follows: ‘In America, no child should be left behind. Every child should be educated to his or her full potential’ (Bush, 2002, 3). Similarly, when introducing his national educational reform strategy, Race to the Top, President Barack Obama made the following statement: America will not succeed in the 21st century unless we do a far better job of educating our sons and daughters … And the race starts today. I am issuing a challenge to our nation’s governors and school boards, principals and teachers, businesses and non-profits, parents and students: if you set and enforce rigorous and challenging standards and assessments; if you put outstanding teachers at the front of the classroom; if you turn around failing schools——your state can win a Race to the Top grant that will not only help students outcompete workers around the world, but let them fulfill their God-given potential. (Obama, 2009) It would seem that any ‘visionary’ statement concerning education must, at some point, gesture to the concept——no matter how vacuous——of fulfilling potentiality. In fact, the main charge repeatedly leveled against school systems often turns on precisely this point: education is not helping students fulfill their ‘God-given’ potential. The simultaneous gesture towards both the secular economy and the sacred should not be overlooked in the above statement, for fulfilling potentiality is just as much an economic duty as it is a divine right. And it is education which must fulfill a task which borders somewhere between holy mystery and secular (if not crass) material competitiveness. If potentiality rests at the center of the debate which links together the economy, personal achievement and social betterment, then it is to the question of potentiality that we, as educational philosophers, must turn in order to understand the episteme which informs the current deployment of potentiality as a key educational factor in the race for global competitiveness. Since education is dominated by the question ‘how can potentiality be transformed into actuality?’ then this question represses the existence of potentiality’s relation to impotentiality——capability to incapability. It is my contention that marginalizing the problematic of impotentiality has drastic repercussions for education on three levels: (1) When potentiality is separated from impotentiality, this impotential excess does not simply disappear but is projected outwards onto the other, who must then be the bearer of bare impotentiality. The result is educational abandonment/educational sacrifice. Thus, there is an ontological question underlying contemporary ‘savage inequalities’ in schools. Potentiality – Impotentiality = Sacrifice. (2) It is only when potentiality and impotentiality are seen as mutually constitutive that we can fully theorize the unique experience of study in education. In this sense, a distinction should be drawn from contemporary theories of learning, with their clear objectives and forms of output measurements, and the much more ambiguous activity of study. Impotentiality + Potentiality = Study. (3) When impotentiality becomes an educational concept, we can return to the question of genius. Im-Potentiality = Genius.

## 1AR

### A2 T-FW

#### [1] We are within the bounds of the topic – that’s the Lemann evidence about testing. The resolution, not the plan should be the stasis point of debate, since that norm excludes alternative methods of debate – it’s an additional burden on the already burdened aff.

#### [2] Plan Focus Bad

#### A] Policy focus recreates the harms of biopolitics and the state of exception by acting as the state and complicity accepting the neoliberal power of policy reform. Also, it’s highly probable that you will read this k as a critique of policy methods, so it proves that the neg is bidirectional on this stance and thus the aff has to frame the debate.

#### B] Challenging the epistemic basis for action is a prereq to ethical policymaking

Deloria 99 [Vine, Member of the Standing Rock Sioux Tribe and Professor at University of Colorado Boulder, Former Executive Director for the National Congress of American Indians and former Professor of Political Science and Law at the University of Arizona, “For This Land: Writing on Religion in America,” p. 101-7, tony]

If there were any serious concern about liberation we would see thousands of people simply walk away from the vast economic, political, and intellectual machine we call Western civilization and refuse to be enticed to participate in it any longer. Liberation is not a difficult task when one no longer finds value in a set of institutions or beliefs. We are liberated from the burden of Santa Claus and the moral demand to be “good” when, as maturing adolescents, we reject the concept of Santa Claus. Thereafter we have no sense of guilt in late November that we could have not behaved properly during the year, and no fear that a lump of coal rather than a gift will await us Christmas morning. In the same manner, we are freed and liberated once we realize the insanity and fantasy of the present manner interpreting our experiences in the world. Liberation, in its most fundamental sense, requires a rejection of everything we have been taught and its replacement by only those things we have experienced as having values. But this replacement only begins the task of liberation. For the history of Western thinking in the past eight centuries has been one of replacement of ideas within a framework that has remained basically unchanged for nearly two millenia. Challenging this framework of interpretation means a rearrangement of our manner of perceiving the world, and it involves a reexamination of the body of human knowledge and its structural reconstruction into a new format. Such a task appears to be far from the struggles of the present. It seems abstract and meaningless in the face of contemporary suffering. And it suggests that people can be made to change their oppressive activity by intellectual reorientation alone. All these questions arise, however, because of the fundamental orientation of Western peoples toward the world. We assume that we know the structure of reality and must only make certain minor adjustments in the machinery that operates it in order to bring our institutions into line. Immediate suffering is thus placed in juxtaposition with abstract meta-physical conceptions of the world and, because we can see immediate suffering, we feel impelled to change conditions quickly to relieve tensions, never coming to understand how the basic attitude toward life and its derivative attitudes toward minority groups continues to dominate the goals and activities that appear designed to create reforms. Numerous examples can be cited to show that our efforts to bring justice into the world have been short-circuited by the passage of events, and that those efforts are unsuccessful because we have failed to consider the basic framework within which we pose questions, analyze alternatives, and suggest solutions. Consider the examples from our immediate past. In the early sixties college application forms included a blank line on which all prospective students were required to indicate their race. Such information was used to discriminate against those of a minority background, and so reformers demanded that the question be dropped. By the time all colleges had been forced to eliminate questions concerning the race of applicants, the Civil Rights Movement had so sensitized those involved in higher education that scholarships were made available in great numbers to people of minority races. There was no way, however; to allocate such scholarships because college officials could no longer determine the racial background of students on the basis of their applications for admission. Much of the impetus for low-cost housing in the cities was based upon the premise that in the twentieth century people should not have to live in hovels but that adequate housing should be constructed for them. Yet in the course of tearing down slums and building new housing projects, low income housing areas were eliminated. The construction cost of the new projects made it necessary to charge higher rentals. Former residents of the low-income areas could not afford to live in the new housing, so they moved to other parts of the city and created exactly the same conditions that had originally provoked the demand for low-rent housing. Government schools had a very difficult time teaching American Indian children the English language. (One reason was the assumption of teachers that all languages had Latin roots, and their inability to adapt the programs when they discovered that Indian languages were not so derived.) Hence programs in bilingual teaching methods were authorized that would use the native language to teach the children English, an underhanded way of eliminating the native language. Between the time that bilingual programs were conceived and the time that they were finally funded, other programs that concentrated on adequate housing had an unexpected effect on the educational process. Hundreds of new houses were built in agency towns, and Indians moved from remote areas of the different reservations into those towns where they could get good housing. Since they were primarily younger couples with young children, the housing development meant that most Indian children were new growing up in the agency communities and were learning English as a first language. Thus, the bilingual programs, which began as a means of teaching English as a second language, became the method designed to preserve the native vernacular by teaching it as a second language to students who had grown up speaking English. Example after example could be cited, each testifying to the devastating effect of a general attitude toward the world that underlies the Western approach to human knowledge. The basis of this attitude is the assumption that the world operates in certain predetermined ways, that it operates continuously under certain natural laws, and that the nature of every species is homogeneous, with few real deviations. One can trace this attitude back into the Western past. Religious concepts, which have since been transformed into Scientific and political beliefs, remain objects of belief as securely as if they had never been severed from their theological moorings. Let us trace a few examples. Originally the continuity of the world was conceived as a demonstration of the divine plan and God, conceived as a lawgiver in the moral sense, became a law-giver in the scientific sense also. Scientific data was classified in certain ways that in the eyes of Western peoples became a part of the structure of nature. Phenomena that did not fit into the structure that had been created were said to “violate” the laws of nature and hence to be untrue in the religious sense and unimportant in the scientific sense. When evolution replaced the concept of creation in the book of Genesis, it became an inviolable law in the eyes of Western people in much the same way that the literal interpretation of the biblical story had been accepted by Western people in former centuries. The world was originally conceived in terms of the Near East as the center of reality. As awareness extended to other peoples, this world gradually expanded until by the Middle Ages it encompassed those regions that were in commercial contact with Western Europe. The discovery of the Western hemisphere created a certain degree of trauma, for suddenly there was an awareness of lands and peoples of which Western Europeans had no previous knowledge. The only way that these people could be accounted for was by reference to the Scriptures. So it was hypothesized that the aboriginal peoples in North and South America must have been the Ten Lost Tribes of Israel who had crossed into the New World over a land bridge somewhere in northern Asia. The basic assumption of this theory was the creation of the human species as a single act, performed by the Christian God, with its subsequent history one of populating the planet. The rise of social science, and the downgrading of theological answers to what were considered scientific questions concerning the nature and history of human societies, meant that social science had to provide answers to questions formulated within the theological context. With virtually no reconsideration of the basic question of the creation [or origination in scientific terms) of our species as the product of a single act, anthropologists promptly adopted the old theological explanation of the peopling of the Western Hemisphere, developing the Bering Strait theory of migration to account for the phenomenon. Whether secular or sacred, the classification of American natives as a derivative, inferior group of Asian-European peoples, albeit far removed from those roots by the postularion of many millenia of wandering, became a status from which American Indians have been unable to escape. The emphasis on objective knowledge by Western peoples has meant the development of an attitude that sees reality as basically physical, the knowledge thereof basically mental or verbal, and the elimination of any middle ground between extremes. Thus religion has become a matter of the proper exposition of doctrines, and non-Western religions have been judged on their development of a systematic moral and ethical code rather than the manner in which they conducted themselves. When a religion is conceived as a code of verbal importance rather than a way of life, loopholes in the code become more important than the code itself since, by eliminating or escaping the direct violation of the code by a redelinition of the code or a relaxation of its intended effect, one can maintain two types of behavior; easily discerned in a practical way, as if they were identical and consistent with a particular picture of reality. In recent decades Western science had made an important discovery, important at least for Western peoples who had formerly confused themselves with their own belief system. Western science was premised upon the proposition that God had made the world according to certain laws. These laws were capable of discovery by human reason, and the task of science was to discover as many of these laws as possible. So human knowledge was misconceived as the only description of physical reality, a tendency Alfred North Whitehead called the principle of “misplaced concreteness.”' With the articulation of theories of indeterminancy in modern physics, this naive attitude toward human knowledge radically shifted and became an acknowledgement that what we had formerly called nature was simply our knowledge of nature based upon the types of questions we had decided to use to organize the measurements we were making of the physical world. The shift in emphasis meant that all knowledge became a relative knowledge, valid only for the types of questions we were capable of formulating. Depending upon the types of information sought, we could measure and observe certain patterns of phenomena, but these patterns existed in our heads rather than in nature itself. Knowledge thus became a matter of cultural preference rather than an indication of the ultimate structure of reality. Presumably if one culture asked a certain type of question while another asked another type of question, the two different answers could form two valid perspectives on the world. Whether these two perspectives could be reconciled in one theory of knowledge depended upon the broader pattern of interpretation that thinkers brought into play with respect to the data. When this new factor of interpretation is applied specifically to different cultures and traditions, we can see that what have been called primitive superstitions have the potential of being regarded as sophisticated insights into the nature of things, at least on an equal basis with Western knowledge. The traditional manner in which Western peoples think is now only one of the possible ways of describing a natural process. It may not, in fact, even be as accurate, insofar as it can relate specific facts without perverting them, as non-Western ways of correlating knowledge. This uncertainty is liberating in a much more fundamental way than any other development in the history of Western civilization. It means that religious, political, economic, and historical analyses of human activities that have been derived from the Western tradition do not have an absolute claim upon us. We are free to seek a new synthesis that draws information from every culture, and every period of human history has as a boundary only the requirement that it make more sense of more data than any other synthesis. Even the initial premises of such a synthesis can be different from what we have previously used to begin our formulation of a picture of reality. When we apply this new Freedom to some of the examples cited above, we see that the proper question we should have asked with respect to housing did not concern housing at all, but covered the more general question of the nature of a community. We discover that the college applications and the bilingual programs should have been transcended by questions concerning the nature of knowledge, how it is transmitted, and how it can be expanded, rather than how specific pre- determined courses of action can be implemented. Once we reject the absolute nature of Western conceptions of problems, we are able to see different types of questions inherent in our immediate problem areas. The immediacy we feel when observing conditions under which people live should enable us to raise new issues that contain within themselves new ways of conceiving solutions. An old Indian saying captures the radical difference between Indians and Western peoples quite adequately. The white man, the indians maintain, has ideas; Indians have visions. Ideas have a single dimension and require a chain of connected ideas to make sense. The connections that are made between ideas can lead to great insights on the nature of things, or they can lead to the inexorable logic of Catch-22 in which the logic inevitably leads to the polar opposite of the original proposition. The vision, on the other hand, presents a whole picture of experience and has a central meaning that stands on its own feet as an independent revelation. It is said that Albert Einstein could not conceive of his problems in physics in conceptual terms but instead had visions of a whole event. He then spent his time attempting to translate elements of that event that could be separated into mathematical and verbal descriptions that could be communicated to others. It is this difference, the change from inductive and deductive logic to transformation of perceived realities, that becomes the liberating facto; not additional information or continual replacement of data and concepts within the traditional Framework of interpretation. Let us return, then, to our discussion of the manner in which racial minorities have been perceived by the white community, particularly by the liberal establishment, in the past decade and a half, Minority groups, conceived to be different from the white majority, are perceived to be lacking some critical element of humanity that, once received, would bring them to some form of equality with the white majority. The trick has been in identifying that missing element, and each new articulation of goals is immediately attributed to every minority group and appears to answer the question that has been posed by the sincere but unreflective liberal community. Liberation is simply the manner in which this missing element is presently conceived by people interested in reform. It will become another social movement fad and eventually fade away to be replaced with yet another instant analysis of the situation. Until fundamental questions regarding the assumptions that form the basis for Western civilization are raised and new articulations of reality are discovered, the impulse to grab quickly and apparently easy answers will continue. Social conditions will continue to be described in a cause-and-effect logic that has dominated Western thinking for its entire intellectual lifetime. Programs will be designed that fail to account for the change in conditions that occurs continually in human societies. Ideas will continue to dominate our concerns and visions will not come. lf we are then to talk seriously about the necessity of liberation, we are talking about the destruction of the whole complex of Western theories of knowledge and the construction of a new and more comprehensive synthesis of human knowledge and experience. This is no easy task and it cannot be accomplished by people who are encompassed within the traditional Western logic and the resulting analyses such logic provides. If we change the very way that Western peoples think, the way they collect data, which data they gather and how they arrange that information, then we are speaking truly of liberation. For it is the manner in which people conceive reality that motivates them to behave in certain ways, that provides them with a system of values, and that enables them to justify their activities. A new picture of reality, a reality conceived as a vision and not as a series of related or connected ideas, can accomplish over a longer period of time many changes we have been unable to effect while conceiving solutions as short-term remedies. More important for our discussion is the recognition that all parts of human experience are related and the proposed solution to any particular problem overlooks the changes that will occur in related activities because of their relationship. Fundamental changes initiated by a new picture of reality will create a transformation, and will avoid the traditional replacement of words with new words. In summary we now challenge the basic assumptions of Western man. To wit: 1] that time is uniform and continuous; 2) that our species originated from a single source; 3) that our descriptions of nature are absolute knowledge; 4) that the world can be divided into subjective and objective; 5) that our understanding of our species is homogeneous; 6) that ultimate reality, including divinity, is homogeneous; 7) that by projection of present conditions we can understand human history, planetary history, or the universe; 8) that inductive and deductive reasoning are the primary tools for gaining knowledge.

#### C] Discourse and epistemology comes first – an investigation of representations is the prerequisite to meaningful policies

Jourde 6 (Ph.D., Political Science, University of Wisconsin-Madison, M.A., Political Science, University of Wisconsin-Madison, B.Sc., Political Science, Université de Montréal (Cedric, 2006, “1995 Hegemony or Empire?: The redefinition of US Power under George W Bush,” Ed. David and Grondin p. 182-3)

Relations between states are, at least in part, constructed upon representations. Representations are interpretative prismsthrough which decision-makers make sense of a political reality, through which they define and assign a subjective valueto the other states and non-state actors of the international system, and through which they determine what are significant international political issues.2 For instance, officials of a given state will represent other states as 'allies', 'rivals', or simply 'insignificant', thus assigning a subjective value to these states. Such subjective categorizations often derive from representations of these states' domestic politics, which can for instance be perceived as 'unstable\*, 'prosperous', or 'ethnically divided'. It must be clear thatrepresentations are not objective or truthful depictions of reality; rather they are subjective and political ways of seeing the world, making certain things 'seen' by and significant for an actor while making other things 'unseen' and 'insignificant'.3 In other words, they are founded on each actor's and group of actors' cognitive, cultural-social, and emotional standpoints. Being fundamentally political, representations are the object of tense struggles and tensions, as some actors or groups of actors can impose on others their own representations of the world, of what they consider to be appropriate political orders, or appropriate economic relations, while others may in turn accept, subvert or contest these representations.Representations of a foreign political reality influence how decision-making actors will act upon that reality. In other words,as subjective and politically infused interpretations of reality, representations constrain and enable the policies that decision-makers will adopt vis-a-vis other states; they limit the courses of action that are politically thinkable and imaginable, making certain policies conceivable while relegating other policies to the realm of the  unthinkable.4 Accordingly,identifying how a state represents another state or non-state actor helps to understand how and why certain foreign policies have been adopted while other policies have been excluded. To take a now famous example, if a transnational organization is represented as a group of 'freedom fighters', such as the multi-national mujahideen in Afghanistan in the 1980s, then military cooperation is conceivable with that organization; if on the other hand the same organization is represented as a 'terrorist network', such as Al-Qaida, then military cooperation as a policy is simply not an option. In sum. the way in which one sees, interprets and imagines the 'other\* delineates the course of action one will adopt in order to deal with this 'other'

#### [3] Your standard standards are standard

#### A] A focus on limits engenders violent practices by stopping productive discussions.

Bleiker & Leet 6 (Roland, prof of International Relations @ U of Queensland, Brisbane, and Martin, Senior Research Officer with the Brisbane Institute, *Millennium: Journal of International Studies*, 34(3), p. 733-734)

A subliminal orientation is attentive to what is bubbling along under the surface. It is mindful of how conscious attempts to understand conceal more than they reveal, and purposeful efforts of progressive change may engender more violence than they erase. For these reasons, Connolly emphasises that ‘ethical artistry’ has an element of naïveté and innocence. One is not quite sure what one is doing. Such naïveté need not lead us back to the idealism of the romantic period. ‘One should not be naïve about naïveté’, Simon Critchley would say.56 Rather, the challenge of change is an experiment. It is not locked up in a predetermined conception of where one is going. It involves tentatively exploring the limits of one’s being in the world, to see if different interpretations are possible, how those interpretations might impact upon the affects below the level of conscious thought, and vice versa. This approach entails drawing upon multiple levels of thinking and being, searching for changes in sensibilities that could give more weight to minor feelings or to arguments that were previously ignored.57 Wonder needs to be at the heart of such experiments, in contrast to the resentment of an intellect angry with its own limitations. The ingre d i e n t of wonder is necessary to disrupt and suspend the normal pre s s u res of returning to conscious habit and control. This exploration beyond the conscious implies the need for an ethos of theorising and acting that is quite diff e rent from the mode directed towards the cognitive justification of ideas and concepts. Stephen White talks about ‘circ u i t s of reflection, affect and arg umentation’.58 Ideas and principles provide an orientation to practice, the implications of that practice feed back into our affective outlook, and processes of argumentation introduce other ideas and affects. The shift, here, is from the ‘vertical’ search for foundations in ‘skyhooks’ above or ‘foundations’ below, to a ‘horizontal’ movement into the unknown.

#### B] Fairness isn’t neutral or objectiveDelgado 92 (Richard, Charles Inglis Thomson Professor of Law, University of Colorado. J.D. 1974, University of California at Berkeley, "Shadowboxing: An Essay on Power,” L/N, AM)

We have cleverly built power's view of the appropriate standard of conduct into the very term **fair**. n41 Thus, the stronger party is able to have [their] way and see [themselves] as principled at the same time. n42 Imagine, for example, a [person’s] likely reaction to the suggestion that subjective considerations -- a woman's mood, her sense of pressure or intimidation, how she felt about the man, her unexpressed fear of reprisals if she did not go ahead n43 -- ought to play a part in determining whether the man is guilty of rape. Most men find this suggestion offensive; it requires them to do something they are not accustomed to doing. "Why," they say, "I'd have to be a mind reader before I could have sex with anybody?" n44 "Who knows, anyway, what internal inhibitions the woman might have been harboring?" And "what if the woman simply changed her mind later and charged me with rape?" n45 What we never notice is that women can "read" men's minds perfectly well. The male perspective is right out there in the world, plain as day, inscribed in culture, song, and myth -- in all the prevailing narratives. n46 These narratives tell us that men want and are entitled [\*820] to sex, that it is a prime function of women to give it to them, n47 and that unless something unusual happens, the act of sex is ordinary and blameless. n48 We believe these things because that is the way we have constructed women, men, and "normal" sexual intercourse. n49 Notice what the objective standard renders irrelevant: a downcast look; n50 ambivalence; n51 the question, "Do you really think we should?"; slowness in following the man's lead; n52 a reputation for sexual selectivity; n53 virginity; youth; and innocence. n54 Indeed, only a loud firm "no" counts, and probably only if it is repeated several times, overheard by others, and accompanied by forceful body language such as pushing the man and walking away briskly. n55 Yet society and law accept only this latter message (or something like it), and not the former, more nuanced ones, to mean refusal. Why? The "objective" approach is not inherently better **or more fair**. Rather, it is accepted because it embodies the sense of the stronger party, who centuries ago found himself in a position to dictate what permission meant. n56 Allowing ourselves to be drawn into reflexive, predictable arguments about administrability, fairness, stability, and ease of determination points us away from what [\*821] **really counts**: the way in which stronger parties have managed to inscribe their views and interests into "external" culture, so that we are now enamored with that way of judging action. n57 First, we read our values and preferences into the culture; n58 then we pretend to consult that culture meekly and humbly in order to judge our own acts. n59 A nice trick if you can get away with it.

#### C] On Small Schools – the topicality of the resolution is what matters. As long as I am topical and within bounds of the resolution, I shouldn’t be voted down. And the empirics debate bogs down small school debaters even more – big schools have more access to research databases and paywalled articles. While our arguments can be debated on reason, empirics debates just becomes a reductionist debate about who has the more recent evidence and better methodologies, things only big schools will have access to.

#### [4] COUNTER INTERP

#### A] Counter interp: The affirmative need not defend the hypothetical policy implementation of the resolution as long as they have a link to the topic. Next is the net benefit.

#### B] Critical Education: Plan based approaches skew critical literature out of the picture. There are many critical args that err aff on this issue (ie. Biopower, Antiblackness, Ableism, Deluze, etc.) and most of these arguments deny state structures. Forcing us to comply with policy action makes using these arguments impossible, which not only overlimits aff ground but also prevents critical education in the debate space.

#### C] TVA doesn’t solve – our authors are against state action.

#### D] Education is a voter – a] debate is an educational space of deliberation. Only through innovative argumentation can we uphold the educational value that debate has been for so long and b] Without education debate becomes nothing more than a coin flipping contest to see who got more heads. We debate with the knowledge we’ve received, which means education is intrinsic to the activity.

### A2 Disads/Util

#### [1] Assessing risk through the lens of magnitude breaks down rational risk calculus as the measure of loss approaches extinction --- it also exacerbates the security paradigm and increases surveillance

Kessler and Daase 8 (Oliver – Professor of Sociology at the University of Bielefeld, and Christopher – Professor of Political Science at the University of Munich, “From Insecurity to Uncertainty: Risk and the Paradox of Security Politics,” in *Alternatives: Global, Local, Political*, Volume 33, p. 223-228, http://alt.sagepub.com/content/33/2/211.full.pdf)

The objective is to develop means and methods to deal with uncertainty and reduce it to risk.46 Uncertainty is subsequently redefined in terms of contingency: One may not know what the next state of the world exactly is going to be but one can have a good guess and possibly find some insurance. To calculate risks does not mean that they can be measured objectively. Not all uncertainties are of quantitative nature and thus understandable within the common definition of rationality.47 In particular, the evaluation of risks may vary according to the political interests or cultural contextes If this is acknowledged, the traditional concept of deterministic causality loses its validity. Uncertain political results and uncertain strategies do not follow predetermined laws, but, if anything, probabilistic laws. Thus, what political scientists can achieve at best is probabilistic knowledge—that is, knowledge about necessary and sufficient reasons and causes that may not be able to predict single events but that do identify the conditions under which the realization of specific events is more or less likely. If this is accepted, the question of how big the threat of international terrorism currently is can no longer be answered by pointing to the next terrorist act that will surely happen at some point in the future. For the fact that the current calm is just the calm before the next storm is as true as it is trivial. However, exactly such trivial insights that the next terrorist "attack" will happen determine current security policy discourses. There are two reasons for this. First, there are two equally inadequate standard models to examine the risk of terrorism.49 The one inquires into the motivational structure of terrorist groups and individual terrorists and tries to extrapolate future attacks from past terrorist activities. The other attempts to calculate the risk by multiplying expected losses by their probability of occurrence. The former is preferred by terrorism experts and regional specialists, the latter by decision makers and security analysts. The problem of the first method, however, is that it cannot account for new developments and spontaneous changes in terrorist practices. There is always a first time when new strategies are used or new targets are selected. Even using planes as cruise missiles in order to destroy skyscrapers was an innovation not clearly foreseen by specialists, because such behavior was nearly unimaginable at the time. Extrapolation methods to determine terrorism risks are thus inherently conservative and tend to underestimate the danger. The problem of the second method is that it is very difficult to "calculate" politically unacceptable losses. If the risk of terrorism is defined in traditional terms by probability and potential loss, then the focus on dramatic terror attacks leads to the marginalization of probabilities. The reason is that even the highest degree of improbability becomes irrelevant as the measure of loss goes to infinity. The mathematical calculation of the risk of terrorism thus tends to overestimate and to dramatize the danger. This has consequences beyond the actual risk assessment for the formulation and execution of "risk policies": If one factor of the risk calculation approaches infinity (e.g., if a case of nuclear terrorism is envisaged), then there is no balanced measure for antiterrorist efforts, and risk management as a rational endeavor breaks down. Under the historical condition of bipolarity, the "ultimate" threat with nuclear weapons could be balanced by a similar counterthreat, and new equilibria could be achieved, albeit on higher levels of nuclear overkill. Under the new condition of uncertainty, no such rational balancing is possible since knowledge about actors, their motives and capabilities, is largely absent. The second form of security policy that emerges when the deterrence model collapses mirrors the "social probability" approach. It represents a logic of catastrophe. In contrast to risk management framed in line with logical probability theory, the logic of catastrophe does not attempt to provide means of absorbing uncertainty. Rather, it takes uncertainty as constitutive for the logic itself; uncertainty is a crucial precondition for catastrophies. In particular, catastrophes happen at once, without a warning, but with major implications for the world polity. In this category, we find the impact of meteorites. Mars attacks, the tsunami in South East Asia, and 9/11. To conceive of terrorism as catastrophe has consequences for the formulation of an adequate security policy. Since catastrophes happen irrespectively of human activity or inactivity, no political action could possibly prevent them. Of course, there are precautions that can be taken, but the framing of terrorist attack as a catastrophe points to spatial and temporal characteristics that are beyond "rationality." Thus, political decision makers are exempted from the responsibility to provide security—as long as they at least try to preempt an attack. Interestingly enough, 9/11 was framed as catastrophe in various commissions dealing with the question of who was responsible and whether it could have been prevented. This makes clear that under the condition of uncertainty, there are no objective criteria that could serve as an anchor for measuring dangers and assessing the quality of political responses. For example, as much as one might object to certain measures by the US administration, it is almost impossible to "measure" the success of countermeasures. Of course, there might be a subjective assessment of specific shortcomings or failures, but there is no "common" currency to evaluate them. As a consequence, the framework of the security dilemma fails to capture the basic uncertainties. Pushing the door open for the security paradox, the main problem of security analysis then becomes the question how to integrate dangers in risk assessments and security policies about which simply nothing is known. In the mid 1990s, a Rand study entitled "New Challenges for Defense Planning" addressed this issue arguing that "most striking is the fact that we do not even know who or what will constitute the most serious future threat, "^i In order to cope with this challenge it would be essential, another Rand researcher wrote, to break free from the "tyranny" of plausible scenario planning. The decisive step would be to create "discontinuous scenarios . . . in which there is no plausible audit trail or storyline from current events"52 These nonstandard scenarios were later called "wild cards" and became important in the current US strategic discourse. They justified the transformation from a threat-based toward a capabilitybased defense planning strategy.53 The problem with this kind of risk assessment is, however, that even the most absurd scenarios can gain plausibility. By constructing a chain of potentialities, improbable events are linked and brought into the realm of the possible, if not even the probable. "Although the likelihood of the scenario dwindles with each step, the residual impression is one of plausibility. "54 This so-called Othello effect has been effective in the dawn of the recent war in Iraq. The connection between Saddam Hussein and Al Qaeda that the US government tried to prove was disputed from the very beginning. False evidence was again and again presented and refuted, but this did not prevent the administration from presenting as the main rationale for war the improbable yet possible connection between Iraq and the terrorist network and the improbable yet possible proliferation of an improbable yet possible nuclear weapon into the hands of Bin Laden. As Donald Rumsfeld famously said: "Absence of evidence is not evidence of absence." This sentence indicates that under the condition of genuine uncertainty, different evidence criteria prevail than in situations where security problems can be assessed with relative certainty. Contemporary dynamics in the fight against terrorism seem to result from a clash of different logics of probability. As Ulrich Beck has shown, terrorism has altered the meaning of space and time for the analysis of risk. Spatially, terrorist networks escape the logic of the nation-state and "diplomacy." Networks are neither private nor public in the sovereign sense; they represent neither a domestic nor an international "actor." Temporally, attacks always have a catastrophic element. They are simply faster than mihtary "threats" in the tradirional sense because they happen without a contextual warning. In other words, uncertainries associated with terrorism escape the logic of risk as terrorism alters the very contours of world politics: It represents a qualitative change that redefines the very game and reality that states face.^s However, by focusing primarily on "sponsor states" and an "axis of evil," the current fight against terrorism attempts to reduce the interplay of those various logics to the imperative of deterrence. It is the attempt to ignore categorical shifts and its associated uncertainties and replace it by "traditional security policy." In this sense, the readdressing of terrorism to states that harbor terrorists is then an attempt to invoke the traditional vocabulary of deterrence and the logic of the security dilemma. So when we look at terrorism as an issue of "systemic" importance, the fight represents an expansion of "uncertainty to risk" reasoning to a phenomenon that, from its qualities, belongs to the realm of epistemic probability theory. Neither the assumption of well-defined problem settings and repeatable events nor the fixation of the political vocabulary or the mutual formation of expectations based on "known" adversaries applies. When read from the context of probability theory, the current endeavors are subject to a conflict between intersubjective epistemology and individualist ontology that manifests itself as a conflict between universal validity of statements and the particularity of contexts. While the universality argument points to the laws associated with the balance of power, of deterrence and pursuit of national interests, the contextual dimension points to (self-) reflexivity and contingency of one's own position. What might be true here might not be true there. Accepting uncertainty would make it imperative to understand the other's position and engage in a dialogue. However, in a sense, the current fight uses a universal method to fight a contextual problem. The article proposed a framework of risk, uncertainty, and probability and argued that we experience an overall transformation from "insecurity" to "uncertainty." The insecurity paradigm treats the notion of security as theoretically superior to that of uncertainty and risk. The primary task of security policy is then the avoidance of risk. Starting from welldenned categories and games, this approach is constitutive for deterrence and détente as two modes dealing with contingency within preset games. Positions based on the uncertainty paradigm that sees a categorical differentiation between risk and uncertainty leave the confines of the security dilemma behind. Security becomes an empty concept and politically unachievable. In this context, uncertainty describes an unstructured realm, where standard criteria of rationality do not apply. Pointing to a possible- and multiple-worlds' semantic, this approach is interested in how actors actively structure or construct the world they live in. From this perspective, the current problem is not insecurity deriving from the security dilemma, but uncertainty deriving from the changing categories of our political vocabulary signifying unpredictable futures and inconsistent policies. At the same time, however, the current fight against terrorism is structured in such a way as to reduce the various kinds of uncertainties and contingencies to the logic of deterrence. Hence deterrence has not lost any of its actuality; however, by applying this logic in a context that challenges its constitutive boundaries, it seems as if the option of détente has been lost. In other words, what we see is that the logic of the security dilemma, and its particular semantics of threat, risk, and security, is used for the framing of terrorism as a threat. As a consequence, we can identify three dynamics "driving" today's security policy that result exactly from the conflict between the intersubjective constitution of threats and the individual ontology of the deterrence strategy as today's main strategy. First, as Aradau and van Muster have convincingly argued, it translates into a dramatic increase of surveillance technologies: In the fight against terrorism, surveillance functions as an early warning system that allows identification of potential terrorists and therewith, and at the same time, is thought to "deter" future attacks. The introduction of private data, video cameras, and biometric data is presented as a legitimate means to detect and deter future terrorist attacks. These measures are introduced on the basis of the precautionary principle that—in our view—is so attractive exactly because it tries to reduce various kinds of uncertainty to a logic of insecurity. Second, what is commonly known as the revolution in military affairs, introduces the same individualist ontology on the level of military policy: It translates the catastrophic features of terrorism into a logic of deterrence by actively reshaping the spatial and temporal conditions of military conduct. The strategy is to introduce technologies that can be remotely controlled without employment of soldiers. The task is to be ready to "strike back," instantly and at any time from any place in the world. However, and thirdly, these measures are based on an unnecessary necessity. Presenting terrorism as an objective threat that "exists" independent of practices might produce a distance between oneself and "the other." However, it misses out the importance of context and other means of "risk management" that would require a selfreflective analysis of how "us and them" are constructed in the first place.

#### [2] Current debate reverses the logical burden of proof --- we begin from the presumption DAs start from 100% risk instead of being built up by zero risk --- this distorts our risk calculus

Cohn 13 (Nate – politics writer for the NY Times, debate coach at Georgia, “Improving the Norms and Practices of Policy Debate,” in CEDA Debate forums, 11-24-13, <http://www.cedadebate.org/forum/index.php?action=printpage;topic=5416.0>)

The fact that policy debate is wildly out of touch—the fact that we are “a bunch of white folks talking about nuclear war”—is a damning indictment of nearly every coach in this activity. It’s a serious indictment of the successful policy debate coaches, who have been content to continue a pedagogically unsound game, so long as they keep winning. It’s a serious indictment of policy debate’s discontents who chose to disengage. That’s not to say there hasn’t been any effort to challenge modern policy debate on its own terms—just that they’ve mainly come from the middle of the bracket and weren’t very successful, focusing on morality arguments and various “predictions bad” claims to outweigh. Judges were receptive to the sentiment that disads were unrealistic, but negative claims to specificity always triumphed over generic epistemological questions or arguments about why “predictions fail.” The affirmative rarely introduced substantive responses to the disadvantage, rarely read impact defense. All considered, the negative generally won a significant risk that the plan resulted in nuclear war. Once that was true, it was basically impossible to win that some moral obligation outweighed the (dare I say?) obligation to avoid a meaningful risk of extinction. There were other problems. Many of the small affirmatives were unstrategic—teams rarely had solvency deficits to generic counterplans. It was already basically impossible to win that some morality argument outweighed extinction; it was totally untenable to win that a moral obligation outweighed a meaningful risk of extinction; it made even less sense if the counterplan solved most of the morality argument. The combined effect was devastating: As these debates are currently argued and judged, I suspect that the negative would win my ballot more than 95 percent of the time in a debate between two teams of equal ability. But even if a “soft left” team did better—especially by making solvency deficits and responding to the specifics of the disadvantage—I still think they would struggle. They could compete at the highest levels, but, in most debates, judges would still assess a small, but meaningful risk of a large scale conflict, including nuclear war and extinction. The risk would be small, but the “magnitude” of the impact would often be enough to outweigh a higher probability, smaller impact. Or put differently: policy debate still wouldn’t be replicating a real world policy assessment, teams reading small affirmatives would still be at a real disadvantage with respect to reality. . Why? Oddly, this is the unreasonable result of a reasonable part of debate: the burden of refutation or rejoinder, the responsibility of debaters to “beat” arguments. If I introduce an argument, it starts out at 100 percent—you then have to disprove it. That sounds like a pretty good idea in principle, right? Well, I think so too. But it’s really tough to refute something down to “zero” percent—a team would need to completely and totally refute an argument. That’s obviously tough to do, especially since the other team is usually going to have some decent arguments and pretty good cards defending each component of their disadvantage—even the ridiculous parts. So one of the most fundamental assumptions about debate all but ensures a meaningful risk of nearly any argument—even extremely low-probability, high magnitude impacts, sufficient to outweigh systemic impacts. There’s another even more subtle element of debate practice at play. Traditionally, the 2AC might introduce 8 or 9 cards against a disadvantage, like “non-unique, no-link, no-impact,” and then go for one and two. Yet in reality, disadvantages are underpinned by dozens or perhaps hundreds of discrete assumptions, each of which could be contested. By the end of the 2AR, only a handful are under scrutiny; the majority of the disadvantage is conceded, and it’s tough to bring the one or two scrutinized components down to “zero.” And then there’s a bad understanding of probability. If the affirmative questions four or five elements of the disadvantage, but the negative was still “clearly ahead” on all five elements, most judges would assess that the negative was “clearly ahead” on the disadvantage. In reality, the risk of the disadvantage has been reduced considerably. If there was, say, an 80 percent chance that immigration reform would pass, an 80 percent chance that political capital was key, an 80 percent chance that the plan drained a sufficient amount of capital, an 80 percent chance that immigration reform was necessary to prevent another recession, and an 80 percent chance that another recession would cause a nuclear war (lol), then there’s a 32 percent chance that the disadvantage caused nuclear war. I think these issues can be overcome. First, I think teams can deal with the “burden of refutation” by focusing on the “burden of proof,” which allows a team to mitigate an argument before directly contradicting its content. Here’s how I’d look at it: modern policy debate has assumed that arguments start out at “100 percent” until directly refuted. But few, if any, arguments are supported by evidence consistent with “100 percent.” Most cards don’t make definitive claims. Even when they do, they’re not supported by definitive evidence—and any reasonable person should assume there’s at least some uncertainty on matters other than few true facts, like 2+2=4. Take Georgetown’s immigration uniqueness evidence from Harvard. It says there “may be a window” for immigration. So, based on the negative’s evidence, what are the odds that immigration reform will pass? Far less than 50 percent, if you ask me. That’s not always true for every card in the 1NC, but sometimes it’s even worse—like the impact card, which is usually a long string of “coulds.” If you apply this very basic level of analysis to each element of a disadvantage, and correctly explain math (.4\*.4\*.4\*.4\*.4=.01024), the risk of the disadvantage starts at a very low level, even before the affirmative offers a direct response. Debaters should also argue that the negative hasn’t introduced any evidence at all to defend a long list of unmentioned elements in the “internal link chain.” The absence of evidence to defend the argument that, say, “recession causes depression,” may not eliminate the disadvantage, but it does raise uncertainty—and it doesn’t take too many additional sources of uncertainty to reduce the probability of the disadvantage to effectively zero—sort of the static, background noise of prediction. Now, I do think it would be nice if a good debate team would actually do the work—talk about what the cards say, talk about the unmentioned steps—but I think debaters can make these observations at a meta-level (your evidence isn’t certain, lots of undefended elements) and successfully reduce the risk of a nuclear war or extinction to something indistinguishable from zero. It would not be a factor in my decision. Based on my conversations with other policy judges, it may be possible to pull it off with even less work. They might be willing to summarily disregard “absurd” arguments, like politics disadvantages, on the grounds that it’s patently unrealistic, that we know the typical burden of rejoinder yields unrealistic scenarios, and that judges should assess debates in ways that produce realistic assessments. I don’t think this is too different from elements of Jonah Feldman’s old philosophy, where he basically said “when I assessed 40 percent last year, it’s 10 percent now.” Honestly, I was surprised that the few judges I talked to were so amenable to this argument. For me, just saying “it’s absurd, and you know it” wouldn’t be enough against an argument in which the other team invested considerable time. The more developed argument about accurate risk assessment would be more convincing, but I still think it would be vulnerable to a typical defense of the burden of rejoinder. To be blunt: I want debaters to learn why a disadvantage is absurd, not just make assertions that conform to their preexisting notions of what’s realistic and what’s not. And perhaps more importantly for this discussion, I could not coach a team to rely exclusively on this argument—I’m not convinced that enough judges are willing to discount a disadvantage on “it’s absurd.” Nonetheless, I think this is a useful “frame” that should preface a following, more robust explanation of why the risk of the disadvantage is basically zero—even before a substantive response is offered. There are other, broad genres of argument that can contest the substance of the negative’s argument. There are serious methodological indictments of the various forms of knowledge production, from journalistic reporting to think tanks to quantitative social science. Many of our most strongly worded cards come from people giving opinions, for which they offer very little data or evidence. And even when “qualified” people are giving predictions, there’s a great case to be extremely skeptical without real evidence backing it up. The world is a complicated place, predictions are hard, and most people are wrong. And again, this is before contesting the substance of the negative’s argument(!)—if deemed necessary. So, in my view, the low probability scenario is waiting to be eliminated from debate, basically as soon as a capable team tries to do it. That would open to the door to all of the arguments, previously excluded, de facto, by the prevalence of nuclear war impacts. It’s been tough to talk about racism or gender violence, since modest measures to mitigate these impacts have a difficult time outweighing a nuclear war. It’s been tough to discuss ethical policy making, since it’s hard to argue that any commitment to philosophical or ethical purity should apply in the face of an existential risk. It’s been tough to introduce unconventional forms of evidence, since they can’t really address the probability of nuclear war. Yes, the affirmative would still need to debate counterplans. Sometimes, I get the impression that’s a point of controversy, too. Quite frankly, I think counterplans are good. I don’t think the negative should only be forced to exclusively debate about harms. There’s no way we can have a fair topic about, say, prison reform, if the negative can only defend the status quo. That’s especially true if you don’t want to debate the political cost of the action—which, in many instances, is the reason why the government hasn’t made obvious policy changes. Yet at the same time, I think it’s probably time to retire a few genres of generic counterplans. I think it’s time to retire the “alternative actor” counterplan, which isn’t a logical response to the affirmative. I also think it’s time to require that teams read evidence at a comprehensible speed. Comprehensible in front of me would still be “fast” by non-debater standards, but it would make debate far more accessible, it would solve the apparently rampant issue of card clipping, and, well, I don’t really know why it wasn’t required in the first place. I still think judges should call for cards, but they should call cards for additional scrutiny, not to make up for the fact that they never understood the content in the first place. Top policy judges and coaches should consider leading on this issues by writing and endorsing a pact establishing norms for clarity. The standard should be simple: the relevant warrant and argument in the card should be on your flow. There are certainly other problematic norms that I haven’t addressed. I’d love to hear others comment on specific norms and practices that they find problematic.

#### [3] Their impacts are fundamentally unpredictable and experts have no more success than the general population – the longer the link chain the more improbable.

Taleb 7 (Nassim, Distinguished Professor of Risk Engineering at Polytechnic Institute of New York University, “Prologue,” in *The Black Swan: The Impact of the Highly Improbable*, Random House, 2007, p. xxiv-xxv)

The inability to predict outliers implies the inability to predict the course of history, given the share of these events in the dynamics of events. But we act as though we are able to predict historical events, or, even worse, as if we are able to change the course of history. We produce thirty-year projections of social security deficits and oil prices without realizing that we cannot even predict these for next summer—our cumulative prediction errors for political and economic events are so monstrous that every time I look at the empirical record I have to pinch myself to verify that I am not dreaming. What is surprising is not the magnitude of our forecast errors, but our absence of awareness of it. This is all the more worrisome when we engage in deadly conflicts: wars are fundamentally unpredictable (and we do not know it). Owing to this misunderstanding of the causal chains between policy and actions, we can easily trigger Black Swans thanks to aggressive ignorance—like a child playing with a chemistry kit. Our inability to predict in environments subjected to the Black Swan, coupled with a general lack of the awareness of this state of affairs, means that certain professionals, while believing they are experts, are in fact not. Based on their empirical record, they do not know more about their subject matter than the general population, but they are much better at narrating—or, worse, at smoking you with complicated mathematical models. They are also more likely to wear a tie. Black Swans being unpredictable, we need to adjust to their existence (rather than naïvely try to predict them). There are so many things we can do if we focus on antiknowledge, or what we do not know. Among many other benefits, you can set yourself up to collect serendipitous Black Swans (of the positive kind) by maximizing your exposure to them. Indeed, in some domains—such as scientific discovery and venture capital investments—there is a disproportionate payoff from the unknown, since you typically have little to lose and plenty to gain from a rare event. We will see that, contrary to social-science wisdom, almost no discovery, no technologies of note, came from design and planning—they were just Black Swans. The strategy for the discoverers and entrepreneurs is to rely less on top-down planning and focus on maximum tinkering and recognizing opportunities when they present themselves. So I disagree with the followers of Marx and those of Adam Smith: the reason free markets work is because they allow people to be lucky, thanks to aggressive trial and error, not by giving rewards or “incentives” for skill. The strategy is, then, to tinker as much as possible and try to collect as many Black Swan opportunities as you can.

### A2 Afropess

#### [1] Perm do both.

#### A] Wilderson and Agamben’s theorization of structural violence are complementary and work best together

Johnson 14 (Paul – Lecturer and Associate Director of Debate at the University of Iowa, “A Reading of Some of Frank Wilderson’s Red, White, and Black, Contra/Pro Giorgio Agamben,” in Sounding Rhetoric, 5-31-14, <http://soundingrhetoric.blogspot.com/2014/05/a-reading-of-some-of-frank-wildersons_5930.html>)

Wilderson’s argument has far reaching implications for those in communication studies who remain interested in rendering accounts of how deliberative practices and institutional action do or do not succeed in achieving certain goals, either thought of in terms of constituting material benchmarks through traditional metrics (legislative change, changes in legal interpretation) or in a more Between Facts and Norms sense of moving the needle in terms of expanding the repertoire of forms and practices of argumentation that civil society is capable of recognizing as “political.” Wilderson has no compunction about aligning himself with the academic movement of what is called Afro-pessimism because in his view, the structural exclusion of the Black from society ensures that efforts at expansionary inclusion emanating from the mass public serve only to confirm the authority of that public to judge while at the same time routinely failing to address the structural conditions of exclusion. I am cheating a bit here by splitting them into two functions, actually. It is really the case that the confirmation of the mass public’s capacity to judge perpetuates the structural conditions of exclusion. Despite Wilderson’s decision to place Giorgio Agamben in his crosshairs in the opening of his book, I believe that Agamben’s account of the distinction between bare life and political life offers an elegant supplement that explains the rhetorical mechanisms for the production of the process Wilderson identifies. In Homo Sacer: Sovereign Power and Bare Life Agamben outlines his case for how the dispossession of populations comes to function structurally as opposed to contingently. Working from the Aristotelian distinction between life with the capacity for political speech, political life, and life which is incapable of signifying, bare life, Agamben suggests political actors utilize a rhetoric that elevates “the good life,” that is, life which exists above the realm of pure biological existence and into the realm of shared speech, politics. Elevating political life, however, requires that political life be defined against some other version of life, and that other form of life is bare life. Political philosophy has defended Western political institutions on the basis not of their capacity to protect a Hobbesian social contract, that is, the basis to secure bare life, but instead on the basis to provide for the good life. Michel Foucault engineered this turn in thinking politics in The History of Sexuality Vol. 1, where he identified emerging tendencies on the part of the government to rationalize interventions as means of enabling populations not just to live, but also to live well and in a certain way. Such rationales represent racialized thought because they discriminate between various and sundry populations to the extent that some ways of living are valued and prioritized over and above others. By the time he wrote State of Exception Agamben was applying his thesis to the conduct of internal politics and especially the war on terror. It should be noted that he does not think the war on terror is a unique example of the politicization of bare life, only that it is one among many available in what he says is now, following Walter Benjamin, a state of permanent exception in which populations find themselves “bare” and thus vulnerable to management, dispossession, and extermination at the hands of the sovereign. These bodies suffer the violence of sovereignty, included only to feel its force, but are otherwise excluded from participation. In this way a simple topographical distinction between inside and outside is not enough, but a threshold, “a zone of indifference, where inside and outside do not exclude each other but rather blur with each other.”[8] Let me give an example of this process. Many of George W. Bush’s speeches in the wake of September 11th spoke of the Al Qaeda and the nations that harbored them as barbaric threats to Western civilization. At the same time that these populations were described in these terms, America continued to conduct a campaign of vigilant military attack on these nations, attacks which created and intensified numerous political and infrastructural deficiencies faced by countries which were often already struggling with developmental deficits that indexed not only the legacy of colonialism but also their position on the periphery rather than center of the global order. Existing cultural differences, especially religious and ethnic, were played up in media accounts of the condition’s facing women in nations like Afghanistan. At the same time that political rhetoric emanating from the West suggested that these nations were politically bereft and thus in need of Western military intervention, sanctions, international scorn, and that military intervention worked to verify the rhetorical account of these nations as backwards and outside of the world of Western “political” life. They were inside sovereignty only to the extent that they faced the exercise of sovereign violence but constitutively excluded in all other ways. So the question: would Wilderson recognize the strife between Western Europe and the populations in the East as a “family quarrel” following Fanon’s analysis of the Holocaust? Would the position of Afghanistan be contingent in his view, i.e. occupying a position of the Black but only until there comes to be a recognition of something shared between Afghanistan and the West? Would this recognition depend upon what Wilderson, building on the work of Sadiya Hartman, would call the “fungibility” of the idea of violence as applied to the black body? Those who are both geographically segregated from the West and also marked ethnically will probably not be permitted to symbolically “enter” the West anytime soon. And if the soft, permanent electronic euthanasia of drone strikes is any indicator, civil society’s capacity to perceive the bodies of those like the son of Anwar Awlaki is seriously denuded. While some Western theorists, chief among them Agamben, are capable of ascertaining similar characteristics in the Holocaust and the ongoing war on terror, one would be hard pressed to identify this analogical mode of thinking as anything approaching dominant or ascendant, which suggests a level of permanence to the position of bare life in the war on terror as constitutively excluded. This example emphasizes that Wilderson and Agamben have strikingly similar accounts of suffering. Both suggest that for certain bodies the difference from other bodies is one of kind rather than degree. That is, for Wilderson the slave is ontologically distinct from the body that is included in civil society. Similarly, Agamben holds that bare life is in a position of abjection, subject to the vicissitudes of violent sovereignty by virtue of an inclusion whose only index is the body’s subjection to violence. But there is one important seeming distinction: while Wilderson and Agamben both render the violence as ontological in the sense that it absolutely denies the humanity and agency of those upon it is visited, Agamben reads the emptiness of sovereignty’s authority—here I would say its rhetorical basis—as a sign of hope rather than the pessimism that Wilderson suggests. As he says in State of Exception the lack of a “substantial articulation” between violence and law, that is, the fact that the relationship is established through tautology rather than through appeal to some kind of external authority, suggests that the inability to distinguish between violence and the law is itself a resource for political action, one that could demonstrate that emptiness.[9] Wilderson on the other hand believes that the investment in authority for authority’s sake is evidence that there is no chance for the slave to exist in the world because the slave’s existence is what makes the world possible. As he says it, “No slave, no world” because of both how the physical labor of slavery makes our existing world possible and also how the symbolic figure of the slave secures, through various and sundry means, the intelligibility of civil society itself. Above I mark the distinction as “seeming” because I think the attitudinal difference between the two thinkers is much less than the shared explanation both give for the way in which political action sediments hierarchies to the detriment of bodies that have no access to those political worlds. Both Agamben and Wilderson indicate that the authority of civil society is generated by tautological exercises of sovereign power the ground themselves in their own assumption of authority. Agamben suggests that sovereignty anticipates its own success to close off alternative perspectives while Wilderson argues that anti-blackness works as a paradigm by rendering a constitutively impossibility arguments and actions which might testify to its own self-investment in authority. Wilderson and Agamben both outline theories of political exclusion that argue some forms of life are given priority over other forms of life, and the unintelligibility of those other forms of life is the grist for the mill of civil society and politics, respectively. Wilderson’s point regarding Agamben’s focus on the Holocaust is a necessary one, but contemporary situations of global violence also suggest that there may be a level of permanence to the state of exception that argues more for a reading of affinity between the two rather than a theorization of their opposition.

#### Biopolitics is entrenched with race-based ontologies - our method is necessary to solve for the k**Smith and Vasudevan 17** [Sara Smith and Pavithra Vasudevan, University of North Carolina at Chapel Hill, "Race, Biopolitics, and the future: Introduction to the special section", 2017, https://journals.sagepub.com/doi/pdf/10.1177/0263775817699494] Tfane23A rich body of scholarship emerges from and counters Foucault’s (2003, 2007) articulation of biopolitics as fostering life or disallowing it to the point of death, to think through the racialized temporalities of urgency and endurance in enacting differential futures. **Race is fundamental to the rule of life and death** (Amin, 2010; da Silva, 2011; Mansfield, 2012; Mbembe, 2003; Reyes, 2012; Tyner, 2009, 2013; Weheliye, 2014), spatialized through the severing of territorial ties as well as the enclosure of racial others in place (Chari, 2008; McKittrick and Woods, 2007; Moore, 2005). **We see it particularly in the management of intimacy and the body** (Fluri, 2014; Fortier, 2007; Legg, 2014; Olund, 2010; Oswin and Olund, 2010; Puar, 2009; Saldanha, 2007; Stoler, 1995; Tyner and Houston, 2000), and in valuations of what constitutes the human, not-quite human, and nonhuman (Chen, 2012; Weheliye, 2014). Building on Wynter (2003) and Spillers (1987), Weheliye (2014: 4) argues that while biopolitics has been helpful in theorizing sociopolitical life and death, it ‘‘misconstrues how profoundly race and racism shape the modern idea of the human’’ and ‘‘perfunctorily writes off theorizations of race, subjection, and humanity found in black and ethnic studies, allowing bare life and biopolitics discourse to imagine an indivisible biological substance anterior to racialization.’’ **Reproduction and biopolitics have been marshaled to produce a same (white) or ethnically marked body** (Edelman, 2004; Luibheid, 2013) or a ‘‘white(r) future body’’ in colonized spaces (Schurr, 2017), **rendering queer, Black, or migrant subjects abject or unwanted** (Edelman, 2004; Luibheid, 2013; Roberts, 2014; Silva, 2016). What is the role of anticipatory thinking in the biopolitics of white supremacy and anti-Blackness? How is the capacity to effect hope or alter future trajectories shaped by matrices of risk, care, neglect, and lethality in which bodies are imbricated (Puar, 2009)? Geographers and **social theorists have recently begun to highlight the role of temporality in political action, exploring why and how the future is portrayed as chaotic, risky, turbulent** (Amin, 2013; Anderson and Adey, 2012; Baldwin, 2016), **especially as we enter the** Anthropocene’s forced **reconsideration of biological life** (Gergan, 2016; Yusoff, 2013). Through a set of wide-ranging cases in both deeply rooted and transnational sites, this **special section pushes us to theorize race-biopolitics in relation to disparate imaginaries and articulations of the future. Fears about changing demographics belie popular claims to a post-racial era, marking a fracture in white imaginations of temporal continuity.** Under neoliberalism, the territorial space of the West, racialized as white, appears under threat from growing populations of brown and black bodies moving across the dividing lines between zones of life and death (McIntyre and Nast, 2011). **Irrational fears of retribution by the formerly colonized drive the simultaneous growth of securitization and democratization of neoliberal racism, as citizens, NGOs and media are incorporated into the machinery of biopolitical regulation** (Goldberg, 2008). 212 Environment and Planning D: Society and Space 35(2) **Attending to the workings of race-biopolitics draws our attention as well to the ‘‘complexity of lived time’’** (Sharma, 2014: 6) that challenges common-sense notions of universal temporal acceleration under neoliberalism. **The articulation of ‘‘crisis’’ relative to growing white precarity may enable a revival of whiteness in the biopolis** (e.g. Bialasiewicz, 2006; McIntyre and Nast, 2011; Nast, 2011). Conversely, anti-Blackness persists as a steady drumbeat of death (Gilmore, 2002; Malcolm X Grassroots Movement, 2013). Justified rage in response to the killing of Black youth demands a temporal break with the past. Can the present iteration of racialized violence be denaturalized so that we might change the future (Inwood et al., 2014)? **Underlying these structural and discursive shifts are anxieties about the future, raising political and moral imperatives to prepare, respond and hope** (Adams et al., 2009; Anderson and Adey, 2012; Braun, 2007; Cole and Durham, 2008; Edelman, 2004; Gilmore, 2007; Kobayashi, 2004; Pulido, 2012; Rose, 2001). We hold these temporal concerns alongside the geopolitical intimacies of racial thinking that link together the geographies of the body, neighborhood, census tract, state, and globe (Sharpe, 2009; Stoler, 2006). Emergent epigenetics research appears to explain biological difference as effect, rather than cause of racism, promising to solve the puzzle of racialized health disparities (Guthman, 2014; Kuzawa and Sweet, 2009). Yet, **neoliberal applications of biomedical advances may reify structural racism by binding race to bodies of color in newly inventive ways** (Krupar and Ehlers, 2016; Mansfield, 2012; Nash, 2002, 2012; Roberts, 2011; Schurr, 2017; Sziarto, 2017), **through a logic of inclusion – unless and until we commit to ‘‘abolitionist’’ efforts that de-mystify and intervene in the systemic reproduction of racism at multiple scales** (Krupar and Ehlers, 2017).

#### Blackness is not ontological – violence is contingent and social life is possible – Afropessimists are wrong

**Kauanui, 17** (J. Kēhaulani, Professor of American Studies and Anthropology at Wesleyan University, “Tracing Historical Specificity: Race and the Colonial Politics of (In)Capacity”, American Quarterly, Volume 69, Number 2, June 2017, pp. 257-265, <https://muse.jhu.edu/article/663323> )

In October 2016 I attended a lecture by Frank B. Wilderson III sponsored by Wesleyan’s Center for the Humanities. I had read his book Red, White & Black: Cinema and the Structure of US Antagonisms, along with select articles and interviews—but had yet to hear him present his work. The talk was titled “Afro-Pessimism and the Ruse of Analogy.” I went in already critical given my familiarity with Afro-Pessimist thought—not only through his work, but that of Jared Sexton and other scholars.1 As Wilderson himself explains, Afro-Pessimism is an “unflinching paradigmatic analysis on the structures of modernity produced by slavery and genocide.” Drawing on the works of Orlando Patterson, Saidiya Hartman, and Hortense Spillers (among others), Afro-Pessimists theorize blackness as a position of accumulation and fungibility, that is, as a condition—or relation—of ontological death.2 In Red, White & Black, Wilderson theorizes the structural relation between Blacks and Humanity as an antagonism (an irreconcilable encounter) as opposed to a (reconcilable) conflict. He, along with other Afro-Pessimists, theorizes the workings of civil society as contiguous with slavery and claims the “inability of the slave to translate space into place and time into event.”3 **Wilderson’s insistence of absolute negativity destroys the possibility for coalitional politics because it frames the Black Body as something that will always stand in an antagonistic position to the world**.4 At Wilderson’s talk I took careful notes, and by the end of the lecture I was so perturbed, I figured I had better attend the faculty seminar the next morning to further engage. There, I mustered up the wherewithal to ask Wilderson about his argument the night before—and in his work at large—that there is no institutional capacity in which Blacks can assert leverage over anyone; that they are only instruments, not agents. I cited the case of Bacon’s Rebellion—an armed revolt in 1676 led by Nathaniel Bacon against the rule of the Virginia colonial governor William Berkeley—and asked Wilderson how he could reconcile his position in light of a tough example of black agency in uniting with indentured and other poor Europeans in committing genocidal violence against Indian tribes. He responded by asking me why I would “privilege Blacks participating in genocide over the role of whites.” I did not (and do not)—so I simply reiterated that I wanted to understand how he reconciled his argument with that particular history. He replied by asking me why I didn’t instead look to the horses they rode and the bullets they used, provided by the whites that made the Blacks mere “instruments” of their project. I noted that this was during the period prior to the hardening categories that created racially based chattel slavery in the region and that there was variation among African individuals there at that time in terms of their social and legal status. I also added that the question seemed especially pertinent given his assertions in Red, Black & White, in which much of the argument depends on his reading of Indian genocide, since he critiques “the Red Ontologist” for privileging indigenous sovereignty when genocide is essential to the ontology of the Indian.5 But this didn’t get us any farther. He pointedly told me, “We are not going to agree on this.” Given this AQ forum on Patrick Wolfe’s Traces of History: Elementary Structures of Race (2016), I want to take up his work to examine Afro-Pessimism in relation to issues raised by the exchange recounted above. I take up the question of Afro-Pessimism in this context, since Wolfe repeatedly states (and deftly demonstrates), “race is not a static ontology.”6 He notes, “As its name suggests, [race] is an ongoing, ever-shifting contest.”7 Among many other interventions, Traces of History challenges the understanding that blackness was or is transcendent. **To assert blackness as ontological is to recapitulate colonizing thought, to take colonial ideology as truth**. However, Wolfe went beyond merely stating that race is a social construct. As Ben Silverstein put it in his memorial essay, “Patrick insisted instead on thinking about race as one element of the Althusserian totality, an overdetermining level of the social formation.”8 Wolfe therefore brings “poststructuralist rigor to bear on materialist approaches to ideology.”9 Through his careful historical work, Wolfe theorized race as a process, examining racialization as practice alongside race as doctrine. He argued, “**race is colonialism speaking**.”10 In other words, European colonizers racialized the colonized in specific ways that mark and reproduce (in ways that can change across time) the unequal relationships into which colonial actors initially co-opted these populations. Wolfe’s theory enables a critique of racialization as an effect of colonialism, the working out in practice of colonial ideology. This is why he called for a shift “from the register of race to that of colonialism,” identifying dimensions of the colonial dispensation that “cannot be expressed in the language of phe- notypes.” **The difference here, then, between Wolfe and Wilderson (as well as other Afro-Pessimists), is that they register not from race to colonialism, or even from race to slavery, but slavery to race.** Wilderson universalizes a particular rendition of black experience to claim that the Black Body is in a perpetual state of ontological death because of the violence of the Middle Passage. He traces to when Arabs inaugurated this thirteen hundred years ago with the opening of the African slave trade.11 His main argument for the ontological death (cast in singular terms) of the Black Body is because of Blacks’ incapacity to develop their own subjectivity. As he puts it, “Blackness is incapacity in its pure and unadulterated form.”12 To get at this problematic, I offer a brief account of Bacon’s Rebellion as an example of a case in which the Black Body is not socially dead—not incapacitated. Thus I challenge the ontological absolutism that is endemic to Afro-Pessimist thought at large. **Several black radical scholars have challenged this “ontological absolutism.”** For example, David Marriott notes, “Wilderson is prepared to say that black suffering is not only beyond analogy, it also refigures the whole of being. It is not hard when reading such sentences to suspect a kind of absolutism at work here, and one that manages to be peculiarly and dispiritingly dogmatic.”13 Moreover, Marriott argues that the claim that “Blackness is incapacity in its most pure and unadulterated form means merely that the black has to embody this abjection without reserve. . . . This logic—and the denial of any kind of ‘ontological integrity’ to the Black/Slave due to its endless traversal by force does seem to reduce ontology to logic, namely, a logic of non-recuperability.”14 My critique here is rooted in historicizing race—that active element of racialization—races as “traces” of history. Hence, looking at the case study of Bacon’s Rebellion, I challenge Wilderson’s advancement of a purity argument that also happens to be ahistorical. **I come at this debate as a scholar of sovereignty, race, and indigeneity trying to reckon with these troubling formulations.**15 Bacon’s Rebellion shows that racialized chattel slavery was a deliberate choice the English elites came to over time. And here I draw on Wolfe’s Traces of History, along with the work of the historian Edmund Morgan, to offer a rudimentary overview.16 In 1619 Virginia, West Africans arrived after the Dutch sold them as slaves to the English settlers. However, the English did not immediately devise this status for them; they were not slaves in the sense of persons reduced as property and required to work for life without wages.17 In 1619 Virginia had no law legalizing slavery, and many Africans were sold as bonded laborers or indentured servants who lived and labored alongside poor Europeans—bound by contract to serve a master in order to repay the expense of their passage and other debts.18 Some worked in the fields side by side, lived together, ate together, shared housing, and more. Yet, as early as 1630, the English started singling out Africans for differential treatment, such as meting out worse punishments for running away and refusing to allow them to carry arms. Still, during this period, there were property-owning free Africans in the Chesapeake (e.g., Anthony Johnson, who arrived in 1621).19 **This history shows that the course of race in seventeenth-century Virginia was not predetermined, a point more than a few historians have made**.20 The plantation system and the expansion of settler capitalism that furthered English settler control over and conquest of native lands demanded additional pliant, captive labor. However, a racially based system of chattel slavery was not a foregone conclusion. As Wolfe put it: “It was not until the juridical opposition of slave versus free became mapped onto the hereditary opposition of Black versus White that being born a Black person meant being born a slave.”21 Thus, as Wolfe insists, “in addition to its circumstantial trajectory, the developing equation of Blackness with slavery needs to be understood in relation to its historicity: to the particular conditions whereby this formula rather than any other—convict labour, fixed-term slavery, a contract system—came to be selected as the optimal arrangement.”22 In 1661 the Virginia Assembly began to legally institutionalize slavery, and by 1662 came codes that determined the status of a child by the status of the mother. In 1669 the law defined enslaved Africans as property. However, planters still preferred white indentured labor. But 1670 saw a decrease in the number of European indentured servants migrating to Virginia, since Governor Berkeley had restricted suffrage to landowners. These are the conditions that contributed to Bacon’s Rebellion, as six out of seven men were “poor, discontented, and armed.”23 The insurrection emerged from the outgrowth of the push for profit from the production of tobacco, and its attendant demand for both land and labor. The complaint of freed indentured servants was they faced barriers to getting Indian land because of the emergent elite planter class. Hence it should be no surprise that Bacon’s Rebellion began with conflict over how to deal with Indian tribes viewed as violent obstructionists to settler colonial expansion. Bacon saw the colony’s policy on tribes as dismissive, especially after two Indian raids (the 1622 massacre by the Powhatans and a 1675 attack by the Doeg). His demands to preemptively massacre all Indians were not accepted by the governor, and so in response Bacon rallied his own troops against Berkeley for his refusal to retaliate for Native attacks on frontier settlements. Bacon orga- nized thousands of indentured servants, bond laborers, and slaves—English, Irish, Scottish, and African—who joined the frontier mutiny. In 1675, when Berkeley denied Bacon a commission (the authority to lead soldiers), Bacon took it upon himself to lead his followers in a crusade against the “enemy.” In a classic divide and conquer move, they marched to a fort held by a “friendly” tribe, the Occaneechees, and convinced them to capture warriors from an “unfriendly” tribe, the Susquehannock. The Occaneechees returned with captives, but Bacon’s men turned to the allied tribe and opened fire, killing them. After months of conflict, Bacon’s forces burned Jamestown to the ground on September 19, 1676. They drove Berkeley back to England and effectively shut down all tobacco production for over a year. Scholars and activists alike have perpetuated some romanticized accounts of the rebellion as a historical moment when poor Africans and Europeans united to fight their common exploiters (the English elite). Other accounts narrate it as a missed opportunity, given that poor Europeans eventually went the “white way,” joining elites against those increasingly racialized as “black.” Thus the Rebellion is also told as a genealogy of “whiteness” as a racial category and the “hidden origins” of race-based chattel slavery. **As the story usually goes, the English elites, fearing class unity across racial lines, began to impose different standards when punishing the rebels—with harsher sentences against Africans.** And since they were more easily identifiable than Europeans, a preference toward the importation of enslaved African slaves grew. Today, Bacon’s Rebellion is often evoked among the white Left as a reminder that elites will divide and conquer, keeping whites and Blacks from unifying. But what drops out in this lamenting account is that they were allied in challenging the English elites through their united efforts to commit genocide against indigenous peoples. This settler colonial context—imbricated with the North American institution of slavery—is often erased.24 Also, to return to Wolfe, although he links racial slavery to Indian dispossession, he does not discuss what poor Europeans and Africans were unified for besides challenging the English elite. In other words, he does not mention Bacon’s fixation on eliminating Indians through genocide and contesting Berkeley’s policy regarding the tribes. Still, Wolfe and other historians have noted that the rebellion hastened the hardening of racial lines associated with slavery, as a way for planters and the colony to control some of the poor, which led to the passage of the Virginia Slave Codes of 1705.25 After Bacon’s Rebellion, planters turned to Africa as their primary source of labor and to slavery as their main system of labor, rather than European indentured labor. The landed gentry systematically developed a workforce based on racial caste, and the 1680 Virginia legislature enacted laws that denied slaves freedom of mobility and assembly. New legislation sharpened the color line, and by 1710 a racially based system of chattel slavery was fixed in Virginia (and Maryland).26 Wolfe’s treatment of racial formation on black slavery and racial caste in Traces of History is key to understanding the aftermath of the revolt. He shows how race is constructed to challenge the ahistorical and universal claim that Afro-Pessimists hold. Returning to Wilderson, then, Bacon’s Rebellion offers just one example in which Blacks (in Wilderson’s terms)—or, rather, Africans not yet “Black”—exercised some capacity over another group. But, while they asserted leverage over tribes, as agents in unity with poor Europeans, the terms of agency were set by and defined within the settler racial capitalist system that was also oppressing them.27 And unlike European workers, who were exploited, the Dutch enslaved the Africans before selling them as “cargo” in North America. This is a crucial difference demarcating the vast structural differences impinging on them. Still, this historical episode challenges the timeline Wilderson claims regarding the ontological imprint and its inauguration. The specificity of racially based chattel slavery in the context of English settlement in North America—and the institutional incapacity it wrought for enslaved Africans—differs from the Middle Ages in the Arab world. **It is as if Wilderson were drawing on the particularity of the experiences of African peoples in North America to make a universal argument.** Furthermore, he reads “Black” outside the history of the making of race that this historical period shows was a process. This totalizing interpretation of black experience in claiming that “the Black Body” is in a perpetual state of ontological death, then, seems bound to this historically specific context, all the while disavowing that specificity. Tamar Blickstein, a mutual friend of Wolfe’s and mine, recently reminded me that Patrick said that he hoped Traces of History would be something people “could run with.” I hope that taking his work and running with it— to critically examine the argument that “Blackness is incapacity in its pure and unadulterated form”—elucidates the colonial and racial politics of what constitutes capacity in terms of agency. Attention to the rebellion, then, also illustrates the problems with ahistorical projections of blackness across space and time, showing that we must attend to how this category gets constructed in place and time—and in relation to colonial and capitalist systems. Instead of seeing Bacon’s rebellion as a missed opportunity for poor European and poor Africans, the historical event reveals a lost chance for alliance politics between African and indigenous peoples.28 Wolfe insisted that addressing questions of solidarity must include a consideration of the legacies (the functions and outcomes) of racialization. He made it clear in Traces of History that it is necessary to interrogate racial categories and complementarities, refusing simple solidarities and examining the material structures—and consequences—of colonial rule. Seeing how colonial elites pitted one against the other, in the aftermath of Bacon’s Rebellion, in a crosscutting system of oppression, offers a counterpoint and alternative framework to the nihilism of Afro-Pessimism, one that challenges ontological absolutism. Resisting the insistence of absolute negativity that destroys the possibility for coalitional politics, we can and must open up space for interconnected radical

#### Reducing anti-blackness to the level of ontology is counter-productive—cements nihilism and has no alt

**Rogers 15**, Associate Professor of African American Studies & Political Science University of California, Los Angeles. Ta-Nehisi Coates’s Wounded Attachment: Reflections on Between the World and Me Fugitive Thoughts, August 2015, http://www.academia.edu/14337627/Ta-Nehisi\_Coatess\_Wounded\_Attachment\_Reflections\_on\_Between\_the\_World\_and\_Me

The Dream seems to run so deep that it eludes those caught by it. Between the World and Me initially seems like a book that will reveal the illusion and in that moment open up the possibility for imagining the United States anew. Remember: “Nothing about the world is meant to be.” But the book does not move in that direction. **Coates** rejects the American mythos and the logic of certain progress it necessitates, but **embraces the certainty of white supremacy and its inescapable constraints. White supremacy is not merely a historically emergent feature** of the Western world generally, and the United States particularly; **it is an ontology**. By this I mean that **for Coates white supremacy does not structure reality; it is reality. There is, in this, a danger. When one conceptualizes white supremacy at the level of ontology, there is little room for one’s imagination to soar and** one’s **sense of agency is inescapably constrained**. The meaning of action is tied fundamentally to what we imagine is possible for us. “The missing thing,” Coates writes, “was related to the plunder of our bodies, the fact that any claim to ourselves, to the hands that secured us, the spine that braced us, and the head that directed us, was contestable.” The body is one of the unifying themes of the book. It resonates well with our American ears because the hallmark of freedom is sovereign control over our bodies. This was the site on which slavery did its most destructive work: controlling the body to enslave the soul. We see the reconstitution of this logic in our present moment—the policing and imprisoning of black men and women. **The reality of this colonizes not only the past and the present, but also the future. There can be no affirmative politics when race functions primarily as a wounded attachment—when** our **bodies are the visible reminders that we live at the arbitrary whim of another**. But **what of** **those** young men and women **in the streets of Ferguson, Chicago, New York, and Charleston—how ought we to read their efforts?** We come to understand Coates’s answer to this question in one of the pivotal and tragic moments of the book—the murder of a college friend, Prince Jones, at the hands of the police. As Coates says: “This entire episode took me from fear to a rage that burned in me then, animates me now, and will likely leave me on fire for the rest of my days.” With his soul on fire, all his senses are directed to the pain white supremacy produces, the wounds it creates. This murder should not be read as a function of the actions of a police officer or even the logic of policing blacks in the United States. His account of this strikes a darker chord. What he tells us about the meaning of the death of Prince Jones, what we ought to understand, reveals the operating logic of the “universe”: She [referring to his mother] knew that the galaxy itself could kill me, that all of me could be shattered and all of her legacy spilled upon the curb like bum wine. And no one would be brought to account for this destruction, because my death would not be the fault of any human but the fault of some unfortunate but immutable fact of ‘race,’ imposed upon an innocent country by the inscrutable judgment of invisible gods. The earthquake cannot be subpoenaed. The typhoon will not bend under indictment. They sent the killer of Prince Jones back to his work, because he was not a killer at all. He was a force of nature, the helpless agent of our world’s physical laws. **But if we are all just helpless agents of physical laws, the question might emerge again: What does one do? Coates recommends interrogation and struggle**. His love for books and his journey to Howard University, “Mecca,” as he calls it, serve as sites where he can question the world around him. **But interrogation and struggle to what end? His answer is contained in his** incessant **preoccupation with natural disasters**. We might say, at one time we thought the Gods were angry with us or that they were moving furniture around, thus causing earthquakes. Now **we know earthquakes are the result of tectonic shifts. Okay, what do we do with that knowledge? Coates seems to say: Construct an early warning system—don’t misspend your energy trying to stop the earthquake itself.** There is a lesson in this: “**Perhaps one person can make a change, but not the kind of change that would raise your body to equality with your countrymen…And still you are called to struggle, not because it assures you victory, but because it assures you an honorable** and sane **life**.” One’s response can be honorable because it emerges from a clear-sightedness that leaves one standing upright in the face of the truth of the matter—namely, that your white counterparts will never join you in raising your body to equality. “It is truly horrible,” Coates writes in one of the most disturbing sentences of the book, “to understand yourself as the essential below of your country.” Coates’s sentences are often pitched as frank speech; it is what it is. This produces a kind of sanity, he suggests, releasing one from a preoccupation with the world being other than what it is. **Herein lies the danger**: Forget telling his son it will be okay. **Coates cannot even muster a tentative response to his son; he cannot tell him that it may be okay.** “The struggle is really all I have for you,” he tells his son, “because it is the only portion of this world under your control.” What a strange form of control. Black folks may control their place in the battle, but never with the possibility that they, and in turn the country to which they belong, may win. **Releasing the book at this moment—given all that is going on with black lives under public assault and black youth in particular attempting to imagine the world anew—seems the oddest thing to do. For all** of **the channeling of James Baldwin, Coates seems to have forgotten that black folks “can’t afford despair.” As Baldwin went on to say: “I can’t tell my nephew, my niece; you can’t tell the children there is no hope.” The reason** why **you can’t say this is not because you are living in a dream or selling a fantasy, but because there can be no certain knowledge of the future. Humility, borne out of our lack of knowledge of the future, justifies hope.** Much has been made of the comparison between Baldwin and Coates, owing largely to how the book is structured and because of Toni Morrison’s endorsement. But what this connection means seems to escape many commentators. In his 1955 non-fiction book titled Notes of a Native Son, Baldwin reflects on the wounds white supremacy left on his father: “I had discovered the weight of white people in the world. I saw that this had been for my ancestors and now would be for me an awful thing to live with and that the bitterness which had helped to kill my father could also kill me.” Similar to Coates, Baldwin was wounded and so was Baldwin’s father. Yet **Baldwin knew all too well** that **the wounded attachment if held on to would destroy not the plunderers of black life, but the ones who were plundered. “Hatred,** which could destroy so much, **never failed to destroy the man who hated and this was an immutable law.” Baldwin’s father, as he understood him, was destroyed by hatred. Coates is less like Baldwin in this respect and, perhaps, more like Baldwin’s father.** “I am wounded,” says Coates. “I am marked by old codes, which shielded me in one world and then chained me in the next.” The chains reach out to imprison not only his son, but you and I as well. **There is a profound sense of disappointment** here. **Disappointment because** given the power of the book, **Coates seems unable to linger in the conditions that have given life to** **the Ta-Neisha Coates that now occupies the public stage.** Coates’s own engagement with the world—his very agency—has received social support. Throughout the book he often comments on the rich diversity of black beauty and on the power of love. His father, William Paul Coates, is the founder of Black Classic Press—a press with the explicit focus of revealing the richness of black life. His mother, Cheryl Waters, helped to financially support the family and provided young Coates with direction. And yet he seems to stand at a distance from the condition of possibility suggested by just those examples. **One ought not to read these moments above as expressive of the very “Dream” he means to reject. Rather, the point is that black life is at once informed by, but not reducible to**, the **pain exacted on our bodies by this country. This eludes Coates. The wound is so intense he cannot direct his senses beyond the pain.**

#### Pessimism doesn’t require fatalism. Wilderson’s alternative locks in oppression.

**Marriott 12** — David S. Marriott, Professor in the History of Consciousness Department at the University of California-Santa Cruz, holds a Ph.D. in Literature from the University of Sussex, 2012 (“Black Cultural Studies,” *The Year’s Work in Critical and Cultural Theory*, Volume 20, Issue 1, Available Online to Subscribing Institutions via Oxford Journals Online, p. 46-47)

2. Race and Visual Culture The year saw several important publications in the field of black visual culture studies; and all concerned with the post-slave condition of the still and moving image in Europe and the US. In the concluding pages of Darker Than Blue, Gilroy restates why he finds the ongoing attachment to the idea of race in the US so very unsatisfactory in comparison, say, to the anti-racism of Frantz Fanon: [Fanon’s] ‘audacious commitment to an alternative conception of humanity reconstituted outside ‘‘race’’ [. . .] is something that does not endear Fanon’s work to today’s practitioners of the facile antihumanism and ethnic absolutism so characteristic of life on US college campuses, where class-based homogeneity combines smoothly with deference to racial and ethic particularity and with resignation to the world as it appears. Fanon disappoints that scholastic constituency by refusing to see culture as an insurmountable obstacle between groups, even if they have been racialized. He does not accept the ‘‘strategic’’ award of an essential innocence to the oppressed and the wretched of the earth. Their past and present sufferings confer no special nobility upon them and are not invested with redemptive insights. Suffering is just suffering, and Fanon has no patience with those who would invoke the armour of incorrigibility around national liberation struggles or minority cultures’. (pp. 157–8, my emphasis) Whatever one might think of the cogency of these remarks (if only because the notion of a non-racial life is predicated on the idea that the human can somehow reside ‘outside’ of race, a humanism that would always then be constitutively compromised by the racism at its frontier), the question of whether US culture can ever escape racial antagonism is the primary focus of Frank B. Wilderson III’s powerful Red, White, and Black: Cinema and the Structure of US Antagonisms, as part of a more general reading of US film culture. And indeed Fanon’s anti-philosophical philosophical critique of racial ontology (historically blacks were seen as part of existence but not, as yet, part of human being, a not-yet that forces Fanon to rethink the teleological form of the human as already and essentially violent in its separation from the state of nature from which it has come) forms a major part of [end page 46] Wilderson’s conception of anti-blackness as the major structural antagonism of US history and culture. It is against the conception that racism could ever be simply contingent to black experience that Wilderson protests, reflecting on the fact that racial slavery has no parallel to other forms of suffering, and perhaps most strikingly social death is the constitutive essence of black existence in the US. In brief, slavery remains so originary, in the sense of what he calls its ‘accumulation and fungibility’ (terms borrowed from Saidiya Hartman), it not only has no ‘analogy’ to other forms of antagonism—Wilderson’s examples are the Holocaust and Native American genocide— there is simply no process of getting over it, of recovering from the loss (as wound, or trauma): as such, slavery remains the ultimate structure of antagonism in the US. Whether at a personal level or at the level of historical process, if ‘black slavery is foundational to modern Humanism’, then any teleological appeal to a humanism beyond racism is doomed from the start (p. 22). The problem with Wilderson’s argument, however, is that it remains of a piece with the manichean imperatives that beset it, and which **by definition** are structurally uppermost, which means that he can only **confirm those imperatives as absolutes** rather than chart a dialectical path beyond them, insofar as, structurally speaking, there is no ‘outside’ to black social death and alienation, or no outside to this outside, and all that thought can do is **mirror its own enslavement by race**. This is not so much ‘afro-pessimism’—a term coined by Wilderson—as **thought wedded to its own despair**. However, this is also not the entire story of Red, White, and Black, as I hope to show.

### A2 Set Col

#### [1] Perm do Both

#### The instance of Agamben’s application to aboriginal struggles should be a case in point—strategically employing Agamben is key to challenging colonialism

Abbott 13. Matthew Abbott, professor of philosophy at the University of Ballarat in Australia, “Political Ontology and Colonialism: Impasses of Theory and Practice,” Settler Colonial Studies, DOI:10 Published online: 08 Jun 2013 pg. 5

Simone **Bignall**’s ‘Potential Postcoloniality’ is similarly accomplished. It **highlights the aporias posed for Australian sovereignty by the country’s settler colonial past and present**, arguing convincingly that **the ‘ongoing colonial dispossession of Australia’s Aboriginal people destabilises the security of the settler consciousness and the cohesiveness of the national culture, challenging the self-evidential legitimacy and uniform authority of the transplanted sover- eign power’** (261). **She turns in particular to the declaration in 2007 of a state of emergency in** the Northern Territory’s **Aboriginal communities** (ostensibly **because of poor living standards and endemic child abuse**). The measures taken during the “intervention” that followed were so aston- ishing they warrant quoting her at length: **determining how welfare payments may be spent and making welfare payments contingent upon chil- dren’s school attendance**; **controlling access to goods and services**; **conferring extra powers of police to enter private property without warrant** when an Aboriginal person is believed to be affected by alcohol; requiring that detailed records be kept for three years of all users of computers purchased with government funds; and mandating compulsory participation in the ‘Work for the Dole’ scheme, which makes payment of unemployment pension benefits contingent upon recipients under- taking ‘voluntary’ labour. **Beyond these measures of state intervention in the conventionally private sphere of habitation and individual choices concerning personal action, the legislation also conferred upon the Commonwealth significant powers to intervene in – or to suspend – existing structures of Aboriginal self-determination and community governance**. These included the power of government to vary or terminate funding agreements; to specify how funding will be spent; to oversee local gov- erning processes; to supervise and control community councils; to assess and appoint community store managers; and to exclude any person, including a traditional owner, from land compulsorily leased back to government (263). **Bignall’s analysis of these events – which focuses on the relevance of Agamben’s work on homo sacer, the camp, sovereign decision, and the sacred in coming to understand and critique them – is powerful**. She does not simply get to work on them with an Agambenian toolbox: **she qualifies and nuances his thought, strategically deploying his concepts while simultaneously challenging them**. **She concludes with a skilful account of what it means to be “contemporary” in Agamben’s sense of the word, and a critical analysis of whether and how “whatever being” and the ‘coming community’ can help us think the transformative potentials dormant in Australia’s postcolonial condition**. If the essays of this final section are the most interesting in the volume, however, **it is not only because they open political ontology to the risk of a transformative encounter with colonialism. It is also because of how they critically develop the political ontological method. They themselves are contemporary in the Agambenian sense. In Bignall own words, they recog- nise ‘the darkness in the present era’, but turn to it for the sake of what in its obscurity remains ‘virtual and potential’ (272).**

#### TESTS ARE INACCESIBLE TO INDIGENOUS students – only a turn to the test drive will solve.

**Smith 18** (Smith, Kestrel (PhD Student in American Indian Studies at Univ of Arizona) "Invisible Barriers to Higher Education in Indian Country: Standardized Testing." PhD Thesis (2018))

As beneficial as these resources are to fostering a better understanding of the Native educational experience within mainstream academia, discussion of the roles college entrance exams such as the SAT and ACT have in college access remain minimal. For example, American Indian Educators in Reservation Schools (Huffman, 2013) occasionally examines the roles and effects of federal- and state-mandated standardized testing in several case study reservation schools throughout the text, but does not include the SAT or ACT in the discussion of testing. It does, however, consider both sides of the debate on whether or not any standardized test is able to truly measure Native students’ knowledge based on performance, a point of concern that is applicable to all levels of standardized testing. Terry Huffman (2013) explains the connection as it related to reservation education: Some of the educators criticized standardized tests for their failure to recognize the cultural distinctiveness of Native children. Most notable in this regard are language and vernacular differences found on reservations…One Montana educator attributed the poor performance on standardized testing to the combined effects of cultural discrepancies and the social conditions found on the reservation. In this view, standardized tests are designed by and for those representing vastly different social classes and cultural experiences and, therefore, cannot possibly measure the true abilities of most reservation children. (p. 99) Huffman (2013) later asserts that this focus on standardized testing is based in mainstream American norms and therefore has affected reservation schools’ ability to incorporate “tribal cultural education…a combination of culturally relevant pedagogical practices, infusion of tribal values and worldview into academic subject matter” (p. 103). Additionally, in Beyond the Asterisk: Understanding Native Students in Higher Education (Shotton, et al., 2013), the ACT is mentioned on one page as a quick statistic to accentuate the author’s recommendation for increased K-12 and postsecondary collaboration in order to increase college preparation for Native students. As these two examples illustrate, discussion of the SAT and/or ACT remain marginal or nonexistent in the majority of these resources. However, Postsecondary Education for American Indian and Alaska Natives: Higher Education for Nation Building and Self-Determination (Brayboy, et al., 2012) does address the role of the SAT and ACT beyond a brief reference as they relate to Native students’ educational endeavors. A concise section entitled “Postsecondary Access for Indigenous Students” summarizes some of the issues Native students face in relation to these tests, including lacking access to preparatory resources and support, and annual student performance trends. Brayboy, et al. (2012) contends: High schools in rural areas (where Native students living on or near reservation or trust land communities typically reside) have fewer resources to offer extracurricular support such as SAT/ACT test preparation. In some cases, students in rural communities must travel long distances to regional SAT/ACT test centers, placing an additional burden on families without adequate transportation. (pp. 39-40)

#### Decolonization fails – too many flaws that compromise the tenet of the alt – being a critic does not require engagement in decolonial politics

**Pappas 17**—Associate Professor of Philosophy at Texas A&M University [Gregory Fernando, 2017, “The Limitations and Dangers of Decolonial Philosophies: Lessons from Zapatista Luis Villoro”, Radical Philosophy Review, DOI: 10.5840/radphilrev201732768] // shurst

 Luis Villoro was **a critic of colonialism**, the darker side of modernity and liberalism, and yet he is **never** mentioned or **engaged** by recent scholarship in **liberation and decolonial philosophy**. In spite of the striking similarities between Villoro and the decolonialists, I have stressed points of difference in order to present some **dangers and limitations** I see in the **decolonial movement**. Compared to the old Left the decolonial turn is an improvement, and added complexity and sensitivity to realities on the ground. My aim has not been to undermine decolonial thought, but to help such thinkers avoid some costly mistakes. In other words, this is an effort to warn fellow travelers away from looming pitfalls and dead ends. Pointing out the dangers of a philosophical movement or approach does not constitute a refutation. All views have dangers and limitations, and their defenders are better off if they are aware of them. Decolonialists can easily avoid or prevent some of the dangers I have presented by recognizing the limitations of their intellectual tools or by making some minor modifications to their views. For example, **improving the relationship-interactiondialogue with intellectuals who are members of the oppressed could help prevent slipping into a problematic appropriation of indigenous thought**. The risk of “Panideologismo” and other related totalizing tendencies that concerned Villoro can be prevented by ensuring that there is a rigorous and critical study of ideologies specific to time and place, and making clear that a philosophy of liberation must go beyond deconstructive political criticism. **We also learn from Villoro that decolonialists can avoid becoming exclusionary, divisive, rigid, and ideological by emphasizing more praxis in the sense of a collective moral posture and action against domination rather than just a shared set of beliefs or singular explanation** e.g., a theory of domination. However, there are other dangers mentioned that will be harder for decolonialists to avoid or prevent without feeling the tension of having to change a tenet at the core of their present view. For instance, **reductionism and oversimplification of the actual forms of oppression on the ground can be avoided if more decolonialists would be explicit about the limitations** of 68. Ibid. The Limitations and Dangers of Decolonial Philosophies coloniality as an axis or category, or by stressing how **it is just one revisable tool among others to track concrete oppressions**. But would this recognition undermine the centrality of coloniality that seems key to their identity as a leftist movement? Similarly, decolonialists could prevent the oversimplifications that can result from relying rigidly on a theoretical Manichaean barometer of what is good or evil, but can they do this without abandoning the geopolitical framework central to their view in which the source of bad things comes from the colonizer—Europe, modernity, liberalism, capitalism? Finally, decolonialists may be able to avoid slipping into another universalism or God’s-eye view of history as well as **the global explanations of injustice that sometimes fail to capture the pluralism, complexity, and uniqueness of the concrete problems of injustice in the Americas**. However, **it remains an open question whether they can do this without giving up their tenet** that we must inquire into present events of injustice in order to detect, diagnose, and cure an injustice as a social pathology across history: a “systematic sickness” in the Americas that can traced back to 1492.

#### Using empiricism decolonization has always failed.

NKWOCHA 11 (OGUCHI NKWOCHA is a doctor in Castroville 3/2/11, Why Decolonization And Independence Don’t Work Where Self Determination Would, http://saharareporters.com/2011/03/02/why-decolonization-and-independence-don%E2%80%99t-work-where-self-determination-would )

**It is fact, if not on record, that neither decolonization nor Independence worked** for African countries. **The effects of such failure are still evident today, exemplified by the current stunning revolution sweeping through former colonies long ago “decolonized” and “Independent”** in Northern Africa (while the rest are a ticking time bomb); and by the relative backwardness of Africa in general, even though it sits on enviable and stupendous wealth-generating resources. Why mind the UN plans and process? Because such triangulation of terms, “decolonization,” “Independence” and “Self Determination,” bandied around by the relevant UN Committee in this matter, could define a post-colonial sociopolitical structure and system which will suffer similar ills as post-colonial African countries. What has the world learned about the obvious failure of Decolonization and Independence to bring about liberty, freedom and advancement to Africa? **Decolonization fails because taking out and replacing colonial officers with indigenous officials** (which is exactly what happened in Africa) **does not take away the original and embedded colonial intent, construct and colonial mentality, the essence of colonialism**. Colonial Europeans might have left Africa, but the colonial system they coaxed out of and coerced Africans into stayed behind, still potent, still operative. “Independence” failed because it did not address the Liberty and Freedom of the colonially balkanized and subjugated peoples of Africa: rather, it promoted the original objectionable colonies into official, full-fledged States with the UN stamp of approval, diplomatic recognition and rights as “countries.” In the past, this point would have represented a subtlety, but the ongoing Northern Africa / Arab revolutions remind and teach the world that there is in fact a difference between the people and “their” government or State, and serious incongruities can and do exit between the two entities (the story of Africa), enough to cause paralyzing dysfunction (Africa’s current status) and or prompt drastic solutions (Africa’s ongoing experience). What about sickly Africa? It is never too late to apply the above to Africa: Self Determination can be offered and practiced in Africa in a controlled process, with positive results—at least better than what applies today, which doesn't take much. Alternatively, people will eventually in fact exercise it in the form of a revolution, as is happening right now, in which case, no post-colonial African country is really immune; none will be spared. Self Determination is indeed a good thing, especially for Africa.

### A2 Cap

#### Link turn – our method of study breaks with the entrepreneurialism that undergirds education – this is key to prevent students from continually re-investing in the capitalist system.

Lewis 14 – (Tyson E., “It’s a Profane Life: Giorgio Agamben on the freedom of im-potentiality in education,” Educational Philosophy and Theory, 2014 Vol. 46, No. 4, 334–347)//a-berg

First and foremost, any theory of study must break with the discourse of the entrepreneurial will. The will is, as Agamben points out, the faculty of sovereign decision making which always produces an abandoned remnant or remainder. If impotentiality is not necessity but contingency, then potentiality is not reducible to a feature of wilful self-production. Agamben (1999, p. 254) writes, ‘To believe that will has power over potentiality, that the passage to actuality is the result of a decision that puts an end to the ambiguity of potentiality (which is always potentiality to do and not to do)——this is the perpetual illusion of morality’. The problem with neoliberalism is that ‘today’s man believes himself capable of everything, and so he repeats his jovial “no problem”, and his irresponsible “I can do it”, precisely when he should instead realize that he has been consigned in unheard of measures to forces and processes over which he has lost all control. He has become blind not to his capacities but to his incapacities, not to what he can do but to what he cannot, or can not, do’ (Agamben, 2009/2010, p. 44). It is this Promethean hubris that bothers Agamben——a hubris that is also found in the capitalist logic of infinite expansion and profit generation. This is the very same hubris that, in neoliberal education, argues that children should maximize their activity and in turn ‘pull themselves up by their own bootstraps’ through a self-initiated entrepreneurialism. Such theories impoverish politics and education precisely in the moment they estrange us from im-potentiality. These theories of entrepreneurial optimism in the capability to self-realize, self-generate and self-manage our potential so as to manifest it in the form of an economically viable commodity (human capital) are not empowering so much as disempowering theories that deny the very real freedom of im-potentiality: our capability to be otherwise, to think otherwise, to live otherwise. Only with the experience of the relation between potentiality and impotentiality does the student begin to realize the contingency of his or her ideas and the finitude of the will. It is Agamben’s task to question the supremacy of the sovereign will (as mastery over our potentialities) through a return to the experience of the creative chaos of a more primary co-belonging of potentiality and impotentiality. This creative chaos exists before the split between abandonment (lack of willpower) and achievement (outcome of willpower). For educators, this means a shift from the discourse of will to that of potentiality/impotentiality as well as a shift from learning to studying. In education, the student experiences freedom in the moment of study precisely by exposing the self to its im-potentiality. This process is ‘indeterminate’ (Agamben, 1985/1995, p. 64): a perpetual means without a specific end. While such indeterminacy might speak to the endless rituals of retraining and reskilling of the learning society, study is different in one key respect: it does not command these endless returns upon a subject under the threat of abandonment. Instead, the eternal return of study is the repetition of being ‘astonished and absorbed’ (Agamben, p. 64), thus rendering inoperative the logic of entrepreneurial self-realization or market necessity, both of which pursue measurable outcomes at the expense of indeterminate exposure, reflection and withdrawing. If learning actualizes specific skill sets in order to separate achievement from abandonment, then study postpones and indistinguishes. Agamben (1985/1995, p. 64) describes studying as a rhythmic oscillation between ‘bewilderment and lucidity, discovery and loss, between agent and patient’. Such movement disrupts any linear narrative of progressive, willful mastery or teleological growth towards definitive ends. In fact, ‘studying and stupefying are in this sense akin: those who study are in the situation of people who have received a shock and are stupefied by what has struck them, unable to grasp it and at the same time powerless to leave hold’ (Agamben, p. 64). Postponement is therefore accompanied by a kind of stupefying indistinguishability between capability and incapability. Justin Clemens (2010, n.p.) provides a wonderful summary of this condition: ‘The scholar, smacked across the forehead by an unexpected enigma, who is no longer convinced that he or she knows what he or she is supposed to know, compulsively pursues his or her stupefacation [sic] through the texts that he or she may once have thought that they had known, deranged by details which now shift and crawl and become other than they are meant to have been’. In other words, we experience the oscillation between impotentiality and potentiality: a paradoxical state where we are neither perfectly ignorant nor yet masters of a subject. All identities are held in indefinite suspension, all judgments are held in reserve, and all avenues are still open for exploration and discovery. It is here that study breaks with the logic of necessity which orients learning towards specific ends (these skills are needed for economic survival) and predetermined measurements (these standards must be fulfilled). If the sovereign will insists on drawing distinctions between this and that, inside and outside, self and other, friend and enemy, success and failure, ignorant and master, then studying is beyond such dichotomous representations. The certainty of will and the necessity of judgment are exchanged for the uncertainty/indeterminacy of stupidity and the contingency of dwelling in the open possibilities that are experienced through study

#### And, the turn outweighs their link – dismantling the learning society is key to suspend the logic of capitalism.

Tyson Lewis and David Backer, 2015, "The Studious University: A Marxist-Psychoanalytic Groundwork," *Cultural Politics*, <https://www.academia.edu/20169241/The_Studious_University_A_Marxist-Psychoanalytic_Groundwork> (David Backer is a professor of education at Cleveland State University with an emphasis Social Foundations in Education. //CDS

With students in Germany recently proclaiming “We Are No Human Capital!” we can begin to understand the political, economic, and educational dimensions that unite the university and late capitalism. As Jan Masschelein and Maartin Simons argue, “the term ‘students’ has become synonymous with the resources to be exploited, the talents to be mobilized, the object of investment, the guarantee of a country’s competitiveness or, when addressing the possible disobedient component of human capital, the customers to be seduced” (2011: 165). Against this backdrop, students are protesting the collapse of education in the discourses and practices of learning as flexible skill development. Indeed, we are living in what could be described as a “learning society” (Masschelein et al. 2006), wherein lifelong learning is just as much an educational mantra as it is an economic imperative to become a self-regulating, self-directing entrepreneur capable of continual adaptation to the flexible and highly volatile market. While Michael Hardt and Antonio Negri (2012) list the indebted, the mediatized, the securitized, and the represented as the key subjective figures that have emerged from within the neoliberal crisis, we would argue that the current educational apparatus of the industrialized West has also produced the subjective figure of the “life-long learner.” If, as Hardt and Negri argue, the real subsumption of social relations by the factory has happened under late capitalism, then so too have we witnessed the simultaneous “learnification” (Biesta 2014) of society. The university is at the very crux of this intersection between economic, educational, and social forces transforming the logic of learning into an economic logic of production, and transforming the economic logic of production into an educational logic of learning. As such, it is not good enough to merely critique the financialization and bureaucratization of higher education. Underlying these changes is another educational change: the hegemonic dominance of learning. But critique is not enough. Any deconstruction of the logic of learning must be coupled with a reconstructive move to find alternative educational logics that interrupt and suspend learnification. One such possibility can be found in the distinction between learning and studying. For Masschelein and Simons studying is “free time” (2011: 167) within the public space of the university. As opposed to the student as “not yet” (the employee, the citizen) who “must be” (this or that subject with x, y, and z skills), the student should be rethought of as the one who studies without determinate ends, without identifiable interests, and thus, one who is open, exposed, and attentive to the world (Simons and Masschelein 2009). In a world of quotas, bottom lines, and instrumental calculations, the student as studier is the political figure par excellence: the one who suspends the underlying educational logic of the system of neoliberalism, the one who prefers not to participate in entrepreneurial self-(re)construction, the one who disidentifies with the role of learning to labor, the one who prefers not to pay his or her financial debts.

#### Permutation Do Both – global capital and the sovereignty are intertwined – only through an elimination of the sovereign can we solve for capitalism

Robinson, 11 (Andrew, “In Theory Giorgio Agamben: destroying sovereignty”, Cease Fire, https://ceasefiremagazine.co.uk/in-theory-giorgio-agamben-destroying-sovereignty/)//BW

This doesn’t necessarily mean that Agamben is wrong about sovereignty. The fact that states are constrained by or even hybridised with other social forces does not necessarily preclude them having their own logic or dynamic. To argue by analogy, capitalists always seek to make profits, even if sometimes they have to rely on local kinship networks to secure profits, or pay off local leaders to access resources. The profit motive is inherent to capitalist motivation, even when this motivation enters into hybrid combinations. Similarly, it is quite plausible that Agamben’s account of sovereignty describes something inherent in the functioning of states. But nevertheless, the question of whether, to what extent, and how the state is able to actualise sovereignty becomes dependent on its location among other social forces. If it is suddenly acting more thoroughly on this logic, then it is quite possible that it has not simply evolved cumulatively, but has either grown stronger relative to other forces, has ‘seceded’ from them and become unconcerned about its effects on them, or is benefiting from an enabling context which lets it unfold its own dynamic in an unconstruained way. In other times and places, states have either been forced to permit or unable to prevent the expansion of rights such as habeas corpus. It is particularly paradoxical that the state is acting in a more unconstrained way with regard to sovereignty at precisely the moment when it has lost important powers to global capital. Is global capital actually permitting, or even encouraging, the unfolding of sovereignty? Is sovereignty becoming more apparent because the cathartic outlet of interstate conflict has declined? Are states acting up because they fear their own loss of power to transnational networks, from social movements to armed opposition groups? Is the state becoming less afraid of powerful ‘included’ groups such as organised labour and the professions, which would otherwise make it hesitant to risk deploying sovereignty? Is the discourse of sovereignty reappearing in force because the state needs to redefine its own role to survive the decay of other narratives (such as the state-as-arbiter and the state-as-distributor)?

#### Chronology DA --- Marx misunderstands destituent power --- it is not a question of the general conditions for revolution, but the unique revolutionary chance of our time

baedan 12(baedan – anonymous group of radical theorists, “baedan,” summer 2012, volume 1, p. 69-72, <http://theanarchistlibrary.org/library/baedan-baedan.pdf>)

Benjamin: The tradition of the oppressed teaches us that the state of emergency in which we live is not the exception but the rule. We must attain to a conception of history that accords with this insight. Then we will clearly see that it is our task to bring about a real state of emergency, and this will improve our position in the struggle against fascism. This, from the eighth thesis, ties in with his "Critique of Violence" in which he lays out a broad critique of the legal system as a system of violence that divests individuals of all violence. He illuminates the link between the two texts when he writes in the critique that "the critique of violence is the philosophy of its history" because it must look beyond just "what is close at hand" to attain a truly critical approach. What is at stake for Benjamin in this critique is that a full understanding of the development of violence can give insight into "the breaking of this cycle. the suspension of law with all the forces on which it depends as they depend on it, finally therefore. the abolition of state power." Keep in mind, as we move from reading his philosophy of the history of violence to his theses on the philosophy of history itself, that both concern themselves with this same break. The realization of Benjamin's vision of state abolition is defined as a break with a historical cycle in which violence creates law, preserves law, and in which "either new forces or those earlier suppressed" violently overthrow the existent law in order to "found a new law, destined in its turn to decay." The possibility of a break from the whole cycle rests on the recognition that if the existing law can be broken today, then an attack on law itself can soon be made; and that if there is "violence outside the law, as pure immediate violence," then "revolutionary violence, the highest manifestation of unalloyed violence by man, is possible." Although the Critique also points to another, more subtle task beyond this one, what we will keep in mind as we proceed is this concept of revolutionary violence, since for him this is to call an end to law and its violence. From Benjamin's omitted notes on history: Marx says that revolutions are the locomotive of world history. But perhaps it is quite otherwise. Perhaps revolutions are an attempt by the passengers on this train — namely the human race — to activate the emergency brake. Benjamin's emergency brake is never expressed as something to wait for. Indeed, to Benjamin it is the Social Democrats who treat their task as infinite, ideal, and who treat time as "an anteroom, so to speak, in which one could wait for the emergence of the revolutionary situation." On the contrary, he writes that "in reality, there is not a moment that would not carry with it its revolutionary chance — provided only that it is defined in a specific way, namely as the chance for a completely new resolution of a completely new problem." In the fourteenth thesis, Benjamin says that "what characterizes revolutionary classes at their moment of action is the awareness that they are about to make the continuum of history explode.” He describes that on the first evening of the Paris Commune, revolutionaries stood "at the foot of every clocktower [and] were firing on clock faces to make the day stand still” An enmity toward time is important for us because the concept of abstract, empty time seeks to domesticate us as slaves to progress. The numerical clock-time represented by the hour functions to regiment and dictate daily life while measuring our labor power in its exploitation by capital. It is the structure of the futurity that forces us away from the real of the now. This is why a friend recently reminds that one day of insurrection is worth a thousand centuries of normality. For Benjamin, the moments that interrupt the progression of empty capitalist time are a kind of messianic time. Messianic time is the unmeasurable duration which contains unlimited possibilities. It does not exist in linear capacity, but instead exists as an interruption of linear time. Messianic time exists in splinters which are diffused through the empty fabric of capitalist time. We can recognize in these splinters that negativity which is intrinsic to the social order; the irrational now-time which threatens to suspend the reproductive drive of the future, to interrupt the continuum of history. Benjamin insists in his notes that anyone who "wishes to know what the situation of a ‘redeemed humanity’ might actually be, what conditions are required for the development of such a situation, and when this development can be expected to occur, poses questions to which there are no answers” (emphasis added). This kind of seeking for answers so common in revolutionaries is futile by Benjamin’s account. Since each moment contains its own unique revolutionary chance, to look for the general conditions in which revolution can develop is to fall into conceiving of time as homogenous and empty. The revolutionary chance itself is not defined by its being a further development in a historical continuum but is instead a cut or stoppage, a chance to blast a way out of the continuum. Indeed, Benjamin makes quite explicit that this notion is at odds with Marx’s followers who have mis-understood "classless society as the endpoint of historical development.” He remarks to the contrary that classless society must have "a genuinely messianic face” restored to it. One way to contextualize interruption is to think through the strike. This should also be interesting in light of recent attempts at rekindling the flame of the revolutionary general strike, in relation to which the discourse around violence has appeared again as a trap on all sides. While the model of the strike is explicitly referenced in the "Critique of Violence” it is absent — rather conspicuously — from the "Concept of History” In the former, he writes about the strike which appears in the class struggle as a form of violence. He distinguishes between different aspects. On the one hand is the strike as extortion — violence used by labor as a means toward securing an end, which the state sanctions as a legal right in order to "forestall violent actions [such as the burning of factories] the state is afraid to oppose” The revolutionary general strike departs from the strike-as-extortion and becomes a crisis to which the state understands it must respond with violent suppression. It has to do this lest the strike find its way to the very heart of the state. Because, in such a strike, "the state fears above all else that function of violence which it is the object of this study to identify as the only secure formulation of its critique” What then is this secure formulation of the critique of violence? It is the critique of the state itself. Given that any strike is a kind of interruption or stoppage, nevertheless it is generally understood that there will be a return to work once a demand is met. In what Benjamin calls the political general strike, a set of politicians take this method beyond the demands particular to a workplace and apply it to a demand for them (the politicians) to take power, at which point there will be a return to work. All of this bears only the most superficial resemblance to what Benjamin describes as the form of the strike that takes place rooted "in the determination to resume only a wholly transformed work, no longer enforced by the state.” In contrast to the political general strike, this other "form of interruption of work,” the proletarian general strike, is "pure means,” "nonviolent,” and "anarchistic.” The reason that these two forms are "antithetical in their relation to violence” bears some further inquiry. To Benjamin the political general strike is violent because it "causes only an external modification of labor conditions,” which are in themselves violent, and has as its aim the strengthening of state power, which is both violent and the arbiter of violence. The proletarian general strike is nonviolent because it is the abolition of the state — the real critique of violence put into effect. And the "really effective critique” of violence "coincides with the critique of all legal violence.”

### A2 Baudrillard

**They link to themselves.**

**Baudrillard 76** (Jean, “Symbolic Exchange and Death”, p. 74)

The consummate enjoyment [jouissance] of **the signs of** guilt, despair, violence and death are **replacing** guilt, anxiety and even death in **the total euphoria of simulation**. This euphoria aims to abolish cause and effect, origin and end, and replace them with reduplication. Every closed system **protects itself** in this way from the referential and the anxiety of the referential, as well as **from all metalanguage** that the system wards off by **operating its own metalanguage**, that is, by **duplicating itself as its own critique**. In simulation, the metalinguistic illusion reduplicates and **completes the referential illusion** (the pathetic hallucination of the sign and the pathetic hallucination of the real).

**Baudrillard is contradictory**

**Marsh 95** –(Philosophy Professor Fordham James Marsh “Critique, Action, and Liberation”)

In such a postmodernist account is **a reduction of everything to image** or symbol that **misses the relationship of these to realities such as corporations seeking profit**, impoverished workers in these corporations, or peasants in Third-World countries trying to conduct elections. **Postmodernism does not adequately distinguish here between a reduction of reality to image and a mediation of reality by image. A media idealism exists rooted in the influence of structuralism and poststructuralism and doing insufficient justice to concrete human experience**, judgment, and free interaction in the world.4 **It is** also paradoxical or **contradictory to say** it really is true **that nothing is** really **true,’ that everything is** illusory or **imaginary. Postmodemism makes judgments that implicitly deny the reduction of reality to image.** For example, Poster and Baudrillard do want to say that we really are in a new age that is informational and postindustrial. Again, **to say that everything is imploded into media images is akin** logically **to the** Cartesian **claim that everything** is or **might be a dream. What happens is that dream or image is absolutized or generalized to the point that its original meaning lying in its contrast to natural, human, and social reality is lost. We can discuss Disneyland as reprehensible because we know the difference between Disneyland and the larger, enveloping reality of Southern California and the United States.5**

**Baudrillard’s understanding of hyperreality is reductive and ignores individual’s agency**

**Vitucci 4** [Francisco, “*Critic Of Baudrillard”*]

Images push their way into the fabric of our social lives. They enter into how we look and what we earn, and they are still with us when we worry about bills, housing and bringing up children. They compete for attention through shock tactics, reassurance, sex and mystery, and by inviting viewers to participate in series of visual puzzles. Billboard advertising showing an image without a code impose themselves, infuriatingly, on the most recalcitrant passer-by (McRobbie, 1994, 18). Accordingly, audiences or viewers, lookers or users are no more simple-minded multitudes, but rather active and conscious counterparts. The more the interconnections between audiences and media representations become intricate, the more the former division between ‘reality’ and ‘virtuality’ seems to fade in a kind of renewed, interactive and collaborative form: Baudrillard’s pessimistic thesis is that the media appear to extend themselves generously to their audience in a gesture designed to demonstrate democratic embrace while in fact merely extending the sphere of their influence and control. A less pessimistic postmodernist account might instead emphasize not just the flow of images and texts as they circulate through the new economy of the sign but also the flow of active agents, whose role in the production and distribution of the image is not as robotic as Baudrillard would suggest. Such an account would also require much more analysis of the occupational culture and experience of media workers employed in this postmodern de-regulated sector, as well as of their audiences. (…) The problems with the old model of the moral panic are as follows. First it assumed a clear distinction between the world of the media and the world of social reality. But in one simple sense the media are as much a part of social reality as any other component can be. We do not exist in social unreality while we watch television or read the newspaper, nor are we transported back to reality when we turn the TV off to wash the dishes or discard the paper and go to bed. Indeed perhaps there is no pure social reality outside the world of representation. Reality is relayed to us through the world of language, communication and imagery. Social meanings are inevitably representations and selections (idem, 1994, 216-217). This approach seems to be backed up also by other thinkers’ theories such as those of Marshall MacLuhan who arguing that the ‘the medium is the message’ (1967) agrees on the ability of mass broadcasting to create visual symbols and mass action as a liberating force in human affairs. According to this ‘technological utopianism’ associated with postmodernism, digital communication would make the fragmentation of modern society a positive feature, since individuals can seek out those artistic, cultural and community experiences which they regard as being correct for themselves. In other words, the individual becomes able to form its identity and to structure the ‘truth’ from fragments while gaining, at the same time, the independence to organize his own environment. On this escort, McRobbie (1994) seems to recall somehow the concepts explained by MacLuhan when she states that ‘real life means talking about what was on TV last night’ . Also other authors like Lyotard (1979), debating about the possibly positive outcomes of mass media and in particular about computerization of society, states that bringing people knowledge in the form of information, it will produce more liberty for the entire social system.

**Reality has not died, but merely been sent to the global south – baudrillard’s Eurocentric understanding of capitalism obscures massive violence done on the periphery**

**Robinson 13** [Andrew Robinson Jean Baudrillard and Activism: A critique]

One limit to Baudrillard’s theory is his tendency to over-totalise. Baudrillard is talking about tendential processes, but he often talks as if they are totally effective. There are still, for instance, a lot of uncharted spaces, a lot of unexplained events, a lot of things the system can’t handle. While Baudrillard is describing dominant tendencies in the present, these tendencies coexist with older forms of capitalism, in a situation of uneven development. The persistence of the system’s violence is a problem for Baudrillard’s perspective: the smooth regime of neutralisation and inclusive regulation has not ended older modalities of brutality. At times, Baudrillard exaggerates greatly the extent to which the old authoritarian version of capitalism has been replaced by subtle regimes of control. He exaggerates the extent to which contemporary capitalism is tolerant, permissive and ‘maternal’. This may be because his works were mostly written in France in the 1970s-80s, when the dominant ethos was still largely social-democratic. What Baudrillard recognises as the retrograde version of capitalism associated with the right-wing was to return with a vengeance, especially after 911. Another problem is a lack of a Southern dimension. Like many Northern authors, Baudrillard’s approach mainly applies to the functioning of capitalism in the North. The penetration of the code is substantially less in countries where information technology is less widespread. In parts of Africa, even simple coding exercises such as counting votes or recording censuses are extremely difficult. This is for the very reasons of respondent reflexivity which Baudrillard highlights. People will under-record themselves to stay invisible, or over-record themselves to obtain benefits. And without massive resources to put into its bureaucracies, the system is unable to find enough people who will act as transmitters for the code. Instead, people use their power to extract what they can from the system. Explosions still happen regularly in the South. Furthermore, a contracting system ‘forcibly delinks’ large portions of the globe. Its power on the margins is lessened as its power at the core is intensified. As the system becomes ever more contracted and inward-looking, liberated zones may appear around the edges. Without an element of border thinking, Baudrillard tends to exaggerate the system’s completeness and effectiveness. Baudrillard assumes that any excess is everywhere absorbed into the code. He ignores the persistence of borderlands. And when he talks about the South, he admits that the old regime of production might still exist here: people still work seeking betterment; colonial wars are fought to destroy persisting symbolic exchange; Saddam was not playing the Gulf War by the rules of deterrence. The Arab masses are still able to become inflamed by war or non-war; Iran and Iraq can still fight a real war, not a simulated non-war. So perhaps only a minority, only the included layers within the North, are trapped within simulation and the ‘masses’. Perhaps reality has not died, but been displaced to the South. It seems, therefore, premature to suggest that the system has encompassed all of social life in the code. To be sure, its reach has expanded, but it has also forcibly delinked large areas of the globe. The penetration of simulated reality into everyday life varies in its effectiveness. At the limit, as in Somalia, simulated states collapse under their own irrelevance. In other cases, an irrelevant state hovers over a largely autonomous society. And the struggle Baudrillard advocated in his early works against subordination as labour-power is not simply theoretical. In fact, there is a constant war, fought at various degrees of intensity, between the system and its others, especially in highly marginal parts of the global South: Chiapas, Afghanistan, the Niger Delta, Somalia, West Papua, rural Colombia, Northeast India, the Andes… The system continues to be drawn into these conflicts, despite its apparent self-deterrence from total nuclear annihilation.

### 1AR – Frontline “Agamben Bad”

#### Agamben isn’t making a direct comparison, and his theories have clear reasons for the parallels he draws

**Robinson 11** (Andrew – political theorist, activist based in the UK and research fellow affiliated to the Centre for the Study of Social and Global Justice (CSSGJ), University of Nottingham, “In Theory Giorgio Agamben: the state and the concentration camp,” in Ceasefire Magazine, 1-7-11, <https://ceasefiremagazine.co.uk/in-theory-giorgio-agamben-the-state-and-the-concentration-camp/>)

Doubtless some will reject his theories for violating “Godwin’s Law”, or because they feel it is trivialising or decontextualising the camp to compare it to every instance of repression. This, I suspect, is based on a misunderstanding. For one thing, Agamben is not actually saying that we are all treated like camp inmates, simply that we’re all at risk from being treated as if we are of this status – we could be killed by the state with impunity, even if we aren’t. Also, this is not just a case of Agamben calling people he dislikes Nazis. There are clear, structural reasons for the parallels he draws. I would argue that, in contrast, the tabooing of discussion of fascistic elements of present state practices is based on a kind of irrational splitting, which wards off the subversive implications of “never again” by keeping them at a distance, pretending they “don’t apply to us”, they only apply to issues behind some imaginary boundary (in “undemocratic” societies for instance) which historically would prove to be far more porous. It is, I think, a peculiar perspectival blockage of radicalisms in countries like Britain to confine anti-fascism to opposing small neo-Nazi groups. In contrast, German antifa have long recognised the parallels between the repressive practices (and even the personnel) of the current German state and those of the Third Reich; so have radicals in Italy, Spain, Greece and Japan. It is only in countries like Britain and America, with no recent fascist past to compare to, where the existence of a continuum between fascism and the ‘deep state’ is something of a public secret, even among radicals.

#### The Holocaust happened for contingent, historical reasons but the camp was a key precondition

**Robinson 11** (Andrew – political theorist, activist based in the UK and research fellow affiliated to the Centre for the Study of Social and Global Justice (CSSGJ), University of Nottingham, “In Theory Giorgio Agamben: the state and the concentration camp,” in Ceasefire Magazine, 1-7-11, <https://ceasefiremagazine.co.uk/in-theory-giorgio-agamben-the-state-and-the-concentration-camp/>)

The concentration camp, and Nazi death camps such as Auschwitz in particular, are for Agamben particularly definitive or telling examples of sovereignty. The camp (which preceded the Holocaust by a long time) was a turning-point for Agamben because it made the temporary state of exception permanent, locating it in space instead of time (unlike the declaration of a state of emergency), and local to the core area of power, within its territory but outside its law (unlike the colony or warzone). This fixing of the state of exception as a permanent feature at a site in time and space intensifies the danger to people declared homo sacer. Formerly, an outlawed person would be literally banished, becoming a wandering figure driven into exile. Now, an outlawed person is not allowed to go into exile (think for instance of the immense efforts put into catching high-profile fugitives), but rather, is put in a situation suspended between inside and outside, constantly at risk of arbitrary power. For Agamben, camps differ from other disciplinary spaces (prisons, asylums and so on) because in them, anything is possible, and the guard is absolutely sovereign. The Nazi Holocaust marks a second turning point in which the horrors of the camp are revealed in all their monstrosity. The Holocaust happened when and where it did for contingent, historical reasons, but its real causes were the creation of a particular kind of space, the ‘camp’, where people were defined as having lives not worth living, and as being vulnerable to being killed with impunity. Auschwitz is the high point of the logic of sovereignty, showing its ontological nature in its realisation: it shows where the combination of biopolitics and sovereignty leads. Auschwitz marks the point of no return which reveals the nature of sovereignty for what it really is. It thus marks the starting point for a new politics.

### 1AR – Frontline “State of Exception”

#### Their arg is a misreading --- our point is the duality of power feeds into itself

Prozorov 10 (Sergei – Professor of Political and Economic Studies at the University of Helsinki, “Why Giorgio Agamben is an optimist,” in Philosophy Social Criticism, Volume 36, Number 9, p. 1056-1057, November 2010, http://psc.sagepub.com/content/36/9/1053.abstract)

This totalized image of the global state of exception has been criticized as both hyperbolically excessive and internally contradictory. Paul Passavant has argued that Agamben’s theory suffers from a contradictory concept of the state that also plagues his affirmative vision of the ‘coming politics’.7 While Agamben is most famous for his deconstruction of the logic of sovereignty that radicalizes Schmitt’s conception,8 he has also, from his earliest work onwards, confronted the more dispersed, ‘governmentalized’ modes of power relations characteristic of late capitalism in the manner highly influenced by Guy Debord’s work on the society of the spectacle.9 Against the argument that this conjunction of sovereignty and governmentality in the analysis of late-modern power relations constitutes a contradiction, we must recall that this duality of the contemporary apparatus of power is explicitly affirmed by Agamben himself, who, similarly to Foucault’s claim for the indissociability of sovereignty, discipline and government,10 regularly insists that ‘the system is always double’.11 The inextricable link between the two aspects of the contemporary social order consists in the nihilistic deployment of life itself as a (post-)historical task. Both state sovereignty and the late-capitalist society of the spectacle are biopolitical and thus permanently feed into each other. The contemporary neo-liberal governmentality extends the operation of economic rationality to life itself, whereby life is conceived as a paradigmatic form of enterprise,12 and in this manner expropriates the being-in-language that defines human existence and subjects it to the laws of exchange-value or, in Agamben’s later works, ‘exhibition value’.13 Conversely, sovereign power expropriates the potentiality of human existence, transforming it into the bare life that it then grounds itself in and applies itself to in the perpetual state of exception. The state does nothing more than sustain the spectacle with its apparatuses of security, while the spectacle does nothing more than perpetually produce the degraded forms-of-life that sovereign power can apply itself to.