# Jarvious 1ACs

NOTE: all the stuff we would read in the AC is in this file. We put 1AR frontlines in the Aff File for easier organization.

# All Args

## Framework

### Gould Short

#### Traditional understandings of democracy have allowed the blight of racism to continue unseen. We must revitalize the democratic project with an ethic of equal participation.

CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

Why does racism, as well as the idea of race itself, play[s] almost no role in most democratic theories? As Cunningham (2000) has noted, this is the case even for C.B. Macpherson, and, we might add, for more recent theories too, for example,¶ those of Ian Shapiro or Thomas Christiano (Macpherson, 1973; Shapiro, 1996; Christiano, 1996. There are important exceptions such as Simon, 1995). In the¶ long view of democratic theory, one answer is obvious: for the same reason¶ that feminist theory has only recently come to influence democratic theory —¶ namely, the latter’s [its] disregard of difference (except as individually different opinions or conflicting interest groups), and the liberal conviction that democ- racy is primarily a matter of assuring equal rights to vote and majority rule. Additionally, from within this traditional understanding[s], democratic citizenship itself, with its requirement of equal treatment, ought simply to disregard¶ an individual’s race. On this approach, while racism is ruled out at the formal¶ level, not much more can be said about it.¶ In fact, as has been argued by Bernard Boxill and others, the central democratic procedure of majority vote tends to render minority groups¶ invisible (Boxill, 1998, pp. 112–19). Because of this, formal democracy and¶ especially the procedure of majority vote, not only disregards underlying¶ racism, but in fact exacerbates it in practice, because votes can give enormous power to an absolute majority of one race or culture over cultural minorities,¶ in Boxill’s phraseology (pp. 112–13); it thereby may permit a tyranny of the majority over these minority groups. Not only has most democratic theory had little to say about racism, but in¶ fact democracies have coexisted in practice with racism for many centuries, as Charles Mills and others have recently stressed (see Mills, 1997, especially Chapter 1). Beyond insisting on equal voting rights, then, democracy, as a¶ formal and procedural system, offers little basis for the critique of racism. This neglect by democratic theorists and the tolerance of democracies for racism¶ suggests on the face of it that there is something wrong with the traditional understanding of democracy. I will argue here that the inadequacy goes beyond the oft-observed formality of democracy and its disregard of social and¶ economic inequalities outside the political sphere. Before proceeding, we should note that racism has been addressed in this country in certain delimited democratic contexts: rst, in the issue of the¶ representation of Blacks in Congress, in terms of the legitimacy of creating Black majority districts (Guinier, 1994, is especially centrala here). Second, there has been the Federal role in instituting affirmative action programmes, as¶ required by concepts of justice. To the degree that such programs have been¶ seen as appropriate political decisions by democratic governments, affirmative action provides another tie between democracy and racism. Mention might also be made of the idea that achieving Black community control of local govern- ments would increase opportunities for political participation. In general,¶ though, in dealing with racism, the emphasis — even on the Left in this country — has been on overcoming discrimination through affirmative action¶ and achieving greater economic equality; which in turn has been seen as the way to insure increased political participation. While this is clearly of great¶ importance, there is need for further reflection on the connection between¶ racism and democracy itself. To sum up the existing situation: from the standpoint of basic norms for political philosophy, namely, the key values of freedom, justice, community, and democracy, we may say that race and racism have been tied primarily to¶ justice (as equality — political, social and economic), as well as to freedom¶ (from discrimination or oppression or stereotypes) and in this connection to the¶ conception of the social construction of racial characteristics. Increasingly, in¶ recent years, the overcoming of racism has been connected to an understanding¶ of community as inclusiveness, where an inclusive community refers to one¶ that not only tolerates but encourages differences, and supports diverse cultural and ethnic groups by assigning them rights and by enlarging the scope of¶ interpersonal interaction, both within racial groups and among them. Yet, the missing term in these accounts has been that of democracy. As noted, beyond the idea of lack of opportunities for democratic participation by African-Americans and the general need for equalising opportunities, the ties of racism to democracy remain relatively unexplored. And while the elimin- ation of injustice (freedom from discrimination or oppression — racial and¶ otherwise) and ‘levelling the playing field’ surely are presuppositions of full democracy, as Thomas Simon shows (1995, especially Chapter 5), this cannot exhaust the account of the relations between the key terms ‘racism’ and¶ ‘democracy’; nor does the issue — albeit a crucial one — of achieving genuine¶ representation of African-Americans through the creation of Black majority districts or other measures, e.g., proportional representation. In what follows,¶ then, I will take up some of the other connections that racism (and race more generally) has to democracy. I will draw on the particular version of demo- cratic theory that I have advanced elsewhere (Gould, 1988, and a series of articles, e.g., Gould, 1996–97), but similar connections apply to several other versions as well. 2 The first point to note — of great importance, if perhaps obvious — is the¶ intrinsic and [a] deep connection between the critique of racism (and sexism) and¶ the requirement for democracy. In my view, the idea of equal positive freedom, or more generally a conception of equal agency, is the basis for both the¶ critique of discrimination and the justification of democratic participation. In¶ the first case, equal positive freedom as prima facie equal rights to the¶ conditions for individuals’ self-development, entails (negative) freedom from discrimination and domination — both institutional and personal — inasmuch¶ as these conditions limit or curtail such flourishing [and], as well as the (positive) availability of social and economic conditions for this self-development. Hence¶ it excludes both racism and sexism, and entails an affirmative requirement for¶ reciprocal recognition, as well as some equalisation of social and economic¶ resources. At the same time, this very principle of equal positive freedom serves as the justification for equal rights of democratic participation in all contexts of what I have called common activity. Since participation in such¶ common activities is among the conditions for self- development, and since in¶ order to be an expression of agency these common activities need to be under¶ the control of those engaged in them, it follows that individuals have equal rights to co-determine these activities or to participate in decision-making¶ concerning them (the longer version of this argument is in Gould, 1988, Chapter 1). Democratic decision-making thus emerges as the institutional analogue to¶ relations of reciprocity in face-to-face interactions. In particular, the connection¶ is to that type of reciprocity that may be called social reciprocity, or reciprocity¶ of respect, rather than to lesser forms such as instrumental reciprocity —¶ colloquially, the reciprocity of ‘tit for tat’, or return for benefit given. The¶ conceptual connection between the critique of racism and the requirement of democracy is as follows, then, mediated through the principle of equal positive¶ freedom: the critique of systemic discrimination entails an emphasis on equal access to conditions of self- development, which also implies the requirement for equal rights of participation in decision-making concerning common¶ activities. On this view, the conception of self-development, originally presented by Marx and Mill, and subsequently by Macpherson and others, and which in turn¶ is seen to support the requirement for democratic participation, is not so much¶ to be opposed to consumerism and acquisitiveness, as it primarily was for Macpherson (1973),1 although it does indeed contrast with that. Rather, the main opposition is with the control by some over the conditions needed by¶ others for their self- development, i.e., domination, or in lesser modes, discrimi- nation, and one of whose manifestations (though a unique one in various ways)¶ is racism. Equal agency, in the richer sense of the equal right of individuals to be free from domination and free to develop their capacities, gives rise both to¶ an egalitarian critique of racism and other forms of oppression, and to the¶ conception of widely equal rights of participation in democratic decision- making. Of course, the question of the scope of such decision-making, and¶ correctly delimiting those who have rights to participate in varying contexts, remains a difficult and important question for democratic theory, which is not yet addressed by noting this conceptual connection. Yet, I have already noted a troubling set of difficulties that arise here: despite these deep and inherent conceptual connections, in practice there is rather often a sharp disconnection between the critique of racism and the¶ support for democracy. Numerous self-proclaimed democrats have in fact been¶ racists and some of those critical of racism have favoured authoritarian rather¶ than democratic forms of government as essential for achieving their goals. In¶ addition, and this has been often noted, there is frequently no tie between the¶ critique of racism and that of sexism, despite the intrinsic theoretical connection between them. In short, some of those most critical of one turn a blind eye¶ to the other. While it is important to note the distinctive features of each of¶ these types of oppression (themselves internally differentiated), it is puzzling¶ as to why feminists may occasionally display racist tendencies (more often in practice than at the theoretical level), while those working to overcome racism¶ sometimes denigrate feminism and may at times display sexist attitudes in practice.

#### Thus the standard is reducing race-based barriers to equal political participation.

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CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

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#### Racism is enabled by allegedly neutral ideals like “negative rights,” which claim that individuals will best realize equality when they are left alone. We won’t bother you – but we won’t help you either. This color-blindness fails since it ignores the real-world conditions that allow racism to continue.

GOULD 2 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

¶ Based on this analysis of socially constructed racial and cultural identities, we may return to the original set of issues and ask: if democracy, with its equal rights, is antithetical to racism, why does racism persist within it? Abstracting¶ from the central empirical issues here, and focussing on this only from the side of the concept of democracy, we may answer that partly it is due to existing¶ limitations in the understanding of democracy. I want to disagree, then, with Charles Mills’ normative approach, while appreciating his powerful critique of racism as a system of accumulated entrenched privilege, or differential racial privilege that is institutionalised and global (or practically so). Mills suggests¶ that the normative requirement in dealing with this system of white supremacy¶ is to base democratic political organisation on a true understanding of social contract and natural or human rights (see Mills, 1997, p. 129), and to bring¶ these Enlightenment ideals to full realisation. But I think that more is required, and specifically a rethinking of democracy [is required.] along several dimensions. The problems with contemporary democracies have already been well analysed in terms of their formality and proceduralism, and their disregard of social and economic inequalities that set[s] limits to participation. I would add,¶ too, the factor of [and] their delimitation to the political realm alone. At the basis of¶ this traditional understanding of democracy is a conception of what I have¶ called abstractly universal norms of negative freedom and formal equality, with a social ontology of individuals whose relations to each other are external¶ (see Gould, 1988, Chapters 1–3, and 1978, especially Chapters 1 and 2). An¶ alternative view would adopt these very norms while reinterpreting them, and would also reconceive democracy in relation to a notion of concrete universality, understood as having both empirical and normative aspects. Descriptively, concrete universality adds to the social ontology not only an understanding of the individuals as internally related to each other, but sees¶ societies as constituted and interconstituted through these multifaceted relations. While abjuring the holistic interpretations of this universality originally proposed by Hegel, this approach sees a certain utility in an emphasis on¶ interconstituting relations, including here racial relations, and places new¶ weight on the possibilities for intercultural creation (intra- and interracial) that¶ this may open.2 The latter may even [and] extend to the co- constitution of concepts, procedures, and institutions themselves based on differential understandings¶ from multiple cultural or racial perspectives. Within a given society, a concrete universalist approach sees the inter- constitution of social relations, including racial interactions, as taking place among differentiated individuals and groups, who differentiate themselves and¶ are recognised by others through relations that are initially often oppositional or oppressive but perhaps increasingly reciprocal over time. From the normative side as well, the distinctiveness of such a concrete universalist approach¶ consists in its requirement that abstract moral, political, and legal norms,¶ though of great importance, also need to be put in the context of actual social conditions to understand critically why they have not been realised. It proposes¶ too that social cooperation and a variety of other social values be integrated with the abstract individual ones that are already well known and understood. When conceived in relation to the idea of multiple and interactive cultural¶ identities that I posed as the prospective counterpart to historically developed¶ racial identities, what then does such a conception of concrete universality¶ entail? The answer is threefold, I think: democracy needs to be understood as multicultural in a specific sense, it has to be connected to citizenship on a¶ certain interpretation, and it requires a substantive interpretation in terms of democratic community. These admittedly rather demanding requirements can¶ be summed up in the idea of an inclusive multicultural democracy. It seems to me that democracy can make its own contribution to countering racism when¶ it is reconceived in this way, providing certain suggestions for practical changes along these lines. The additional impact of economic democratisation¶ for counteracting racism will be considered later, in the final part.

#### Current theories claim that this emphasis on negative rights can be neutral, but it inevitably ends up expressing the model of the white Protestant as “normal.” Ending racism requires accepting multiculturalism in the public sphere by breaking down racial barriers and actively supporting all cultural identities.

GOULD 3 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

It may be helpful to analyse the ingredients for this reinterpretation of democracy, namely, multiculturalism, inclusiveness, and democratic com- munity, before attempting a summary characterisation of the overall idea. The term multiculturalism has been used in importantly ambiguous ways, meaning different things to different people; and by now it has some unfortu- nate connotations. Still, the word itself, suggesting the multiplicity of cultures, retains its utility. (‘Pluriculturalism’ would capture the same notion, but it too has been used in very different contexts.) We may in fact distinguish between¶ two uses of the term: in one use, multiculturalism designates an aggregate or collection of different and relatively separate cultures, together with an aware- ness within an older dominant culture of these differences and of the contributions of the cultures of oppressed groups — paradigmatically, the recognition¶ of the contributions of African-American, Latino, and other minority cultures¶ in the United States — or an awareness of non-Western cultures beyond the dominant Eurocentric canon. In this aggregative sense, too, it has sometimes come to be unfortunately used in a denigrating and racist way to refer to generalised, unspecified racial demands by African-Americans and other racial minorities on white people. The term multiculturalism can also be used, in a second sense, to designate a newer interactive model of culture, where cultural (and racial) identity itself¶ is open to plural definition and where there may be cultural creation through¶ the appropriation of diverse cultural influences. Here, the concept becomes more one of being multi-cultured or multiply-cultured (and analogously, perhaps, multi- racial). A noteworthy and often-cited example of this interactive cultural creation is American jazz. There have been more recent forms of this as well, for example, in graffiti art, in the influence of various sorts of ethnic dance on the forms of modern dance, in hip-hop music, and more generally in the phenomenon of ‘fusion’ styles of art, music and even cuisine. Yet, this does not necessarily entail a homogenisation of cultural strains and it¶ is also a continuation of the historically common phenomenon of cultural diffusion. But we may say that such multi- cultural creation has become a more¶ intensely dynamic phenomenon than it was in the past, due in part to the powerful contemporary technologies of global communication. On the normative side, such developments contribute to the possibilities of cultural choice and change, and accord with the social constructivist conception of racial/¶ cultural identity presented earlier. It is evident that this conception of multi- culturalism adds an important element not only of self- definition but also¶ the appropriation of diverse cultures to the more passive traditional characterisation of races, and of cultures too, as matters of birth or ascription. When connected to democracy, the requirement of multiculturalism implies¶ that the political community not only tolerate diverse cultural groups, but find ways of supporting them, compatible with basic principles of equal treatment.¶ It would need to eliminate the favouritism of civic life toward one leading set of cultural characteristics — that of the majority (in the US, still white Protestant[s]), and permit the development of new forms of such civic life reflective of the polity’s fuller cultural variety. Some degree of public support of diverse¶ cultures is possible, with the proviso that individuals must be understood to be¶ capable of belonging to more than one culture. And particularly where there is a dominant majority and a clearly articulated set of minority cultures, certain¶ group rights for these cultural minorities may also need to be protected (for some of the difficulties here, see Kymlicka, 1995). Such a multicultural democracy attempts to go beyond the model of a neutral and universalist public sphere, where all particularity is supposedly¶ relegated to a private domain in which particular cultural identities are allowed to flourish. Rather, this view suggests that some cultural diversification can actually be supported within the public sphere itself, compatible with fairness and human rights, and where there is an ongoing and open dialogue about emergent civic traditions. The inclusiveness required by this new conception arises in the first place¶ from the connection of democracy to citizenship. It has increasingly been¶ recognised that the issue of who counts as a member of a political community¶ is as central as [is] their degree of participation in the governance of the resulting polity. The inclusiveness required here turns on the idea that all those resident¶ in a given territory need to be recognised as citizens, with rights of democratic participation. Racist exclusions or denigrations are eliminated on this view. Certainly, full civil, social, and economic rights for immigrants are implied¶ here, while for illegal immigrants a range of hard issues would centre on whether one could show them to be residents within the polity. Yet, the question of fully open borders is not touched by this account. It seems evident¶ that the inclusiveness of the community does not necessarily entail a com- munity with no borders or one that extends worldwide. The issue of the scope of political communities and of borders remains a real one; and we need also to accommodate the possibility of overlapping communities. But these questions go beyond the scope of this paper. This redefinition of democracy sees such an inclusive democratic com- munity as the framework for political life. But what does the notion of such a¶ community involve? Normatively, it connotes an openness to, and acceptance of, the whole person on the part of others, where these persons are taken in¶ their embodied and diverse complexity. In this sense, it is a community of differentiated whole persons. There is no exclusive concern with cognitivity in¶ the constitution of this as a community, nor with any given criteria of ethnicity¶ or objective bodily characteristics. There is also no requirement for agreement on some comprehensive doctrine — moral, religious, or philosophical — for¶ there to be a community (contrast Rawls, 1993, p. 40, footnote 43). The existing¶ community that serves as the basis for a political society can be considered¶ democratic to the degree that it involves opportunities for participation in decision-making for all its members. This entails engagement with other concrete individuals in face-to-face interactions (e.g., in committees, small groups, or the occasional community-wide meeting; or in interactions among¶ individuals in governmental or deliberative bodies); as well as mediated forms of representation.

#### Thus the standard is reducing race-based barriers to equal political participation.

### Parekh Syllogism

#### The relegation of cultures to the private sphere marginalizes minorities, who are then forced to abandon their identities to try “fitting in.”

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 204-205] AJ

Thirdly, the civic assimilationist attempt to combine a monocultural public realm with a multicultual private realm has a tendency to wont against the latter. The public realm in every society generally enjoys far greater dignity and prestige than the private realm. The culture it institutionalizes enjoys state patronage, power, access to valuable resources, and political respectability, and sets the tone of the rest of society. Although other cultures are free to flourish in the private realm, they exist in its overpowering shadow, and are largely seen as marginal and worth practising only in the relative privacy of the family and commu- nal associations. Subjected to the relentless assimilationist pressure of the dominant culture, their members, especially youth, internalize their inferior status and opt for uncritical assimilation, lead confused lives or retreat into their communal ghettos. The older generation of Jewish immigrants to Europe and the USA have frequently remarked that when young they used to feel deeply embarrassed if their parents spoke Yiddish in public, wore traditional dress or performed their religious and other ceremonies in public, and that over time they lost their language, cultural pride and in some cases even the culture itself. This sad phenomenon has not disappeared even in more relaxed times such as ours. A couple of years ago when 1 was travelling by train in Britain, 1 was sitting opposite an elderly Pakistani couple and next to their adolescent daughter. When the crowded train pulled out of the station, the parents began to talk in Urdu. The girl felt restless and nervous and started making strange signals to them. As they earned on their conversation for a few more minutes, she angrily leaned over the table and asked them to shut up. When the confused mother asked why, the girl shot back, 'just as you do not expose your private parts in public, you do not speak in that language in public'. One wonders if she would have felt so distressed if her parents had been speaking French. Though no one presumably had told her so, she knew that the public realm belong[s]ed to whites, that only their language, customs, values, bodily gesture, and ways of talking were [are] legitimate in it, and that minority ethnic and cultural identities must remain confined to the private realm. In a society dominated by one culture tolerance is not enough to sustain diversity in the private realm as the civic assimilationist assumes. Public institutions including the state need to play an active and supportive role. We shall later see what this involves.

#### Rejecting assimilation and promoting diversity is the only way to maintain societal unity.

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 196-198] AJ

A multicultural society faces two conflicting demands and needs to dense a political structure that enables it to reconcile them in a just and collectively acceptable manner. It should foster a strong sense of unity and common belonging among its citizens, as otherwise it cannot act as a united community able to take and enforce collectively-binding deci- sions and regulate and resolve conflicts. Paradoxical as it may seem, the greater and deeper the diversity in a society, the greater the unity and cohesion it requires to hold itself together and nurture its diversity. A weakly held society feels threatened by differences and lacks the confidence and the willingness to welcome and live with them. A multicultural society cannot ignore the demands of diversity either. By definition diversity is an inescapable fact of its collective life and can neither be wished out of existence nor suppressed with an unacceptable degree of coercion and often not even then. Furthermore, since human beings are attached to and shaped by their culture, and their self-respect is closely bound up with respect for it, the basic respect we owe our fellow-humans extends to their culture and cultural community as well. Respect for their culture also earns their loyalty, gives them the confidence and courage to interact with other cultures, and facilitates their integration into wider society. As we have seen, cultural diversity is also desirable for society as a whole and represents a valuable collective asset. Since no multicultural society can or should ignore the demands of diversity, the assimilationist mode of political integration advocated by Conservatives, nationalists, some communitarians and proponents of comprehensive liberalism is inherently unsuited to it. The assimilationist takes the nation stale as his ideal and believes that no polity can be stable and cohesive unless its members share a common national culture, including common values, ideals of excellence, moral beliefs and social practices. As a custodian of society's way of life, the state is assumed to have the right and the duty to ensure that its cultural minorities assimilate into the prevailing national culture and shed all vestiges of their separate cultures. In the assimilationist view the choice before minorities is simple. If they wish to become part of society and be treated like the rest of their fellow-citizens, they should assimilate. If they insist on retaining their separate cultures, they should not complain if they are viewed as outsiders and subjected to discriminatory treatment. There is nothing wrong with assimilation. If minorities freely decide to assimilate into the dominant culture, their decisions should be respected and they should be given every opportunity and help to do so. The question, however, is whether this degree of assimilation is neces- sary to ensure political unity and should be made a precondition of equal citizenship. The answer to that is in the negative. For reasons dis- cussed earlier, minorities have a right to maintain and transmit their ways of life, and denying it to them is both indefensible and likely to provoke resistance. Furthermore, it is not clear what they are to be assimilated into. The assimilationist assumes that society has a coher- ent and unified cultural and moral structure, and that is rarely the case. Although the moral and cultural structure of a society has some inter- nal coherence, it is not a homogeneous and unified whole. It varies with class, religion and region, is made up of diverse and even conflicting strands, and consists of values and practices that can be interpreted and related in several different ways. The assimilationist ignores all this, and either offers a highly abridged and distorted view of national cul- ture or equates it with that of the dominant group. If minorities are left free to negotiate their relations with the wider society and have an incentive to do so, they might decide to assimilate, but they are less likely to do so if assimilation is imposed, rushed or brings no benefits. The Jews have survived two millennia of a strong assimilationist pressure from Christians, the ethnic and cultural minori- ties in the Soviet Union have survived the most brutal repression the formidable economic and cultural pressures of the United States have not succeeded in creating a melting pot, and the most deBrrmncd •"empts by the Algerian and Sudanese governments have faded to «Amlate the Berbers and the southern Sudanese Christians respectively.

### Revisionary Intuitionism

#### While normal intuitionism might be open to certain challenges, that doesn’t mean ethics should reject intuitions entirely. We will always appeal to intuitions, so we should use substantive criteria to determine what intuitions are okay.

Michael Huemer [“REVISIONARY INTUITIONISM.” 2008 Social Philosophy & Policy Foundation. 368 – 323] AJ

When we put together the foregoing considerations, a cautious and critical intuitionist methodology emerges. While our ethical theory must be based on intuitions, we should not accept or reject an ethical principle solely on the basis of an uncritical appeal to a single intuition, nor should we assess an intuition’s probative value solely in terms of its subjective strength. Rather, we should screen intuitions according to the following criteria: (1) Seek a substantial body of ethical intuitions that fit together well, rather than placing great weight on any single intuition. (2) Eschew intuitions that are not widely shared, that are specific to one’s own culture, or that entail positive evaluations of the practices of one’s own society and negative evaluations of the practices of other societies. (3) Distrust intuitions that favor specific forms of behavior that would tend to promote reproductive fitness, particularly if these intuitions fail to cohere with other intuitions. (4) Distrust intuitions that differentially favor oneself, that is, that specially benefit or positively evaluate oneself, as opposed to others. (5) [4] Distrust intuitions [or those] that line up with strong emotions one has about the things evaluated. If these precepts are followed in the construction of an ethical system, the resulting system will be exempt from the skeptical challenges of Section III. To some degree, these methodological precepts are already being imple- mented. A prime example is Peter Singer’s qualified defense of infanti- cide. After arguing that abortion is permissible because fetuses lack a right to life, Singer confronts the charge that his arguments lead to the permissibility of infanticide, since newborn infants would also lack a right to life on Singer’s criteria. What is of interest here is not whether Singer’s initial arguments regarding fetuses’ alleged right to life succeed, but how he responds to the common intuition that infanticide is obvi- ously unacceptable. Singer mentions three sources of bias with regard to the question of infanticide: First, “there are no doubt very good evolu- tionary reasons why we should instinctively feel protective” toward human babies. Second, we have emotions “based on the small, helpless, and— sometimes—cute appearance of human infants.” Third, Singer observes that other societies and other moral philosophers —including such refined thinkers as Plato, Aristotle, and Seneca —endorsed the killing of deformed infants. The suggestion here seems to be that our current horror at the thought of infanticide is a product of our particular culture.25 For these three reasons, the intuition that infanticide is wrong is an especially strong candidate for being a product of bias. If an otherwise acceptable moral theory conflicts with that intuition, this should not be taken as a strong reason for rejecting the theory. I take it that this is essentially Singer’s point.26 Nevertheless, Singer’s way of reasoning in this passage is not typical of the tradition of Western philosophical ethics. Much more common are relatively uncritical appeals to intuition. When ethical intuitions conflict, alternative resolutions are typically assessed purely in terms of the number and strength of the intuitions each resolution can accommodate. The lessons of the skeptics regarding the unreliability of certain kinds of intuitions are rarely heeded, and were almost never heeded prior to the twentieth century. To this extent, revisionary intuitionism represents a new approach to normative ethics.

#### Thus equality must be the starting point for all ethics since it not only meets all of these criteria but also coheres well with any other ethical theory. That means equality should be given greater weight than other intuitions.

#### Every human intuition and ethical system says racism ought to be avoided – it violates contracts, autonomy, and causes mass death – resisting racism is a prerequisite to any moral principle

Albert Memmi, Professor Emeritus of Sociology @ U of Paris, Naiteire, Racism, Translated by Steve Martinot, p. 163-165 2000

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved. Yet, for this very reason, it is a struggle to be undertaken without surcease and without concessions. One cannot be indulgent toward racism; one must not even let the monster in the house, especially not in a mask. To give it merely a foothold means to augment the bestial part in us and in other people, which is to diminish what is human. To accept the racist universe to the slightest degree is to endorse fear, injustice, and violence. It is to accept the persistence of the dark history in which we still largely live. it is to agree that the outsider will always be a possible victim (and which man is not himself an outsider relative to someone else?. Racism illustrates, in sum, the inevitable negativity of the condition of the dominated that is, it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animosity to humanity. In that sense, we cannot fail to rise to the racist challenge. However, it remains true that one’s moral conduit only emerges from a choice: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order, for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism, because racism signifies the exclusion of the other, and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is ‘the truly capital sin. It is not an accident that almost all of humanity’s spiritual traditions counsels respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. Bur no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall.” says the Bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming one again someday. It is an ethical and a practical appeal—indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality because, in the end, the ethical choice commands the political choice, a just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

## Harms Contention

#### Part two is the ABHORRENT HISTORY

### Discrimination

#### A close examination of the status quo reveals a new generation of racist voting laws, employed to exclude black voters. This is a system of racism that sustains 5 generations of disenfranchisement and oppression.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stop[ped]s of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### These voting practices are the continuation of a long line of racism, beginning in slavery and Jim Crow – these are racist constructs that continue a generations-old vicious cycle of oppression

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as [is] an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive, civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

### Alienation

#### This deliberate exclusion feeds a cycle of political alienation. The obstacles to voting are not only physical, but also emotional.

Hill 1 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

It is often suggested that abstention is tolerable (even desirable) because it is really a form of political expression connoting tacit consent to the regime. Those who conceive voting purely as a mechanism for registering dissatisfaction, regard the silence of the abstainer as an eloquent expression of contentment with the politi- cal system.15 Such claims are problematic because largely speculative and in some cases, counter-factual: in the USA, for example, the 1996 National Election Study found that non-voters tended to be twice as dissatisfied as voters about the state of democracy in America (Wattenberg, 1998, p. 3). We also know that abstainers tend to perceive government as unresponsive and that their vote will be ignored; accordingly, they abstain.16 Abstainers thus become locked into a self-fulfilling cycle of quiescence, alienation and abandonment. For those democratic theorists lately absorbed with the problem of ‘democratic’ or ‘civic deficit’17 avoiding the per- petuation of this cycle has never been more urgent. There is a substantial body of comparative research which suggests that there are strong negative correlations between voting and the following characteristics: geographical isolation, social isolation and relative lack of community; low levels of education; low levels of internal and external efficacy; residential instability; youth, being a new immigrant; economic marginality and unemployment.18 The silence of abstainers thus appears to represent far more than contentment or tacit consent. Abstainers are clearly experiencing obstacles to participation; some of these obstacles are emotional and subjective; some are practical but the salient point is that they are preventing people from voting for reasons that go beyond mere disinterest, genuine choice or rational calculation.19

### Collective Action Problem

PICK ONE OF THESE CARDS

#### These laws dilute the power of the individual to the point of creating a collective action problem that makes voting seem futile to minority voters – but by encouraging group mobilization, compulsory voting empowers minorities.

Harvard Law Review 7 [“THE CASE FOR COMPULSORY VOTING IN THE UNITED STATES” HARVARD LAW REVIEW Vol. 121:591 Dec 2007] AT

There are serious questions about how legitimate a government is when the vast majority of citizens have not elected it.23 This concern goes beyond the question of whether or not low voter turnout affects substantive policy outcomes (which is unclear24). More fundamentally, there is a serious tension with the understanding “that within our constitutional tradition, democracy is prized because of the value of collec tive self-governance,”25 which is as much about procedure as it is about substance.26 Indeed, the level of voter turnout as a percentage of eligible voters in many recent elections would not even be sufficient to constitute a quorum for some of the most important American political institutions.27 But the most serious questions arise not from the sheer number of citizens whose voices are not counted,28 but from the fact that certain groups are underrepresented.29 Partly because of disparities in turnout rates by demographic categories, the center of political gravity has shifted toward the wealthiest white Americans.30 Government may not be giving adequate consideration to the priorities of the poor or of racial minorities.31 Many would dismiss these concerns about underrepresentation by pointing out that no one is denying the rights of nonwhites or the poor to vote; rather, individuals in those demographic groups are simply choosing not to exercise their rights. If they were sufficiently dissatisfied with the government, then presumably they would change their minds and vote. Given the rational basis for nonvoting discussed above, however, individual dissatisfaction is hardly guaranteed to encourage voting. Even a dissatisfied individual will be unlikely to vote if she realizes that her vote has a negligible chance of affecting the outcome of an election. Thus, even among relatively distinct demographic groups, a majority of whose members may be seriously dissatisfied with the national political leadership, collective action problems pose a substantial obstacle to any attempts to increase voter turnout. II. SOME OF THE BENEFITS OF COMPULSORY VOTING The most obvious benefit of compulsory voting is that it would lead to higher voter turnout. The increase in voter turnout from compulsory voting laws has been established consistently.32 Because of the important ideal of self-governance in American political culture,33 increasing voter turnout is a benefit in its own right. It is also possible that higher voter turnout, and an electorate that is more representative of the American population, would actually change electoral and policy outcomes in ways that better reflect aggregate preferences.

#### Voting only becomes rational once people with similar interests vote as well – this creates a prisoner’s dilemma where it is a better individual choice to just stay at home, despite mass turnout benefiting everyone.

Hill 2 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

When a poor, African-American shut-in abstains from voting in American elec- tions she is behaving both rationally and irrationally. Of course it would be rational in one sense for her to vote since we are convinced that doing so would protect her interests and those of others like her. At the same time, she can’t be sure that everyone else in her predicament will have the same idea (in fact, she knows they probably won’t). Since the voluntary system evokes irrationality (i.e. the mass abstention of those most in need of the protection voting can afford), it will be rational for her to stay at home and preserve her scarce resources, knowing as she does that others like her will most likely make the same calculation. Thus, within the rational choice tradition choosing not to vote is referred to as ‘rational absten- tion’ (Downs, 1957, p. 260). Mandatory voting takes this ‘prisoner’s dilemma’ factor out of voting. It co- ordinates and therefore rationalizes democracy by instating voting in its proper place as a social activity engaged in by group interests. (The claim that voting has ‘a proper place’ is of course a value judgement but one which I believe has been defended in terms of revealing the dysfunctionalities of the voluntary system). Voluntary voting, on the other hand, makes rational action seem irrational and irrational behaviour seem rational. Compulsory voting is a co-ordination necessity in mass societies of individuated strangers unable to communicate and co-ordinate their preferences[,]. Compulsion is both economical and efficient because it frees me from: a) having to overcome uncertainty about the value of my vote and b) weigh- ing ‘opportunity costs’ against benefits in an environment where resources (and information) are scarce. Mandatory voting operates as a system and only in a system which treats voting as a problem of collective action rather than as a problem of liberty and private choice does voting really work as a way of registering prefer- ences and achieving representativeness. Compulsion collectivizes and co-ordinates ‘irrationalities’ of voting, thereby making them disappear. It reduces opportunity costs, prevents ‘free-riding’ (i.e. exclusion) and makes voting meaningful by (inadvertently) organizing indivi- dual preferences into blocs of interests. This is not to say that voting isn’t a bloc interest business in voluntary systems: it is, however here the blocs tend to resolve into those who vote and those who don’t, hardly ideal for the democratic pluralist. But under a compulsory system, the notion of electoral ‘rationality’ undergoes a radical change. It is not now a question of whether or not the indi- vidual behaviour is ‘rational’ but whether the system evokes rational behaviour. Comparing a compulsory with a non-compulsory electoral system is salutary because it reveals the essential irrationality of the latter; the voluntary system evokes ‘irrational’ behaviour (for example mass abstention of the poorly off espe- cially during crises) because it inevitably gives rise to obstacles and uncertainties. Voting is a process which cannot be understood simply as an agglomeration of individual acts of utility. It only has system rationality (this is a bit like the dis- tinction between system and act utilitarianism).25 Voting is a problem of collective action, rather than individual choice, because politics is fundamentally a team sport which yields collective (and ultimately, therefore, individualized goods). In other words, voting can only yield individual goods after they have been gathered together collectively. All of this is another way of drawing attention to the inadequacy of understand- ing voting using methodological individualism. Politics is a system and so is any democracy. The real question is not: ‘is it rational to vote’? but ‘what makes voting rational?’ Asking: ‘is it rational to vote?’ is just as silly as asking: ‘is it rational to pay taxes in a voluntary system?’ because free-riding and prisoner’s dilemmas give rise to irrationalities regardless of what I do and thereby prevent the system from working properly. Voluntary systems convert short-term rationalities into long- term irrationalities and long-term rationalities into short-term irrationalities. Compelling people to vote is thus reasonable to the extent that state coercion is acceptable in resolving problems of co-ordination in order to improve or generate system utility (and provided, of course, that the system utility is characterized by desired and desirable properties).

## Harms Contention [Akhil]

#### Part two is the ABHORRENT HISTORY

### Discrimination

#### A close examination of the status quo reveals a new generation of racist voting laws, employed to exclude black voters. This is a system of racism that sustains 5 generations of disenfranchisement and oppression.

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The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. 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As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stop[ped]s of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### These voting practices are the continuation of a long line of racism, beginning in slavery and Jim Crow – these are racist constructs that continue a generations-old vicious cycle of oppression

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as [is] an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive, civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

### Alienation

#### This deliberate exclusion feeds a cycle of political alienation. The obstacles to voting are not only physical, but also emotional.

Hill 1 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

It is often suggested that abstention is tolerable (even desirable) because it is really a form of political expression connoting tacit consent to the regime. Those who conceive voting purely as a mechanism for registering dissatisfaction, regard the silence of the abstainer as an eloquent expression of contentment with the politi- cal system.15 Such claims are problematic because largely speculative and in some cases, counter-factual: in the USA, for example, the 1996 National Election Study found that non-voters tended to be twice as dissatisfied as voters about the state of democracy in America (Wattenberg, 1998, p. 3). We also know that abstainers tend to perceive government as unresponsive and that their vote will be ignored; accordingly, they abstain.16 Abstainers thus become locked into a self-fulfilling cycle of quiescence, alienation and abandonment. For those democratic theorists lately absorbed with the problem of ‘democratic’ or ‘civic deficit’17 avoiding the per- petuation of this cycle has never been more urgent. There is a substantial body of comparative research which suggests that there are strong negative correlations between voting and the following characteristics: geographical isolation, social isolation and relative lack of community; low levels of education; low levels of internal and external efficacy; residential instability; youth, being a new immigrant; economic marginality and unemployment.18 The silence of abstainers thus appears to represent far more than contentment or tacit consent. Abstainers are clearly experiencing obstacles to participation; some of these obstacles are emotional and subjective; some are practical but the salient point is that they are preventing people from voting for reasons that go beyond mere disinterest, genuine choice or rational calculation.19

### Collective Action Problem

PICK ONE OF THESE CARDS

#### These laws dilute the power of the individual to the point of creating a collective action problem that makes voting seem futile to minority voters – but by encouraging group mobilization, compulsory voting empowers minorities.

Harvard Law Review 7 [“THE CASE FOR COMPULSORY VOTING IN THE UNITED STATES” HARVARD LAW REVIEW Vol. 121:591 Dec 2007] AT

There are serious questions about how legitimate a government is when the vast majority of citizens have not elected it.23 This concern goes beyond the question of whether or not low voter turnout affects substantive policy outcomes (which is unclear24). More fundamentally, there is a serious tension with the understanding “that within our constitutional tradition, democracy is prized because of the value of collec tive self-governance,”25 which is as much about procedure as it is about substance.26 Indeed, the level of voter turnout as a percentage of eligible voters in many recent elections would not even be sufficient to constitute a quorum for some of the most important American political institutions.27 But the most serious questions arise not from the sheer number of citizens whose voices are not counted,28 but from the fact that certain groups are underrepresented.29 Partly because of disparities in turnout rates by demographic categories, the center of political gravity has shifted toward the wealthiest white Americans.30 Government may not be giving adequate consideration to the priorities of the poor or of racial minorities.31 Many would dismiss these concerns about underrepresentation by pointing out that no one is denying the rights of nonwhites or the poor to vote; rather, individuals in those demographic groups are simply choosing not to exercise their rights. If they were sufficiently dissatisfied with the government, then presumably they would change their minds and vote. Given the rational basis for nonvoting discussed above, however, individual dissatisfaction is hardly guaranteed to encourage voting. Even a dissatisfied individual will be unlikely to vote if she realizes that her vote has a negligible chance of affecting the outcome of an election. Thus, even among relatively distinct demographic groups, a majority of whose members may be seriously dissatisfied with the national political leadership, collective action problems pose a substantial obstacle to any attempts to increase voter turnout. II. SOME OF THE BENEFITS OF COMPULSORY VOTING The most obvious benefit of compulsory voting is that it would lead to higher voter turnout. The increase in voter turnout from compulsory voting laws has been established consistently.32 Because of the important ideal of self-governance in American political culture,33 increasing voter turnout is a benefit in its own right. It is also possible that higher voter turnout, and an electorate that is more representative of the American population, would actually change electoral and policy outcomes in ways that better reflect aggregate preferences.

#### Voting only becomes rational once people with similar interests vote as well – this creates a prisoner’s dilemma where it is a better individual choice to just stay at home, despite mass turnout benefiting everyone.

Hill 2 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

When a poor, African-American shut-in abstains from voting in American elec- tions she is behaving both rationally and irrationally. Of course it would be rational in one sense for her to vote since we are convinced that doing so would protect her interests and those of others like her. At the same time, she can’t be sure that everyone else in her predicament will have the same idea (in fact, she knows they probably won’t). Since the voluntary system evokes irrationality (i.e. the mass abstention of those most in need of the protection voting can afford), it will be rational for her to stay at home and preserve her scarce resources, knowing as she does that others like her will most likely make the same calculation. Thus, within the rational choice tradition choosing not to vote is referred to as ‘rational absten- tion’ (Downs, 1957, p. 260). Mandatory voting takes this ‘prisoner’s dilemma’ factor out of voting. It co- ordinates and therefore rationalizes democracy by instating voting in its proper place as a social activity engaged in by group interests. (The claim that voting has ‘a proper place’ is of course a value judgement but one which I believe has been defended in terms of revealing the dysfunctionalities of the voluntary system). Voluntary voting, on the other hand, makes rational action seem irrational and irrational behaviour seem rational. Compulsory voting is a co-ordination necessity in mass societies of individuated strangers unable to communicate and co-ordinate their preferences[,]. Compulsion is both economical and efficient because it frees me from: a) having to overcome uncertainty about the value of my vote and b) weigh- ing ‘opportunity costs’ against benefits in an environment where resources (and information) are scarce. Mandatory voting operates as a system and only in a system which treats voting as a problem of collective action rather than as a problem of liberty and private choice does voting really work as a way of registering prefer- ences and achieving representativeness. Compulsion collectivizes and co-ordinates ‘irrationalities’ of voting, thereby making them disappear. It reduces opportunity costs, prevents ‘free-riding’ (i.e. exclusion) and makes voting meaningful by (inadvertently) organizing indivi- dual preferences into blocs of interests. This is not to say that voting isn’t a bloc interest business in voluntary systems: it is, however here the blocs tend to resolve into those who vote and those who don’t, hardly ideal for the democratic pluralist. But under a compulsory system, the notion of electoral ‘rationality’ undergoes a radical change. It is not now a question of whether or not the indi- vidual behaviour is ‘rational’ but whether the system evokes rational behaviour. Comparing a compulsory with a non-compulsory electoral system is salutary because it reveals the essential irrationality of the latter; the voluntary system evokes ‘irrational’ behaviour (for example mass abstention of the poorly off espe- cially during crises) because it inevitably gives rise to obstacles and uncertainties. Voting is a process which cannot be understood simply as an agglomeration of individual acts of utility. It only has system rationality (this is a bit like the dis- tinction between system and act utilitarianism).25 Voting is a problem of collective action, rather than individual choice, because politics is fundamentally a team sport which yields collective (and ultimately, therefore, individualized goods). In other words, voting can only yield individual goods after they have been gathered together collectively. All of this is another way of drawing attention to the inadequacy of understand- ing voting using methodological individualism. Politics is a system and so is any democracy. The real question is not: ‘is it rational to vote’? but ‘what makes voting rational?’ Asking: ‘is it rational to vote?’ is just as silly as asking: ‘is it rational to pay taxes in a voluntary system?’ because free-riding and prisoner’s dilemmas give rise to irrationalities regardless of what I do and thereby prevent the system from working properly. Voluntary systems convert short-term rationalities into long- term irrationalities and long-term rationalities into short-term irrationalities. Compelling people to vote is thus reasonable to the extent that state coercion is acceptable in resolving problems of co-ordination in order to improve or generate system utility (and provided, of course, that the system utility is characterized by desired and desirable properties).

## Solvency Contention

#### Thus, part three is A NEW HISTORY.

#### I will defend compulsory voting in the US based on the Australian model – I reserve the right to clarify

### Ease of Voting

#### ( ) CV fights the physical barriers to voting by making elections more convenient and accessible.

Jackman 01 [Simon Jackman. Assistant Professor and Victoria Schuck Faculty Scholar, Department of Political Science, Stanford University. “Compulsory Voting.” To appear in The International Encyclopedia of the Social and Behavioral Sciences] AJ

Compulsory voting (CV) is a system of laws and/or norms mandating that enfranchised citizens turn out to vote, often accompanied by (a) a system of compulsory voter registration and (b) penalties for non-compliance, usually fines or the denial of state-provided benefits. CV is widespread throughout Latin America, but somewhat rarer among industrialized democracies. Cross-national studies find CV to be an effective mechanism for increasing turnout, by between seven to sixteen percentage points; within-country comparisons also generally find that CV boosts turnout. CV is commonly thought to advantage parties of the left (based on social-structural and demographic patterns of turnout in countries without CV), and hence shift public policy in that direction also. But these conjectures are difficult to verify, since other political and institutional variables intervene between voter turnout, election outcomes and policy outputs. It is often overlooked that fines and sanctions are just one aspect of CV: states employing CV usually reciprocate by reduc[e]ing the costs of turnout for its citizens, via weekend voting, simple registration procedures, and the creation of a centralized, professional bureaucracy concerned with all aspects of election administration.

### Structure

#### ( ) CV changes the structure of the political system, forcing parties to engage with previously marginalized voters and creating an inclusive political space.

Keaney and Rogers 06 [Emily Keaney and Ben Rogers. “A Citizen’s Duty Voter inequality and the case for compulsory turnout.” Institute for Public Policy Research. May 2006] AJ

Compulsory turnout not only increases turnout, it also cuts down the cost of political campaigning and encourages the political parties to engage with those groups least interested in politics or most dissatisfied with the political system. Where turnout is voluntary, most political parties focus on motivating their supporters to vote, rather than winning the support of undecided voters. Both national and local campaigning tend to be directed to this end. Where turnout is compulsory, however, parties can generally rely on their supporters turning out. This can reduce the cost of electioneering and/or encourage parties to concentrate on winning over people who do not support any political party – people who often feel alienated from the political system. This in turn can increase the public’s sense of political efficacy and their confidence in the political system (Lijphart 1997).

### Turnout

#### And solvency is empirically verified – CV consistently raises turnout, verifying that voters can overcome obstacles.

Engelen 07 [Bart Engelen. Research Assistant of the Fund for Scientific Research – Flanders (Belgium), Centre for Economics and Ethics. “Why Compulsory Voting Can Enhance Democracy.” Acta Politica, 2007, 42, (23–39). 2007 Palgrave Macmillan Ltd] AJ

Although this seems immediately plausible, I want to show that introducing compulsory voting does indeed raise turnout. I only give a brief overview of empirical findings, since I mainly want to focus on the normative arguments why compulsory voting is desirable. For more in-depth empirical analyses, I refer to a number of other studies, which all conclude that compulsory voting effectively raises turnout. A first method is to compare turnout levels in countries where voting is compulsory with those where it is not. Such cross-country comparisons show that average turnout in the first is about 10 to 15 percentage points higher than the second (Blais and Dobrzynska, 1998, 246– 247; IDEA, 2004, 26; Jackman, 2001, 16315; Lijphart, 1998, 8). The only two member states that have compulsory voting in the European Union had turnout levels of about 90% in the 2004 European Parliament election, which sharply contrasts with the average of 45.6%. There is wide consensus among researchers that the most important institutional factor in explaining turnout levels is compulsory voting. This method, however, encounters the problem that the potential impact of compulsory voting may coincide with that of other turnout-increasing factors such as ‘automatic registration, proportional representation, infrequent elections, weekend voting, concurrent elections’ (Lijphart, 1998, 8). While the studies mentioned above rely on statistics to single out the effect of compulsory voting, they cannot establish causal connections (Hirczy, 1994, 65; Jackman, 2001, 16316; Keaney and Rogers, 2006, 28). A second method, therefore, looks at a country that has introduced or abolished compulsory voting at some moment in time. Making sure all circumstances remain the same, such [is] within-country comparisons are better suited to singling out its effect. Although the available data is limited, it [which] leaves no room for doubt: wherever it is introduced, compulsory voting raises turnout.7 Completely analogously, the data show that turnout always drops when such laws are abolished.8 Moreover, turnout levels continue to drop in such countries. This suggests that compulsory voting helps solidify some kind of habit or social norm that erodes only gradually in time. Even when such laws are not actively enforced, they engender compliance.9 Here, as well as in countries where enforcement is not very strict, sanctions are mainly a symbolic reminder that voting is compulsory: ‘compulsory voting can (y) be very effective in raising turnout – in spite of low penalties that are imposed for failing to vote (usually similar to a parking violation), in spite of the lax enforcement (usually much less stringent than parking rules are enforced), and in spite of the secret ballot, which means that an actual vote cannot be compelled in the first place’ (Lijphart, 1998, 2). When citizens are no longer compelled to vote, the social norm and civic sense of duty to vote gradually vanish. This results in declining turnout levels, manifesting themselves first among the youngest citizens, who did not yet internalize the norm to vote (Franklin et al., 2004, 121–122). The fact that young people abstain more than others and that average turnout is declining indicates that the legal obligation, the social norm and the civic sense of duty to vote coexist and reinforce each other (Keaney and Rogers, 2006, 18–20).

### Equal Valuation

#### Coercing political participation is key to equal valuation – the idea that some are exempt communicates that their participation isn’t important, subjugating them.

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

### K Takeout – Small Reforms Key

#### CV is a foot-in-the-door for greater reforms – more voices means more power, allowing minorities to advocate and vote on their own behalf – allows true revolution since mobilization is key to victory. This is precisely the kind of small revision key to tackling racism.

Zizek 08 (Slavoj Zizek, professor at the University of Ljubljana, Law and the Postmodern Mind, p. 92 )

Finally, the point about inherent transgression is not that every opposition, every attempt at subversion, is automatically "coopted." On the contrary, the very fear of being coopted that makes us search for more and more "radical," "pure" attitudes, is the supreme strategy of suspension or marginalization. The point is rather that true subver­sion is not always where it seems to be. Sometimes, a small distance is much more explosive for the system than an ineffective radical rejec­tion. In religion, a small heresy can be more threatening than an out­right atheism or passage to another religion; for a hard-line Stalinist, a Trotskyite is infinitely more threatening than a bourgeois liberal or social democrat. As le Carre put it, one true revisionist in the Central Committee is worth more than thousand dissidents outside it. It was easy to dismiss Gorbachev for aiming only at improving the system, making it more efficient—he nonetheless set in motion its disintegra­tion. So one should also bear in mind the obverse of the inherent trans­gression: one is tempted to paraphrase Freud's claim from The Ego and the Id that man is not only much more immoral than he believes, but also much more moral than he knows—the System is not only infi­nitely more resistant and invulnerable than it may appear (it can coopt apparently subversive strategies, they can serve as its support), it is also infinitely more vulnerable (a small revision etc, can have large unforeseen catastrophic consequences).

### Inequality

#### A study of 91 countries over 40 years shows that CV decreases inequality.

Chong and Olivera 2 [Alberto Chong and Mauricio Olivera. “DOES COMPULSORY VOTING HELP EQUALIZE INCOMES?” Economics and Politics, Volume 20, Number 3. November 2008. Blackwell Publishing] AJ

This paper explores the link between compulsory voting and income distribution using a cross-section of countries around the world. Our empirical cross-country analysis for 91 countries during the period 1960– 2000 shows that when compulsory voting can be strongly enforced the distribution of income improves as measured by the Gini coefficient and the bottom income quintiles of the population. Our findings are robust to changes and additions to our benchmark specification. Because poorer countries are the ones with relatively more unequal distribution of income it might make sense to promote such voting schemes in de- veloping regions, such as Latin America. This, under the assumption that bureaucratic costs related with design and implementation are not excessive.

#### CV corrects for the socioeconomic bias in voter turnout – the poorer and younger will cast their votes under CV, but not voluntary voting.

Chong and Olivera 08 [Alberto Chong and Mauricio Olivera. “DOES COMPULSORY VOTING HELP EQUALIZE INCOMES?” Economics and Politics, Volume 20, Number 3. November 2008. Blackwell Publishing] AJ

As explained above, the case for compulsory voting is not based so much on the belief that voter participation should be increased per se, as on the idea that an increased voter turnout will result in a better representation of the desires of the society. The individuals that may benefit the most by voting, somewhat paradoxically, tend not to vote. This may be in part because re- lated transaction costs tend to be extremely high for this group because the individuals do not adequately assess the positive externalities of the voting outcomes. The lack of information or misinformation may be a source of problems too. In fact, there is ample evidence that points toward the fact that the sample of individuals who vote voluntarily is not representative of the entire population of eligible voters. When a compulsory-voting rule brings in those voters who would not vote voluntarily, this changes the demographic composition of the effective electorate. Extensive data on income, age, education, race, and so on, suggest that these characteristics differ between voters and the remaining eligible population (Crain and Leonard, 1993). In fact, it has been argued that the set of eligible non-voters tends to be poorer, less educated, younger, and disproportionately higher in minority groups than the set of voluntary voters. Particularly in developing countries, the chances are that non-voters are net recipients of government services. Compulsory rules may thus increase the share of high-demanders for public services among the active electorate because the characteristics of voluntary non-voters suggest that they are the net gainers of government expenditure, which would shift the position of the median voter. The idea that there is a voter bias is not new. If the non-voting population corresponds to the lower class, compulsory voting would generate a stronger support for fiscal redistribution programs as class-bias evidence on turnout showing that the median voter’s income is above the mean has been widely reported. Compulsory-voting laws would increase turnout, and, in addition, would compel lower-income people to vote. This segment of the population is believed to prefer redistribution policies. In fact, political participation is positively related to socioeconomic characteristics. Furthermore, early re- searchers found a positive relationship between voting and socioeconomic status (Gosnell, 1927). Unequal political participation is then not randomly distributed, generating a systematic bias toward the rich citizens in terms of representation and influence in political decisions. Several studies with country- and region-specific data support this fact. The class-bias turnout was 37% between the least and most educated people in the 1991 Switzer- land referendum (Linder, 1994). For six Central American countries this bias was 12% (Seligson et al., 1995). This same result holds for seven European countries where a difference of 10 percentage points between the lowest and highest of five education levels is typical (Powell, 1986). Likewise, some partial evidence also sustains the connection between turnout and re- presentation. As differentials in turnout based in socioeconomic character- istics diminish, support for left parties increases (Nagel, 1998; Pacek and Radcliff, 1995). It has been shown that a higher turnout benefits leftist parties, while a lower turnout appears to favor the parties of the right (McAllister, 1986). Furthermore, income is consistently, positively corre- lated with the probability of voting, while education has proven to be positively and significantly related to voter turnout in virtually every study of voter participation (Muller, 1988).4 Also, it has been argued that compulsory-voting countries and non-compulsory-voting countries have the same mean voter turnout, but differ in the prevalence of countries with democratic institutions. The compulsory-voting group has a greater demo- cratic presence than the voluntary-voting group. A sample of countries with greater prevalence of democratic institutions exhibits [which exhibit] greater sensitivity to voter preferences than a sample of basically autocratic countries. That is, insofar as government consumption consists of public goods and redis- tributive transfers, democracies have a greater sensitivity to the general needs of the populace than autocratic regimes where greater shares of in- creasing gross domestic product may be transferred to the private wealth of the ruling elite (Yeret, 1995).

### Kritikal Impact

#### Voting restrictions construct blackness as the anti-citizen – a permanent underclass that must be political sterilized

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose [as if their] social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – this logic makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

### Pre-Empt – Invalid Ballots

#### CV does not threaten a rise in invalid ballots – the effect is very small.

Hill 06 [Lisa Hill. “Low Voter Turnout in the United States: Is Compulsory Voting a Viable Solution?” Journal of Theoretical Politics 2006 18: 207. Sage Publications] AJ

Martin Wattenberg (1998a: 20), who has briefly considered the potential for compulsory voting to address America’s turnout problem, concluded that ‘it is debatable’ whether it is really desirable to ‘force’ turnout rates into the 90 per cent and above range. His main concern is that ‘people with limited political knowledge’ would tend to vote in a fashion which Australians call ‘donkey voting’, that is, thoughtlessly numbering their ballot from 1 in descending order.36 Notwithstanding the error in assuming that ‘donkey voting’ is ‘a perversity peculiar to compulsory voting’,37 in fact, the level of the donkey vote is not high in Australia (estimated at between 1 and 3 per cent) (Goudie, 2000) and certainly not high enough to threaten the legitimacy of the system. A related concern is that compulsory voting will lead to higher levels of invalid or ‘informal’ voting. Though it is true that systems with compulsory voting do have higher levels of invalid voting than voluntary regimes, this increase is lower than the gain in participation (Hirczy, 2000: 46). Yet, Clive [And,] Bean (1986: 61) has argued that informal voting in Australia (which hovers at around 2.7 per cent) has more to do with the preferential system of voting than with the compulsion.38

### Pre-Empt – Informed Voters

#### CV increases civic engagement.

Milazzo 08 [(Caitlin, Lecturer in the School of Politics and International Relations at the University of Nottingham) “Forced to Vote: The Impact of Compulsory Voting Laws on Political Discussion” Paper Presented at MPSA Annual National Conference April 3, 2008] AT

Much of the research on compulsory voting thus far has not given this institution positive reviews. In particular, the large number of spoiled ballots has been a concern for both scholars and policy-makers. If compulsory voting did not actually encourage increased participation (i.e. it only causes an increase in spoiled ballots), we would not expect it to encourage frequent discussion of political matters. High numbers of spoiled ballots would indicate that individuals were not responding the incentives to participate created by compulsory voting. However, the results above provide strong evidence to the contrary. Compulsory voting is associated with increased political discussion, if only in a certain portion on the population. Therefore, it appears that at least some individuals are discussing politics frequently when they are forced to go to the polls. This is not to say however that mandatory voting is the “Holy Grail” of political participation. The overall increase in the probability of engaging in frequent political dis- cussion is a) relatively small and b) limited to one portion of the population. However, arguably even a small increase for individuals who are not interested in politics is important, as this group is consistently less likely to be informed about politics. If compulsory voting encourages non-interested individuals to go the polls and increases their incentives to gather information, then compulsory voting is increasing the civic engagement of these individuals in a signiﬁcant manner. Thus, not only will such individuals be more likely to vote in countries with compulsory voting, but they will also be more informed in their political choices.

## Underviews

### Epistemology Underview

#### The first underview is epistemology.

#### Our conventional mode of experiencing the world is not an absolute truth, but a historically contingent model tinted with racism – this is not only a myopic way of knowing, but it also commits profound violence against the marginalized

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

The civilizational level is the level of broad civilizational assumptions, assumptions that, though they construct the nature of our world and our experience of it, are not typically conscious to most members of a civilization (Foucault, 1979, 1988). These assumptions are deeply embedded in how those members think and in what they name "the world" or "the Real" through various categories or concepts (Said, 1979; Stanfield, 1985, 1994). But these assumptions are different for different civilizations, such as the Hopi civilization (Loftin, 1991) or the Zuni civilization (Roscoe, 1991), and, thus, each civilization constructs the world differently for its inhabitants: "Not all people [i.e., civilizations, in this case] 'know' in the same way" (Stanfield, 1985, p. 396). In addition, large, complex civilizations often include a dominant culture and one or more subordinate cultures. In this context, subordinate cultures, races, and other groups often have different civilizational assumptions: "Just as the material realities of the powerful and the dominated produce separate [social, historical experiences] .. .each [racial or social group] may also have distinctive epistemologies or theories of knowl- edge" (Collins, 1991, p. 204). One consequence is that "[d]ominant racial group members and subordinate racial group members do not think and interpret realities in the same way because of their divergent structural positions, histories, and cultures" (Stanfield, 1985, p. 400).10 For instance, "What is considered theory in the dominant academic community is not necessarily what counts as theory for women-of-color" (Anzaldua, 1990, p. xxv; see, also, J. A. Banks, 1993, pp. 7-8; 1995, p. 16; Cose, 1993; Collins, 1991). The name for the Euro-American culture's construction of "the world" or "the Real," as was noted above, is modernism. Modernism is an epistemological, ontological, and axiological network or grid that "makes" the world as the dominant western culture knows and sees it (Foucault, 1972,1973,1979,1988; Frankenberg, 1993; Goldberg, 1993; Stanfield, 1985; West, 1993). Though this grid has evolved and changed to some degree, it has, nonetheless, maintained a kind of coherence and consistency, particularly in terms of some of its primary assumptions (that is, its civilizational level assumptions). One of these primary assumptions, the one we are addressing here, is civilizational racism. Beginning with the modernist period, European colonial and territorial expansion was typically undertaken under the rationale of the supremacy of White civilization, along with other rationales, such as those about economics and religion. For instance, Hacker (1992) asserts that "For at least half a dozen centuries . . . 'white' has implied a higher civilization based on superior inheritance" (p. 7) (see, also, Takaki, 1993). To the English attending the Globe Theatre to see Shakespeare's The Tempest, "Caliban [the character who epitomizes the native people of the 'new' world] represented what Europeans had been when they were lower [italics added] on the scale of development" (Takaki, 1993, p. 32), while Prospero (the character who depicts the English conqueror) declares that he came to the new world "to be the lord on't" (Shakespeare, quoted in Takaki, 1993, p. 35; see, also, Feagin & Vera, 1995; Frankenberg, 1993; Goldberg, 1993; Harris, 1993; Stanfield, 1985; Webster, 1992; West, 1993, pp. 3-32). Widely circulated racial hierarchies and exclusions such as these became, then, a central feature in the emergence of western modernism and modernist thought, and, consequently, White racism or White supremacy became interlaced or interwoven into the founding fabric of modernist western civilization (for an extended discussion of this point, see Goldberg, 1993; see, also, Stanfield, 19851." These racial rationales were, of course, central, along with other rationales, to the founding of the U.S. Taking land from and killing Native Americans was justified by the Whites' definition of property as well as the supposed supremacy of White civilization-like that depicted in Thomas More's Utopia (Takaki, 1993, p. 35; see, also, Feagin & Vera, 1995; Hacker, 1992; Harris, 1993). Similar rationales were used in taking the Southwest from the Mexicans, whom Stephen F. Austin, one of the prominent political leaders of the "Texas revolution," disparagingly called "a mongrel Spanish-Indian and negro race" (De Leon, 1983, p. 12; see, also, Takaki, 1993). The enslavement of African Americans and the "subsequent decades of Jim Crow laws, peonage, tenancy, lynchings and second-class citizenship" (West, 1993, p. 256) were also justified in the same racially exclusionary terms (Feagin & Vera, 1995; Hacker, 1992; Harris, 1993; Takaki, 1993), though, of course, these justifications were not the only justifications driving slavery or the appropriation of Native American and Mexican American land. While this is an extremely brief summary of a complex argument about White racial supremacy and the fact that it was interlaced within the founding assumptions of western civilization, our point can be made in a simpler way. The White race, what Stanfield (1985) has called "a privileged subset of the population" (p. 389), has un- questionably dominated western civilization during all of the modernist period (hundreds of years). When any group within a large, complex civilization-significantly dominates other groups for hundreds of years, the ways of the dominant group (its epistemologies, its ontologies, its axiologies) not only become the dominant ways of that civilization, but also these ways become so deeply embedded that they typically are seen as "natural" or appropriate norms rather than as historically evolved social constructions (Stanfield, 1985). To a large degree, the dominant group, whatever its composition, makes its own "community the center of the universe and the conceptual frame that constrains all thought" (Gordon et al., 1990, p. 15). Thus, the dominant group creates or constructs "the world or "the Real" and does so in its own image, in terms of its ways and its social-historical experiences (J. A. Banks, 1993; Collins, 1991; Minh-ha, 1989; Morrison, 1992; Stanfield, 1985, 1994; West, 1993; see, especially, Said, 1979, for an entire volume that discusses how the West gave "reality" to its construct of "the Orient"). In this view, ontologies, epistemologies, and axiologies are not outside history or sociology; they are deeply interwoven within the social histories of particular civilizations and within particular groups within those civilizations. As Gordon et al. (1990) assert, "Knowledge, technology, and the production of knowledge are cultural products . . . . Knowledge production operates within communicentric [ontological and epistemological] frames of reference, which dominate and enable it" (p. 14). Similarly, Stanfield (1994) has said The experiences that construct paradigms in sciences and humanities are derivatives of cultural baggage imported into intellectual enterprises by privileged residents of historically specific societies and world systems. This is important to point out, because it is common for scholars to lapse into internal analyses while discussing para- digms and thus to ignore the rather common sense fact that sciences and humanities are products of specific cultural and historical contexts that shape the character of intellectual work. (pp. 181-182) Or, as James Banks (1993) more simply states, "all knowledge reflects the values and interests of its creators" (p. 4). Consider who the major, influential philosophers, writers, politicians, corporate leaders, social scientists, educational leaders (e.g., Kant, Flaubert, Churchill, Henry Ford, Weber, Dewey) have been over the course of western modernism. They have virtually all been White. And it is they who have constructed the world we live in-named it, discussed it, explained it. It is they who have developed the ontological and axiological categories or concepts like individuality, truth, education, free enterprise, good con- duct, social welfare, etc. that we use to think (that thinks US?) and that we use to socialize and educate children. This racially exclusive group has also developed the epistemologies, the legitimated ways of knowing (e.g., posi- tivism, neo-realisms, postpositivisms, interpretivisms, constructivisms, the critical tradition, and postmodern- isms/poststructuralisms) that we use. And it is these epistemologies and their allied ontologies and axiologies, taken together as a lived web or fabric of social construc- tions, that make or construct "the world" or "the Real" (and that relegate other socially constructed "worlds," like that of African Americans or the Cherokee, to the "margins" of our social life and to the margins in terms of legitimated research epistemologies). These influential people and their "world-making" or "reality-making" activities or practices, however, are not separate from the social history within which they live: "all knowledge is relative to the context in which it is generated" (Gordon et al., 1990, p. 15). And, thus, "when academics and public opinion leaders construct knowledge[,] . ..they are influenced by the ideas, assump- tions, and norms of the cultures and subsocieties in which they are socialized" (J. A. Banks, 1995, p. 16). Just as Julius Caesar was "constructed by the social history of his particular group, saw and understood the worldin terms of the social constructions of his people in their time and place, the influential authors of modernism have been constructed by their position, place, and time. Just as Caesar did not see the world from the point of view of other cultures that Rome dominated, these influential western modernists did not see the world from within the epistemologies and ontologies of other races and cultures inside or outside of western modernism. "How we create, define, and validate social knowledge [and, thus, reality] is determined largely through our cultural context" (Stanfield, 1985, p. 388).12 Our argument, however, is not that these influential White individuals were involved in a racial conspiracy or moral bad faith, but that these individuals can only name and know from within the social context available to them, from within the social history in which they live. While we seem to have little trouble understanding that those far away in time existed in terms of their social contexts-i.e., Julius Caesar-we seem to resist under- standing this about ourselves. We, as our predecessors did, live, understand, work, think, and act within a particular social history, within a particular social construction. We do not live, in some universal sense, above culture or history; we live inside a culture, inside a civilizational social construction; we live in the terms and wavs of a particular social history.13 This, then, is our central argument about epistemological racism. Epistemologies, along with their related ontologies and epistemologies, arise out the social history of a particular social group. Different social groups, races, cultures, societies, or civilizations evolve different epis- temologies, each of which reflects the social history of that group, race, culture, society, or civilization; that is, no epistemology is context-free. Yet, all of the epistemologies currently legitimated in education arise exclusively out of the social history of the dominant White race. They do not arise out of the social history of African Americans, Hispanic Americans, Native Americans, Asian Americans, or other racial/cultural groups-social histories that are much different than that of the dominant race (a difference due at least partially to the historical experience of racism itself [see, for example, Collins, 19911). Cornell West (1993) validates this judgment when he says "social practices . . . [and research is a social practice] are best understood and explained . . . by situating them within . . . cultural tradi- tions" (p. 267). It is, then, in this sense that scholars of color contend that the dominant research epistemologies are racially biased.14 By epistemological racism, then, we do not mean that the researchers using, say, positivism or postmodernism are overtly or covertly racist as individuals. Nor do we mean that epistemological racism is a conscious insti- tutional or societal conspiracy in favor of Whites (B. M. Gordon, 1993, p. 267). Epistemological racism means that our current range of research epistemologies - positivism to postmodernisms/ poststructuralisms - arise out of the social history and culture of the dominant race, that these epistemologies logically reflect and reinforce that social history and that racial group (while excluding the epistemologies of other races/cultures), and that this has negative results for people of color in general and scholars of color in particular. In other words, our "logics of inquiry" (Stanfield, 1993a) are the social products and practices of the social, historical experiences of Whites, and, therefore, these products and practices carry forward the social history of that group and exclude the epistemologies of -other social groups. But, again, the critical problem-for all of us, both Whites and people of color-is that the resulting epistemological racism, besides unnecessarily restricting or excluding the range of possible epistemologies, creates profoundly negative consequences for those of other racial cultures with different epistemologies, ontologies, and axiologies. By epistemological racism, then, we do not mean that the researchers using, say, positivism or postmodernism are overtly or covertly racist as individuals. Nor do we mean that epistemological racism is a conscious insti- tutional or societal conspiracy in favor of Whites (B. M. Gordon, 1993, p. 267). 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But, again, the critical problem-for all of us, both Whites and people of color-is that the resulting epistemological racism, besides unnecessarily restricting or excluding the range of possible 8 EDUCATIONAL RESEARCHER epistemologies, creates profoundly negative consequences for those of other racial cultures with different e~istemolo- gies, ontologies, and axiologies. First, epistemologies and research that arise out of other social histories, such as African American social history or Cherokee social history, are not typically considered legitimate within the mainstream research community (see Anzaldua, 1990; Collins, 1991; B. M. Gordon, 1990, 1993; Minh-ha, 1989; Sarris, 1993; Stanfield, 1993a, 1993b, 1994; among many others). As Reyes and Halcon (1988) suggest, "the traditional Euro-centric perspective used to evaluate their [scholars of color] scholarship disadvantages nontraditional [race-based] research because predominantly White male academics lack the appropriate cultural perspectives from which to judge its real merit" (p. 307). Similarly, Collins (1991) contends that "[w]hile Black women can produce knowledge claims that contest those advanced by the white male community, this community does not grant that Black women scholars have competing knowledge claims based in another [equally warranted] knowledge validation process" (p. 204; see, also, Stanfield, 1994, p. 176). Or, as Sarris (1993) asks, "Can Apache stories, songs, and so forth be read (or heard) and thus understood in terms of Euroamerican-specific expectations of language and narrative [i.e., Euro-American epistemologies]" (p 427)? Second, there has been a large chorus of scholars of color (including Anderson, 1993; Anzaldua, 1990; Collins, 1991; Paredes, 1977; Sarris, 1993; Stanfield, 1994; among others) who have contended that dominant group epistemologies and methodologies-the epistemologies and methods themselves and not just "bad" applications of these epistemologies and methodologies-tend to distort the lives of other racial groups. For example, Gordon et al. (1990) have asserted that Examination of the social and educational research knowledge bases relative to Afro-Americans indicated that these sciences have traditionally attempted to under- stand the life experiences of Afro-Americans from a nar- row cultrocentric perspective and against equally narrow cultrocentric standards [i.e., epistemological racism]. (p. 15) Consequently, as Stanfield (1985) has said, mainstream "[slocial science knowledge production about racial minorities still dwells on the pathological and on the sensational" (p. 411). A result of this is that these negative distortions pass into the dominant culture as "truth," thus becoming the basis of individual, group, and institutional attitudes, decisions, practices, and policies (i.e, institu- tional and societal racism). Another result is that these distortions are often enculturated into those who are the victims of the distortions (hooks, 1990; Rebolledo, 1990), especially children, who have less ability to resist (McCarthy, 1993; Stevenson & Ellsworth, 1993; Weinberg, 1993), necessitating "painful struggle[sl of accepting and rejecting internalized negative and disenabling self-conceptions" (West, 1993, p. 270; see, also, J. A. Banks, 1993). A further result is that, frequently, "minority scholar's time is consumed in efforts to refute or neutralize fallacious findings, questionable theories, and inappropri- ate interpretations" (Gordon et al., 1990, p. 16) of mainstream research and scholarlv commentarv. Third, the dominant research epistemologies-from positivism to postmodernisms-implicitly favor White people because they accord most easily with their social history (J. A. Banks, 1993: B. M. Gordon, 1993; Stanfield, 1985). Thus, even though it may be unintended, the "clothes" that an epistemology could be said to be fit better and are more comfortable to White researchers because White researchers themselves are a product of the social history of Whites, just as the dominant epistemologies are a product of White social history. That is, the range of epistemologies that have arisen from the social history of Whites "fit" Whites because they themselves, the nature of the university and of legitimated scholarship and knowledge, and the specifications of different research methodologies are all cultural products of White social history. While scholars of color have had to wear these "White" clothes (be bi-cultural) so that they could succeed in research communities, however sociologically, his- torically, or culturally ill-fitting those clothes might be, White scholars have virtually never had to think about wearing the epistemological clothes of people of color or even to consider the idea of such "strange" apparel. The negative consequence for scholars of color, however, is that they must learn and become accomplished in epistemologies that arises out of a social history that has been profoundly hostile to their race and that ignores or excludes alternative race-based epistemologies because mainstream research communities have assumed that their epistemologies are not derived from any particular group's social history, i.e., are free of any specific history or culture. That scholars of color have successfully become episte- mologically bi-cultural to survive as scholars is a testament to them-their strength, their courage, their perseverance, and their love of scholarship-rather than a testament to the race/culture-free nature of mainstream research epistemologies

#### And your supposedly colorblind framework won’t cut it – this is just a new tactic to justify racism – we need to recognize racism is real and worth changing to resist it.

Walsh 4 [(Kenneth, Staff Writer, Boston College Third World Law Journal) “COLOR-BLIND RACISM IN GRUTTER AND GRATZ” Boston College Third World Law Journal, Volume 24 No 2, 2004. Review of RACISM WITHOUT RACISTS: COLOR-BLIND RACISM AND THE PERSISTENCE OF RACIAL INEQUALITY IN THE UNITED STATES. By Eduardo Bonilla-Silva. Lanham, Boulder, New York, and Oxford: Rowman & Littlefield 2003. Pp. 213.] AT

In his book, Racism Without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States, Eduardo Bonilla-Silva alerts readers to the danger that a color-blind ideology will soon pervade discussions of race in the United States.157 The mechanisms of color-blind racism allow whites to advance positions that assure the perpetuation of white privilege.158 Under this color-blind guise, the arguments opposing affirmative action sound reasonable and moral.159 Yet individuals employ the frames, style, and story lines of color-blind racism to mask the fact that blacks still hold a second-class status [and] in America.160 Thus, color-blind racism facilitates the perpetuation of racial inequality by obscuring the fact that there is even a problem to fix.161

#### Appeals to meta-ethics are fundamentally systems of control. An accurate epistemology is key – otherwise a framework will be biased, making it self-defeating. A better epistemological standpoint is a pre-requisite to accurate ethical deliberation – the dominant standpoint precludes meaningful discussion of how morality is constructed because it ignores oppression – examining ethical problems from the oppressed is best

Jaggar 83 Alison M. Jaggar, professor of philosophy and women studies at University of Colorado - Boulder, Feminist Politics and Human Nature, Lanham: Rowman and Littlefield. 1983

The standpoint of the oppressed is not just different from that of the ruling class; it is also epistemologically advantageous. It provides the basis for a view of reality that is more impartial than that of the ruling class and also more comprehensive. It is more impartial because it comes closer to representing the interests of society as a whole; whereas the standpoint of the ruling class reflects the interests only of one section of the population, the standpoint of the oppressed represents the interests of the totality in that historical period. Moreover, whereas the condition of the oppressed groups is visible only dimly to the ruling class, the oppressed are able to see more clearly the ruled as well as the rulers and the relation between them. Thus, the standpoint of the oppressed includes and is able to explain the standpoint of the ruling class.

#### Thus, a focus on a race-based epistemology is vital to resisting oppression

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

One prominent example of an effort to develop, and apply, a "new" race-based epistemology (some of them actually are historically "old") is Patricia Hill Collins' Black Feminist Thought (1991). In this important work, she has a chapter titled "Toward an Afrocentric Feminist Epistemology" in which she names and discusses the four "contours" (p. 206) or characteristics of her race-based epistemology: "concrete experience as a criterion of meaning" (pp. 208- 2121, "the use of dialogue in assessing knowledge claims" (pp. 212-215), "the ethic of caring" (pp. 215-217), and "the ethic of personal accountability" (pp. 217-219). To develop this epistemology, she says she "searched my own experience and those of African-American women I know for themes we thought were important," and she relied "on the voices of Black women from all walks of life" (p. 202), many of whom she cites and discusses in her explanation of the four "contours." Accordingly, her Afrocentric feminist epistemology, "like all specialized thought [such as positivism to postmodernisms], reflects the interests and standpoint of its creators" (p. 201). That this epistemology is respected by other Black women is evidenced by the fact that Gloria Ladson-Billings (1995) recently published, in the American Educational Research lournal, results from a three-year research study16 that uses Collins' Afrocentric feminist epistemology as her "theoretical grounding" (Ladson-Billings, 1995, p. 471).'7 Ladson-Billings, in her study of "successful teachers of African-American children" (p. 471), after stating her choice of Collins' epistemology, briefly discusses each of Collins' four contours and her use of them to provide the epistemological grounding for her study of these successful teachers. Ladson-Billings' appropriate concern is to select an epistemology that reflects "who I am, what believe, what experiences I have had," given her "membership in a marginalized racial/cultural group" (p. 470). That is, she chooses to use an epistemological frame that "fits" her social history, that emerges out of her race/culturels social history, rather than an epistemological frame that has emerged out of the social history of the dominant race. But Collins is not the only one who has developed a race-based epistemology nor is she the first. Molefi Kete Asante has for some time advocated an Afrocentric epistemology that he developed through a relatively large body of work (e.g., 1987, 1988, 1990, 1993), and this work, along with that of other African American scholars advocating a similar perspective, has inspired or supported a wide range of scholarship, including that of Azibo (1990), Baldwin (1981), W. C. Banks (1992), Beverly Gordon (1990,1993), Kershaw (1989,1992), W. M. King (1990), and Taylor (1987), among numerous others (see, also, the entire issue of The Journal of Negro Education, 61[3], 1992, guest- edited by Edmund W. Gordon). From Asante's viewpoint (1993), "Afrocentricity is a perspective which allows Africans to be subjects of [their own] historical experiences rather than objects [author's emphasis] on the fringes of Europe [i.e., western modernism]" (p. 2). Later in the same book, Asante, in a chapter titled "On Afrocentric Metatheory," briefly discusses the "Cosmological Issue" (pp. 106-107), the "Epistemological Issue" (pp. 107-108), the "Axiological Issue" (p. log), and the "Aesthetic Issue" (pp. 108-109)- four issues that he sees as central to Afrocentricity. In "Afrocentrism and the Afrocentric Method," Kershaw (1992) discusses the steps of an "Afrocentric emancipatory methodology," a method that includes qualitative methodology, analysis and description of the data collected, critical dialogue with those involved in the research, education, and action, all leading to the gener- ation of Afrocentric knowledge. Kershaw (1992) cites John Gwaltney's Drylongso: A Self Portrait of Black America (1980) as "an excellent example of Afrocentric generated practical knowledge" (p. 165). More recently, another race-based epistemology has begun to gain the attention of "progressive intellectuals of color" (West, 1995, p. xi). This epistemological perspective originated in legal studies. According to Cornel West (1 995) Critical Race theorists have, for the first time, examined the entire edifice of contemporary legal thought and doc- trine from the viewpoint of law's role in the construction and maintenance of social domination and subordination. In the process, they not only challenged the basic as- sumptions and presuppositions of the prevailing para- digms among mainstream liberals and conservatives in the legal academy, but also confronted the relative silence of legal radicals-namely critical legal studies writers- who "deconstructed" liberalism, yet seldom addressed the role of deep-seated racism in American life. (p. xi)

### Pre-Fiat – Implicit Racism

#### Debate is an academic forum that facilitates research and exchange of ideas. The role of the judge as an academic is to address the role of the academia in promulgating racism – proactively examining the assumptions behind what we say is key – this is a pre-fiat warrant for the standard

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

While there has been a powerful social tendency among Whites and White society to define racism in individual terms or, at best, in limited institutional terms, such as in hiring or promotion, we do not think most White researchers consciously support racism in any terms individual, institutional, societal, or civilizational. But this intention is not sufficient if our argument here is a persuasive one. In a very important sense, we White researchers are unconsciously promulgating racism on an epistemological level. As we teach and promote episte- mologies like positivism to postmodernism, we are, at least implicitly, teaching and promoting the social history of the dominant race at the exclusion of people of color, scholars of color, and the possibility for research based on other race/culture epistemologies. We can, however, use our opposition to racism to consider the question of whether our dominant epistemologies are racially biased or not and, if they are, to begin to change this situation.19

### Pre-Fiat – Oppression Bad

#### I shouldn’t have to justify why oppression is bad – questioning and justifying oppression is an exclusionary practice that makes debate a hostile space for those who endure oppression daily

Smith 13 [(Elijah, CEDA and NDT champion) “A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate” Victory Briefs Daily, 9/4/13] AT

At every tournament you attend this year look around the cafeteria and take note of which students are not sitting amongst you and your peers. Despite being some of the best and the brightest in the nation, many students are alienated from and choose to not participate in an activity I like to think of as homeplace. In addition to the heavy financial burden associated with national competition, the exclusionary atmosphere of a debate tournament discourages black students from participating. Widespread awareness of the same lack of participation in policy debate has led to a growing movement towards alternative styles and methods of engaging the gatekeepers of the policy community, (Reid-Brinkley 08) while little work has been done to address or even acknowledge the same concern in Lincoln Douglas debate. Unfortunately students of color are not only forced to cope with a reality of structural violence outside of debate, but within an activity they may have joined to escape it in the first place. We are facing more than a simple trend towards marginalization occurring in Lincoln Douglas, but a culture of exclusion that locks minority participants out of the ranks of competition. It will be uncomfortable, it will be hard, and it will require continued effort but the necessary step in fixing this problem, like all problems, is the community as a whole admitting that such a problem with many “socially acceptable” choices exists in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where competitors attempt to win by rushing to abstractions to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but as someone who understands that experience, the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is not just a game, but a learning environment with liberatory potential. Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. Current coaches and competitors alike dismiss concerns of racism and exclusion, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, and refuse to engage in those discussions even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won't risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary.

### Pre-Fiat – Local Resistance

#### The ballot represents an instance of a methodology that must be adopted if racist ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post-Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

# CASE VERSIONS

## Contention-Heavy AC

### Framework

#### The term “compulsory voting” creates a law to attend all elections. I defend that the law prohibits blank ballots, but they’re still aff ground since the state can’t prevent people from casting them.

Birch 09 [Birch, Sarah. Reader in Politics-University of Essex . “Full Participation : A Comparative Study of Compulsory Voting.” Manchester, GBR: Manchester University Press, 2009. Pgs 2-3. Copyright © 2009. Manchester University Press] AJ

Compulsory voting can be defined very simply as the legal obligation to attend the polls at election time 3 and perform whatever duties are required there of electors. As is often recognised, the inherent constraints of the secret ballot mean[s] that in most modern democracies (and even in many less-than democratic settings) compulsory voting is, strictly-speaking, impossible. [t]he state cannot typically monitor the behaviour of the elector in the privacy of the polling booth and can therefore do nothing to prevent him or her from casting an invalid or blank ballot; in very few states is any legal effort made to do so. 4 The Dutch language recognises this distinction by employing a term – opkomstplicht – which can be translated as compulsory (or obligatory) attendance at the polls, 5 as does a recent Institute for Public Policy Research Report, which refers to ‘compulsory turnout’ (Keaney and Rogers, 2006). Most European languages fail to make this distinction, however, and use terms that translate roughly as ‘obligatory voting’. The French speak of le vote obligatoire, the Italians of il voto obbligatorio , the Spanish of el voto obligatorio and the Portuguese of o voto obrigatório . In German the terms employed are ( gesetzliche ) Wahlpflicht and Stimmpflicht , while most Slavic languages use variations on the Polish term głosowanie obowia ˛zkowe . 6 The terms ‘obligatory voting’ and ‘mandatory voting’ do make their appearances in the English-language literature, yet the most commonly used term to designate this practice is ‘compulsory voting’. This is somewhat unfortunate, given the pejorative connotations of the term ‘compulsion’ in English; certainly ‘obligation’ has a rather different sound. Use of the term ‘compulsion’ thus casts the institution in a negative light in many English-languages debates on the subject (despite the fact that the Australians have been happily using this term to describe their electoral system for over 80 years). This usage has the further consequence of precluding an automatic semantic link between the institution and the broader notion of political obligation. A more appropriate term might be ‘the legal obligation to participate in elections’, but this being cumbersome, the present study will employ the terms ‘compulsory voting’, ‘mandatory voting’, ‘compulsory electoral participation’ and ‘mandatory electoral participation’, which will be used interchangeably.

#### The AC defends implementation of CV in the United States only.

#### Next is framework.

#### A right to equality entails a positive right to equal political participation. Otherwise, we continue the racist ideology of the past by allowing disparities to continue unanswered.

CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

Why does racism, as well as the idea of race itself, play[s] almost no role in most democratic theories? As Cunningham (2000) has noted, this is the case even for C.B. Macpherson, and, we might add, for more recent theories too, for example,¶ those of Ian Shapiro or Thomas Christiano (Macpherson, 1973; Shapiro, 1996; Christiano, 1996. There are important exceptions such as Simon, 1995). In the¶ long view of democratic theory, one answer is obvious: for the same reason¶ that feminist theory has only recently come to influence democratic theory —¶ namely, the latter’s [its] disregard of difference (except as individually different opinions or conflicting interest groups), and the liberal conviction that democ- racy is primarily a matter of assuring equal rights to vote and majority rule. Additionally, from within this traditional understanding[s], democratic citizenship itself, with its requirement of equal treatment, ought simply to disregard¶ an individual’s race. On this approach, while racism is ruled out at the formal¶ level, not much more can be said about it.¶ In fact, as has been argued by Bernard Boxill and others, the central democratic procedure of majority vote tends to render minority groups¶ invisible (Boxill, 1998, pp. 112–19). Because of this, formal democracy and¶ especially the procedure of majority vote, not only disregards underlying¶ racism, but in fact exacerbates it in practice, because votes can give enormous power to an absolute majority of one race or culture over cultural minorities,¶ in Boxill’s phraseology (pp. 112–13); it thereby may permit a tyranny of the majority over these minority groups. Not only has most democratic theory had little to say about racism, but in¶ fact democracies have coexisted in practice with racism for many centuries, as Charles Mills and others have recently stressed (see Mills, 1997, especially Chapter 1). Beyond insisting on equal voting rights, then, democracy, as a¶ formal and procedural system, offers little basis for the critique of racism. This neglect by democratic theorists and the tolerance of democracies for racism¶ suggests on the face of it that there is something wrong with the traditional understanding of democracy. I will argue here that the inadequacy goes beyond the oft-observed formality of democracy and its disregard of social and¶ economic inequalities outside the political sphere. Before proceeding, we should note that racism has been addressed in this country in certain delimited democratic contexts: rst, in the issue of the¶ representation of Blacks in Congress, in terms of the legitimacy of creating Black majority districts (Guinier, 1994, is especially centrala here). Second, there has been the Federal role in instituting affirmative action programmes, as¶ required by concepts of justice. To the degree that such programs have been¶ seen as appropriate political decisions by democratic governments, affirmative action provides another tie between democracy and racism. Mention might also be made of the idea that achieving Black community control of local govern- ments would increase opportunities for political participation. In general,¶ though, in dealing with racism, the emphasis — even on the Left in this country — has been on overcoming discrimination through affirmative action¶ and achieving greater economic equality; which in turn has been seen as the way to insure increased political participation. While this is clearly of great¶ importance, there is need for further reflection on the connection between¶ racism and democracy itself. To sum up the existing situation: from the standpoint of basic norms for political philosophy, namely, the key values of freedom, justice, community, and democracy, we may say that race and racism have been tied primarily to¶ justice (as equality — political, social and economic), as well as to freedom¶ (from discrimination or oppression or stereotypes) and in this connection to the¶ conception of the social construction of racial characteristics. Increasingly, in¶ recent years, the overcoming of racism has been connected to an understanding¶ of community as inclusiveness, where an inclusive community refers to one¶ that not only tolerates but encourages differences, and supports diverse cultural and ethnic groups by assigning them rights and by enlarging the scope of¶ interpersonal interaction, both within racial groups and among them. Yet, the missing term in these accounts has been that of democracy. As noted, beyond the idea of lack of opportunities for democratic participation by African-Americans and the general need for equalising opportunities, the ties of racism to democracy remain relatively unexplored. And while the elimin- ation of injustice (freedom from discrimination or oppression — racial and¶ otherwise) and ‘levelling the playing field’ surely are presuppositions of full democracy, as Thomas Simon shows (1995, especially Chapter 5), this cannot exhaust the account of the relations between the key terms ‘racism’ and¶ ‘democracy’; nor does the issue — albeit a crucial one — of achieving genuine¶ representation of African-Americans through the creation of Black majority districts or other measures, e.g., proportional representation. In what follows,¶ then, I will take up some of the other connections that racism (and race more generally) has to democracy. I will draw on the particular version of demo- cratic theory that I have advanced elsewhere (Gould, 1988, and a series of articles, e.g., Gould, 1996–97), but similar connections apply to several other versions as well. 2 The first point to note — of great importance, if perhaps obvious — is the¶ intrinsic and [a] deep connection between the critique of racism (and sexism) and¶ the requirement for democracy. In my view, the idea of equal positive freedom, or more generally a conception of equal agency, is the basis for both the¶ critique of discrimination and the justification of democratic participation. In¶ the first case, equal positive freedom as prima facie equal rights to the¶ conditions for individuals’ self-development, entails (negative) freedom from discrimination and domination — both institutional and personal — inasmuch¶ as these conditions limit or curtail such flourishing [and], as well as the (positive) availability of social and economic conditions for this self-development. Hence¶ it excludes both racism and sexism, and entails an affirmative requirement for¶ reciprocal recognition, as well as some equalisation of social and economic¶ resources. At the same time, this very principle of equal positive freedom serves as the justification for equal rights of democratic participation in all contexts of what I have called common activity. Since participation in such¶ common activities is among the conditions for self- development, and since in¶ order to be an expression of agency these common activities need to be under¶ the control of those engaged in them, it follows that individuals have equal rights to co-determine these activities or to participate in decision-making¶ concerning them (the longer version of this argument is in Gould, 1988, Chapter 1). Democratic decision-making thus emerges as the institutional analogue to¶ relations of reciprocity in face-to-face interactions. In particular, the connection¶ is to that type of reciprocity that may be called social reciprocity, or reciprocity¶ of respect, rather than to lesser forms such as instrumental reciprocity —¶ colloquially, the reciprocity of ‘tit for tat’, or return for benefit given. The¶ conceptual connection between the critique of racism and the requirement of democracy is as follows, then, mediated through the principle of equal positive¶ freedom: the critique of systemic discrimination entails an emphasis on equal access to conditions of self- development, which also implies the requirement for equal rights of participation in decision-making concerning common¶ activities. On this view, the conception of self-development, originally presented by Marx and Mill, and subsequently by Macpherson and others, and which in turn¶ is seen to support the requirement for democratic participation, is not so much¶ to be opposed to consumerism and acquisitiveness, as it primarily was for Macpherson (1973),1 although it does indeed contrast with that. Rather, the main opposition is with the control by some over the conditions needed by¶ others for their self- development, i.e., domination, or in lesser modes, discrimi- nation, and one of whose manifestations (though a unique one in various ways)¶ is racism. Equal agency, in the richer sense of the equal right of individuals to be free from domination and free to develop their capacities, gives rise both to¶ an egalitarian critique of racism and other forms of oppression, and to the¶ conception of widely equal rights of participation in democratic decision- making. Of course, the question of the scope of such decision-making, and¶ correctly delimiting those who have rights to participate in varying contexts, remains a difficult and important question for democratic theory, which is not yet addressed by noting this conceptual connection. Yet, I have already noted a troubling set of difficulties that arise here: despite these deep and inherent conceptual connections, in practice there is rather often a sharp disconnection between the critique of racism and the¶ support for democracy. Numerous self-proclaimed democrats have in fact been¶ racists and some of those critical of racism have favoured authoritarian rather¶ than democratic forms of government as essential for achieving their goals. In¶ addition, and this has been often noted, there is frequently no tie between the¶ critique of racism and that of sexism, despite the intrinsic theoretical connection between them. In short, some of those most critical of one turn a blind eye¶ to the other. While it is important to note the distinctive features of each of¶ these types of oppression (themselves internally differentiated), it is puzzling¶ as to why feminists may occasionally display racist tendencies (more often in practice than at the theoretical level), while those working to overcome racism¶ sometimes denigrate feminism and may at times display sexist attitudes in practice.

#### Thus, the standard is ensuring equal opportunities for political participation.

### CONTENTION 1 – HARMS

#### Subpoint A is discrimination:

#### A close examination of the US reveals a new generation of racist voting laws and practices, employed to exclude black voters.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stops of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### The recent repeal of the Voting Rights Act allowed states to LEGALLY MANDATE voter discrimination. Laws like photo-ID are passed to exclude minority voters, hidden under the guise of colorblindness.

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive [as Jim Crow], civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

#### Subpoint B – alienation.

#### This deliberate exclusion feeds a cycle of political alienation. The obstacles to voting are not only physical, but also emotional.

Hill 1 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

It is often suggested that abstention is tolerable (even desirable) because it is really a form of political expression connoting tacit consent to the regime. Those who conceive voting purely as a mechanism for registering dissatisfaction, regard the silence of the abstainer as an eloquent expression of contentment with the politi- cal system.15 Such claims are problematic because largely speculative and in some cases, counter-factual: in the USA, for example, the 1996 National Election Study found that non-voters tended to be twice as dissatisfied as voters about the state of democracy in America (Wattenberg, 1998, p. 3). We also know that abstainers tend to perceive government as unresponsive and that their vote will be ignored; accordingly, they abstain.16 Abstainers thus become locked into a self-fulfilling cycle of quiescence, alienation and abandonment. For those democratic theorists lately absorbed with the problem of ‘democratic’ or ‘civic deficit’17 avoiding the per- petuation of this cycle has never been more urgent. There is a substantial body of comparative research which suggests that there are strong negative correlations between voting and the following characteristics: geographical isolation, social isolation and relative lack of community; low levels of education; low levels of internal and external efficacy; residential instability; youth, being a new immigrant; economic marginality and unemployment.18 The silence of abstainers thus appears to represent far more than contentment or tacit consent. Abstainers are clearly experiencing obstacles to participation; some of these obstacles are emotional and subjective; some are practical but the salient point is that they are preventing people from voting for reasons that go beyond mere disinterest, genuine choice or rational calculation.19

#### Subpoint C – the collective action problem.

#### Voting only becomes rational once people with similar interests vote as well – this creates a prisoner’s dilemma where it is a better individual choice to just stay at home, despite mass turnout benefiting everyone.

Hill 2 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

When a poor, African-American shut-in abstains from voting in American elec- tions she is behaving both rationally and irrationally. Of course it would be rational in one sense for her to vote since we are convinced that doing so would protect her interests and those of others like her. At the same time, she can’t be sure that everyone else in her predicament will have the same idea (in fact, she knows they probably won’t). Since the voluntary system evokes irrationality (i.e. the mass abstention of those most in need of the protection voting can afford), it will be rational for her to stay at home and preserve her scarce resources, knowing as she does that others like her will most likely make the same calculation. Thus, within the rational choice tradition choosing not to vote is referred to as ‘rational absten- tion’ (Downs, 1957, p. 260). Mandatory voting takes this ‘prisoner’s dilemma’ factor out of voting. It co- ordinates and therefore rationalizes democracy by instating voting in its proper place as a social activity engaged in by group interests. (The claim that voting has ‘a proper place’ is of course a value judgement but one which I believe has been defended in terms of revealing the dysfunctionalities of the voluntary system). Voluntary voting, on the other hand, makes rational action seem irrational and irrational behaviour seem rational. Compulsory voting is a co-ordination necessity in mass societies of individuated strangers unable to communicate and co-ordinate their preferences[,]. Compulsion is both economical and efficient because it frees me from: a) having to overcome uncertainty about the value of my vote and b) weigh- ing ‘opportunity costs’ against benefits in an environment where resources (and information) are scarce. Mandatory voting operates as a system and only in a system which treats voting as a problem of collective action rather than as a problem of liberty and private choice does voting really work as a way of registering prefer- ences and achieving representativeness. Compulsion collectivizes and co-ordinates ‘irrationalities’ of voting, thereby making them disappear. It reduces opportunity costs, prevents ‘free-riding’ (i.e. exclusion) and makes voting meaningful by (inadvertently) organizing indivi- dual preferences into blocs of interests. This is not to say that voting isn’t a bloc interest business in voluntary systems: it is, however here the blocs tend to resolve into those who vote and those who don’t, hardly ideal for the democratic pluralist. But under a compulsory system, the notion of electoral ‘rationality’ undergoes a radical change. It is not now a question of whether or not the indi- vidual behaviour is ‘rational’ but whether the system evokes rational behaviour. Comparing a compulsory with a non-compulsory electoral system is salutary because it reveals the essential irrationality of the latter; the voluntary system evokes ‘irrational’ behaviour (for example mass abstention of the poorly off espe- cially during crises) because it inevitably gives rise to obstacles and uncertainties. Voting is a process which cannot be understood simply as an agglomeration of individual acts of utility. It only has system rationality (this is a bit like the dis- tinction between system and act utilitarianism).25 Voting is a problem of collective action, rather than individual choice, because politics is fundamentally a team sport which yields collective (and ultimately, therefore, individualized goods). In other words, voting can only yield individual goods after they have been gathered together collectively. All of this is another way of drawing attention to the inadequacy of understand- ing voting using methodological individualism. Politics is a system and so is any democracy. The real question is not: ‘is it rational to vote’? but ‘what makes voting rational?’ Asking: ‘is it rational to vote?’ is just as silly as asking: ‘is it rational to pay taxes in a voluntary system?’ because free-riding and prisoner’s dilemmas give rise to irrationalities regardless of what I do and thereby prevent the system from working properly. Voluntary systems convert short-term rationalities into long- term irrationalities and long-term rationalities into short-term irrationalities. Compelling people to vote is thus reasonable to the extent that state coercion is acceptable in resolving problems of co-ordination in order to improve or generate system utility (and provided, of course, that the system utility is characterized by desired and desirable properties).

### CONTENTION 2 – SOLVENCY

#### Subpoint A is barrier destruction:

#### CV fights the physical barriers to voting by making elections more convenient and accessible.

Jackman 01 [Simon Jackman. Assistant Professor and Victoria Schuck Faculty Scholar, Department of Political Science, Stanford University. “Compulsory Voting.” To appear in The International Encyclopedia of the Social and Behavioral Sciences] AJ

Compulsory voting (CV) is a system of laws and/or norms mandating that enfranchised citizens turn out to vote, often accompanied by (a) a system of compulsory voter registration and (b) penalties for non-compliance, usually fines or the denial of state-provided benefits. CV is widespread throughout Latin America, but somewhat rarer among industrialized democracies. Cross-national studies find CV to be an effective mechanism for increasing turnout, by between seven to sixteen percentage points; within-country comparisons also generally find that CV boosts turnout. CV is commonly thought to advantage parties of the left (based on social-structural and demographic patterns of turnout in countries without CV), and hence shift public policy in that direction also. But these conjectures are difficult to verify, since other political and institutional variables intervene between voter turnout, election outcomes and policy outputs. It is often overlooked that fines and sanctions are just one aspect of CV: states employing CV usually reciprocate by reduc[e]ing the costs of turnout for its citizens, via weekend voting, simple registration procedures, and the creation of a centralized, professional bureaucracy concerned with all aspects of election administration.

#### Subpoint B is inclusiveness:

#### CV changes the structure of the political system, forcing parties to engage with previously marginalized voters and creating an inclusive political space.

Keaney and Rogers 06 [Emily Keaney and Ben Rogers. “A Citizen’s Duty Voter inequality and the case for compulsory turnout.” Institute for Public Policy Research. May 2006] AJ

Compulsory turnout not only increases turnout, it also cuts down the cost of political campaigning and encourages the political parties to engage with those groups least interested in politics or most dissatisfied with the political system. Where turnout is voluntary, most political parties focus on motivating their supporters to vote, rather than winning the support of undecided voters. Both national and local campaigning tend to be directed to this end. Where turnout is compulsory, however, parties can generally rely on their supporters turning out. This can reduce the cost of electioneering and/or encourage parties to concentrate on winning over people who do not support any political party – people who often feel alienated from the political system. This in turn can increase the public’s sense of political efficacy and their confidence in the political system (Lijphart 1997).

#### Mandating political participation is key to a social atmosphere of equality – it expresses that each individual has a unique, non-replaceable value. Voluntary voting only furthers elitism with its excuses of “autonomy.”

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and [the] unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual [as] a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

be more likely to vote in countries with compulsory voting, but they will also be more informed in their political choices.

#### Subpoint C is turnout:

#### All aff solvency is empirically verified – CV consistently raises turnout, verifying that voters can overcome obstacles.

Engelen 07 [Bart Engelen. Research Assistant of the Fund for Scientific Research – Flanders (Belgium), Centre for Economics and Ethics. “Why Compulsory Voting Can Enhance Democracy.” Acta Politica, 2007, 42, (23–39). 2007 Palgrave Macmillan Ltd] AJ

Although this seems immediately plausible, I want to show that introducing compulsory voting does indeed raise turnout. I only give a brief overview of empirical findings, since I mainly want to focus on the normative arguments why compulsory voting is desirable. For more in-depth empirical analyses, I refer to a number of other studies, which all conclude that compulsory voting effectively raises turnout. A first method is to compare turnout levels in countries where voting is compulsory with those where it is not. Such cross- country comparisons [which] show that average turnout in the first is about 10 to 15 percentage points higher than the second (Blais and Dobrzynska, 1998, 246– 247; IDEA, 2004, 26; Jackman, 2001, 16315; Lijphart, 1998, 8). The only two member states that have compulsory voting in the European Union had turnout levels of about 90% in the 2004 European Parliament election, which sharply contrasts with the average of 45.6%. There is wide consensus among researchers that the most important institutional factor in explaining turnout levels is compulsory voting. This method, however, encounters the problem that the potential impact of compulsory voting may coincide with that of other turnout-increasing factors such as ‘automatic registration, proportional representation, infrequent elections, weekend voting, concurrent elections’ (Lijphart, 1998, 8). While the studies mentioned above rely on statistics to single out the effect of compulsory voting, they cannot establish causal connections (Hirczy, 1994, 65; Jackman, 2001, 16316; Keaney and Rogers, 2006, 28). A second method [,] therefore, looks at a country that has introduced or abolished compulsory voting at some moment in time. Making sure all circumstances remain the same, such [is] within-country comparisons are better suited to singling out its effect. Although the available data is limited, it [which] leaves no room for doubt: wherever it is introduced, compulsory voting raises turnout.7 Completely analogously, the data show that turnout always drops when such laws are abolished.8 Moreover, turnout levels continue to drop in such countries. This suggests that compulsory voting helps solidify some kind of habit or social norm that erodes only gradually in time. Even when such laws are not actively enforced, they engender compliance.9 Here, as well as in countries where enforcement is not very strict, sanctions are mainly a symbolic reminder that voting is compulsory: ‘compulsory voting can (y) be very effective in raising turnout – in spite of low penalties that are imposed for failing to vote (usually similar to a parking violation), in spite of the lax enforcement (usually much less stringent than parking rules are enforced), and in spite of the secret ballot, which means that an actual vote cannot be compelled in the first place’ (Lijphart, 1998, 2). When citizens are no longer compelled to vote, the social norm and civic sense of duty to vote gradually vanish. This results in declining turnout levels, manifesting themselves first among the youngest citizens, who did not yet internalize the norm to vote (Franklin et al., 2004, 121–122). The fact that young people abstain more than others and that average turnout is declining indicates that the legal obligation, the social norm and the civic sense of duty to vote coexist and reinforce each other (Keaney and Rogers, 2006, 18–20).

### Underview - Wacquant

#### The underview is an additional impact to the harms:

#### Voting restrictions perpetuate racists by painting minorities as anti-citizens – a permanent underclass that must be politically sterilized and excluded.

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories [are] deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – it is this logic that makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

#### The perpetuation of exclusionary ideology is a pre-fiat reason to reject the debater. That means my framework comes first and you should reject all oppressive discourse. The ballot represents an instance of a methodology in which we must reject every instance of oppression we encounter locally, especially within academic settings.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post- Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

## More Critical 1AC Version

### Harms

#### Part one is the ABHORRENT HISTORY

#### A close examination of the status quo reveals a new generation of racist voting laws, employed to exclude black voters. This is a system of racism that sustains 5 generations of disenfranchisement and oppression.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stop[ped]s of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### These voting practices are the continuation of a long line of racism, beginning in slavery and Jim Crow – these are racist constructs that continue a generations-old vicious cycle of oppression

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as [is] an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive, civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

#### These measures bias the system against black voters – indefinitely perpetuating the same forms of social exclusion that put them in the fringe of society in the first place

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

The alienation of today’s convicts makes them social similes if not legal replicas of antebellum slaves in yet another respect: although they are barred from civic participation, they nonetheless weigh on the political scale at the behest and to the beneﬁt of those who control their bodies, much as bondspeople beneﬁted their plantation masters under the ‘three-ﬁfths’ clause of the US Constitution. Because inmates are tallied by the census as residents of the counties where they serve their sentence, they artiﬁcially inﬂate the population count as well as lower the average income level of the rural towns that harbour most prisons. As a result, these towns accrue added political power in terms of representation in their state legislature as well as garner extra federal funding intended to remedy poverty: public monies that would go to providing services such as education, medical care, and transportation and housing subsidies to poor blacks in the inner city are diverted to the beneﬁt of the predominantly white population of prison municipalities. It is estimated that Cook County will lose $88 million in federal funding during the current decade because of the 26,000-odd Chicagoans (78% of them black) reckoned as residents of the downstate districts where they are incarcerated (Dugan, 2000). Similarly, the enumeration of convicts transfers political inﬂuence from their home to their host county, thereby diluting the electoral strength of blacks and Latinos living in the metropolitan districts from which most prisoners stem – and the more so as detention facilities are located further away from major cities. Thus 80% of New York state prisoners are AfricanAmerican and Hispanic and two-thirds come from New York City; but 91% of them are housed upstate, in the conservative lily-white districts where all of the new penitentiaries built since 1982 are located. Counting urban prisoners as rural dwellers for purposes of representation (even though the state constitution speciﬁes that penal conﬁnement does not entail loss or change of residence) violates the one-man, one-vote rule, and translates into a net loss of 43,740 residents for New York City, which is computed to have cost urban Democrats two seats in each of the state house and senate (Wagner 2002, p. 10–12). And, just as counting slaves boosted the political power of Southern states and allowed them to entrench slavery by controlling the national agenda, the ‘phantom’ population of black and brown prisoners enhances the political inﬂuence of white politicians who pursue social and penal platforms antithetical to the interests of ghetto residents. In particular, these elected ofﬁcials have acquired a vested interest in the punitive policies of criminalisation of poverty and carceral escalation suited to replenishing the supply of unruly black bodies that guarantee correctional jobs, taxes, subsidies, and political pull to their communities, to the direct detriment of the segregated urban districts that furnish these convicts. In light of the ﬁasco capping the 2000 presidential contest, it is ironic as well as iconic of the increasingly constrictive impact of American electoral codes regarding felons to note that Florida leads the nation with 827,000 disenfranchised convicts and ex-convicts, distributed among 71,200 prison inmates, 131,100 probationers, a paltry 6,000 parolees (testifying to the strictness of correctional policy in that state), and a staggering 613,500 former felons who, though they have fully repaid their debt to society, will never cast a ballot for the remainder of their lives. In November of 2000, over 256,000 of these potential voters kept from the rolls were black. Had Albert Gore, Jr., the Democratic candidate, collected the vote of a mere one per cent of these electors – many of whom were illegally barred from the booth due to data recording and processing errors by the private ﬁrm contracted by the Florida Election Board to verify the eligibility of former felons who migrated across state lines11 – he would have handily won the Sunshine state and conquered the presidency. But there is a measure of poetic justice in his court-ordered defeat in that for eight years Gore served as Vice-President in an administration that worked to increase the number of convicts and ex-convicts with a zeal and efﬁciency unmatched by any other in American history (Wacquant 2005b). The debarment of ex-felons from the ballot years after they have served their sentence constituted a far more potent bias than all of the ‘hanging chads’ and misdesigned ‘butterﬂy ballots’ of Broward County that consumed public attention during the weeks and months after the aborted Florida election. This episode has reenergised social activists and analysts alike in their denunciation of the seeming infringement on the sanctity of the democratic compact it entails. In a systematic study of the impact of felon disenfranchisement laws on electoral outcomes over the past three decades, Uggen and Manza (2002) have conﬁrmed that, because they strike primarily black and poor potential voters, criminal disqualiﬁcations subtract more votes from the Democratic than from the Republican camp and have likely reversed the results of seven US Senate elections in addition to the 2000 presidential race by curtailing the minority vote. But this justiﬁable concern for the skewing of electoral outcomes skirts the deeper signiﬁcance of the process of felon exclusion, which is to enforce and communicate the degraded status of convicts by turning them into a quasi-outcaste of the American civic community, irrespective of its inﬂuence on this or that vote. It is instructive here to recall that, during the phase of imposition of the racial restrictions that gradually erected the Jim Crow regime, opposition to the Negro vote in the segregationist South was not proportional to the actual or potential weight of blacks at the polls. Rather, it was a principled opposition based on the racial syllogism (or, rather, paralogism): voting signiﬁes political equality, which implies social equality, which in turn incites sexual assaults on white women, i.e., threatens the societal myth of the racial purity of whites (Litwack 1998, p. 221). It was not political expediency so much as caste necessity that mandated the political exclusion of the descendants of slaves. The same may well be true today about felons as they have been made over into the latest historical avatar of the ‘bad nigger’. Indeed, it sufﬁces to break with the dominant ideology of civic universalism, running from Alexis de Tocqueville to Gunnar Myrdal and Louis Hartz and their latter-day epigones, according to which American citizenship was ab initio accessible to all those willing to embrace its liberal ideals and republican institutions, and to recognise, with recent revisionist political history, that US democracy has been founded from its inception on a restricted compact for the deserving in which only the ethnically and spiritually worthy partake, for racially skewed felon disenfranchisement laws to cease to appear anomalous.12 Far from ‘eroding democracy’, as their critics complain, these laws reactivate and update one of its deepest springs and remind us that caste division has been a core and not a peripheral trait of US society, a constitutive and not a teratological feature of American republicanism. Measures shutting out felons from the distribution of valued cultural capital, socialwelfare redistribution, and the vote converge to perpetuate a ‘sphere of group exclusiveness’ – to recall Herbert Blumer’s (1958, p. 4) expansive deﬁnition of racial prejudice – and testify to the stratiﬁed and restrictive complexion of American citizenship at the dawn of the new millennium.

#### Voting restrictions construct blackness as the anti-citizen – a permanent underclass that must be political sterilized

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose [as if their] social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – this logic makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

### Solvency

#### Part two is a NEW HISTORY – I will defend compulsory voting in the US

#### Compulsory voting is key to resisting racist disenfranchisement laws.

Cherry 09 [(Ceridwen, Law Clerk at United States District Court for the District of Massachusetts, Voting Rights Intern at The Lawyers' Committee for Civil Rights Under Law, Intern at Office of Senator Edward M. Kennedy, University of Michigan Law School and Harvard University Kennedy School of Government) “Maximizing Participation: what the US can learn from compulsory voting” FairVote June 8, 2009] AT

While mandatory turnout has little future in the US, electoral systems using compulsory voting can still provide the US with important lessons in increasing turnout and improving the accessibility of voting. Many Americans do not vote because they are unable to reach a polling station on election day. In contrast, countries that use compulsory voting typically also make voting more convenient, and thus improve voter attendance, a lead the US must follow. Such improvements should include expanded postal voting, pre-polling for those unable to attend on the day, improved absentee procedures for overseas and military voters and mobile polling booths for the infirm and elderly. In jurisdictions where voting is compulsory, elections tend to be held on a more convenient day when fewer citizens have conflicts with work or school (generally Saturday). Those still unable to attend on election day are allowed to pre-poll or vote by mail. In addition to improved voter access, jurisdictions that compel citizens to vote also strive to achieve universal voter registration. This reduces the chance that anyone may be disenfranchised due to registration issues. Many countries rely on a national register and automatically enroll citizens to vote. Similarly, the US needs to at least move to an opt-out rather than opt-in system of voter registration. Short of this the government should take a more active role in voter registration, particularly through encouraging youth pre-registration. Governments registering people has been shown to be one of the most powerful predictors of high turnout levels.

#### Coercing political participation challenges this narrative – the message of equal political participation is uniquely key

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

#### Voting is a form of empowerment – failure to expand voting excludes black voters from our democracy

Weatherspoon 7 [(Floyd, expert in African-American males and the law, published in law journals and newspapers, associate dean for Alternative Dispute Resolution Programs, member of the National Bar Association and the American Bar Association, external Administrative Judge for the EEOC) “The Mass Incarceration of African-American Males: A Return to Institutionalized Slavery, Oppression, and Disenfranchisement of Constitutional Rights” 13 Texas Wesleyan Law Review 599 (2007)] AT

The mass incarceration of African-American males has resulted in the subordination of their constitutional rights of freedom and equal protection under the law. The struggle continues for African-American males to find their rightful place in society. The massive disenfranchisement of African-American males in this country further isolates them from the general public. The isolation of African-American males is already evident in employment and education. The denial of voting further subordinates their status socially, economically, and politically. Without the right to vote, African-American males are devalued by the various political systems that promulgate policies that disproportionately impact their constitutional rights. Re-enfranchising African-American males will empower them to actively participate in our system of democracy. A failure to do so reverts African-American males to second class citizens, or even worse, subordinates them to a system of de facto slavery.

#### These challenges to racism are what is key----

#### The most important way to resist oppression is at the level of knowledge production – power operates through thought processes that necessitate violence against the disempowered, not through concrete institutions

Biyanwila 8—University of Western Australia (Janaka, Re-empowering labour : Knowledge, ontology and counter-hegemony, http://www.tasa.org.au/uploads/2011/05/Biyanwila-Janaka-Session-59-PDF.pdf)

An essential component of union power and issues of empowerment is the production of knowledge. The disempowerment of labour under the neo-liberal intellectual hegemony highlights the need for new forms of counter-hegemonic knowledge. The dominant unions, both in the global South as well as the North, maintain a mono culture of knowledge that situate unions primarily within the realm of production, systems of industrial relations and formal labour markets. In subordinating the realm of social reproduction, and ‘informal’ labour markets, this approach to knowledge evade the lived reality of those, the majority, enduring multiple forms of violence, from hunger to social exclusion in their every day lives. The re-empowerment of unions relates to elaborating union approaches to knowledge or epistemic frameworks that encourage a deeper understanding of union practices as well as communication with other movements. This paper suggests a return to the realm of ontology, the domain of being, in terms of prioritising and transforming the insecurity and violence in everyday life, particularly in the global South. An emphasis on ontology suggests reinforcing social and democratic approaches to knowledge, in order for unions to engage as a counter movement revitalising their identities as civil society actors. ¶ Introduction ¶ Central to debates around union renewal and empowerment is the development of counterhegemonic knowledge capable of organising and mobilising workers (Moody 1997; Lambert, 2002; Waterman, 2005; Clawson, 2003; Hyman, 2004; Webster et al., 2008). Most dominant unions, or the consolidated segments of the labour movement, are compromised within hegemonic knowledge, creating consent to positivist instrumental approaches to knowledge. This mono-culture of knowledge (Sousa, 2003), despite a discourse of diversity and organising ‘new’ workers, represents unions as economic actors, restricted to the workplace, within systems of industrial relations based on a formal economy of exchange. Meanwhile, the less consolidated segments of the labour movement, such as new unions and worker organisations, rely on counter-hegemonic knowledge, or ecologies of knowledge, elaborating their collective identities as a social movement within civil society. The realm of civil society involving organisations, networks and movements, is a space of hegemonic and counterhegemonic struggles, interrelated to the state. Unions as actors within civil society foreground a social and moral economy which is central to strategic theoretical perspectives of ‘community unionism’ and ‘social movement unionism’ (Moody, 1997; Lambert, 2002; Waterman, 2005; Clawson, 2003; Webster et al., 2008). The representation of unions as actors within civil society, emphasise the movement dimension of unions as well as new approaches to knowledge. Nevertheless, these perspectives often fail to factor in the experience of violence in the everyday lives of workers, particularly in the global South. The “South” refers to a status of subordination, in the core-periphery hierarchies of uneven capitalist development, where the historical experience of colonialism, racism, anti-colonial struggles, as well as disillusionment with post-colonial state forms influence the Southern trade union identities (Lambert, 2002).¶ An often ignored significant structural effect of neo-liberal globalisation, particularly in the South, is the spread of violence and insecurity. Under neo-liberal ideology, the spread of “flexible labour markets” and the privatisation public goods, depends on authoritarian state forms that prioritise ‘national security’ over ‘human security’. The generative mechanism of this violence and insecurity are structures of power that reproduce conditions of exploitation, oppression and subjugation (Das, 1990; Galtung, 1996, 2004; Moser, 2001). Various manifestations of violence that permeate multiple scales and temporalities are generated by structural coupling of capitalism, patriarchy, racism and imperialism (Das, 1990; Moser, 2001; Panitch, 2002; Ali and Ercelan, 2004). The adoption of new coercive domestic and international measures by the US in the post 9-11 context, under the ‘war against terrorism’, reflects the restructuring of the coercive apparatuses of all states to coordinate and maintain the US global hegemony (Panitch, 2002). These authoritarian state strategies often depend on ‘uncivil’ actors in civil society for reproducing structures of violence. Of course, this structural violence is debilitating and undermines individual and collective agency. Nevertheless, it is also at the root of social protest and mobilisation (Panitch, 2002). The multiplicity of struggles from Communists Maoists in tribal areas of India to the Zapatistas in indigenous areas of Mexico, illustrate collective struggles forced into violent modes of resistance. ¶ Violence as an expression of power relations involves structural and cultural dimensions. Structural violence (of hunger, poverty, malnutrition, illiteracy) and cultural violence (patriotic, patriarchal, etc) are embedded in power hierarchies based on class, gender, ethnicity, region, caste, age, (dis)ability, and sexuality. These structures of violence are stratified and differentiated with visible and invisible effects. While direct violence, physical and/or verbal, is visible, they emerge from the more invisible cultural and structural violence (Galtung, 2004). Indeed the resistance to structural violence of state and capital by counter forces also appropriates cultural meanings to legitimize their use of violence as the mode of struggle (Ibid.). According to Galtung (2004), transforming violence through human agency requires a counter discourse of peace and non-violence which must be “built in the culture and in the structure, not only in the ‘human mind’”.

### Framework

#### A framework that allows racism will be biased from the start – you can’t generalize about humanity from half of it

Charles Mills [Prof. Philosophy, Northwestern University. Race and Racism In Modern Philospohy. “Kant’s Untermenschen” pg. 190]

Second, it could well be that these exclusions do in fact affect the thinker’s thought in other ways whose ramifications need to be worked out. In the case of gender, the connection is easier to make, in part because feminists have been boring on these questions longer than critical race theorists. If you have been generalizing about humanity on the basis of one half of it, then there will obviously be vast areas of history and experience that need to be brought in to correct for these omissions. Political theorists such as Susan Moller Okin have argued against a merely "terminological" gender neutrality, which contents itself with a self-conscious alternation of "he" and "she" without considering how the originally sexist theory's basic conceptual apparatus, assumptions, and pronouncements may have been shaped by these gender exclusions. Do crucial concepts such as "autonomy" need to be given a different emphasis, if a case can be made that a tacitly masculine experience has grounded their formation? Is the disdain for "inclination” linked with its identification with the body and the feminine? It could be argued similarly that genuine race neutrality requires careful rethinking of white philosophy's content in the light of racial domination. If nonwhite "savagery" is the negative antipode against which [to] civilized (white) humanity is going to define itself, then obviously the interlocking conceptual relationships are likely to shape how these concepts of "civilization," and what it is to rise above nature, develop. Both in the descriptive realm, where full humanity is conceptualized in Eurocentric and culturally loaded terms, and in the prescriptive realm, the implications could be far-reaching.

#### Challenging racism is crucial – equal treatment is the only just system and is a pre-requisite to any other political theory.

Gosepath [Gosepath, Stefan. “Equality.” The Stanford Encyclopedia of Philosophy (Spring 2011 Edition), Edward N. Zalta (ed.). <http://plato.stanford.edu/archives/spr2011/entries/equality/>.]

The principle of equal dignity and respect is now accepted as a minimum standard throughout mainstream Western culture. Some misunderstandings regarding moral equality need to be clarified. To say that men are equal is not to say they are identical. The postulate of equality implies that underneath apparent differences, certain recognizable entities or units exist that, by dint of being units, can be said to be ‘equal.’ (Thomson 1949, p. 4). Fundamental equality means that persons are alike in important relevant and specified respects alone, and not that they are all generally the same or can be treated in the same way (Nagel 1991). In a now commonly posed distinction, stemming from Dworkin (1977, p. 370), moral equality can be understood as prescribing treatment of persons as equals, i.e., with equal concern and respect, and not the often implausible principle of treating persons equally. This fundamental idea of equal respect for all persons and of the equal worth or equal dignity of all human beings (Vlastos 1962) is accepted as a minimal standard by all leading schools of modern Western political and moral culture. Any political theory abandoning this notion of equality will not be found plausible today. In a period in which metaphysical, religious and traditional views have lost their general plausibility (Habermas 1983, p. 53, 1992, pp. 39-44), it appears impossible to peacefully reach a general agreement on common political aims without accepting that persons must be treated as equals. As a result, moral equality constitutes the ‘egalitarian plateau’ for all contemporary political theories (Kymlicka 1990, p.5). To recognize that human beings are all equally individual does not mean having to treat them uniformly in any respects other than those in which they clearly have a moral claim to be treated alike. Disputes arise, of course, concerning what these claims amount to and how they should be resolved. That is the crux of the problem to which I now turn.

## AC vs Ram [Wip]

### FRAMEWORK

#### The term “compulsory voting” creates a law to attend all elections. I defend that the law prohibits blank ballots, but they’re still aff ground since the state can’t prevent people from casting them.

Birch 09 [Birch, Sarah. Reader in Politics-University of Essex . “Full Participation : A Comparative Study of Compulsory Voting.” Manchester, GBR: Manchester University Press, 2009. Pgs 2-3. Copyright © 2009. Manchester University Press] AJ

Compulsory voting can be defined very simply as the legal obligation to attend the polls at election time 3 and perform whatever duties are required there of electors. As is often recognised, the inherent constraints of the secret ballot mean[s] that in most modern democracies (and even in many less-than democratic settings) compulsory voting is, strictly-speaking, impossible. [t]he state cannot typically monitor the behaviour of the elector in the privacy of the polling booth and can therefore do nothing to prevent him or her from casting an invalid or blank ballot; in very few states is any legal effort made to do so. 4 The Dutch language recognises this distinction by employing a term – opkomstplicht – which can be translated as compulsory (or obligatory) attendance at the polls, 5 as does a recent Institute for Public Policy Research Report, which refers to ‘compulsory turnout’ (Keaney and Rogers, 2006). Most European languages fail to make this distinction, however, and use terms that translate roughly as ‘obligatory voting’. The French speak of le vote obligatoire, the Italians of il voto obbligatorio , the Spanish of el voto obligatorio and the Portuguese of o voto obrigatório . In German the terms employed are ( gesetzliche ) Wahlpflicht and Stimmpflicht , while most Slavic languages use variations on the Polish term głosowanie obowia ˛zkowe . 6 The terms ‘obligatory voting’ and ‘mandatory voting’ do make their appearances in the English-language literature, yet the most commonly used term to designate this practice is ‘compulsory voting’. This is somewhat unfortunate, given the pejorative connotations of the term ‘compulsion’ in English; certainly ‘obligation’ has a rather different sound. Use of the term ‘compulsion’ thus casts the institution in a negative light in many English-languages debates on the subject (despite the fact that the Australians have been happily using this term to describe their electoral system for over 80 years). This usage has the further consequence of precluding an automatic semantic link between the institution and the broader notion of political obligation. A more appropriate term might be ‘the legal obligation to participate in elections’, but this being cumbersome, the present study will employ the terms ‘compulsory voting’, ‘mandatory voting’, ‘compulsory electoral participation’ and ‘mandatory electoral participation’, which will be used interchangeably.

#### The AC defends implementation of CV in the United States only.

#### Next is framework.

#### A right to equality entails a positive right to equal political participation. Otherwise, we continue the racist ideology of the past by allowing disparities to continue unanswered.

CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

Why does racism, as well as the idea of race itself, play[s] almost no role in most democratic theories? As Cunningham (2000) has noted, this is the case even for C.B. Macpherson, and, we might add, for more recent theories too, for example,¶ those of Ian Shapiro or Thomas Christiano (Macpherson, 1973; Shapiro, 1996; Christiano, 1996. There are important exceptions such as Simon, 1995). In the¶ long view of democratic theory, one answer is obvious: for the same reason¶ that feminist theory has only recently come to influence democratic theory —¶ namely, the latter’s [its] disregard of difference (except as individually different opinions or conflicting interest groups), and the liberal conviction that democ- racy is primarily a matter of assuring equal rights to vote and majority rule. Additionally, from within this traditional understanding[s], democratic citizenship itself, with its requirement of equal treatment, ought simply to disregard¶ an individual’s race. On this approach, while racism is ruled out at the formal¶ level, not much more can be said about it.¶ In fact, as has been argued by Bernard Boxill and others, the central democratic procedure of majority vote tends to render minority groups¶ invisible (Boxill, 1998, pp. 112–19). Because of this, formal democracy and¶ especially the procedure of majority vote, not only disregards underlying¶ racism, but in fact exacerbates it in practice, because votes can give enormous power to an absolute majority of one race or culture over cultural minorities,¶ in Boxill’s phraseology (pp. 112–13); it thereby may permit a tyranny of the majority over these minority groups. Not only has most democratic theory had little to say about racism, but in¶ fact democracies have coexisted in practice with racism for many centuries, as Charles Mills and others have recently stressed (see Mills, 1997, especially Chapter 1). Beyond insisting on equal voting rights, then, democracy, as a¶ formal and procedural system, offers little basis for the critique of racism. This neglect by democratic theorists and the tolerance of democracies for racism¶ suggests on the face of it that there is something wrong with the traditional understanding of democracy. I will argue here that the inadequacy goes beyond the oft-observed formality of democracy and its disregard of social and¶ economic inequalities outside the political sphere. Before proceeding, we should note that racism has been addressed in this country in certain delimited democratic contexts: rst, in the issue of the¶ representation of Blacks in Congress, in terms of the legitimacy of creating Black majority districts (Guinier, 1994, is especially centrala here). Second, there has been the Federal role in instituting affirmative action programmes, as¶ required by concepts of justice. To the degree that such programs have been¶ seen as appropriate political decisions by democratic governments, affirmative action provides another tie between democracy and racism. Mention might also be made of the idea that achieving Black community control of local govern- ments would increase opportunities for political participation. In general,¶ though, in dealing with racism, the emphasis — even on the Left in this country — has been on overcoming discrimination through affirmative action¶ and achieving greater economic equality; which in turn has been seen as the way to insure increased political participation. While this is clearly of great¶ importance, there is need for further reflection on the connection between¶ racism and democracy itself. To sum up the existing situation: from the standpoint of basic norms for political philosophy, namely, the key values of freedom, justice, community, and democracy, we may say that race and racism have been tied primarily to¶ justice (as equality — political, social and economic), as well as to freedom¶ (from discrimination or oppression or stereotypes) and in this connection to the¶ conception of the social construction of racial characteristics. Increasingly, in¶ recent years, the overcoming of racism has been connected to an understanding¶ of community as inclusiveness, where an inclusive community refers to one¶ that not only tolerates but encourages differences, and supports diverse cultural and ethnic groups by assigning them rights and by enlarging the scope of¶ interpersonal interaction, both within racial groups and among them. Yet, the missing term in these accounts has been that of democracy. As noted, beyond the idea of lack of opportunities for democratic participation by African-Americans and the general need for equalising opportunities, the ties of racism to democracy remain relatively unexplored. And while the elimin- ation of injustice (freedom from discrimination or oppression — racial and¶ otherwise) and ‘levelling the playing field’ surely are presuppositions of full democracy, as Thomas Simon shows (1995, especially Chapter 5), this cannot exhaust the account of the relations between the key terms ‘racism’ and¶ ‘democracy’; nor does the issue — albeit a crucial one — of achieving genuine¶ representation of African-Americans through the creation of Black majority districts or other measures, e.g., proportional representation. In what follows,¶ then, I will take up some of the other connections that racism (and race more generally) has to democracy. I will draw on the particular version of demo- cratic theory that I have advanced elsewhere (Gould, 1988, and a series of articles, e.g., Gould, 1996–97), but similar connections apply to several other versions as well. 2 The first point to note — of great importance, if perhaps obvious — is the¶ intrinsic and [a] deep connection between the critique of racism (and sexism) and¶ the requirement for democracy. In my view, the idea of equal positive freedom, or more generally a conception of equal agency, is the basis for both the¶ critique of discrimination and the justification of democratic participation. In¶ the first case, equal positive freedom as prima facie equal rights to the¶ conditions for individuals’ self-development, entails (negative) freedom from discrimination and domination — both institutional and personal — inasmuch¶ as these conditions limit or curtail such flourishing [and], as well as the (positive) availability of social and economic conditions for this self-development. Hence¶ it excludes both racism and sexism, and entails an affirmative requirement for¶ reciprocal recognition, as well as some equalisation of social and economic¶ resources. At the same time, this very principle of equal positive freedom serves as the justification for equal rights of democratic participation in all contexts of what I have called common activity. Since participation in such¶ common activities is among the conditions for self- development, and since in¶ order to be an expression of agency these common activities need to be under¶ the control of those engaged in them, it follows that individuals have equal rights to co-determine these activities or to participate in decision-making¶ concerning them (the longer version of this argument is in Gould, 1988, Chapter 1). Democratic decision-making thus emerges as the institutional analogue to¶ relations of reciprocity in face-to-face interactions. In particular, the connection¶ is to that type of reciprocity that may be called social reciprocity, or reciprocity¶ of respect, rather than to lesser forms such as instrumental reciprocity —¶ colloquially, the reciprocity of ‘tit for tat’, or return for benefit given. The¶ conceptual connection between the critique of racism and the requirement of democracy is as follows, then, mediated through the principle of equal positive¶ freedom: the critique of systemic discrimination entails an emphasis on equal access to conditions of self- development, which also implies the requirement for equal rights of participation in decision-making concerning common¶ activities. On this view, the conception of self-development, originally presented by Marx and Mill, and subsequently by Macpherson and others, and which in turn¶ is seen to support the requirement for democratic participation, is not so much¶ to be opposed to consumerism and acquisitiveness, as it primarily was for Macpherson (1973),1 although it does indeed contrast with that. Rather, the main opposition is with the control by some over the conditions needed by¶ others for their self- development, i.e., domination, or in lesser modes, discrimi- nation, and one of whose manifestations (though a unique one in various ways)¶ is racism. Equal agency, in the richer sense of the equal right of individuals to be free from domination and free to develop their capacities, gives rise both to¶ an egalitarian critique of racism and other forms of oppression, and to the¶ conception of widely equal rights of participation in democratic decision- making. Of course, the question of the scope of such decision-making, and¶ correctly delimiting those who have rights to participate in varying contexts, remains a difficult and important question for democratic theory, which is not yet addressed by noting this conceptual connection. Yet, I have already noted a troubling set of difficulties that arise here: despite these deep and inherent conceptual connections, in practice there is rather often a sharp disconnection between the critique of racism and the¶ support for democracy. Numerous self-proclaimed democrats have in fact been¶ racists and some of those critical of racism have favoured authoritarian rather¶ than democratic forms of government as essential for achieving their goals. In¶ addition, and this has been often noted, there is frequently no tie between the¶ critique of racism and that of sexism, despite the intrinsic theoretical connection between them. In short, some of those most critical of one turn a blind eye¶ to the other. While it is important to note the distinctive features of each of¶ these types of oppression (themselves internally differentiated), it is puzzling¶ as to why feminists may occasionally display racist tendencies (more often in practice than at the theoretical level), while those working to overcome racism¶ sometimes denigrate feminism and may at times display sexist attitudes in practice.

#### Thus, the standard is ensuring equal opportunities for political participation. Extra warrants:

#### Multiculturalism: Current theories claim that this emphasis on negative rights can be neutral, but it inevitably ends up expressing the model of the white Protestant as “normal.” Ending racism requires accepting multiculturalism in the public sphere by breaking down racial barriers and actively supporting all cultural identities.

GOULD 2 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

It may be helpful to analyse the ingredients for this reinterpretation of democracy, namely, multiculturalism, inclusiveness, and democratic com- munity, before attempting a summary characterisation of the overall idea. The term multiculturalism has been used in importantly ambiguous ways, meaning different things to different people; and by now it has some unfortu- nate connotations. Still, the word itself, suggesting the multiplicity of cultures, retains its utility. (‘Pluriculturalism’ would capture the same notion, but it too has been used in very different contexts.) We may in fact distinguish between¶ two uses of the term: in one use, multiculturalism designates an aggregate or collection of different and relatively separate cultures, together with an aware- ness within an older dominant culture of these differences and of the contributions of the cultures of oppressed groups — paradigmatically, the recognition¶ of the contributions of African-American, Latino, and other minority cultures¶ in the United States — or an awareness of non-Western cultures beyond the dominant Eurocentric canon. In this aggregative sense, too, it has sometimes come to be unfortunately used in a denigrating and racist way to refer to generalised, unspecified racial demands by African-Americans and other racial minorities on white people. The term multiculturalism can also be used, in a second sense, to designate a newer interactive model of culture, where cultural (and racial) identity itself¶ is open to plural definition and where there may be cultural creation through¶ the appropriation of diverse cultural influences. Here, the concept becomes more one of being multi-cultured or multiply-cultured (and analogously, perhaps, multi- racial). A noteworthy and often-cited example of this interactive cultural creation is American jazz. There have been more recent forms of this as well, for example, in graffiti art, in the influence of various sorts of ethnic dance on the forms of modern dance, in hip-hop music, and more generally in the phenomenon of ‘fusion’ styles of art, music and even cuisine. Yet, this does not necessarily entail a homogenisation of cultural strains and it¶ is also a continuation of the historically common phenomenon of cultural diffusion. But we may say that such multi- cultural creation has become a more¶ intensely dynamic phenomenon than it was in the past, due in part to the powerful contemporary technologies of global communication. On the normative side, such developments contribute to the possibilities of cultural choice and change, and accord with the social constructivist conception of racial/¶ cultural identity presented earlier. It is evident that this conception of multi- culturalism adds an important element not only of self- definition but also¶ the appropriation of diverse cultures to the more passive traditional characterisation of races, and of cultures too, as matters of birth or ascription. When connected to democracy, the requirement of multiculturalism implies¶ that the political community not only tolerate diverse cultural groups, but find ways of supporting them, compatible with basic principles of equal treatment.¶ It would need to eliminate the favouritism of civic life toward one leading set of cultural characteristics — that of the majority (in the US, still white Protestant[s]), and permit the development of new forms of such civic life reflective of the polity’s fuller cultural variety. Some degree of public support of diverse¶ cultures is possible, with the proviso that individuals must be understood to be¶ capable of belonging to more than one culture. And particularly where there is a dominant majority and a clearly articulated set of minority cultures, certain¶ group rights for these cultural minorities may also need to be protected (for some of the difficulties here, see Kymlicka, 1995). Such a multicultural democracy attempts to go beyond the model of a neutral and universalist public sphere, where all particularity is supposedly¶ relegated to a private domain in which particular cultural identities are allowed to flourish. Rather, this view suggests that some cultural diversification can actually be supported within the public sphere itself, compatible with fairness and human rights, and where there is an ongoing and open dialogue about emergent civic traditions. The inclusiveness required by this new conception arises in the first place¶ from the connection of democracy to citizenship. It has increasingly been¶ recognised that the issue of who counts as a member of a political community¶ is as central as [is] their degree of participation in the governance of the resulting polity. The inclusiveness required here turns on the idea that all those resident¶ in a given territory need to be recognised as citizens, with rights of democratic participation. Racist exclusions or denigrations are eliminated on this view. Certainly, full civil, social, and economic rights for immigrants are implied¶ here, while for illegal immigrants a range of hard issues would centre on whether one could show them to be residents within the polity. Yet, the question of fully open borders is not touched by this account. It seems evident¶ that the inclusiveness of the community does not necessarily entail a com- munity with no borders or one that extends worldwide. The issue of the scope of political communities and of borders remains a real one; and we need also to accommodate the possibility of overlapping communities. But these questions go beyond the scope of this paper. This redefinition of democracy sees such an inclusive democratic com- munity as the framework for political life. But what does the notion of such a¶ community involve? Normatively, it connotes an openness to, and acceptance of, the whole person on the part of others, where these persons are taken in¶ their embodied and diverse complexity. In this sense, it is a community of differentiated whole persons. There is no exclusive concern with cognitivity in¶ the constitution of this as a community, nor with any given criteria of ethnicity¶ or objective bodily characteristics. There is also no requirement for agreement on some comprehensive doctrine — moral, religious, or philosophical — for¶ there to be a community (contrast Rawls, 1993, p. 40, footnote 43). The existing¶ community that serves as the basis for a political society can be considered¶ democratic to the degree that it involves opportunities for participation in decision-making for all its members. This entails engagement with other concrete individuals in face-to-face interactions (e.g., in committees, small groups, or the occasional community-wide meeting; or in interactions among¶ individuals in governmental or deliberative bodies); as well as mediated forms of representation.

#### Racism is enabled by allegedly neutral ideals like “negative rights,” which claim that individuals will best realize equality when they are left alone. We won’t bother you – but we won’t help you either. This color-blindness fails since it ignores the real-world conditions that allow racism to continue.

GOULD 2 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

¶ Based on this analysis of socially constructed racial and cultural identities, we may return to the original set of issues and ask: if democracy, with its equal rights, is antithetical to racism, why does racism persist within it? Abstracting¶ from the central empirical issues here, and focussing on this only from the side of the concept of democracy, we may answer that partly it is due to existing¶ limitations in the understanding of democracy. I want to disagree, then, with Charles Mills’ normative approach, while appreciating his powerful critique of racism as a system of accumulated entrenched privilege, or differential racial privilege that is institutionalised and global (or practically so). Mills suggests¶ that the normative requirement in dealing with this system of white supremacy¶ is to base democratic political organisation on a true understanding of social contract and natural or human rights (see Mills, 1997, p. 129), and to bring¶ these Enlightenment ideals to full realisation. But I think that more is required, and specifically a rethinking of democracy [is required.] along several dimensions. The problems with contemporary democracies have already been well analysed in terms of their formality and proceduralism, and their disregard of social and economic inequalities that set[s] limits to participation. I would add,¶ too, the factor of [and] their delimitation to the political realm alone. At the basis of¶ this traditional understanding of democracy is a conception of what I have¶ called abstractly universal norms of negative freedom and formal equality, with a social ontology of individuals whose relations to each other are external¶ (see Gould, 1988, Chapters 1–3, and 1978, especially Chapters 1 and 2). An¶ alternative view would adopt these very norms while reinterpreting them, and would also reconceive democracy in relation to a notion of concrete universality, understood as having both empirical and normative aspects. Descriptively, concrete universality adds to the social ontology not only an understanding of the individuals as internally related to each other, but sees¶ societies as constituted and interconstituted through these multifaceted relations. While abjuring the holistic interpretations of this universality originally proposed by Hegel, this approach sees a certain utility in an emphasis on¶ interconstituting relations, including here racial relations, and places new¶ weight on the possibilities for intercultural creation (intra- and interracial) that¶ this may open.2 The latter may even [and] extend to the co- constitution of concepts, procedures, and institutions themselves based on differential understandings¶ from multiple cultural or racial perspectives. Within a given society, a concrete universalist approach sees the inter- constitution of social relations, including racial interactions, as taking place among differentiated individuals and groups, who differentiate themselves and¶ are recognised by others through relations that are initially often oppositional or oppressive but perhaps increasingly reciprocal over time. From the normative side as well, the distinctiveness of such a concrete universalist approach¶ consists in its requirement that abstract moral, political, and legal norms,¶ though of great importance, also need to be put in the context of actual social conditions to understand critically why they have not been realised. It proposes¶ too that social cooperation and a variety of other social values be integrated with the abstract individual ones that are already well known and understood. When conceived in relation to the idea of multiple and interactive cultural¶ identities that I posed as the prospective counterpart to historically developed¶ racial identities, what then does such a conception of concrete universality¶ entail? The answer is threefold, I think: democracy needs to be understood as multicultural in a specific sense, it has to be connected to citizenship on a¶ certain interpretation, and it requires a substantive interpretation in terms of democratic community. These admittedly rather demanding requirements can¶ be summed up in the idea of an inclusive multicultural democracy. It seems to me that democracy can make its own contribution to countering racism when¶ it is reconceived in this way, providing certain suggestions for practical changes along these lines. The additional impact of economic democratisation¶ for counteracting racism will be considered later, in the final part.

#### Thus, the standard is reducing race-based barriers to equal participation in decision-making. Additional warrant:

#### The relegation of cultures to the private sphere marginalizes minorities, who are then forced to abandon their identities to try “fitting in.”

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 204-205] AJ

Thirdly, the civic assimilationist attempt to combine a monocultural public realm with a multicultual private realm has a tendency to wont against the latter. The public realm in every society generally enjoys far greater dignity and prestige than the private realm. The culture it institutionalizes enjoys state patronage, power, access to valuable resources, and political respectability, and sets the tone of the rest of society. Although other cultures are free to flourish in the private realm, they exist in its overpowering shadow, and are largely seen as marginal and worth practising only in the relative privacy of the family and commu- nal associations. Subjected to the relentless assimilationist pressure of the dominant culture, their members, especially youth, internalize their inferior status and opt for uncritical assimilation, lead confused lives or retreat into their communal ghettos. The older generation of Jewish immigrants to Europe and the USA have frequently remarked that when young they used to feel deeply embarrassed if their parents spoke Yiddish in public, wore traditional dress or performed their religious and other ceremonies in public, and that over time they lost their language, cultural pride and in some cases even the culture itself. This sad phenomenon has not disappeared even in more relaxed times such as ours. A couple of years ago when 1 was travelling by train in Britain, 1 was sitting opposite an elderly Pakistani couple and next to their adolescent daughter. When the crowded train pulled out of the station, the parents began to talk in Urdu. The girl felt restless and nervous and started making strange signals to them. As they earned on their conversation for a few more minutes, she angrily leaned over the table and asked them to shut up. When the confused mother asked why, the girl shot back, 'just as you do not expose your private parts in public, you do not speak in that language in public'. One wonders if she would have felt so distressed if her parents had been speaking French. Though no one presumably had told her so, she knew that the public realm belong[s]ed to whites, that only their language, customs, values, bodily gesture, and ways of talking were [are] legitimate in it, and that minority ethnic and cultural identities must remain confined to the private realm. In a society dominated by one culture tolerance is not enough to sustain diversity in the private realm as the civic assimilationist assumes. Public institutions including the state need to play an active and supportive role. We shall later see what this involves.

#### Rejecting assimilation and promoting diversity is the only way to maintain societal unity.

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 196-198] AJ

A multicultural society faces two conflicting demands and needs to dense a political structure that enables it to reconcile them in a just and collectively acceptable manner. It should foster a strong sense of unity and common belonging among its citizens, as otherwise it cannot act as a united community able to take and enforce collectively-binding deci- sions and regulate and resolve conflicts. Paradoxical as it may seem, the greater and deeper the diversity in a society, the greater the unity and cohesion it requires to hold itself together and nurture its diversity. A weakly held society feels threatened by differences and lacks the confidence and the willingness to welcome and live with them. A multicultural society cannot ignore the demands of diversity either. By definition diversity is an inescapable fact of its collective life and can neither be wished out of existence nor suppressed with an unacceptable degree of coercion and often not even then. Furthermore, since human beings are attached to and shaped by their culture, and their self-respect is closely bound up with respect for it, the basic respect we owe our fellow-humans extends to their culture and cultural community as well. Respect for their culture also earns their loyalty, gives them the confidence and courage to interact with other cultures, and facilitates their integration into wider society. As we have seen, cultural diversity is also desirable for society as a whole and represents a valuable collective asset. Since no multicultural society can or should ignore the demands of diversity, the assimilationist mode of political integration advocated by Conservatives, nationalists, some communitarians and proponents of comprehensive liberalism is inherently unsuited to it. The assimilationist takes the nation stale as his ideal and believes that no polity can be stable and cohesive unless its members share a common national culture, including common values, ideals of excellence, moral beliefs and social practices. As a custodian of society's way of life, the state is assumed to have the right and the duty to ensure that its cultural minorities assimilate into the prevailing national culture and shed all vestiges of their separate cultures. In the assimilationist view the choice before minorities is simple. If they wish to become part of society and be treated like the rest of their fellow-citizens, they should assimilate. If they insist on retaining their separate cultures, they should not complain if they are viewed as outsiders and subjected to discriminatory treatment. There is nothing wrong with assimilation. If minorities freely decide to assimilate into the dominant culture, their decisions should be respected and they should be given every opportunity and help to do so. The question, however, is whether this degree of assimilation is neces- sary to ensure political unity and should be made a precondition of equal citizenship. The answer to that is in the negative. For reasons dis- cussed earlier, minorities have a right to maintain and transmit their ways of life, and denying it to them is both indefensible and likely to provoke resistance. Furthermore, it is not clear what they are to be assimilated into. The assimilationist assumes that society has a coher- ent and unified cultural and moral structure, and that is rarely the case. Although the moral and cultural structure of a society has some inter- nal coherence, it is not a homogeneous and unified whole. It varies with class, religion and region, is made up of diverse and even conflicting strands, and consists of values and practices that can be interpreted and related in several different ways. The assimilationist ignores all this, and either offers a highly abridged and distorted view of national cul- ture or equates it with that of the dominant group. If minorities are left free to negotiate their relations with the wider society and have an incentive to do so, they might decide to assimilate, but they are less likely to do so if assimilation is imposed, rushed or brings no benefits. The Jews have survived two millennia of a strong assimilationist pressure from Christians, the ethnic and cultural minori- ties in the Soviet Union have survived the most brutal repression the formidable economic and cultural pressures of the United States have not succeeded in creating a melting pot, and the most deBrrmncd •"empts by the Algerian and Sudanese governments have faded to «Amlate the Berbers and the southern Sudanese Christians respectively.

### CONTENTION 1 – HARMS

#### Subpoint A is discrimination:

#### A close examination of the US reveals a new generation of racist voting laws and practices, employed to exclude black voters.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stops of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### The recent repeal of the Voting Rights Act allowed states to LEGALLY MANDATE voter discrimination. Laws like photo-ID are passed to exclude minority voters, hidden under the guise of colorblindness.

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive [as Jim Crow], civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

#### Subpoint B – alienation.

#### This deliberate exclusion feeds a cycle of political alienation. The obstacles to voting are not only physical, but also emotional.

Hill 1 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

It is often suggested that abstention is tolerable (even desirable) because it is really a form of political expression connoting tacit consent to the regime. Those who conceive voting purely as a mechanism for registering dissatisfaction, regard the silence of the abstainer as an eloquent expression of contentment with the politi- cal system.15 Such claims are problematic because largely speculative and in some cases, counter-factual: in the USA, for example, the 1996 National Election Study found that non-voters tended to be twice as dissatisfied as voters about the state of democracy in America (Wattenberg, 1998, p. 3). We also know that abstainers tend to perceive government as unresponsive and that their vote will be ignored; accordingly, they abstain.16 Abstainers thus become locked into a self-fulfilling cycle of quiescence, alienation and abandonment. For those democratic theorists lately absorbed with the problem of ‘democratic’ or ‘civic deficit’17 avoiding the per- petuation of this cycle has never been more urgent. There is a substantial body of comparative research which suggests that there are strong negative correlations between voting and the following characteristics: geographical isolation, social isolation and relative lack of community; low levels of education; low levels of internal and external efficacy; residential instability; youth, being a new immigrant; economic marginality and unemployment.18 The silence of abstainers thus appears to represent far more than contentment or tacit consent. Abstainers are clearly experiencing obstacles to participation; some of these obstacles are emotional and subjective; some are practical but the salient point is that they are preventing people from voting for reasons that go beyond mere disinterest, genuine choice or rational calculation.19

#### Subpoint C – the collective action problem.

#### Voting only becomes rational once people with similar interests vote as well – this creates a prisoner’s dilemma where it is a better individual choice to just stay at home, despite mass turnout benefiting everyone.

Hill 2 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

When a poor, African-American shut-in abstains from voting in American elec- tions she is behaving both rationally and irrationally. Of course it would be rational in one sense for her to vote since we are convinced that doing so would protect her interests and those of others like her. At the same time, she can’t be sure that everyone else in her predicament will have the same idea (in fact, she knows they probably won’t). Since the voluntary system evokes irrationality (i.e. the mass abstention of those most in need of the protection voting can afford), it will be rational for her to stay at home and preserve her scarce resources, knowing as she does that others like her will most likely make the same calculation. Thus, within the rational choice tradition choosing not to vote is referred to as ‘rational absten- tion’ (Downs, 1957, p. 260). Mandatory voting takes this ‘prisoner’s dilemma’ factor out of voting. It co- ordinates and therefore rationalizes democracy by instating voting in its proper place as a social activity engaged in by group interests. (The claim that voting has ‘a proper place’ is of course a value judgement but one which I believe has been defended in terms of revealing the dysfunctionalities of the voluntary system). Voluntary voting, on the other hand, makes rational action seem irrational and irrational behaviour seem rational. Compulsory voting is a co-ordination necessity in mass societies of individuated strangers unable to communicate and co-ordinate their preferences[,]. Compulsion is both economical and efficient because it frees me from: a) having to overcome uncertainty about the value of my vote and b) weigh- ing ‘opportunity costs’ against benefits in an environment where resources (and information) are scarce. Mandatory voting operates as a system and only in a system which treats voting as a problem of collective action rather than as a problem of liberty and private choice does voting really work as a way of registering prefer- ences and achieving representativeness. Compulsion collectivizes and co-ordinates ‘irrationalities’ of voting, thereby making them disappear. It reduces opportunity costs, prevents ‘free-riding’ (i.e. exclusion) and makes voting meaningful by (inadvertently) organizing indivi- dual preferences into blocs of interests. This is not to say that voting isn’t a bloc interest business in voluntary systems: it is, however here the blocs tend to resolve into those who vote and those who don’t, hardly ideal for the democratic pluralist. But under a compulsory system, the notion of electoral ‘rationality’ undergoes a radical change. It is not now a question of whether or not the indi- vidual behaviour is ‘rational’ but whether the system evokes rational behaviour. Comparing a compulsory with a non-compulsory electoral system is salutary because it reveals the essential irrationality of the latter; the voluntary system evokes ‘irrational’ behaviour (for example mass abstention of the poorly off espe- cially during crises) because it inevitably gives rise to obstacles and uncertainties. Voting is a process which cannot be understood simply as an agglomeration of individual acts of utility. It only has system rationality (this is a bit like the dis- tinction between system and act utilitarianism).25 Voting is a problem of collective action, rather than individual choice, because politics is fundamentally a team sport which yields collective (and ultimately, therefore, individualized goods). In other words, voting can only yield individual goods after they have been gathered together collectively. All of this is another way of drawing attention to the inadequacy of understand- ing voting using methodological individualism. Politics is a system and so is any democracy. The real question is not: ‘is it rational to vote’? but ‘what makes voting rational?’ Asking: ‘is it rational to vote?’ is just as silly as asking: ‘is it rational to pay taxes in a voluntary system?’ because free-riding and prisoner’s dilemmas give rise to irrationalities regardless of what I do and thereby prevent the system from working properly. Voluntary systems convert short-term rationalities into long- term irrationalities and long-term rationalities into short-term irrationalities. Compelling people to vote is thus reasonable to the extent that state coercion is acceptable in resolving problems of co-ordination in order to improve or generate system utility (and provided, of course, that the system utility is characterized by desired and desirable properties).

### CONTENTION 2 – SOLVENCY

#### Subpoint A is no more excuses:

#### CV fights the physical barriers to voting by making elections more convenient and accessible.

Cherry 09 [(Ceridwen, Law Clerk at United States District Court for the District of Massachusetts, Voting Rights Intern at The Lawyers' Committee for Civil Rights Under Law, Intern at Office of Senator Edward M. Kennedy, University of Michigan Law School and Harvard University Kennedy School of Government) “Maximizing Participation: what the US can learn from compulsory voting” FairVote June 8, 2009] AT

While mandatory turnout has little future in the US, electoral systems using compulsory voting can still provide the US with important lessons in increasing turnout and improving the accessibility of voting. Many Americans do not vote because they are unable to reach a polling station on election day. In contrast, countries that use compulsory voting typically also make voting more convenient, and thus improve voter attendance, a lead the US must follow. Such improvements should include expanded postal voting, pre-polling for those unable to attend on the day, improved absentee procedures for overseas and military voters and mobile polling booths for the infirm and elderly. In jurisdictions where voting is compulsory, elections tend to be held on a more convenient day when fewer citizens have conflicts with work or school (generally Saturday). Those still unable to attend on election day are allowed to pre-poll or vote by mail. In addition to improved voter access, jurisdictions that compel citizens to vote also strive to achieve universal voter registration. This reduces the chance that anyone may be disenfranchised due to registration issues. Many countries rely on a national register and automatically enroll citizens to vote. Similarly, the US needs to at least move to an opt-out rather than opt-in system of voter registration. Short of this the government should take a more active role in voter registration, particularly through encouraging youth pre-registration. Governments registering people has been shown to be one of the most powerful predictors of high turnout levels.

#### Subpoint B is inclusiveness:

#### CV changes the structure of the political system, forcing parties to engage with previously marginalized voters and creating an inclusive political space.

Keaney and Rogers 06 [Emily Keaney and Ben Rogers. “A Citizen’s Duty Voter inequality and the case for compulsory turnout.” Institute for Public Policy Research. May 2006] AJ

Compulsory turnout not only increases turnout, it also cuts down the cost of political campaigning and encourages the political parties to engage with those groups least interested in politics or most dissatisfied with the political system. Where turnout is voluntary, most political parties focus on motivating their supporters to vote, rather than winning the support of undecided voters. Both national and local campaigning tend to be directed to this end. Where turnout is compulsory, however, parties can generally rely on their supporters turning out. This can reduce the cost of electioneering and/or encourage parties to concentrate on winning over people who do not support any political party – people who often feel alienated from the political system. This in turn can increase the public’s sense of political efficacy and their confidence in the political system (Lijphart 1997).

#### Mandating political participation is key to a social atmosphere of equality – it expresses that each individual has a unique, non-replaceable value. Voluntary voting only furthers elitism with its excuses of “autonomy.”

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and [the] unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual [as] a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

be more likely to vote in countries with compulsory voting, but they will also be more informed in their political choices.

#### Subpoint C is turnout:

#### All aff solvency is empirically verified – CV consistently raises turnout, verifying that voters can overcome obstacles.

Engelen 07 [Bart Engelen. Research Assistant of the Fund for Scientific Research – Flanders (Belgium), Centre for Economics and Ethics. “Why Compulsory Voting Can Enhance Democracy.” Acta Politica, 2007, 42, (23–39). 2007 Palgrave Macmillan Ltd] AJ

Although this seems immediately plausible, I want to show that introducing compulsory voting does indeed raise turnout. I only give a brief overview of empirical findings, since I mainly want to focus on the normative arguments why compulsory voting is desirable. For more in-depth empirical analyses, I refer to a number of other studies, which all conclude that compulsory voting effectively raises turnout. A first method is to compare turnout levels in countries where voting is compulsory with those where it is not. Such cross- country comparisons [which] show that average turnout in the first is about 10 to 15 percentage points higher than the second (Blais and Dobrzynska, 1998, 246– 247; IDEA, 2004, 26; Jackman, 2001, 16315; Lijphart, 1998, 8). The only two member states that have compulsory voting in the European Union had turnout levels of about 90% in the 2004 European Parliament election, which sharply contrasts with the average of 45.6%. There is wide consensus among researchers that the most important institutional factor in explaining turnout levels is compulsory voting. This method, however, encounters the problem that the potential impact of compulsory voting may coincide with that of other turnout-increasing factors such as ‘automatic registration, proportional representation, infrequent elections, weekend voting, concurrent elections’ (Lijphart, 1998, 8). While the studies mentioned above rely on statistics to single out the effect of compulsory voting, they cannot establish causal connections (Hirczy, 1994, 65; Jackman, 2001, 16316; Keaney and Rogers, 2006, 28). A second method [,] therefore, looks at a country that has introduced or abolished compulsory voting at some moment in time. Making sure all circumstances remain the same, such [is] within-country comparisons are better suited to singling out its effect. Although the available data is limited, it [which] leaves no room for doubt: wherever it is introduced, compulsory voting raises turnout.7 Completely analogously, the data show that turnout always drops when such laws are abolished.8 Moreover, turnout levels continue to drop in such countries. This suggests that compulsory voting helps solidify some kind of habit or social norm that erodes only gradually in time. Even when such laws are not actively enforced, they engender compliance.9 Here, as well as in countries where enforcement is not very strict, sanctions are mainly a symbolic reminder that voting is compulsory: ‘compulsory voting can (y) be very effective in raising turnout – in spite of low penalties that are imposed for failing to vote (usually similar to a parking violation), in spite of the lax enforcement (usually much less stringent than parking rules are enforced), and in spite of the secret ballot, which means that an actual vote cannot be compelled in the first place’ (Lijphart, 1998, 2). When citizens are no longer compelled to vote, the social norm and civic sense of duty to vote gradually vanish. This results in declining turnout levels, manifesting themselves first among the youngest citizens, who did not yet internalize the norm to vote (Franklin et al., 2004, 121–122). The fact that young people abstain more than others and that average turnout is declining indicates that the legal obligation, the social norm and the civic sense of duty to vote coexist and reinforce each other (Keaney and Rogers, 2006, 18–20).

### Underview - Wacquant

#### The underview is an additional impact to the harms:

#### Voting restrictions perpetuate racists by painting minorities as anti-citizens – a permanent underclass that must be politically sterilized and excluded.

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories [are] deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – it is this logic that makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

### Underview – Slemon Only

#### The ballot represents an instance of a methodology that must be adopted if oppressive ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally, especially within academic settings.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post- Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

### Underview – Pre Fiat [Long]

#### Debate is an academic space in which debaters learn about real world issues and engage in academic activities like research and advocating policies. Failing to address this question promulgates racism – in an educational activity such as debate, proactively examining the assumptions behind what we say is key – this is a pre-fiat warrant for the standard

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

While there has been a powerful social tendency among Whites and White society to define racism in individual terms or, at best, in limited institutional terms, such as in hiring or promotion, we do not think most White researchers consciously support racism in any terms individual, institutional, societal, or civilizational. But this intention is not sufficient if our argument here is a persuasive one. In a very important sense, we White researchers are unconsciously promulgating racism on an epistemological level. As we teach and promote episte- mologies like positivism to postmodernism, we are, at least implicitly, teaching and promoting the social history of the dominant race at the exclusion of people of color, scholars of color, and the possibility for research based on other race/culture epistemologies. We can, however, use our opposition to racism to consider the question of whether our dominant epistemologies are racially biased or not and, if they are, to begin to change this situation.19

#### I shouldn’t have to justify why oppression is bad – questioning and justifying oppression is an exclusionary practice that makes debate a hostile space for those who endure oppression daily

Smith 13 [(Elijah, CEDA and NDT champion) “A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate” Victory Briefs Daily, 9/4/13] AT

At every tournament you attend this year look around the cafeteria and take note of which students are not sitting amongst you and your peers. Despite being some of the best and the brightest in the nation, many students are alienated from and choose to not participate in an activity I like to think of as homeplace. In addition to the heavy financial burden associated with national competition, the exclusionary atmosphere of a debate tournament discourages black students from participating. Widespread awareness of the same lack of participation in policy debate has led to a growing movement towards alternative styles and methods of engaging the gatekeepers of the policy community, (Reid-Brinkley 08) while little work has been done to address or even acknowledge the same concern in Lincoln Douglas debate. Unfortunately students of color are not only forced to cope with a reality of structural violence outside of debate, but within an activity they may have joined to escape it in the first place. We are facing more than a simple trend towards marginalization occurring in Lincoln Douglas, but a culture of exclusion that locks minority participants out of the ranks of competition. It will be uncomfortable, it will be hard, and it will require continued effort but the necessary step in fixing this problem, like all problems, is the community as a whole admitting that such a problem with many “socially acceptable” choices exists in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where competitors attempt to win by rushing to abstractions to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but as someone who understands that experience, the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is not just a game, but a learning environment with liberatory potential. Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. Current coaches and competitors alike dismiss concerns of racism and exclusion, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, and refuse to engage in those discussions even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won't risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary.

#### The ballot represents an instance of a methodology that must be adopted if racist ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally.

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### Theory Underview

#### Drop the argument on T and theory:

#### It corrects for the neg side advantage of both time skew and neg flex

#### It prevents frivolous interps that limit topic education by making every round about T or theory

#### Use reasonability on T and theory with a briteline of demonstrated in-round abuse:

#### Competing interps justifies endless theory since any interp that isn’t perfectly fair or educational is a reason to lose. That screws the aff and kills substantive education since I have to have some interp that can’t be perfect.

## Old 1AC Akhil

### FRAMEWORK

#### The term “compulsory voting” creates a law to attend all elections. I’ll defend that the law prohibits blank ballots, but they’re still aff ground since the state can’t prevent people from casting them.

Birch 09 [Birch, Sarah. Reader in Politics-University of Essex . “Full Participation : A Comparative Study of Compulsory Voting.” Manchester, GBR: Manchester University Press, 2009. Pgs 2-3. Copyright © 2009. Manchester University Press] AJ

Compulsory voting can be defined very simply as the legal obligation to attend the polls at election time 3 and perform whatever duties are required there of electors. As is often recognised, the inherent constraints of the secret ballot mean[s] that in most modern democracies (and even in many less-than democratic settings) compulsory voting is, strictly-speaking, impossible. [t]he state cannot typically monitor the behaviour of the elector in the privacy of the polling booth and can therefore do nothing to prevent him or her from casting an invalid or blank ballot; in very few states is any legal effort made to do so. 4 The Dutch language recognises this distinction by employing a term – opkomstplicht – which can be translated as compulsory (or obligatory) attendance at the polls, 5 as does a recent Institute for Public Policy Research Report, which refers to ‘compulsory turnout’ (Keaney and Rogers, 2006). Most European languages fail to make this distinction, however, and use terms that translate roughly as ‘obligatory voting’. The French speak of le vote obligatoire, the Italians of il voto obbligatorio , the Spanish of el voto obligatorio and the Portuguese of o voto obrigatório . In German the terms employed are ( gesetzliche ) Wahlpflicht and Stimmpflicht , while most Slavic languages use variations on the Polish term głosowanie obowia ˛zkowe . 6 The terms ‘obligatory voting’ and ‘mandatory voting’ do make their appearances in the English-language literature, yet the most commonly used term to designate this practice is ‘compulsory voting’. This is somewhat unfortunate, given the pejorative connotations of the term ‘compulsion’ in English; certainly ‘obligation’ has a rather different sound. Use of the term ‘compulsion’ thus casts the institution in a negative light in many English-languages debates on the subject (despite the fact that the Australians have been happily using this term to describe their electoral system for over 80 years). This usage has the further consequence of precluding an automatic semantic link between the institution and the broader notion of political obligation. A more appropriate term might be ‘the legal obligation to participate in elections’, but this being cumbersome, the present study will employ the terms ‘compulsory voting’, ‘mandatory voting’, ‘compulsory electoral participation’ and ‘mandatory electoral participation’, which will be used interchangeably.

#### The AC defends implementation of CV in the United States only.

#### Next is framework.

#### Traditional understandings of democracy have allowed the blight of racism to continue unseen. We must revitalize the democratic project with an ethic of equal participation.

CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

Why does racism, as well as the idea of race itself, play[s] almost no role in most democratic theories? As Cunningham (2000) has noted, this is the case even for C.B. Macpherson, and, we might add, for more recent theories too, for example,¶ those of Ian Shapiro or Thomas Christiano (Macpherson, 1973; Shapiro, 1996; Christiano, 1996. There are important exceptions such as Simon, 1995). In the¶ long view of democratic theory, one answer is obvious: for the same reason¶ that feminist theory has only recently come to influence democratic theory —¶ namely, the latter’s [its] disregard of difference (except as individually different opinions or conflicting interest groups), and the liberal conviction that democ- racy is primarily a matter of assuring equal rights to vote and majority rule. Additionally, from within this traditional understanding[s], democratic citizenship itself, with its requirement of equal treatment, ought simply to disregard¶ an individual’s race. On this approach, while racism is ruled out at the formal¶ level, not much more can be said about it.¶ In fact, as has been argued by Bernard Boxill and others, the central democratic procedure of majority vote tends to render minority groups¶ invisible (Boxill, 1998, pp. 112–19). Because of this, formal democracy and¶ especially the procedure of majority vote, not only disregards underlying¶ racism, but in fact exacerbates it in practice, because votes can give enormous power to an absolute majority of one race or culture over cultural minorities,¶ in Boxill’s phraseology (pp. 112–13); it thereby may permit a tyranny of the majority over these minority groups. Not only has most democratic theory had little to say about racism, but in¶ fact democracies have coexisted in practice with racism for many centuries, as Charles Mills and others have recently stressed (see Mills, 1997, especially Chapter 1). Beyond insisting on equal voting rights, then, democracy, as a¶ formal and procedural system, offers little basis for the critique of racism. This neglect by democratic theorists and the tolerance of democracies for racism¶ suggests on the face of it that there is something wrong with the traditional understanding of democracy. I will argue here that the inadequacy goes beyond the oft-observed formality of democracy and its disregard of social and¶ economic inequalities outside the political sphere. Before proceeding, we should note that racism has been addressed in this country in certain delimited democratic contexts: rst, in the issue of the¶ representation of Blacks in Congress, in terms of the legitimacy of creating Black majority districts (Guinier, 1994, is especially centrala here). Second, there has been the Federal role in instituting affirmative action programmes, as¶ required by concepts of justice. To the degree that such programs have been¶ seen as appropriate political decisions by democratic governments, affirmative action provides another tie between democracy and racism. Mention might also be made of the idea that achieving Black community control of local govern- ments would increase opportunities for political participation. In general,¶ though, in dealing with racism, the emphasis — even on the Left in this country — has been on overcoming discrimination through affirmative action¶ and achieving greater economic equality; which in turn has been seen as the way to insure increased political participation. While this is clearly of great¶ importance, there is need for further reflection on the connection between¶ racism and democracy itself. To sum up the existing situation: from the standpoint of basic norms for political philosophy, namely, the key values of freedom, justice, community, and democracy, we may say that race and racism have been tied primarily to¶ justice (as equality — political, social and economic), as well as to freedom¶ (from discrimination or oppression or stereotypes) and in this connection to the¶ conception of the social construction of racial characteristics. Increasingly, in¶ recent years, the overcoming of racism has been connected to an understanding¶ of community as inclusiveness, where an inclusive community refers to one¶ that not only tolerates but encourages differences, and supports diverse cultural and ethnic groups by assigning them rights and by enlarging the scope of¶ interpersonal interaction, both within racial groups and among them. Yet, the missing term in these accounts has been that of democracy. As noted, beyond the idea of lack of opportunities for democratic participation by African-Americans and the general need for equalising opportunities, the ties of racism to democracy remain relatively unexplored. And while the elimin- ation of injustice (freedom from discrimination or oppression — racial and¶ otherwise) and ‘levelling the playing field’ surely are presuppositions of full democracy, as Thomas Simon shows (1995, especially Chapter 5), this cannot exhaust the account of the relations between the key terms ‘racism’ and¶ ‘democracy’; nor does the issue — albeit a crucial one — of achieving genuine¶ representation of African-Americans through the creation of Black majority districts or other measures, e.g., proportional representation. In what follows,¶ then, I will take up some of the other connections that racism (and race more generally) has to democracy. I will draw on the particular version of demo- cratic theory that I have advanced elsewhere (Gould, 1988, and a series of articles, e.g., Gould, 1996–97), but similar connections apply to several other versions as well. 2 The first point to note — of great importance, if perhaps obvious — is the¶ intrinsic and [a] deep connection between the critique of racism (and sexism) and¶ the requirement for democracy. In my view, the idea of equal positive freedom, or more generally a conception of equal agency, is the basis for both the¶ critique of discrimination and the justification of democratic participation. In¶ the first case, equal positive freedom as prima facie equal rights to the¶ conditions for individuals’ self-development, entails (negative) freedom from discrimination and domination — both institutional and personal — inasmuch¶ as these conditions limit or curtail such flourishing [and], as well as the (positive) availability of social and economic conditions for this self-development. Hence¶ it excludes both racism and sexism, and entails an affirmative requirement for¶ reciprocal recognition, as well as some equalisation of social and economic¶ resources. At the same time, this very principle of equal positive freedom serves as the justification for equal rights of democratic participation in all contexts of what I have called common activity. Since participation in such¶ common activities is among the conditions for self- development, and since in¶ order to be an expression of agency these common activities need to be under¶ the control of those engaged in them, it follows that individuals have equal rights to co-determine these activities or to participate in decision-making¶ concerning them (the longer version of this argument is in Gould, 1988, Chapter 1). Democratic decision-making thus emerges as the institutional analogue to¶ relations of reciprocity in face-to-face interactions. In particular, the connection¶ is to that type of reciprocity that may be called social reciprocity, or reciprocity¶ of respect, rather than to lesser forms such as instrumental reciprocity —¶ colloquially, the reciprocity of ‘tit for tat’, or return for benefit given. The¶ conceptual connection between the critique of racism and the requirement of democracy is as follows, then, mediated through the principle of equal positive¶ freedom: the critique of systemic discrimination entails an emphasis on equal access to conditions of self- development, which also implies the requirement for equal rights of participation in decision-making concerning common¶ activities. On this view, the conception of self-development, originally presented by Marx and Mill, and subsequently by Macpherson and others, and which in turn¶ is seen to support the requirement for democratic participation, is not so much¶ to be opposed to consumerism and acquisitiveness, as it primarily was for Macpherson (1973),1 although it does indeed contrast with that. Rather, the main opposition is with the control by some over the conditions needed by¶ others for their self- development, i.e., domination, or in lesser modes, discrimi- nation, and one of whose manifestations (though a unique one in various ways)¶ is racism. Equal agency, in the richer sense of the equal right of individuals to be free from domination and free to develop their capacities, gives rise both to¶ an egalitarian critique of racism and other forms of oppression, and to the¶ conception of widely equal rights of participation in democratic decision- making. Of course, the question of the scope of such decision-making, and¶ correctly delimiting those who have rights to participate in varying contexts, remains a difficult and important question for democratic theory, which is not yet addressed by noting this conceptual connection. Yet, I have already noted a troubling set of difficulties that arise here: despite these deep and inherent conceptual connections, in practice there is rather often a sharp disconnection between the critique of racism and the¶ support for democracy. Numerous self-proclaimed democrats have in fact been¶ racists and some of those critical of racism have favoured authoritarian rather¶ than democratic forms of government as essential for achieving their goals. In¶ addition, and this has been often noted, there is frequently no tie between the¶ critique of racism and that of sexism, despite the intrinsic theoretical connection between them. In short, some of those most critical of one turn a blind eye¶ to the other. While it is important to note the distinctive features of each of¶ these types of oppression (themselves internally differentiated), it is puzzling¶ as to why feminists may occasionally display racist tendencies (more often in practice than at the theoretical level), while those working to overcome racism¶ sometimes denigrate feminism and may at times display sexist attitudes in practice.

#### Racism is enabled by allegedly neutral ideals like “negative rights,” which claim that individuals will best realize equality when they are left alone. We won’t bother you – but we won’t help you either. This color-blindness fails since it ignores the real-world conditions that allow racism to continue.

GOULD 2 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

¶ Based on this analysis of socially constructed racial and cultural identities, we may return to the original set of issues and ask: if democracy, with its equal rights, is antithetical to racism, why does racism persist within it? Abstracting¶ from the central empirical issues here, and focussing on this only from the side of the concept of democracy, we may answer that partly it is due to existing¶ limitations in the understanding of democracy. I want to disagree, then, with Charles Mills’ normative approach, while appreciating his powerful critique of racism as a system of accumulated entrenched privilege, or differential racial privilege that is institutionalised and global (or practically so). Mills suggests¶ that the normative requirement in dealing with this system of white supremacy¶ is to base democratic political organisation on a true understanding of social contract and natural or human rights (see Mills, 1997, p. 129), and to bring¶ these Enlightenment ideals to full realisation. But I think that more is required, and specifically a rethinking of democracy [is required.] along several dimensions. The problems with contemporary democracies have already been well analysed in terms of their formality and proceduralism, and their disregard of social and economic inequalities that set[s] limits to participation. I would add,¶ too, the factor of [and] their delimitation to the political realm alone. At the basis of¶ this traditional understanding of democracy is a conception of what I have¶ called abstractly universal norms of negative freedom and formal equality, with a social ontology of individuals whose relations to each other are external¶ (see Gould, 1988, Chapters 1–3, and 1978, especially Chapters 1 and 2). An¶ alternative view would adopt these very norms while reinterpreting them, and would also reconceive democracy in relation to a notion of concrete universality, understood as having both empirical and normative aspects. Descriptively, concrete universality adds to the social ontology not only an understanding of the individuals as internally related to each other, but sees¶ societies as constituted and interconstituted through these multifaceted relations. While abjuring the holistic interpretations of this universality originally proposed by Hegel, this approach sees a certain utility in an emphasis on¶ interconstituting relations, including here racial relations, and places new¶ weight on the possibilities for intercultural creation (intra- and interracial) that¶ this may open.2 The latter may even [and] extend to the co- constitution of concepts, procedures, and institutions themselves based on differential understandings¶ from multiple cultural or racial perspectives. Within a given society, a concrete universalist approach sees the inter- constitution of social relations, including racial interactions, as taking place among differentiated individuals and groups, who differentiate themselves and¶ are recognised by others through relations that are initially often oppositional or oppressive but perhaps increasingly reciprocal over time. From the normative side as well, the distinctiveness of such a concrete universalist approach¶ consists in its requirement that abstract moral, political, and legal norms,¶ though of great importance, also need to be put in the context of actual social conditions to understand critically why they have not been realised. It proposes¶ too that social cooperation and a variety of other social values be integrated with the abstract individual ones that are already well known and understood. When conceived in relation to the idea of multiple and interactive cultural¶ identities that I posed as the prospective counterpart to historically developed¶ racial identities, what then does such a conception of concrete universality¶ entail? The answer is threefold, I think: democracy needs to be understood as multicultural in a specific sense, it has to be connected to citizenship on a¶ certain interpretation, and it requires a substantive interpretation in terms of democratic community. These admittedly rather demanding requirements can¶ be summed up in the idea of an inclusive multicultural democracy. It seems to me that democracy can make its own contribution to countering racism when¶ it is reconceived in this way, providing certain suggestions for practical changes along these lines. The additional impact of economic democratisation¶ for counteracting racism will be considered later, in the final part.

#### Current theories claim that this emphasis on negative rights can be neutral, but it inevitably ends up expressing the model of the white Protestant as “normal.” Ending racism requires accepting multiculturalism in the public sphere by breaking down racial barriers and actively supporting all cultural identities.

GOULD 3 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000] AJ

It may be helpful to analyse the ingredients for this reinterpretation of democracy, namely, multiculturalism, inclusiveness, and democratic com- munity, before attempting a summary characterisation of the overall idea. The term multiculturalism has been used in importantly ambiguous ways, meaning different things to different people; and by now it has some unfortu- nate connotations. Still, the word itself, suggesting the multiplicity of cultures, retains its utility. (‘Pluriculturalism’ would capture the same notion, but it too has been used in very different contexts.) We may in fact distinguish between¶ two uses of the term: in one use, multiculturalism designates an aggregate or collection of different and relatively separate cultures, together with an aware- ness within an older dominant culture of these differences and of the contributions of the cultures of oppressed groups — paradigmatically, the recognition¶ of the contributions of African-American, Latino, and other minority cultures¶ in the United States — or an awareness of non-Western cultures beyond the dominant Eurocentric canon. In this aggregative sense, too, it has sometimes come to be unfortunately used in a denigrating and racist way to refer to generalised, unspecified racial demands by African-Americans and other racial minorities on white people. The term multiculturalism can also be used, in a second sense, to designate a newer interactive model of culture, where cultural (and racial) identity itself¶ is open to plural definition and where there may be cultural creation through¶ the appropriation of diverse cultural influences. Here, the concept becomes more one of being multi-cultured or multiply-cultured (and analogously, perhaps, multi- racial). A noteworthy and often-cited example of this interactive cultural creation is American jazz. There have been more recent forms of this as well, for example, in graffiti art, in the influence of various sorts of ethnic dance on the forms of modern dance, in hip-hop music, and more generally in the phenomenon of ‘fusion’ styles of art, music and even cuisine. Yet, this does not necessarily entail a homogenisation of cultural strains and it¶ is also a continuation of the historically common phenomenon of cultural diffusion. But we may say that such multi- cultural creation has become a more¶ intensely dynamic phenomenon than it was in the past, due in part to the powerful contemporary technologies of global communication. On the normative side, such developments contribute to the possibilities of cultural choice and change, and accord with the social constructivist conception of racial/¶ cultural identity presented earlier. It is evident that this conception of multi- culturalism adds an important element not only of self- definition but also¶ the appropriation of diverse cultures to the more passive traditional characterisation of races, and of cultures too, as matters of birth or ascription. When connected to democracy, the requirement of multiculturalism implies¶ that the political community not only tolerate diverse cultural groups, but find ways of supporting them, compatible with basic principles of equal treatment.¶ It would need to eliminate the favouritism of civic life toward one leading set of cultural characteristics — that of the majority (in the US, still white Protestant[s]), and permit the development of new forms of such civic life reflective of the polity’s fuller cultural variety. Some degree of public support of diverse¶ cultures is possible, with the proviso that individuals must be understood to be¶ capable of belonging to more than one culture. And particularly where there is a dominant majority and a clearly articulated set of minority cultures, certain¶ group rights for these cultural minorities may also need to be protected (for some of the difficulties here, see Kymlicka, 1995). Such a multicultural democracy attempts to go beyond the model of a neutral and universalist public sphere, where all particularity is supposedly¶ relegated to a private domain in which particular cultural identities are allowed to flourish. Rather, this view suggests that some cultural diversification can actually be supported within the public sphere itself, compatible with fairness and human rights, and where there is an ongoing and open dialogue about emergent civic traditions. The inclusiveness required by this new conception arises in the first place¶ from the connection of democracy to citizenship. It has increasingly been¶ recognised that the issue of who counts as a member of a political community¶ is as central as [is] their degree of participation in the governance of the resulting polity. The inclusiveness required here turns on the idea that all those resident¶ in a given territory need to be recognised as citizens, with rights of democratic participation. Racist exclusions or denigrations are eliminated on this view. Certainly, full civil, social, and economic rights for immigrants are implied¶ here, while for illegal immigrants a range of hard issues would centre on whether one could show them to be residents within the polity. Yet, the question of fully open borders is not touched by this account. It seems evident¶ that the inclusiveness of the community does not necessarily entail a com- munity with no borders or one that extends worldwide. The issue of the scope of political communities and of borders remains a real one; and we need also to accommodate the possibility of overlapping communities. But these questions go beyond the scope of this paper. This redefinition of democracy sees such an inclusive democratic com- munity as the framework for political life. But what does the notion of such a¶ community involve? Normatively, it connotes an openness to, and acceptance of, the whole person on the part of others, where these persons are taken in¶ their embodied and diverse complexity. In this sense, it is a community of differentiated whole persons. There is no exclusive concern with cognitivity in¶ the constitution of this as a community, nor with any given criteria of ethnicity¶ or objective bodily characteristics. There is also no requirement for agreement on some comprehensive doctrine — moral, religious, or philosophical — for¶ there to be a community (contrast Rawls, 1993, p. 40, footnote 43). The existing¶ community that serves as the basis for a political society can be considered¶ democratic to the degree that it involves opportunities for participation in decision-making for all its members. This entails engagement with other concrete individuals in face-to-face interactions (e.g., in committees, small groups, or the occasional community-wide meeting; or in interactions among¶ individuals in governmental or deliberative bodies); as well as mediated forms of representation.

#### Thus, the standard is reducing race-based barriers to equal participation in decision-making. Additional warrant:

#### The relegation of cultures to the private sphere marginalizes minorities, who are then forced to abandon their identities to try “fitting in.”

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 204-205] AJ

Thirdly, the civic assimilationist attempt to combine a monocultural public realm with a multicultual private realm has a tendency to wont against the latter. The public realm in every society generally enjoys far greater dignity and prestige than the private realm. The culture it institutionalizes enjoys state patronage, power, access to valuable resources, and political respectability, and sets the tone of the rest of society. Although other cultures are free to flourish in the private realm, they exist in its overpowering shadow, and are largely seen as marginal and worth practising only in the relative privacy of the family and commu- nal associations. Subjected to the relentless assimilationist pressure of the dominant culture, their members, especially youth, internalize their inferior status and opt for uncritical assimilation, lead confused lives or retreat into their communal ghettos. The older generation of Jewish immigrants to Europe and the USA have frequently remarked that when young they used to feel deeply embarrassed if their parents spoke Yiddish in public, wore traditional dress or performed their religious and other ceremonies in public, and that over time they lost their language, cultural pride and in some cases even the culture itself. This sad phenomenon has not disappeared even in more relaxed times such as ours. A couple of years ago when 1 was travelling by train in Britain, 1 was sitting opposite an elderly Pakistani couple and next to their adolescent daughter. When the crowded train pulled out of the station, the parents began to talk in Urdu. The girl felt restless and nervous and started making strange signals to them. As they earned on their conversation for a few more minutes, she angrily leaned over the table and asked them to shut up. When the confused mother asked why, the girl shot back, 'just as you do not expose your private parts in public, you do not speak in that language in public'. One wonders if she would have felt so distressed if her parents had been speaking French. Though no one presumably had told her so, she knew that the public realm belong[s]ed to whites, that only their language, customs, values, bodily gesture, and ways of talking were [are] legitimate in it, and that minority ethnic and cultural identities must remain confined to the private realm. In a society dominated by one culture tolerance is not enough to sustain diversity in the private realm as the civic assimilationist assumes. Public institutions including the state need to play an active and supportive role. We shall later see what this involves.

#### Rejecting assimilation and promoting diversity is the only way to maintain societal unity.

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 196-198] AJ

A multicultural society faces two conflicting demands and needs to dense a political structure that enables it to reconcile them in a just and collectively acceptable manner. It should foster a strong sense of unity and common belonging among its citizens, as otherwise it cannot act as a united community able to take and enforce collectively-binding deci- sions and regulate and resolve conflicts. Paradoxical as it may seem, the greater and deeper the diversity in a society, the greater the unity and cohesion it requires to hold itself together and nurture its diversity. A weakly held society feels threatened by differences and lacks the confidence and the willingness to welcome and live with them. A multicultural society cannot ignore the demands of diversity either. By definition diversity is an inescapable fact of its collective life and can neither be wished out of existence nor suppressed with an unacceptable degree of coercion and often not even then. Furthermore, since human beings are attached to and shaped by their culture, and their self-respect is closely bound up with respect for it, the basic respect we owe our fellow-humans extends to their culture and cultural community as well. Respect for their culture also earns their loyalty, gives them the confidence and courage to interact with other cultures, and facilitates their integration into wider society. As we have seen, cultural diversity is also desirable for society as a whole and represents a valuable collective asset. Since no multicultural society can or should ignore the demands of diversity, the assimilationist mode of political integration advocated by Conservatives, nationalists, some communitarians and proponents of comprehensive liberalism is inherently unsuited to it. The assimilationist takes the nation stale as his ideal and believes that no polity can be stable and cohesive unless its members share a common national culture, including common values, ideals of excellence, moral beliefs and social practices. As a custodian of society's way of life, the state is assumed to have the right and the duty to ensure that its cultural minorities assimilate into the prevailing national culture and shed all vestiges of their separate cultures. In the assimilationist view the choice before minorities is simple. If they wish to become part of society and be treated like the rest of their fellow-citizens, they should assimilate. If they insist on retaining their separate cultures, they should not complain if they are viewed as outsiders and subjected to discriminatory treatment. There is nothing wrong with assimilation. If minorities freely decide to assimilate into the dominant culture, their decisions should be respected and they should be given every opportunity and help to do so. The question, however, is whether this degree of assimilation is neces- sary to ensure political unity and should be made a precondition of equal citizenship. The answer to that is in the negative. For reasons dis- cussed earlier, minorities have a right to maintain and transmit their ways of life, and denying it to them is both indefensible and likely to provoke resistance. Furthermore, it is not clear what they are to be assimilated into. The assimilationist assumes that society has a coher- ent and unified cultural and moral structure, and that is rarely the case. Although the moral and cultural structure of a society has some inter- nal coherence, it is not a homogeneous and unified whole. It varies with class, religion and region, is made up of diverse and even conflicting strands, and consists of values and practices that can be interpreted and related in several different ways. The assimilationist ignores all this, and either offers a highly abridged and distorted view of national cul- ture or equates it with that of the dominant group. If minorities are left free to negotiate their relations with the wider society and have an incentive to do so, they might decide to assimilate, but they are less likely to do so if assimilation is imposed, rushed or brings no benefits. The Jews have survived two millennia of a strong assimilationist pressure from Christians, the ethnic and cultural minori- ties in the Soviet Union have survived the most brutal repression the formidable economic and cultural pressures of the United States have not succeeded in creating a melting pot, and the most deBrrmncd •"empts by the Algerian and Sudanese governments have faded to «Amlate the Berbers and the southern Sudanese Christians respectively.

### CONTENTION 1 – HARMS

#### Subpoint A is discrimination:

#### A close examination of the US reveals a new generation of racist voting laws and practices, employed to exclude black voters.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stops of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### The recent repeal of the Voting Rights Act allowed states to LEGALLY MANDATE voter discrimination. Laws like photo-ID are passed to exclude minority voters, hidden under the guise of colorblindness.

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive [as Jim Crow], civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

#### Subpoint B – alienation.

#### This deliberate exclusion feeds a cycle of political alienation. The obstacles to voting are not only physical, but also emotional.

Hill 1 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

It is often suggested that abstention is tolerable (even desirable) because it is really a form of political expression connoting tacit consent to the regime. Those who conceive voting purely as a mechanism for registering dissatisfaction, regard the silence of the abstainer as an eloquent expression of contentment with the politi- cal system.15 Such claims are problematic because largely speculative and in some cases, counter-factual: in the USA, for example, the 1996 National Election Study found that non-voters tended to be twice as dissatisfied as voters about the state of democracy in America (Wattenberg, 1998, p. 3). We also know that abstainers tend to perceive government as unresponsive and that their vote will be ignored; accordingly, they abstain.16 Abstainers thus become locked into a self-fulfilling cycle of quiescence, alienation and abandonment. For those democratic theorists lately absorbed with the problem of ‘democratic’ or ‘civic deficit’17 avoiding the per- petuation of this cycle has never been more urgent. There is a substantial body of comparative research which suggests that there are strong negative correlations between voting and the following characteristics: geographical isolation, social isolation and relative lack of community; low levels of education; low levels of internal and external efficacy; residential instability; youth, being a new immigrant; economic marginality and unemployment.18 The silence of abstainers thus appears to represent far more than contentment or tacit consent. Abstainers are clearly experiencing obstacles to participation; some of these obstacles are emotional and subjective; some are practical but the salient point is that they are preventing people from voting for reasons that go beyond mere disinterest, genuine choice or rational calculation.19

#### Subpoint C – the collective action problem.

#### Voting only becomes rational once people with similar interests vote as well – this creates a prisoner’s dilemma where it is a better individual choice to just stay at home, despite mass turnout benefiting everyone.

Hill 2 [Lisa Hill. Political Science Program, Research School of Social Sciences, Australian National University. “On the Reasonableness of Compelling Citizens to ‘Vote’: the Australian Case.” POLITICAL STUDIES: 2002 VOL 50, 80–101. Blackwell Publishers] AJ

When a poor, African-American shut-in abstains from voting in American elec- tions she is behaving both rationally and irrationally. Of course it would be rational in one sense for her to vote since we are convinced that doing so would protect her interests and those of others like her. At the same time, she can’t be sure that everyone else in her predicament will have the same idea (in fact, she knows they probably won’t). Since the voluntary system evokes irrationality (i.e. the mass abstention of those most in need of the protection voting can afford), it will be rational for her to stay at home and preserve her scarce resources, knowing as she does that others like her will most likely make the same calculation. Thus, within the rational choice tradition choosing not to vote is referred to as ‘rational absten- tion’ (Downs, 1957, p. 260). Mandatory voting takes this ‘prisoner’s dilemma’ factor out of voting. It co- ordinates and therefore rationalizes democracy by instating voting in its proper place as a social activity engaged in by group interests. (The claim that voting has ‘a proper place’ is of course a value judgement but one which I believe has been defended in terms of revealing the dysfunctionalities of the voluntary system). Voluntary voting, on the other hand, makes rational action seem irrational and irrational behaviour seem rational. Compulsory voting is a co-ordination necessity in mass societies of individuated strangers unable to communicate and co-ordinate their preferences[,]. Compulsion is both economical and efficient because it frees me from: a) having to overcome uncertainty about the value of my vote and b) weigh- ing ‘opportunity costs’ against benefits in an environment where resources (and information) are scarce. Mandatory voting operates as a system and only in a system which treats voting as a problem of collective action rather than as a problem of liberty and private choice does voting really work as a way of registering prefer- ences and achieving representativeness. Compulsion collectivizes and co-ordinates ‘irrationalities’ of voting, thereby making them disappear. It reduces opportunity costs, prevents ‘free-riding’ (i.e. exclusion) and makes voting meaningful by (inadvertently) organizing indivi- dual preferences into blocs of interests. This is not to say that voting isn’t a bloc interest business in voluntary systems: it is, however here the blocs tend to resolve into those who vote and those who don’t, hardly ideal for the democratic pluralist. But under a compulsory system, the notion of electoral ‘rationality’ undergoes a radical change. It is not now a question of whether or not the indi- vidual behaviour is ‘rational’ but whether the system evokes rational behaviour. Comparing a compulsory with a non-compulsory electoral system is salutary because it reveals the essential irrationality of the latter; the voluntary system evokes ‘irrational’ behaviour (for example mass abstention of the poorly off espe- cially during crises) because it inevitably gives rise to obstacles and uncertainties. Voting is a process which cannot be understood simply as an agglomeration of individual acts of utility. It only has system rationality (this is a bit like the dis- tinction between system and act utilitarianism).25 Voting is a problem of collective action, rather than individual choice, because politics is fundamentally a team sport which yields collective (and ultimately, therefore, individualized goods). In other words, voting can only yield individual goods after they have been gathered together collectively. All of this is another way of drawing attention to the inadequacy of understand- ing voting using methodological individualism. Politics is a system and so is any democracy. The real question is not: ‘is it rational to vote’? but ‘what makes voting rational?’ Asking: ‘is it rational to vote?’ is just as silly as asking: ‘is it rational to pay taxes in a voluntary system?’ because free-riding and prisoner’s dilemmas give rise to irrationalities regardless of what I do and thereby prevent the system from working properly. Voluntary systems convert short-term rationalities into long- term irrationalities and long-term rationalities into short-term irrationalities. Compelling people to vote is thus reasonable to the extent that state coercion is acceptable in resolving problems of co-ordination in order to improve or generate system utility (and provided, of course, that the system utility is characterized by desired and desirable properties).

### CONTENTION 2 – SOLVENCY

#### Subpoint A is no more excuses:

#### CV fights the physical barriers to voting by making elections more convenient and accessible.

Cherry 09 [(Ceridwen, Law Clerk at United States District Court for the District of Massachusetts, Voting Rights Intern at The Lawyers' Committee for Civil Rights Under Law, Intern at Office of Senator Edward M. Kennedy, University of Michigan Law School and Harvard University Kennedy School of Government) “Maximizing Participation: what the US can learn from compulsory voting” FairVote June 8, 2009] AT

While mandatory turnout has little future in the US, electoral systems using compulsory voting can still provide the US with important lessons in increasing turnout and improving the accessibility of voting. Many Americans do not vote because they are unable to reach a polling station on election day. In contrast, countries that use compulsory voting typically also make voting more convenient, and thus improve voter attendance, a lead the US must follow. Such improvements should include expanded postal voting, pre-polling for those unable to attend on the day, improved absentee procedures for overseas and military voters and mobile polling booths for the infirm and elderly. In jurisdictions where voting is compulsory, elections tend to be held on a more convenient day when fewer citizens have conflicts with work or school (generally Saturday). Those still unable to attend on election day are allowed to pre-poll or vote by mail. In addition to improved voter access, jurisdictions that compel citizens to vote also strive to achieve universal voter registration. This reduces the chance that anyone may be disenfranchised due to registration issues. Many countries rely on a national register and automatically enroll citizens to vote. Similarly, the US needs to at least move to an opt-out rather than opt-in system of voter registration. Short of this the government should take a more active role in voter registration, particularly through encouraging youth pre-registration. Governments registering people has been shown to be one of the most powerful predictors of high turnout levels.

#### Subpoint B is inclusiveness:

#### CV changes the structure of the political system, forcing parties to engage with previously marginalized voters and creating an inclusive political space.

Keaney and Rogers 06 [Emily Keaney and Ben Rogers. “A Citizen’s Duty Voter inequality and the case for compulsory turnout.” Institute for Public Policy Research. May 2006] AJ

Compulsory turnout not only increases turnout, it also cuts down the cost of political campaigning and encourages the political parties to engage with those groups least interested in politics or most dissatisfied with the political system. Where turnout is voluntary, most political parties focus on motivating their supporters to vote, rather than winning the support of undecided voters. Both national and local campaigning tend to be directed to this end. Where turnout is compulsory, however, parties can generally rely on their supporters turning out. This can reduce the cost of electioneering and/or encourage parties to concentrate on winning over people who do not support any political party – people who often feel alienated from the political system. This in turn can increase the public’s sense of political efficacy and their confidence in the political system (Lijphart 1997).

#### Mandating political participation is key to a social atmosphere of equality – it expresses that each individual has a unique, non-replaceable value. Voluntary voting only furthers elitism with its excuses of “autonomy.”

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and [the] unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual [as] a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

be more likely to vote in countries with compulsory voting, but they will also be more informed in their political choices.

#### Subpoint C is turnout:

#### All aff solvency is empirically verified – CV consistently raises turnout, verifying that voters can overcome obstacles.

Engelen 07 [Bart Engelen. Research Assistant of the Fund for Scientific Research – Flanders (Belgium), Centre for Economics and Ethics. “Why Compulsory Voting Can Enhance Democracy.” Acta Politica, 2007, 42, (23–39). 2007 Palgrave Macmillan Ltd] AJ

Although this seems immediately plausible, I want to show that introducing compulsory voting does indeed raise turnout. I only give a brief overview of empirical findings, since I mainly want to focus on the normative arguments why compulsory voting is desirable. For more in-depth empirical analyses, I refer to a number of other studies, which all conclude that compulsory voting effectively raises turnout. A first method is to compare turnout levels in countries where voting is compulsory with those where it is not. Such cross- country comparisons [which] show that average turnout in the first is about 10 to 15 percentage points higher than the second (Blais and Dobrzynska, 1998, 246– 247; IDEA, 2004, 26; Jackman, 2001, 16315; Lijphart, 1998, 8). The only two member states that have compulsory voting in the European Union had turnout levels of about 90% in the 2004 European Parliament election, which sharply contrasts with the average of 45.6%. There is wide consensus among researchers that the most important institutional factor in explaining turnout levels is compulsory voting. This method, however, encounters the problem that the potential impact of compulsory voting may coincide with that of other turnout-increasing factors such as ‘automatic registration, proportional representation, infrequent elections, weekend voting, concurrent elections’ (Lijphart, 1998, 8). While the studies mentioned above rely on statistics to single out the effect of compulsory voting, they cannot establish causal connections (Hirczy, 1994, 65; Jackman, 2001, 16316; Keaney and Rogers, 2006, 28). A second method [,] therefore, looks at a country that has introduced or abolished compulsory voting at some moment in time. Making sure all circumstances remain the same, such [is] within-country comparisons are better suited to singling out its effect. Although the available data is limited, it [which] leaves no room for doubt: wherever it is introduced, compulsory voting raises turnout.7 Completely analogously, the data show that turnout always drops when such laws are abolished.8 Moreover, turnout levels continue to drop in such countries. This suggests that compulsory voting helps solidify some kind of habit or social norm that erodes only gradually in time. Even when such laws are not actively enforced, they engender compliance.9 Here, as well as in countries where enforcement is not very strict, sanctions are mainly a symbolic reminder that voting is compulsory: ‘compulsory voting can (y) be very effective in raising turnout – in spite of low penalties that are imposed for failing to vote (usually similar to a parking violation), in spite of the lax enforcement (usually much less stringent than parking rules are enforced), and in spite of the secret ballot, which means that an actual vote cannot be compelled in the first place’ (Lijphart, 1998, 2). When citizens are no longer compelled to vote, the social norm and civic sense of duty to vote gradually vanish. This results in declining turnout levels, manifesting themselves first among the youngest citizens, who did not yet internalize the norm to vote (Franklin et al., 2004, 121–122). The fact that young people abstain more than others and that average turnout is declining indicates that the legal obligation, the social norm and the civic sense of duty to vote coexist and reinforce each other (Keaney and Rogers, 2006, 18–20).

### Underview - Wacquant

#### The underview is an additional impact to the harms:

#### Voting restrictions perpetuate racists by painting minorities as anti-citizens – a permanent underclass that must be politically sterilized and excluded.

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories [are] deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – it is this logic that makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

### Underview – Slemon Only

#### The ballot represents an instance of a methodology that must be adopted if oppressive ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally, especially within academic settings.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post- Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

### Underview – Pre Fiat [Long]

#### Debate is an academic space in which debaters learn about real world issues and engage in academic activities like research and advocating policies. Failing to address this question promulgates racism – in an educational activity such as debate, proactively examining the assumptions behind what we say is key – this is a pre-fiat warrant for the standard

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

While there has been a powerful social tendency among Whites and White society to define racism in individual terms or, at best, in limited institutional terms, such as in hiring or promotion, we do not think most White researchers consciously support racism in any terms individual, institutional, societal, or civilizational. But this intention is not sufficient if our argument here is a persuasive one. In a very important sense, we White researchers are unconsciously promulgating racism on an epistemological level. As we teach and promote episte- mologies like positivism to postmodernism, we are, at least implicitly, teaching and promoting the social history of the dominant race at the exclusion of people of color, scholars of color, and the possibility for research based on other race/culture epistemologies. We can, however, use our opposition to racism to consider the question of whether our dominant epistemologies are racially biased or not and, if they are, to begin to change this situation.19

#### I shouldn’t have to justify why oppression is bad – questioning and justifying oppression is an exclusionary practice that makes debate a hostile space for those who endure oppression daily

Smith 13 [(Elijah, CEDA and NDT champion) “A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate” Victory Briefs Daily, 9/4/13] AT

At every tournament you attend this year look around the cafeteria and take note of which students are not sitting amongst you and your peers. Despite being some of the best and the brightest in the nation, many students are alienated from and choose to not participate in an activity I like to think of as homeplace. In addition to the heavy financial burden associated with national competition, the exclusionary atmosphere of a debate tournament discourages black students from participating. Widespread awareness of the same lack of participation in policy debate has led to a growing movement towards alternative styles and methods of engaging the gatekeepers of the policy community, (Reid-Brinkley 08) while little work has been done to address or even acknowledge the same concern in Lincoln Douglas debate. Unfortunately students of color are not only forced to cope with a reality of structural violence outside of debate, but within an activity they may have joined to escape it in the first place. We are facing more than a simple trend towards marginalization occurring in Lincoln Douglas, but a culture of exclusion that locks minority participants out of the ranks of competition. It will be uncomfortable, it will be hard, and it will require continued effort but the necessary step in fixing this problem, like all problems, is the community as a whole admitting that such a problem with many “socially acceptable” choices exists in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where competitors attempt to win by rushing to abstractions to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but as someone who understands that experience, the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is not just a game, but a learning environment with liberatory potential. Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. Current coaches and competitors alike dismiss concerns of racism and exclusion, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, and refuse to engage in those discussions even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won't risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary.

#### The ballot represents an instance of a methodology that must be adopted if racist ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post-Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

### Theory Underview

#### Drop the argument on T and theory:

#### It corrects for the neg side advantage of both time skew and neg flex

#### It prevents frivolous interps that limit topic education by making every round about T or theory

#### Use reasonability on T and theory with a briteline of demonstrated in-round abuse:

#### Competing interps justifies endless theory since any interp that isn’t perfectly fair or educational is a reason to lose. That screws the aff and kills substantive education since I have to have some interp that can’t be perfect.

## Old 1AC Arjun

### FW

#### *The term “compulsory voting” creates a law to attend all elections. While blank ballots are not allowed, it’s impossible to enforce.*

*Birch 09 [Birch, Sarah. Reader in Politics-University of Essex . “Full Participation : A Comparative Study of Compulsory Voting.” Manchester, GBR: Manchester University Press, 2009. Pgs 2-3. Copyright © 2009. Manchester University Press] AJ*

*Compulsory voting can be defined very simply as the legal obligation to attend the polls at election time 3 and perform whatever duties are required there of electors. As is often recognised, the inherent constraints of the secret ballot mean[s] that in most modern democracies (and even in many less-than democratic settings) compulsory voting is, strictly-speaking, impossible. [t]he state cannot typically monitor the behaviour of the elector in the privacy of the polling booth and can therefore do nothing to prevent him or her from casting an invalid or blank ballot; in very few states is any legal effort made to do so. 4 The Dutch language recognises this distinction by employing a term – opkomstplicht – which can be translated as compulsory (or obligatory) attendance at the polls, 5 as does a recent Institute for Public Policy Research Report, which refers to ‘compulsory turnout’ (Keaney and Rogers, 2006). Most European languages fail to make this distinction, however, and use terms that translate roughly as ‘obligatory voting’. The French speak of le vote obligatoire, the Italians of il voto obbligatorio , the Spanish of el voto obligatorio and the Portuguese of o voto obrigatório . In German the terms employed are ( gesetzliche ) Wahlpflicht and Stimmpflicht , while most Slavic languages use variations on the Polish term głosowanie obowia ˛zkowe . 6 The terms ‘obligatory voting’ and ‘mandatory voting’ do make their appearances in the English-language literature, yet the most commonly used term to designate this practice is ‘compulsory voting’. This is somewhat unfortunate, given the pejorative connotations of the term ‘compulsion’ in English; certainly ‘obligation’ has a rather different sound. Use of the term ‘compulsion’ thus casts the institution in a negative light in many English-languages debates on the subject (despite the fact that the Australians have been happily using this term to describe their electoral system for over 80 years). This usage has the further consequence of precluding an automatic semantic link between the institution and the broader notion of political obligation. A more appropriate term might be ‘the legal obligation to participate in elections’, but this being cumbersome, the present study will employ the terms ‘compulsory voting’, ‘mandatory voting’, ‘compulsory electoral participation’ and ‘mandatory electoral participation’, which will be used interchangeably.*

#### Part one is the framework.

#### Traditional understandings of democracy have allowed the blight of racism to continue unseen. We must revitalize the democratic project with an ethic of equal participation.

CAROL C. GOULD [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000]

Why does racism, as well as the idea of race itself, play[s] almost no role in most democratic theories? As Cunningham (2000) has noted, this is the case even for C.B. Macpherson, and, we might add, for more recent theories too, for example, those of Ian Shapiro or Thomas Christiano (Macpherson, 1973; Shapiro, 1996; Christiano, 1996. There are important exceptions such as Simon, 1995). In the long view of democratic theory, one answer is obvious: for the same reason¶ that feminist theory has only recently come to influence democratic theory — namely, the latter’s [its] disregard of difference (except as individually different opinions or conflicting interest groups), and the liberal conviction that democ- racy is primarily a matter of assuring equal rights to vote and majority rule. Additionally, from within this traditional understanding[s], democratic citizenship itself, with its requirement of equal treatment, ought simply to disregard an individual’s race. On this approach, while racism is ruled out at the formal¶ level, not much more can be said about it.¶ In fact, as has been argued by Bernard Boxill and others, the central democratic procedure of majority vote tends to render minority groups¶ invisible (Boxill, 1998, pp. 112–19). Because of this, formal democracy and¶ especially the procedure of majority vote, not only disregards underlying¶ racism, but in fact exacerbates it in practice, because votes can give enormous power to an absolute majority of one race or culture over cultural minorities,¶ in Boxill’s phraseology (pp. 112–13); it thereby may permit a tyranny of the majority over these minority groups. Not only has most democratic theory had little to say about racism, but in¶ fact democracies have coexisted in practice with racism for many centuries, as Charles Mills and others have recently stressed (see Mills, 1997, especially Chapter 1). Beyond insisting on equal voting rights, then, democracy, as a¶ formal and procedural system, offers little basis for the critique of racism. This neglect by democratic theorists and the tolerance of democracies for racism¶ suggests on the face of it that there is something wrong with the traditional understanding of democracy. I will argue here that the inadequacy goes beyond the oft-observed formality of democracy and its disregard of social and¶ economic inequalities outside the political sphere. Before proceeding, we should note that racism has been addressed in this country in certain delimited democratic contexts: rst, in the issue of the¶ representation of Blacks in Congress, in terms of the legitimacy of creating Black majority districts (Guinier, 1994, is especially central here). Second, there has been the Federal role in instituting affirmative action programmes, as¶ required by concepts of justice. To the degree that such programs have been¶ seen as appropriate political decisions by democratic governments, affirmative action provides another tie between democracy and racism. Mention might also be made of the idea that achieving Black community control of local govern- ments would increase opportunities for political participation. In general,¶ though, in dealing with racism, the emphasis — even on the Left in this country — has been on overcoming discrimination through affirmative action¶ and achieving greater economic equality; which in turn has been seen as the way to insure increased political participation. While this is clearly of great¶ importance, there is need for further reflection on the connection between¶ racism and democracy itself. To sum up the existing situation: from the standpoint of basic norms for political philosophy, namely, the key values of freedom, justice, community, and democracy, we may say that race and racism have been tied primarily to¶ justice (as equality — political, social and economic), as well as to freedom¶ (from discrimination or oppression or stereotypes) and in this connection to the¶ conception of the social construction of racial characteristics. Increasingly, in¶ recent years, the overcoming of racism has been connected to an understanding¶ of community as inclusiveness, where an inclusive community refers to one¶ that not only tolerates but encourages differences, and supports diverse cultural and ethnic groups by assigning them rights and by enlarging the scope of interpersonal interaction, both within racial groups and among them. Yet, the missing term in these accounts has been that of democracy. As noted, beyond the idea of lack of opportunities for democratic participation by African-Americans and the general need for equalising opportunities, the ties of racism to democracy remain relatively unexplored. And while the elimin- ation of injustice (freedom from discrimination or oppression — racial and¶ otherwise) and ‘levelling the playing field’ surely are presuppositions of full democracy, as Thomas Simon shows (1995, especially Chapter 5), this cannot exhaust the account of the relations between the key terms ‘racism’ and¶ ‘democracy’; nor does the issue — albeit a crucial one — of achieving genuine¶ representation of African-Americans through the creation of Black majority districts or other measures, e.g., proportional representation. In what follows,¶ then, I will take up some of the other connections that racism (and race more generally) has to democracy. I will draw on the particular version of demo- cratic theory that I have advanced elsewhere (Gould, 1988, and a series of articles, e.g., Gould, 1996–97), but similar connections apply to several other versions as well. 2 The first point to note — of great [there is] importance, if perhaps obvious — is the intrinsic and [a] deep connection between the critique of racism (and sexism) and the requirement for democracy. In my view, the idea of equal positive freedom, or more generally a conception of equal agency, is the basis for both the¶ critique of discrimination and the justification of democratic participation. In¶ the first case, equal positive freedom as prima facie equal rights to the¶ conditions for individuals’ self-development, entails (negative) freedom from discrimination and domination — both institutional and personal — inasmuch as these conditions limit or curtail such flourishing, as well as the (positive) availability of social and economic conditions for this self-development. Hence it excludes both racism and sexism, and entails an affirmative requirement for reciprocal recognition, as well as some equalisation of social and economic resources. At the same time, this very principle of equal positive freedom serves as the justification for equal rights of democratic participation in all contexts of what I have called common activity. Since participation in such common activities is among the conditions for self- development, and since in¶ order to be an expression of agency these common activities need to be under¶ the control of those engaged in them, it follows that individuals have equal rights to co-determine these activities or to participate in decision-making¶ concerning them (the longer version of this argument is in Gould, 1988, Chapter 1). Democratic decision-making thus emerges as the institutional analogue to¶ relations of reciprocity in face-to-face interactions. In particular, the connection¶ is to that type of reciprocity that may be called social reciprocity, or reciprocity of respect, rather than to lesser forms such as instrumental reciprocity —¶ colloquially, the reciprocity of ‘tit for tat’, or return for benefit given. The¶ conceptual connection between the critique of racism and the requirement of democracy is as follows, then, mediated through the principle of equal positive¶ freedom: the critique of systemic discrimination entails an emphasis on equal access to conditions of self- development, which also implies the requirement for equal rights of participation in decision-making concerning common¶ activities. On this view, the conception of self-development, originally presented by Marx and Mill, and subsequently by Macpherson and others, and which in turn¶ is seen to support the requirement for democratic participation, is not so much¶ to be opposed to consumerism and acquisitiveness, as it primarily was for Macpherson (1973),1 although it does indeed contrast with that. Rather, the main opposition is with the control by some over the conditions needed by¶ others for their self- development, i.e., domination, or in lesser modes, discrimi- nation, and one of whose manifestations (though a unique one in various ways)¶ is racism. Equal agency, in the richer sense of the equal right of individuals to be free from domination and free to develop their capacities, gives rise both to¶ an egalitarian critique of racism and other forms of oppression, and to the¶ conception of widely equal rights of participation in democratic decision- making. Of course, the question of the scope of such decision-making, and¶ correctly delimiting those who have rights to participate in varying contexts, remains a difficult and important question for democratic theory, which is not yet addressed by noting this conceptual connection. Yet, I have already noted a troubling set of difficulties that arise here: despite these deep and inherent conceptual connections, in practice there is rather often a sharp disconnection between the critique of racism and the support for democracy. Numerous self-proclaimed democrats have in fact been racists and some of those critical of racism have favoured authoritarian rather¶ than democratic forms of government as essential for achieving their goals. In¶ addition, and this has been often noted, there is frequently no tie between the¶ critique of racism and that of sexism, despite the intrinsic theoretical connection between them. In short, some of those most critical of one turn a blind eye¶ to the other. While it is important to note the distinctive features of each of¶ these types of oppression (themselves internally differentiated), it is puzzling¶ as to why feminists may occasionally display racist tendencies (more often in practice than at the theoretical level), while those working to overcome racism¶ sometimes denigrate feminism and may at times display sexist attitudes in practice.

#### *Racism is enabled by allegedly neutral ideals like negative freedom that ignore racism by failing to explicitly account for it. To combat racism, democracy needs to be reconceived to proactively combat racism.*

*GOULD 2 [Carol, Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000]*

*Based on this analysis of socially constructed racial and cultural identities, we may return to the original set of issues and ask: if democracy, with its equal rights, is antithetical to racism, why does racism persist within it? Abstracting from the central empirical issues here, and focussing on this only from the side of the concept of democracy, we may answer that partly it is due to existing limitations in the understanding of democracy. I want to disagree, then, with Charles Mills’ normative approach, while appreciating his powerful critique of racism as a system of accumulated entrenched privilege, or differential racial privilege that is institutionalised and global (or practically so). Mills suggests that the normative requirement in dealing with this system of white supremacy is to base democratic political organisation on a true understanding of social contract and natural or human rights (see Mills, 1997, p. 129), and to bring¶ these Enlightenment ideals to full realisation. But I think that more is required, and specifically a rethinking of democracy [is required.] along several dimensions. The problems with contemporary democracies have already been well analysed in terms of their formality and proceduralism, and their disregard of social and economic inequalities that set[s] limits to participation. I would add, too, the factor of [and] their delimitation to the political realm alone. At the basis of this traditional understanding of democracy is a conception of what I have called abstractly universal norms of negative freedom and formal equality, with a social ontology of individuals whose relations to each other are external (see Gould, 1988, Chapters 1–3, and 1978, especially Chapters 1 and 2). An alternative view would adopt these very norms while reinterpreting them, and would also reconceive democracy in relation to a notion of concrete universality, understood as having both empirical and normative aspects. Descriptively, concrete universality adds to the social ontology not only an understanding of the individuals as internally related to each other, but sees¶ societies as constituted and interconstituted through these multifaceted relations. While abjuring the holistic interpretations of this universality originally proposed by Hegel, this approach sees a certain utility in an emphasis on¶ interconstituting relations, including here racial relations, and places new¶ weight on the possibilities for intercultural creation (intra- and interracial) that¶ this may open.2 The latter may even [and] extend to the co- constitution of concepts, procedures, and institutions themselves based on differential understandings¶ from multiple cultural or racial perspectives. Within a given society, a concrete universalist approach sees the inter- constitution of social relations, including racial interactions, as taking place among differentiated individuals and groups, who differentiate themselves and¶ are recognised by others through relations that are initially often oppositional or oppressive but perhaps increasingly reciprocal over time. From the normative side as well, the distinctiveness of such a concrete universalist approach¶ consists in its requirement that abstract moral, political, and legal norms, though of great importance, also need to be put in the context of actual social conditions to understand critically why they have not been realised. It proposes¶ too that social cooperation and a variety of other social values be integrated with the abstract individual ones that are already well known and understood. When conceived in relation to the idea of multiple and interactive cultural¶ identities that I posed as the prospective counterpart to historically developed¶ racial identities, what then does such a conception of concrete universality¶ entail? The answer is threefold, I think: democracy needs to be understood as multicultural in a specific sense, it has to be connected to citizenship on a¶ certain interpretation, and it requires a substantive interpretation in terms of democratic community. These admittedly rather demanding requirements can¶ be summed up in the idea of an inclusive multicultural democracy. It seems to me that democracy can make its own contribution to countering racism when it is reconceived in this way, providing certain suggestions for practical changes along these lines. The additional impact of economic democratisation¶ for counteracting racism will be considered later, in the final part.*

#### Current theories claim that this emphasis on negative rights can be neutral, but it inevitably ends up expressing the model of the white Protestant as “normal.” Ending racism requires accepting multiculturalism in the public sphere by breaking down racial barriers and actively supporting all cultural identities.

GOULD 3 [Stevens Institute of Technology “Racism and Democracy Reconsidered” Social Identities, Volume 6, Number 4, 2000]

It may be helpful to analyse the ingredients for this reinterpretation of democracy, namely, multiculturalism, inclusiveness, and democratic com- munity, before attempting a summary characterisation of the overall idea. The term multiculturalism has been used in importantly ambiguous ways, meaning different things to different people; and by now it has some unfortu- nate connotations. Still, the word itself, suggesting the multiplicity of cultures, retains its utility. (‘Pluriculturalism’ would capture the same notion, but it too has been used in very different contexts.) We may in fact distinguish between two uses of the term: in one use, multiculturalism designates an aggregate or collection of different and relatively separate cultures, together with an aware- ness within an older dominant culture of these differences and of the contributions of the cultures of oppressed groups — paradigmatically, the recognition¶ of the contributions of African-American, Latino, and other minority cultures in the United States — or an awareness of non-Western cultures beyond the dominant Eurocentric canon. In this aggregative sense, too, it has sometimes come to be unfortunately used in a denigrating and racist way to refer to generalised, unspecified racial demands by African-Americans and other racial minorities on white people. The term multiculturalism can also be used, in a second sense, to designate a newer interactive model of culture, where cultural (and racial) identity itself is open to plural definition and where there may be cultural creation through the appropriation of diverse cultural influences. Here, the concept becomes more one of being multi-cultured or multiply-cultured (and analogously, perhaps, multi- racial). A noteworthy and often-cited example of this interactive cultural creation is American jazz. There have been more recent forms of this as well, for example, in graffiti art, in the influence of various sorts of ethnic dance on the forms of modern dance, in hip-hop music, and more generally in the phenomenon of ‘fusion’ styles of art, music and even cuisine. Yet, this does not necessarily entail a homogenisation of cultural strains and it is also a continuation of the historically common phenomenon of cultural diffusion. But we may say that such multi- cultural creation has become a more intensely dynamic phenomenon than it was in the past, due in part to the powerful contemporary technologies of global communication. On the normative side, such developments contribute to the possibilities of cultural choice and change, and accord with the social constructivist conception of racial/cultural identity presented earlier. It is evident that this conception of multi- culturalism adds an important element not only of self- definition but also the appropriation of diverse cultures to the more passive traditional characterisation of races, and of cultures too, as matters of birth or ascription. When connected to democracy, the requirement of multiculturalism implies that the political community not only tolerate diverse cultural groups, but find ways of supporting them, compatible with basic principles of equal treatment. It would need to eliminate the favouritism of civic life toward one leading set of cultural characteristics — that of the majority (in the US, still white Protestant[s]), and permit the development of new forms of such civic life reflective of the polity’s fuller cultural variety. Some degree of public support of diverse¶ cultures is possible, with the proviso that individuals must be understood to be capable of belonging to more than one culture. And particularly where there is a dominant majority and a clearly articulated set of minority cultures, certain group rights for these cultural minorities may also need to be protected (for some of the difficulties here, see Kymlicka, 1995). Such a multicultural democracy attempts to go beyond the model of a neutral and universalist public sphere, where all particularity is supposedly relegated to a private domain in which particular cultural identities are allowed to flourish. Rather, this view suggests that some cultural diversification can actually be supported within the public sphere itself, compatible with fairness and human rights, and where there is an ongoing and open dialogue about emergent civic traditions. The inclusiveness required by this new conception arises in the first place from the connection of democracy to citizenship. It has increasingly been recognised that the issue of who counts as a member of a political community is as central as [is] their degree of participation in the governance of the resulting polity. The inclusiveness required here turns on the idea that all those resident in a given territory need to be recognised as citizens, with rights of democratic participation. Racist exclusions or denigrations are eliminated on this view. Certainly, full civil, social, and economic rights for immigrants are implied here, while for illegal immigrants a range of hard issues would centre on whether one could show them to be residents within the polity. Yet, the question of fully open borders is not touched by this account. It seems evident that the inclusiveness of the community does not necessarily entail a com- munity with no borders or one that extends worldwide. The issue of the scope of political communities and of borders remains a real one; and we need also to accommodate the possibility of overlapping communities. But these questions go beyond the scope of this paper. This redefinition of democracy sees such an inclusive democratic com- munity as the framework for political life. But what does the notion of such a community involve? Normatively, it connotes an openness to, and acceptance of, the whole person on the part of others, where these persons are taken in their embodied and diverse complexity. In this sense, it is a community of differentiated whole persons. There is no exclusive concern with cognitivity in the constitution of this as a community, nor with any given criteria of ethnicity or objective bodily characteristics. There is also no requirement for agreement on some comprehensive doctrine — moral, religious, or philosophical — for there to be a community (contrast Rawls, 1993, p. 40, footnote 43). The existing community that serves as the basis for a political society can be considered democratic to the degree that it involves opportunities for participation in decision-making for all its members. This entails engagement with other concrete individuals in face-to-face interactions (e.g., in committees, small groups, or the occasional community-wide meeting; or in interactions among individuals in governmental or deliberative bodies); as well as mediated forms of representation.

#### Thus, the standard is reducing race-based barriers to equal participation in decision-making.

### Contention

#### Part two is the ABHORRENT HISTORY

#### A close examination of the status quo reveals a new generation of racist voting laws, employed to exclude black voters. This is a system of racism that sustains 5 generations of disenfranchisement and oppression.

Hodgkiss 01 [(Anita, trial attorney with over 35 years of experience defending companies and individuals in the state and federal trial and appellate courts) “Race and Election Irregularites on November 7 2000” 15-FEB NBA National Bar Association Magazine 18- (January/February, 2001)] AT

The information gathered by civil rights organizations, including the NAACP, details allegations of several forms of outright denial of the right to vote, as well as intimidation and barriers that prevented or discouraged voting. Complaints include the following types of disenfranchisement: alleging serious violations of the United States Constitution, the federal Voting Rights Act and the National Voter Registration Act, as well as Florida election law and Florida civil rights statutes. Minority voters who have been registered for many years and who have voted in the past, were told when they appeared at their polling places that their name was not on the precinct list. Some minority voters said they were turned away because they did not have photo identification, even though Florida law provides that registered voters without photo IDs may cast "affidavit ballots". Reports indicate that in some counties, minority voters were asked for a photo ID while white voters were not. Some minority voters claimed that they were not allowed to vote even though they arrived at the polling place with both their voter card and a photo ID. Voters who did not appear on the voting list or have a photo ID reported that they were shunted into a "problem" line, where they waited for long periods of time after being told that election officials were trying to telephone headquarters. However, because phone lines were jammed and many of these calls never went through, some voters were left waiting for hours and still did not get to vote, other voters became discouraged and left without voting. Some voters told of being sent from polling place to polling place, with no real effort to determine where they actually would be permitted to vote. Some claimed to have been turned away from not just one, but three or four polling places. Registered voters reported being denied the right to vote because of minor, immaterial discrepancies in their names as they appeared on registration lists and in their proof of identification--such as their use of middle initials. Voters who were turned away said that they were not offered affidavits or challenge ballots. Large numbers of minority voters who registered before the October 10, 2000 deadline under Florida law did not receive their voting cards before November 7. When they appeared at the polls, they were told they were not on the voting list and were not permitted to vote. POLLING PLACES MOVED WITHOUT NOTICE Witnesses also reported that one, and possibly more, polling places were moved without notice to the voters and without the placement of a sign at the site, as required by Florida law. As a result, the minority voters served by this polling place either had to overcome the barrier of locating their new polling place on their own (telephone calls to election officials were either not answered or not helpful) or were denied the right to vote because they could not locate their polling place. INTIMIDATION, THREATS AND HARASSMENT OF AFRICAN AMERICAN VOTERS Witnesses reported police checkpoints or police stop[ped]s of voters in the vicinity of several polling places in African American neighborhoods. ABSENTEE BALLOT IRREGULARITIES Voters who requested absentee ballots alleged that they did not receive them and that they then were not allowed to vote when they went to the precinct in person on election day. FAILURE TO PROVIDE OR ALLOW ASSISTANCE Many Haitian American voters requested the assistance of a volunteer Creole/English speaker, who was willing to translate the ballot for those with limited English proficiency, but were denied such assistance. As a result, many Haitian American voters may have been denied the right to vote. DEMOCRACY DENIED: THE TRUE EQUAL PROTECTION VIOLATION When taken together, the allegations of exclusion and intimidation that civil rights investigations have uncovered so far show a pattern of disenfranchisement of large numbers of minority voters in several counties in Florida. The equal protection rights of African American, Haitian American and Hispanic voters who tried to vote, and who made heroic efforts to overcome barriers to their legitimate political participation, were denied in this election. THE NATIONAL BAR ASSOCIATION RESPONSE Mindful of these problems, the National Bar Association responded promptly, forming an Election/Voting Rights Task Force co-chaired by David Honig and Thomasina Williams. The task force prepared and filed an Amicus Curie brief in Bush v. Gore (U.S. Supreme Court, No. 00-949). The NBA's brief did not urge a particular outcome. Instead, it attempted to place the issues in the case in their historical context. The brief expressed the NBA's view that the contentions of those favoring the termination of a count of legally cast votes are open to a skepticism informed by the history of African America's journey to the ballot box. The NBA described how the nation has endured a history littered with abhorrent disenfranchising tricks and devices. Today's failure to tally and record legal ballots is the ill-begotten child of generations of disenfranchisement schemes, including literacy tests, poll taxes, white primaries, and an array of other voter disqualification devices that discouraged or prevented otherwise eligible Americans from casting their votes. Declaring that these disenfranchisement techniques "cast a long shadow over this case," the NBA urged the Court to "hold to the most exacting burden of persuasion anyone who seeks to prevent the tallying and recording of legally cast votes." Finally, the NBA observed that "[o]ur system has stumbled when an election case arrives in any court. Consequently, this Court would perform a valuable public service by drawing attention to the many non-controversial, nonpartisan, race-neutral standards and procedures available to a nation seeking to heal itself and make more perfect its union." The brief did not seek the Court's endorsement of particular reforms, but asked only that the Court commend several of them to legislatures, agencies and the bar for consideration.

#### These voting practices are the continuation of a long line of racism, beginning in slavery and Jim Crow – these are racist constructs that continue a generations-old vicious cycle of oppression

Knafo 13 [(Saki, General Assignment Writer, has written for The New York Times Magazine, New York Magazine, and Publishers Weekly) “Voting Rights Of Black Americans Trampled By 'New Jim Crow,' Civil Rights Advocates Say” Huffington Post, 07/25/2013] AT

More than a million of these disenfranchised Americans are black. Felony convictions restrict 13 percent of the country's black male population from voting, prompting critics to portray felon disenfranchisement as [is] an heir to the voter-suppression tactics of the Jim Crow era. Back then, black people eager to cast their ballots encountered poll taxes, literacy tests and violence. Today, the mechanisms of disenfranchisement may be more sophisticated, but they can be just as oppressive, civil rights leaders say. More than 30 states have passed laws in recent years requiring voters to display photo identification, which minorities and low-income Americans disproportionately lack. Just this week, North Carolina's Republican-dominated Senate approved a bill that would eliminate same-day voter registration, cut early voting by a week and require all voters to show specific forms of state-issued ID at the polls. Then there’s redistricting, the political maneuver by which elected officials redraw the boundaries of representation, often along partisan lines. Critics argue that this practice has diminished the electoral clout of those minorities who do vote. In North Carolina, the Republican majority that passed the new voting laws benefited from a 2011 redistricting scheme that placed more than a quarter of the state's black voters in newly divided precincts and transformed the Republicans' 7-6 congressional district edge into a steep 9-4 advantage. Today's attempts to erode the voting power of minorities amount to "the same face with a different mask," said John Lewis, the long-serving Georgia congressman and civil rights icon, at a recent Senate hearing on the future of voting rights in America. The modern barriers to civic participation are not confined to the South. Voter ID laws have taken root in northern battleground states, including Pennsylvania and Ohio, and Iowa has one of the most restrictive felon disenfranchisement policies on the books. (Along with Florida and Kentucky, the state denies the ballot to nearly everyone who has ever been convicted of a felony, including many non-violent drug offenders.) Still, few civil rights supporters see eye to eye with the five U.S. Supreme Court justices who ruled in June's landmark case on the Voting Rights Act that the election policies of districts with troubling histories of discrimination no longer warrant special scrutiny from the federal government. In her dissent, Justice Ruth Bader Ginsberg listed eight examples of race-based discrimination in the South's recent history, including one in Waller County, Texas, where officials attempted to reduce early-voting hours at polling places near a historically black college. "Hubris is a fit word for today's demolition of the VRA," she wrote. Immediately after the ruling, officials in Alabama, Mississippi, North Carolina and Texas resurrected plans to pass laws that the federal government had previously deemed unconstitutional and discriminatory. With fewer people in power to represent minorities and other low-income groups, lawmakers are less likely to invest in public schools or poverty programs, civil-rights advocates say. They’re less likely to support policies that help workers, like raising the minimum wage or requiring companies to offer paid sick leave to their employees. And they’re more likely to pass the same kinds of voting restrictions that arguably helped many of them gain power in the first place. No ethnicity bears the brunt of these decisions more than blacks. "There's a saying: When America catches a cold, black America gets pneumonia," said the Rev. Dr. William Barber, the head of the North Carolina branch of the NAACP and a progressive leader who helped spawn a local protest movement aimed at the state’s new voting laws and other conservative policies. "Whatever pain Americans feel when the franchise of voting is suppressed," he said. "African-Americans feel it even more, in the kinds of public policy that are the result of not having a broader and deeper electorate." It's hard to know exactly how many people have already been disenfranchised by voting laws across the country. Last week, in a trial over Pennsylvania's voter ID law, a statistician testified that hundreds of thousands of Pennsylvanians lacked the identification documents needed to cast a ballot. Some observers place the national number in the millions; others say those figures are inflated. Less disputed is the size of the disenfranchised felon population. "You're really locking out five or six million poor people from the electoral process," said Christopher Uggen, one of the authors of "Locked Out: Felon Disenfranchisement and American Democracy." "Their votes don't count and the major parties don't have to attend to their preferences."

#### These laws dilute the power of the individual to the point of creating a collective action problem that makes voting seem futile to minority voters – but by encouraging group mobilization, compulsory voting empowers minorities.

Harvard Law Review 7 [“THE CASE FOR COMPULSORY VOTING IN THE UNITED STATES” HARVARD LAW REVIEW Vol. 121:591 Dec 2007] AT

There are serious questions about how legitimate a government is when the vast majority of citizens have not elected it.23 This concern goes beyond the question of whether or not low voter turnout affects substantive policy outcomes (which is unclear24). More fundamentally, there is a serious tension with the understanding “that within our constitutional tradition, democracy is prized because of the value of collec tive self-governance,”25 which is as much about procedure as it is about substance.26 Indeed, the level of voter turnout as a percentage of eligible voters in many recent elections would not even be sufficient to constitute a quorum for some of the most important American political institutions.27 But the most serious questions arise not from the sheer number of citizens whose voices are not counted,28 but from the fact that certain groups are underrepresented.29 Partly because of disparities in turnout rates by demographic categories, the center of political gravity has shifted toward the wealthiest white Americans.30 Government may not be giving adequate consideration to the priorities of the poor or of racial minorities.31 Many would dismiss these concerns about underrepresentation by pointing out that no one is denying the rights of nonwhites or the poor to vote; rather, individuals in those demographic groups are simply choosing not to exercise their rights. If they were sufficiently dissatisfied with the government, then presumably they would change their minds and vote. Given the rational basis for nonvoting discussed above, however, individual dissatisfaction is hardly guaranteed to encourage voting. Even a dissatisfied individual will be unlikely to vote if she realizes that her vote has a negligible chance of affecting the outcome of an election. Thus, even among relatively distinct demographic groups, a majority of whose members may be seriously dissatisfied with the national political leadership, collective action problems pose a substantial obstacle to any attempts to increase voter turnout. II. SOME OF THE BENEFITS OF COMPULSORY VOTING The most obvious benefit of compulsory voting is that it would lead to higher voter turnout. The increase in voter turnout from compulsory voting laws has been established consistently.32 Because of the important ideal of self-governance in American political culture,33 increasing voter turnout is a benefit in its own right. It is also possible that higher voter turnout, and an electorate that is more representative of the American population, would actually change electoral and policy outcomes in ways that better reflect aggregate preferences.

### Solvency

#### Thus, part three is A NEW HISTORY.

#### I will defend compulsory voting in the US based on the Australian model – I reserve the right to clarify

#### First, compulsory voting solves the issue of racism in voting – by giving all citizens an equal voice, minorities are better represented in government

Cherry 09 [(Ceridwen, Law Clerk at United States District Court for the District of Massachusetts, Voting Rights Intern at The Lawyers' Committee for Civil Rights Under Law, Intern at Office of Senator Edward M. Kennedy, University of Michigan Law School and Harvard University Kennedy School of Government) “Maximizing Participation: what the US can learn from compulsory voting” FairVote June 8, 2009] AT

In the hotly contested and historic 2008 US Presidential election only 61% of registered voters cast ballots. Considering that the United States has a long history of electoral discrimination, a low participation rate suggests that many citizens are still unable to take part in the electoral system or have lost faith in the political process. Such low voter turnout also undermines the legitimacy of the government as it shows that it is not representative of or responsive to the needs of the people. Personally I believe the best solution is to adopt compulsory voting, a view that I readily admit is influenced by having grown up in Australia where voting is legally required. Just as most democratic countries require their citizens to sit on juries, I strongly believe voting should be re-imagined as a required civic act similar to paying taxes or mandatory schooling, both of which are more time consuming and demanding than voting. In my own experience I have never found a legal requirement to vote to be especially onerous. Most Australians agree with me: since its inception compulsory voting has always received the support of a majority of Australians. There is also clear evidence that compulsory voting works: since 1968, in Australia electoral turnout has averaged 95%. In the U.S. over the same period it was barely 54%. Australia is not alone in mandating voter participation: worldwide 32 countries use some form of compulsory voting. Considering its history of voter disenfranchisement, the US would particularly benefit from the anti-elitist nature of compulsory voting. Some opponents may argue that encouraging all citizens to vote leads to a large electorate of uninformed voters. However, once qualifications beyond minimum age restrictions are imposed on electors, a historically dangerous slippery slope is created, reminiscent of the days when only those of a certain race, sex or economic status could vote. In contrast, when all citizens are required to vote, the opinions of the socially marginalized count just as much as the political elite. This means that when candidates and governments formulate their policies they have to ensure they are working for the entire electorate and not just the well connected. The intended consequence is that government is more representative of the overall needs and desires of the people. Introducing compulsory voting would also make it easier to determine whether voters were dissatisfied with the available candidates or stayed away from polls due to disenfranchisement or inconvenience. If required to vote, many voters unhappy with the available candidates may opt to cast a "donkey vote" or purposefully spoiled ballot. An invalid ballot is actually a very strong political message and is much easier to interpret than non-attendance because it requires a positive act. A noticeable number of invalid ballots indicate that politicians are not addressing the needs of a significant portion of the electorate and thus can actually be a powerful tool for voters. Implementing a system of mandatory voting would certainly illicit opposition, particularly concerning the "right to abstain." However, due to the internationally respected right to secret ballot, the most a government can do is require its citizens to attend a polling station. Thus "compulsory voting" is a misnomer and is more accurately termed "compulsory turnout". For those who do not wish to vote for any of the candidates a "none of the above" option should be added to the ballot. This would further indicate to the candidates that they were not addressing the needs of their electorate. Despite its many advantages, I appreciate that there is no realistic chance of compulsory turnout being used in the United States, nor does FairVote support its adoption. Although it should be noted that in the 1770s compulsory voting was used in the state of Georgia. Perhaps mandating participation isn't so un-American after all?

#### Second, CV is key to resisting racist disenfranchisement laws.

Cherry 09 [(Ceridwen, Law Clerk at United States District Court for the District of Massachusetts, Voting Rights Intern at The Lawyers' Committee for Civil Rights Under Law, Intern at Office of Senator Edward M. Kennedy, University of Michigan Law School and Harvard University Kennedy School of Government) “Maximizing Participation: what the US can learn from compulsory voting” FairVote June 8, 2009] AT

While mandatory turnout has little future in the US, electoral systems using compulsory voting can still provide the US with important lessons in increasing turnout and improving the accessibility of voting. Many Americans do not vote because they are unable to reach a polling station on election day. In contrast, countries that use compulsory voting typically also make voting more convenient, and thus improve voter attendance, a lead the US must follow. Such improvements should include expanded postal voting, pre-polling for those unable to attend on the day, improved absentee procedures for overseas and military voters and mobile polling booths for the infirm and elderly. In jurisdictions where voting is compulsory, elections tend to be held on a more convenient day when fewer citizens have conflicts with work or school (generally Saturday). Those still unable to attend on election day are allowed to pre-poll or vote by mail. In addition to improved voter access, jurisdictions that compel citizens to vote also strive to achieve universal voter registration. This reduces the chance that anyone may be disenfranchised due to registration issues. Many countries rely on a national register and automatically enroll citizens to vote. Similarly, the US needs to at least move to an opt-out rather than opt-in system of voter registration. Short of this the government should take a more active role in voter registration, particularly through encouraging youth pre-registration. Governments registering people has been shown to be one of the most powerful predictors of high turnout levels.

#### Third, CV changes the structure of the political system, forcing parties to engage with previously marginalized voters and creating an inclusive political space.

Keaney and Rogers 06 [Emily Keaney and Ben Rogers. “A Citizen’s Duty Voter inequality and the case for compulsory turnout.” Institute for Public Policy Research. May 2006] AJ

Compulsory turnout not only increases turnout, it also cuts down the cost of political campaigning and encourages the political parties to engage with those groups least interested in politics or most dissatisfied with the political system. Where turnout is voluntary, most political parties focus on motivating their supporters to vote, rather than winning the support of undecided voters. Both national and local campaigning tend to be directed to this end. Where turnout is compulsory, however, parties can generally rely on their supporters turning out. This can reduce the cost of electioneering and/or encourage parties to concentrate on winning over people who do not support any political party – people who often feel alienated from the political system. This in turn can increase the public’s sense of political efficacy and their confidence in the political system (Lijphart 1997).

#### And solvency is empirically verified – CV consistently raises turnout, verifying that voters can overcome obstacles.

Engelen 07 [Bart Engelen. Research Assistant of the Fund for Scientific Research – Flanders (Belgium), Centre for Economics and Ethics. “Why Compulsory Voting Can Enhance Democracy.” Acta Politica, 2007, 42, (23–39). 2007 Palgrave Macmillan Ltd] AJ

Although this seems immediately plausible, I want to show that introducing compulsory voting does indeed raise turnout. I only give a brief overview of empirical findings, since I mainly want to focus on the normative arguments why compulsory voting is desirable. For more in-depth empirical analyses, I refer to a number of other studies, which all conclude that compulsory voting effectively raises turnout. A first method is to compare turnout levels in countries where voting is compulsory with those where it is not. Such cross-country comparisons show that average turnout in the first is about 10 to 15 percentage points higher than the second (Blais and Dobrzynska, 1998, 246– 247; IDEA, 2004, 26; Jackman, 2001, 16315; Lijphart, 1998, 8). The only two member states that have compulsory voting in the European Union had turnout levels of about 90% in the 2004 European Parliament election, which sharply contrasts with the average of 45.6%. There is wide consensus among researchers that the most important institutional factor in explaining turnout levels is compulsory voting. This method, however, encounters the problem that the potential impact of compulsory voting may coincide with that of other turnout-increasing factors such as ‘automatic registration, proportional representation, infrequent elections, weekend voting, concurrent elections’ (Lijphart, 1998, 8). While the studies mentioned above rely on statistics to single out the effect of compulsory voting, they cannot establish causal connections (Hirczy, 1994, 65; Jackman, 2001, 16316; Keaney and Rogers, 2006, 28). A second method, therefore, looks at a country that has introduced or abolished compulsory voting at some moment in time. Making sure all circumstances remain the same, such [is] within-country comparisons are better suited to singling out its effect. Although the available data is limited, it [which] leaves no room for doubt: wherever it is introduced, compulsory voting raises turnout.7 Completely analogously, the data show that turnout always drops when such laws are abolished.8 Moreover, turnout levels continue to drop in such countries. This suggests that compulsory voting helps solidify some kind of habit or social norm that erodes only gradually in time. Even when such laws are not actively enforced, they engender compliance.9 Here, as well as in countries where enforcement is not very strict, sanctions are mainly a symbolic reminder that voting is compulsory: ‘compulsory voting can (y) be very effective in raising turnout – in spite of low penalties that are imposed for failing to vote (usually similar to a parking violation), in spite of the lax enforcement (usually much less stringent than parking rules are enforced), and in spite of the secret ballot, which means that an actual vote cannot be compelled in the first place’ (Lijphart, 1998, 2). When citizens are no longer compelled to vote, the social norm and civic sense of duty to vote gradually vanish. This results in declining turnout levels, manifesting themselves first among the youngest citizens, who did not yet internalize the norm to vote (Franklin et al., 2004, 121–122). The fact that young people abstain more than others and that average turnout is declining indicates that the legal obligation, the social norm and the civic sense of duty to vote coexist and reinforce each other (Keaney and Rogers, 2006, 18–20).

#### Finally, coercing political participation is key to equal valuation – the idea that some are exempt communicates that their participation isn’t important, subjugating them.

Alejandro 11 [(Hannah Alejandro, Georgetown University Law Center) “The Sovereign Obligations of We, the People: An Argument for Compulsory Voting in the United States” Georgetown Law Center March 18, 2011] AT

Of course, historically jury service has always been a legal obligation (for some, at least) and voting in the United States has practically never been so. The extremes there - always mandated versus never mandated – for two civic practices so close in nature should strike us as odd. What does the divergence tell us about underlying notion of civic obligations of participation? The literature on the theory of civic obligation is, again (as in the voting field), surprisingly sparse. The only substantial analysis of modern civic obligations in principle and practice, including jury service, appears to be Linda Kerber’s No Constitutional Right to be Ladies. Kerber argues, correctly I think, that obligations of civic participation are fundamentally signals of equality and value. Exemptions from civic participation therefore work to marginalize subordinated groups who are ostensibly free from the “burdens” of the powerful.58 Looking at juries, Kerber’s argument rests on the view that service is obligatory not for merely administrative reasons, but because we believe that important, life-altering determinations about the safety and well-being of the community should be undertaken by consensus of the community itself. In short we are told we must serve on juries because the nation requires our judgment to administer fair justice that reflects the values, sensibility, and shared worldview of the community (we might even say we are called to confer as sovereigns). Jurors are both creators and subjects of the public power of law; in each capacity we experience power as interdependent members of a shared community.59 To build a cross-section, all must be called to participate. Jury service, as one of the few civic obligations that requires us to engage fully as deliberative individuals within a decision-making body, therefore rests on an implicit theory of coerced expression as a positive force for justice and fairness. To step back here for the bigger picture, the idea of coercion at work injuries is profoundly different - more positive, more sophisticated - than the one commonly deployed in political discourse. The mainstream, traditional depiction of coercion is that it expresses disrespect, even contempt, for the individual; it suffocates the nuances of a person‟s unique identity and diminishes their experience of the world as an autonomous being. But coercion can also express norms about the value of one’s presence or contribution. The coercive element within the jury, tax, education, and even public health systems actually has two aspects that pull in opposite directions – domination of individual will, and unique valuation of each individual as such (i.e. the notion that you are not replaceable by the participation of someone else). When coerced participation is authentically expressive (like jury service, rather than taxation), coercion arguably affirms and validates individuality by valuing each voice in its own right and making the individual a crucial provider of public, common meaning. Mandatory participation in public institutions sends the message that everyone’s contributions are crucial to the healthy functioning of society.60 In contrast, when we accept the withdrawal of certain people from institutions that we deem fundamental, we implicitly mark those people as less important, less valuable to the process of building a fair or just system. While voluntary voting ostensibly respects the right of people to disengage from politics, a laissez-faire policy for the most important function in a democracy actually expresses a cynical and elitist view that some citizens’ absence is harmless (even beneficial). Such indifference is the most anemic kind of “respect,” and in light of the terrific hostility many low-voting groups have faced historically, the indifference is hardly neutral. Furthermore, democracy requires that we come together to determine the condition of our lives; this requires a level of concern for our fellows, and we should therefore ask whether indifference (often motivated by contempt) is a reasonable public value at all in the voting context. When each member’s contribution to a common good is valued equally – such as our share of taxes, or presence on a jury – coercion can express equal regard and the guarantee of equal opportunity.61

#### CV is a foot-in-the-door for greater reforms – more voices means more power, allowing minorities to advocate and vote on their own behalf – allows true revolution since mobilization is key to victory. This is precisely the kind of small revision key to tackling racism.

Zizek 08 (Slavoj Zizek, professor at the University of Ljubljana, Law and the Postmodern Mind, p. 92 )

Finally, the point about inherent transgression is not that every opposition, every attempt at subversion, is automatically "coopted." On the contrary, the very fear of being coopted that makes us search for more and more "radical," "pure" attitudes, is the supreme strategy of suspension or marginalization. The point is rather that true subver­sion is not always where it seems to be. Sometimes, a small distance is much more explosive for the system than an ineffective radical rejec­tion. In religion, a small heresy can be more threatening than an out­right atheism or passage to another religion; for a hard-line Stalinist, a Trotskyite is infinitely more threatening than a bourgeois liberal or social democrat. As le Carre put it, one true revisionist in the Central Committee is worth more than thousand dissidents outside it. It was easy to dismiss Gorbachev for aiming only at improving the system, making it more efficient—he nonetheless set in motion its disintegra­tion. So one should also bear in mind the obverse of the inherent trans­gression: one is tempted to paraphrase Freud's claim from The Ego and the Id that man is not only much more immoral than he believes, but also much more moral than he knows—the System is not only infi­nitely more resistant and invulnerable than it may appear (it can coopt apparently subversive strategies, they can serve as its support), it is also infinitely more vulnerable (a small revision etc, can have large unforeseen catastrophic consequences).

### Impact

#### Voting restrictions construct blackness as the anti-citizen – a permanent underclass that must be political sterilized

Wacquant 05 [(Loic, Distinguished University Professor of Sociology and Anthropology at the New School for Social Research, Professor of Sociology at the University of California, and a Researcher at the Center for European Sociology in Paris. His interests comprise comparative urban marginality, the penal state, bodily crafts, social theory, and the politics of reason) “Race as civic felony” UNESCO 2005. Published by Blackwell Publishing Ltd] AT

Race or, to be more precise, blackness – for, since the origins, it is the presence of dishonoured dark-skinned persons brought in chains from Africa that has necessitated the (re)invention and perpetuation of racial vision and division – is properly understood as America’s primeval civic felony. Not in a rhetorical or metaphorical sense but in full accord with the Durkheimian conception of crime as ‘an act’ that ‘offends strong and deﬁnite states of the collective conscience’ of the society (Durkheim [1893] 1930, p. 47),7 in this case imputed ways of being and behaving that breach America’s idealised representation of itself as the promised land of freedom, equality, and self-determination. For nearly four centuries, blacks have been consistently constructed symbolically and handled institutionally, not merely as noncitizens laying outside of the inaugural social compact of the republic, but as veritable ‘anticitizens’ (Roediger 1991, p. 57) standing over and against it. This explains the recurrence of schemes and movements aimed at extirpating them from the societal body by migrating them back to Africa, from Thomas Jefferson’s advocacy of deportation after eventual emancipation to the creation by white philanthropists of the American Colonization Society in 1816 to the popular success of the Universal Negro Improvement Association of Marcus Garvey with its plan to repatriate African Americans to Liberia a century later. It also accounts for the prohibition against blacks enlisting in the US military until 1862 and for the cataclysmic sociosymbolic impact of their service under the ﬂag during the two world wars of the twentieth century, which did more to shake the social and mental foundations of the US caste order than all the internal movements of protest until then by eroding the divide between Negroes and whites inside the most honoriﬁc organ of the state apparatus, the military (Gerstle 2001, chapters 5–6; Klinkner & Smith 1999, pp. 200– 201, McAdam 1989). Blacks were not part of this ‘We the People’ that formed ‘a more perfect Union’ to ‘secure the Blessings of Liberty to [them]selves and [their] posterity’, to quote the preamble of the US Constitution. The African and African-American slave, later the Negro sharecropper and the black industrial proletarian, and today the heinous member of the inner-city ‘underclass’ have been persistently pictured and processed in national discourse and public policy as enemies of the nation – as slaves have been throughout world history.8 Richard Wright vividly captured this sense of combined strangerhood and nefariousness in Native Son, the signal allegorical portrait of the black-American condition at midtwentieth century, torn between the glorious profession of democracy and the gruesome reality of caste domination. In the scene of the trial of Bigger Thomas, a clumsy black youth who, out of broiling racial confusion and resentment, accidentally kills a young white beauty, the bohemian daughter of an upstanding patrician family from Chicago, Thomas’s attor- 136 Loı¨c Wacquant r UNESCO 2005.ney utters this plea on behalf of the murderer and alleged rapist (for whites cannot imagine that the slaying was not sexually motivated) who, because of the very enormity of his offence (after smothering his victim in panic, he cuts her head off to throw her body into the furnace of her parents’ mansion), is made to stand for every black person in America: Excluded from, and unassimilated in our society, yet longing to gratify impulses akin to our own but denied the objects and channels evolved through long centuries for their socialized expression, every sunrise and sunset makes him guilty of subversive actions. Every movement of his body is an unconscious protest. Every desire, every dream, no matter how intimate or personal, is a plot or a conspiracy. Every hope is a plan for insurrection. Every glance of the eye is a threat. His very existence is a crime against the state. (Wright 1939, p. 821; emphasis in original) Thus the routine resort, particularly pronounced in periods of transition between regimes of racial rule, to the penal apparatus to ensure that ‘the swarthy specter sits in its accustomed seat at the Nation’s feast’ (Du Bois 1903, p. 10).9 Thus also the persistent refusal, in the administration of penal law as in public discourse more generally, to individualise blacks, resulting in their lumping into a collective type deﬁned by the status and deeds not of the average member but of the lowest and most fearsome (Walton 1992, pp. 397–401) – such that blacks are always liable to be treated as humiliores whenever they fail to furnish tangible proof, by appearance, conduct, or title, that they deserve to be accorded the minimal dignities of civic membership, as in the urban tale of the black Harvard professor who cannot ﬂag down a city taxicab at night. Save for the qualiﬁer ‘impermissible’, legal scholar George Fletcher is on the right track, then, when he argues that ‘categorical divestment of voting rights introduces an impermissible element of caste into the American political system’ insofar as it treats former convicts ‘as inherently unreliable not only for purposes of voting but also in giving sworn testimony at trial’, as persons whose [as if their] social standing is terminally impaired by prior convictions. With the accelerating conﬂation of blackness and criminality, felon disenfranchisement is indeed a ‘continuation of infamia’ (Fletcher 1999, pp. 1895–1908) tapping the discredit of slavery and the subsequent sullying of caste separation via Jim Crow and the urban ghetto as reactivated by indelible penal sanction. Replacing current penal trends within the full arc of ethnoracial domination promptly divulges the close kinship between the rhetoric and policy of political exclusion of felons and exfelons in the late twentieth century, on the one hand, and, on the other, the discourse and practice of racial division in its two pivotal periods of the revolutionary upheaval against the British Crown and the post-Civil War decades, that is, the two historical conjunctures in which criminal disenfranchisement rules were ﬁrst introduced and then broadened.10 In both the notion of ‘purity’ – of the ballot in one case and the white community in the other – is the national treasure to be preserved. In both the abridgement of ‘natural rights’ and the dilution of constitutional protection are forcefully effected to excise from the social body categories deemed inherently defective and indeﬁnitely deﬁling. (In Washington v. State, the 1884 Alabama Supreme Court case that codiﬁed the ‘purity of the ballot’ doctrine, felons are assimilated to ‘idiots, insane persons, and minors,’ i.e., individuals constitutively lacking in ‘the requisite judgment and discretion which ﬁt them’ for voting). In both, the category thus struck by public banishment is made into a permanently subordinate outgroup held responsible for its own civic liminality and inferior legal status, which absolves the ingroup of its role and responsibility in producing that very distinction and condition. As with the imposition of a naturalised caste boundary, ‘the disenfranchisement of ex-offenders simultaneously justiﬁes and is justiﬁed by an idea that deviants are the source and embodiment of corruption, pollution, and moral turpitude; that they can and must be isolated, fenced out, and politically sterilized’ (Harvard Law Review Association 1989, pp. 1314–1315, 1316)

#### This exclusionary model paints minorities as inferior – this logic makes genocidal violence and exclusion possible

Elden 02 [Stuart Elden, politics at University of Warwick, 2002 (Boundary 2 29.2) ]

The reverse side is the power to allow death. State racism is a recoding of the old mechanisms of blood through the new procedures of regulation. Racism, as biologizing, as tied to a state, takes shape where the procedures of intervention ‘‘at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race’’ (VS, 197; WK, 149).37 For example, the old anti-Semitism based on religion is reused under the new rubric of state racism. The integrity and purity of the race is threatened, and the state apparatuses are introduced against the race that has infiltrated and introduced noxious elements into the body. The Jews are characterized as the race present in the middle of all races (FDS, 76).38 The use of medical language is important. Because certain groups in society are conceived of in medical terms, society is no longer in need of being defended from the outsider but from the insider: the abnormal in behavior, species, or race. What is novel is not the mentality of power but the technology of power (FDS, 230). The recoding of old problems is made possible through new techniques. A break or cut (coupure) is fundamental to racism: a division or incision between those who must live and those who must die. The ‘‘biological continuum of the human species’’ is fragmented by the apparition of races, which are seen as distinguished, hierarchized, qualified as good or inferior, and so forth. The species is subdivided into subgroups that are thought of as races. In a sense, then, just as the continuum of geometry becomes divisible in Descartes,39 the human continuum is divided, that is, made calculable and orderable, two centuries later. As Anderson has persuasively argued, to suggest that racism has its roots in nationalism is a mistake. He suggests that ‘‘the dreams of racism actually have their origin in ideologies of class, rather than in those of nation: above all in claims to divinity among rulers and to ‘blue’ or ‘white’ blood and breeding among aristocracies.’’40 As Stoler has noted, for Foucault, it is the other way around: ‘‘A discourse of class derives from an earlier discourse of races.’’41 But it is a more subtle distinction than that. What Foucault suggests is that discourses of class have their roots in the war of races, but so, too, does modern racism; what is different is the biological spin put on the concepts.42 But as well as emphasizing the biological, modern racism puts this another way: to survive, to live, one must be prepared to massacre one’s enemies, a relation of war. As a relation of war, this is no different from the earlier war of races that Foucault has spent so much of the course explaining. But when coupled with the mechanisms of mathematics and medicine in bio-power, this can be conceived of in entirely different ways. Bio-power is able to establish, between my life and the death of the other, a relation that is not warlike or confrontational but biological: ‘‘The more inferior species tend to disappear, the more abnormal individuals can be eliminated, the less the species will be degenerated, the more I— not as an individual but as a species—will live, will be strong, will be vigorous, will be able to proliferate.’’ The death of the other does not just make me safer personally, but the death of the other, of the bad, inferior race or the degenerate or abnormal, makes life in general healthier and purer (FDS, 227–28). ‘‘The existence in question is no longer of sovereignty, juridical; but that of the population, biological. If genocide is truly the dream of modern powers, this is not because of a return today of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population’’ (VS, 180; WK, 136). ‘‘If the power of normalization wishes to exercise the ancient sovereign right of killing, it must pass through racism. And if, inversely, a sovereign power, that is to say a power with the right of life and death, wishes to function with the instruments, mechanisms, and technology of normalization, it must also pass through racism’’ (FDS, 228). This holds for indirect death—the exposure to death—as much as for direct killing. While not Darwinism, this biological sense of power is based on evolutionism and enables a thinking of colonial relations, the necessity of wars, criminality, phenomena of madness and mental illness, class divisions, and so forth. The link to colonialism is central: This form of modern state racism develops first with colonial genocide. The theme of the political enemy is extrapolated biologically. But what is important in the shift at the end of the nineteenth century is that war is no longer simply a way of securing one race by eliminating the other but of regenerating that race (FDS, 228–30). As Foucault puts it in La volonté de savoir :

### Epis Underview

#### The first underview is epistemology.

#### Our conventional mode of experiencing the world is not an absolute truth, but a historically contingent model tinted with racism – this is not only a myopic way of knowing, but it also commits profound violence against the marginalized

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

The civilizational level is the level of broad civilizational assumptions, assumptions that, though they construct the nature of our world and our experience of it, are not typically conscious to most members of a civilization (Foucault, 1979, 1988). These assumptions are deeply embedded in how those members think and in what they name "the world" or "the Real" through various categories or concepts (Said, 1979; Stanfield, 1985, 1994). But these assumptions are different for different civilizations, such as the Hopi civilization (Loftin, 1991) or the Zuni civilization (Roscoe, 1991), and, thus, each civilization constructs the world differently for its inhabitants: "Not all people [i.e., civilizations, in this case] 'know' in the same way" (Stanfield, 1985, p. 396). In addition, large, complex civilizations often include a dominant culture and one or more subordinate cultures. In this context, subordinate cultures, races, and other groups often have different civilizational assumptions: "Just as the material realities of the powerful and the dominated produce separate [social, historical experiences] .. .each [racial or social group] may also have distinctive epistemologies or theories of knowl- edge" (Collins, 1991, p. 204). One consequence is that "[d]ominant racial group members and subordinate racial group members do not think and interpret realities in the same way because of their divergent structural positions, histories, and cultures" (Stanfield, 1985, p. 400).10 For instance, "What is considered theory in the dominant academic community is not necessarily what counts as theory for women-of-color" (Anzaldua, 1990, p. xxv; see, also, J. A. Banks, 1993, pp. 7-8; 1995, p. 16; Cose, 1993; Collins, 1991). The name for the Euro-American culture's construction of "the world" or "the Real," as was noted above, is modernism. Modernism is an epistemological, ontological, and axiological network or grid that "makes" the world as the dominant western culture knows and sees it (Foucault, 1972,1973,1979,1988; Frankenberg, 1993; Goldberg, 1993; Stanfield, 1985; West, 1993). Though this grid has evolved and changed to some degree, it has, nonetheless, maintained a kind of coherence and consistency, particularly in terms of some of its primary assumptions (that is, its civilizational level assumptions). One of these primary assumptions, the one we are addressing here, is civilizational racism. Beginning with the modernist period, European colonial and territorial expansion was typically undertaken under the rationale of the supremacy of White civilization, along with other rationales, such as those about economics and religion. For instance, Hacker (1992) asserts that "For at least half a dozen centuries . . . 'white' has implied a higher civilization based on superior inheritance" (p. 7) (see, also, Takaki, 1993). To the English attending the Globe Theatre to see Shakespeare's The Tempest, "Caliban [the character who epitomizes the native people of the 'new' world] represented what Europeans had been when they were lower [italics added] on the scale of development" (Takaki, 1993, p. 32), while Prospero (the character who depicts the English conqueror) declares that he came to the new world "to be the lord on't" (Shakespeare, quoted in Takaki, 1993, p. 35; see, also, Feagin & Vera, 1995; Frankenberg, 1993; Goldberg, 1993; Harris, 1993; Stanfield, 1985; Webster, 1992; West, 1993, pp. 3-32). Widely circulated racial hierarchies and exclusions such as these became, then, a central feature in the emergence of western modernism and modernist thought, and, consequently, White racism or White supremacy became interlaced or interwoven into the founding fabric of modernist western civilization (for an extended discussion of this point, see Goldberg, 1993; see, also, Stanfield, 19851." These racial rationales were, of course, central, along with other rationales, to the founding of the U.S. Taking land from and killing Native Americans was justified by the Whites' definition of property as well as the supposed supremacy of White civilization-like that depicted in Thomas More's Utopia (Takaki, 1993, p. 35; see, also, Feagin & Vera, 1995; Hacker, 1992; Harris, 1993). Similar rationales were used in taking the Southwest from the Mexicans, whom Stephen F. Austin, one of the prominent political leaders of the "Texas revolution," disparagingly called "a mongrel Spanish-Indian and negro race" (De Leon, 1983, p. 12; see, also, Takaki, 1993). The enslavement of African Americans and the "subsequent decades of Jim Crow laws, peonage, tenancy, lynchings and second-class citizenship" (West, 1993, p. 256) were also justified in the same racially exclusionary terms (Feagin & Vera, 1995; Hacker, 1992; Harris, 1993; Takaki, 1993), though, of course, these justifications were not the only justifications driving slavery or the appropriation of Native American and Mexican American land. While this is an extremely brief summary of a complex argument about White racial supremacy and the fact that it was interlaced within the founding assumptions of western civilization, our point can be made in a simpler way. The White race, what Stanfield (1985) has called "a privileged subset of the population" (p. 389), has un- questionably dominated western civilization during all of the modernist period (hundreds of years). When any group within a large, complex civilization-significantly dominates other groups for hundreds of years, the ways of the dominant group (its epistemologies, its ontologies, its axiologies) not only become the dominant ways of that civilization, but also these ways become so deeply embedded that they typically are seen as "natural" or appropriate norms rather than as historically evolved social constructions (Stanfield, 1985). To a large degree, the dominant group, whatever its composition, makes its own "community the center of the universe and the conceptual frame that constrains all thought" (Gordon et al., 1990, p. 15). Thus, the dominant group creates or constructs "the world or "the Real" and does so in its own image, in terms of its ways and its social-historical experiences (J. A. Banks, 1993; Collins, 1991; Minh-ha, 1989; Morrison, 1992; Stanfield, 1985, 1994; West, 1993; see, especially, Said, 1979, for an entire volume that discusses how the West gave "reality" to its construct of "the Orient"). In this view, ontologies, epistemologies, and axiologies are not outside history or sociology; they are deeply interwoven within the social histories of particular civilizations and within particular groups within those civilizations. As Gordon et al. (1990) assert, "Knowledge, technology, and the production of knowledge are cultural products . . . . Knowledge production operates within communicentric [ontological and epistemological] frames of reference, which dominate and enable it" (p. 14). Similarly, Stanfield (1994) has said The experiences that construct paradigms in sciences and humanities are derivatives of cultural baggage imported into intellectual enterprises by privileged residents of historically specific societies and world systems. This is important to point out, because it is common for scholars to lapse into internal analyses while discussing para- digms and thus to ignore the rather common sense fact that sciences and humanities are products of specific cultural and historical contexts that shape the character of intellectual work. (pp. 181-182) Or, as James Banks (1993) more simply states, "all knowledge reflects the values and interests of its creators" (p. 4). Consider who the major, influential philosophers, writers, politicians, corporate leaders, social scientists, educational leaders (e.g., Kant, Flaubert, Churchill, Henry Ford, Weber, Dewey) have been over the course of western modernism. They have virtually all been White. And it is they who have constructed the world we live in-named it, discussed it, explained it. It is they who have developed the ontological and axiological categories or concepts like individuality, truth, education, free enterprise, good con- duct, social welfare, etc. that we use to think (that thinks US?) and that we use to socialize and educate children. This racially exclusive group has also developed the epistemologies, the legitimated ways of knowing (e.g., posi- tivism, neo-realisms, postpositivisms, interpretivisms, constructivisms, the critical tradition, and postmodern- isms/poststructuralisms) that we use. And it is these epistemologies and their allied ontologies and axiologies, taken together as a lived web or fabric of social construc- tions, that make or construct "the world" or "the Real" (and that relegate other socially constructed "worlds," like that of African Americans or the Cherokee, to the "margins" of our social life and to the margins in terms of legitimated research epistemologies). These influential people and their "world-making" or "reality-making" activities or practices, however, are not separate from the social history within which they live: "all knowledge is relative to the context in which it is generated" (Gordon et al., 1990, p. 15). And, thus, "when academics and public opinion leaders construct knowledge[,] . ..they are influenced by the ideas, assump- tions, and norms of the cultures and subsocieties in which they are socialized" (J. A. Banks, 1995, p. 16). Just as Julius Caesar was "constructed by the social history of his particular group, saw and understood the worldin terms of the social constructions of his people in their time and place, the influential authors of modernism have been constructed by their position, place, and time. Just as Caesar did not see the world from the point of view of other cultures that Rome dominated, these influential western modernists did not see the world from within the epistemologies and ontologies of other races and cultures inside or outside of western modernism. "How we create, define, and validate social knowledge [and, thus, reality] is determined largely through our cultural context" (Stanfield, 1985, p. 388).12 Our argument, however, is not that these influential White individuals were involved in a racial conspiracy or moral bad faith, but that these individuals can only name and know from within the social context available to them, from within the social history in which they live. While we seem to have little trouble understanding that those far away in time existed in terms of their social contexts-i.e., Julius Caesar-we seem to resist under- standing this about ourselves. We, as our predecessors did, live, understand, work, think, and act within a particular social history, within a particular social construction. We do not live, in some universal sense, above culture or history; we live inside a culture, inside a civilizational social construction; we live in the terms and wavs of a particular social history.13 This, then, is our central argument about epistemological racism. Epistemologies, along with their related ontologies and epistemologies, arise out the social history of a particular social group. Different social groups, races, cultures, societies, or civilizations evolve different epis- temologies, each of which reflects the social history of that group, race, culture, society, or civilization; that is, no epistemology is context-free. Yet, all of the epistemologies currently legitimated in education arise exclusively out of the social history of the dominant White race. They do not arise out of the social history of African Americans, Hispanic Americans, Native Americans, Asian Americans, or other racial/cultural groups-social histories that are much different than that of the dominant race (a difference due at least partially to the historical experience of racism itself [see, for example, Collins, 19911). Cornell West (1993) validates this judgment when he says "social practices . . . [and research is a social practice] are best understood and explained . . . by situating them within . . . cultural tradi- tions" (p. 267). It is, then, in this sense that scholars of color contend that the dominant research epistemologies are racially biased.14 By epistemological racism, then, we do not mean that the researchers using, say, positivism or postmodernism are overtly or covertly racist as individuals. Nor do we mean that epistemological racism is a conscious insti- tutional or societal conspiracy in favor of Whites (B. M. Gordon, 1993, p. 267). Epistemological racism means that our current range of research epistemologies - positivism to postmodernisms/ poststructuralisms - arise out of the social history and culture of the dominant race, that these epistemologies logically reflect and reinforce that social history and that racial group (while excluding the epistemologies of other races/cultures), and that this has negative results for people of color in general and scholars of color in particular. In other words, our "logics of inquiry" (Stanfield, 1993a) are the social products and practices of the social, historical experiences of Whites, and, therefore, these products and practices carry forward the social history of that group and exclude the epistemologies of -other social groups. But, again, the critical problem-for all of us, both Whites and people of color-is that the resulting epistemological racism, besides unnecessarily restricting or excluding the range of possible epistemologies, creates profoundly negative consequences for those of other racial cultures with different epistemologies, ontologies, and axiologies. By epistemological racism, then, we do not mean that the researchers using, say, positivism or postmodernism are overtly or covertly racist as individuals. Nor do we mean that epistemological racism is a conscious insti- tutional or societal conspiracy in favor of Whites (B. M. Gordon, 1993, p. 267). 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But, again, the critical problem-for all of us, both Whites and people of color-is that the resulting epistemological racism, besides unnecessarily restricting or excluding the range of possible 8 EDUCATIONAL RESEARCHER epistemologies, creates profoundly negative consequences for those of other racial cultures with different e~istemolo- gies, ontologies, and axiologies. First, epistemologies and research that arise out of other social histories, such as African American social history or Cherokee social history, are not typically considered legitimate within the mainstream research community (see Anzaldua, 1990; Collins, 1991; B. M. Gordon, 1990, 1993; Minh-ha, 1989; Sarris, 1993; Stanfield, 1993a, 1993b, 1994; among many others). As Reyes and Halcon (1988) suggest, "the traditional Euro-centric perspective used to evaluate their [scholars of color] scholarship disadvantages nontraditional [race-based] research because predominantly White male academics lack the appropriate cultural perspectives from which to judge its real merit" (p. 307). Similarly, Collins (1991) contends that "[w]hile Black women can produce knowledge claims that contest those advanced by the white male community, this community does not grant that Black women scholars have competing knowledge claims based in another [equally warranted] knowledge validation process" (p. 204; see, also, Stanfield, 1994, p. 176). Or, as Sarris (1993) asks, "Can Apache stories, songs, and so forth be read (or heard) and thus understood in terms of Euroamerican-specific expectations of language and narrative [i.e., Euro-American epistemologies]" (p 427)? Second, there has been a large chorus of scholars of color (including Anderson, 1993; Anzaldua, 1990; Collins, 1991; Paredes, 1977; Sarris, 1993; Stanfield, 1994; among others) who have contended that dominant group epistemologies and methodologies-the epistemologies and methods themselves and not just "bad" applications of these epistemologies and methodologies-tend to distort the lives of other racial groups. For example, Gordon et al. (1990) have asserted that Examination of the social and educational research knowledge bases relative to Afro-Americans indicated that these sciences have traditionally attempted to under- stand the life experiences of Afro-Americans from a nar- row cultrocentric perspective and against equally narrow cultrocentric standards [i.e., epistemological racism]. (p. 15) Consequently, as Stanfield (1985) has said, mainstream "[slocial science knowledge production about racial minorities still dwells on the pathological and on the sensational" (p. 411). A result of this is that these negative distortions pass into the dominant culture as "truth," thus becoming the basis of individual, group, and institutional attitudes, decisions, practices, and policies (i.e, institu- tional and societal racism). Another result is that these distortions are often enculturated into those who are the victims of the distortions (hooks, 1990; Rebolledo, 1990), especially children, who have less ability to resist (McCarthy, 1993; Stevenson & Ellsworth, 1993; Weinberg, 1993), necessitating "painful struggle[sl of accepting and rejecting internalized negative and disenabling self-conceptions" (West, 1993, p. 270; see, also, J. A. Banks, 1993). A further result is that, frequently, "minority scholar's time is consumed in efforts to refute or neutralize fallacious findings, questionable theories, and inappropri- ate interpretations" (Gordon et al., 1990, p. 16) of mainstream research and scholarlv commentarv. Third, the dominant research epistemologies-from positivism to postmodernisms-implicitly favor White people because they accord most easily with their social history (J. A. Banks, 1993: B. M. Gordon, 1993; Stanfield, 1985). Thus, even though it may be unintended, the "clothes" that an epistemology could be said to be fit better and are more comfortable to White researchers because White researchers themselves are a product of the social history of Whites, just as the dominant epistemologies are a product of White social history. That is, the range of epistemologies that have arisen from the social history of Whites "fit" Whites because they themselves, the nature of the university and of legitimated scholarship and knowledge, and the specifications of different research methodologies are all cultural products of White social history. While scholars of color have had to wear these "White" clothes (be bi-cultural) so that they could succeed in research communities, however sociologically, his- torically, or culturally ill-fitting those clothes might be, White scholars have virtually never had to think about wearing the epistemological clothes of people of color or even to consider the idea of such "strange" apparel. The negative consequence for scholars of color, however, is that they must learn and become accomplished in epistemologies that arises out of a social history that has been profoundly hostile to their race and that ignores or excludes alternative race-based epistemologies because mainstream research communities have assumed that their epistemologies are not derived from any particular group's social history, i.e., are free of any specific history or culture. That scholars of color have successfully become episte- mologically bi-cultural to survive as scholars is a testament to them-their strength, their courage, their perseverance, and their love of scholarship-rather than a testament to the race/culture-free nature of mainstream research epistemologies

#### And your supposedly colorblind framework won’t cut it – this is just a new tactic to justify racism – we need to recognize racism is real and worth changing to resist it.

Walsh 4 [(Kenneth, Staff Writer, Boston College Third World Law Journal) “COLOR-BLIND RACISM IN GRUTTER AND GRATZ” Boston College Third World Law Journal, Volume 24 No 2, 2004. Review of RACISM WITHOUT RACISTS: COLOR-BLIND RACISM AND THE PERSISTENCE OF RACIAL INEQUALITY IN THE UNITED STATES. By Eduardo Bonilla-Silva. Lanham, Boulder, New York, and Oxford: Rowman & Littlefield 2003. Pp. 213.] AT

In his book, Racism Without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States, Eduardo Bonilla-Silva alerts readers to the danger that a color-blind ideology will soon pervade discussions of race in the United States.157 The mechanisms of color-blind racism allow whites to advance positions that assure the perpetuation of white privilege.158 Under this color-blind guise, the arguments opposing affirmative action sound reasonable and moral.159 Yet individuals employ the frames, style, and story lines of color-blind racism to mask the fact that blacks still hold a second-class status [and] in America.160 Thus, color-blind racism facilitates the perpetuation of racial inequality by obscuring the fact that there is even a problem to fix.161

#### Appeals to meta-ethics are fundamentally systems of control. An accurate epistemology is key – otherwise a framework will be biased, making it self-defeating. A better epistemological standpoint is a pre-requisite to accurate ethical deliberation – the dominant standpoint precludes meaningful discussion of how morality is constructed because it ignores oppression – examining ethical problems from the oppressed is best

Jaggar 83 Alison M. Jaggar, professor of philosophy and women studies at University of Colorado - Boulder, Feminist Politics and Human Nature, Lanham: Rowman and Littlefield. 1983

The standpoint of the oppressed is not just different from that of the ruling class; it is also epistemologically advantageous. It provides the basis for a view of reality that is more impartial than that of the ruling class and also more comprehensive. It is more impartial because it comes closer to representing the interests of society as a whole; whereas the standpoint of the ruling class reflects the interests only of one section of the population, the standpoint of the oppressed represents the interests of the totality in that historical period. Moreover, whereas the condition of the oppressed groups is visible only dimly to the ruling class, the oppressed are able to see more clearly the ruled as well as the rulers and the relation between them. Thus, the standpoint of the oppressed includes and is able to explain the standpoint of the ruling class.

#### Thus, a focus on a race-based epistemology is vital to resisting oppression

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

One prominent example of an effort to develop, and apply, a "new" race-based epistemology (some of them actually are historically "old") is Patricia Hill Collins' Black Feminist Thought (1991). In this important work, she has a chapter titled "Toward an Afrocentric Feminist Epistemology" in which she names and discusses the four "contours" (p. 206) or characteristics of her race-based epistemology: "concrete experience as a criterion of meaning" (pp. 208- 2121, "the use of dialogue in assessing knowledge claims" (pp. 212-215), "the ethic of caring" (pp. 215-217), and "the ethic of personal accountability" (pp. 217-219). To develop this epistemology, she says she "searched my own experience and those of African-American women I know for themes we thought were important," and she relied "on the voices of Black women from all walks of life" (p. 202), many of whom she cites and discusses in her explanation of the four "contours." Accordingly, her Afrocentric feminist epistemology, "like all specialized thought [such as positivism to postmodernisms], reflects the interests and standpoint of its creators" (p. 201). That this epistemology is respected by other Black women is evidenced by the fact that Gloria Ladson-Billings (1995) recently published, in the American Educational Research lournal, results from a three-year research study16 that uses Collins' Afrocentric feminist epistemology as her "theoretical grounding" (Ladson-Billings, 1995, p. 471).'7 Ladson-Billings, in her study of "successful teachers of African-American children" (p. 471), after stating her choice of Collins' epistemology, briefly discusses each of Collins' four contours and her use of them to provide the epistemological grounding for her study of these successful teachers. Ladson-Billings' appropriate concern is to select an epistemology that reflects "who I am, what believe, what experiences I have had," given her "membership in a marginalized racial/cultural group" (p. 470). That is, she chooses to use an epistemological frame that "fits" her social history, that emerges out of her race/culturels social history, rather than an epistemological frame that has emerged out of the social history of the dominant race. But Collins is not the only one who has developed a race-based epistemology nor is she the first. Molefi Kete Asante has for some time advocated an Afrocentric epistemology that he developed through a relatively large body of work (e.g., 1987, 1988, 1990, 1993), and this work, along with that of other African American scholars advocating a similar perspective, has inspired or supported a wide range of scholarship, including that of Azibo (1990), Baldwin (1981), W. C. Banks (1992), Beverly Gordon (1990,1993), Kershaw (1989,1992), W. M. King (1990), and Taylor (1987), among numerous others (see, also, the entire issue of The Journal of Negro Education, 61[3], 1992, guest- edited by Edmund W. Gordon). From Asante's viewpoint (1993), "Afrocentricity is a perspective which allows Africans to be subjects of [their own] historical experiences rather than objects [author's emphasis] on the fringes of Europe [i.e., western modernism]" (p. 2). Later in the same book, Asante, in a chapter titled "On Afrocentric Metatheory," briefly discusses the "Cosmological Issue" (pp. 106-107), the "Epistemological Issue" (pp. 107-108), the "Axiological Issue" (p. log), and the "Aesthetic Issue" (pp. 108-109)- four issues that he sees as central to Afrocentricity. In "Afrocentrism and the Afrocentric Method," Kershaw (1992) discusses the steps of an "Afrocentric emancipatory methodology," a method that includes qualitative methodology, analysis and description of the data collected, critical dialogue with those involved in the research, education, and action, all leading to the gener- ation of Afrocentric knowledge. Kershaw (1992) cites John Gwaltney's Drylongso: A Self Portrait of Black America (1980) as "an excellent example of Afrocentric generated practical knowledge" (p. 165). More recently, another race-based epistemology has begun to gain the attention of "progressive intellectuals of color" (West, 1995, p. xi). This epistemological perspective originated in legal studies. According to Cornel West (1 995) Critical Race theorists have, for the first time, examined the entire edifice of contemporary legal thought and doc- trine from the viewpoint of law's role in the construction and maintenance of social domination and subordination. In the process, they not only challenged the basic as- sumptions and presuppositions of the prevailing para- digms among mainstream liberals and conservatives in the legal academy, but also confronted the relative silence of legal radicals-namely critical legal studies writers- who "deconstructed" liberalism, yet seldom addressed the role of deep-seated racism in American life. (p. xi)

### Pre-Fiat Underview

#### Debate is an academic forum that facilitates research and exchange of ideas. The role of the judge as an academic is to address the role of the academia in promulgating racism – proactively examining the assumptions behind what we say is key – this is a pre-fiat warrant for the standard

Scheurich and Young 97 [(James Joseph Scheurich, Professor in the Department of Educational Administration and Human Resource Development at Texas A&M University; Michelle D. Young, Associate Professor, Department of Educational Administration. Executive Director, University Council for Educational Administration) “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” Educational Researcher, Vol. 26, No. 4. (May, 1997), pp. 4-16.] AT

While there has been a powerful social tendency among Whites and White society to define racism in individual terms or, at best, in limited institutional terms, such as in hiring or promotion, we do not think most White researchers consciously support racism in any terms individual, institutional, societal, or civilizational. But this intention is not sufficient if our argument here is a persuasive one. In a very important sense, we White researchers are unconsciously promulgating racism on an epistemological level. As we teach and promote episte- mologies like positivism to postmodernism, we are, at least implicitly, teaching and promoting the social history of the dominant race at the exclusion of people of color, scholars of color, and the possibility for research based on other race/culture epistemologies. We can, however, use our opposition to racism to consider the question of whether our dominant epistemologies are racially biased or not and, if they are, to begin to change this situation.19

#### I shouldn’t have to justify why oppression is bad – questioning and justifying oppression is an exclusionary practice that makes debate a hostile space for those who endure oppression daily

Smith 13 [(Elijah, CEDA and NDT champion) “A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate” Victory Briefs Daily, 9/4/13] AT

At every tournament you attend this year look around the cafeteria and take note of which students are not sitting amongst you and your peers. Despite being some of the best and the brightest in the nation, many students are alienated from and choose to not participate in an activity I like to think of as homeplace. In addition to the heavy financial burden associated with national competition, the exclusionary atmosphere of a debate tournament discourages black students from participating. Widespread awareness of the same lack of participation in policy debate has led to a growing movement towards alternative styles and methods of engaging the gatekeepers of the policy community, (Reid-Brinkley 08) while little work has been done to address or even acknowledge the same concern in Lincoln Douglas debate. Unfortunately students of color are not only forced to cope with a reality of structural violence outside of debate, but within an activity they may have joined to escape it in the first place. We are facing more than a simple trend towards marginalization occurring in Lincoln Douglas, but a culture of exclusion that locks minority participants out of the ranks of competition. It will be uncomfortable, it will be hard, and it will require continued effort but the necessary step in fixing this problem, like all problems, is the community as a whole admitting that such a problem with many “socially acceptable” choices exists in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where competitors attempt to win by rushing to abstractions to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but as someone who understands that experience, the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is not just a game, but a learning environment with liberatory potential. Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. Current coaches and competitors alike dismiss concerns of racism and exclusion, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, and refuse to engage in those discussions even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won't risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary.

#### The ballot represents an instance of a methodology that must be adopted if racist ideology is ever to be effectively resisted. We must act to reject every instance we encounter locally.

Stephen Slemon [DE-SCRIBING EMPIRE: Post- Colonialism and Textuality “THE SCRAMBLE FOR POST-COLONIALISM”]

As for the second part of this credo, I believe that post-colonial studies needs always to remember that its referent in the real world is a form of political, economic, and discursive oppression whose name, first and last, is Colonialism. The forms of colonialist power differ radically across cultural locations, and its intersections with other orders of oppression are always complex and multivalent. But, wherever a globalized theory of the colonial might lead us, we need to remember that resistances to colonialist power always find material presence at the level of the local, and so the research and training we carry out in the field of post- Colonialism, whatever else it does, must always find ways to address the local, if only on the order of material applications. If we overlook the local, and the political applications of the research we produce, we risk turning the work of our field into the playful operations of an academic glass-bead game, whose project will remain at best a description of global relations, and not a script for their change. There is never a necessary politics to the study of political actions and reactions; but at the level of the local, and at the level of material applications, post-Colonialism must address the material exigencies of Colonialism and neo- Colonialism, including the neo- Colonialism of Western academic institutions themselves.

# Misc

## New Cuts

#### Assimilation is worse for multiculturalism

Bhikhu Parekh [“Rethinking Multiculturalism: Cultural Diversity and Political Theory.” Macmillan Press. 2000. Print. Pages 196-198] AJ

A multicultural society faces two conflicting demands and needs to dense a political structure that enables it to reconcile them in a just and collectively acceptable manner. It should foster a strong sense of unity and common belonging among its citizens, as otherwise it cannot act as a united community able to take and enforce collectively-binding deci- sions and regulate and resolve conflicts. Paradoxical as it may seem, the greater and deeper the diversity in a society, the greater the unity and cohesion it requires to hold itself together and nurture its diversity. A weakly held society feels threatened by differences and lacks the confidence and the willingness to welcome and live with them. A multicultural society cannot ignore the demands of diversity either. By definition diversity is an inescapable fact of its collective life and can neither be wished out of existence nor suppressed with an unacceptable degree of coercion and often not even then. Furthermore, since human beings are attached to and shaped by their culture, and their self-respect is closely bound up with respect for it, the basic respect we owe our fellow-humans extends to their culture and cultural community as well. Respect for their culture also earns their loyalty, gives them the confidence and courage to interact with other cultures, and facilitates their integration into wider society. As we have seen, cultural diversity is also desirable for society as a whole and represents a valuable collective asset. Since no multicultural society can or should ignore the demands of diversity, the assimilationist mode of political integration advocated by Conservatives, nationalists, some communitarians and proponents of comprehensive liberalism is inherently unsuited to it. The assimilationist takes the nation stale as his ideal and believes that no polity can be stable and cohesive unless its members share a common national culture, including common values, ideals of excellence, moral beliefs and social practices. As a custodian of society's way of life, the state is assumed to have the right and the duty to ensure that its cultural minorities assimilate into the prevailing national culture and shed all vestiges of their separate cultures. In the assimilationist view the choice before minorities is simple. If they wish to become part of society and be treated like the rest of their fellow-citizens, they should assimilate. If they insist on retaining their separate cultures, they should not complain if they are viewed as outsiders and subjected to discriminatory treatment. There is nothing wrong with assimilation. If minorities freely decide to assimilate into the dominant culture, their decisions should be respected and they should be given every opportunity and help to do so. The question, however, is whether this degree of assimilation is neces- sary to ensure political unity and should be made a precondition of equal citizenship. The answer to that is in the negative. For reasons dis- cussed earlier, minorities have a right to maintain and transmit their ways of life, and denying it to them is both indefensible and likely to provoke resistance. Furthermore, it is not clear what they are to be assimilated into. The assimilationist assumes that society has a coher- ent and unified cultural and moral structure, and that is rarely the case. Although the moral and cultural structure of a society has some inter- nal coherence, it is not a homogeneous and unified whole. It varies with class, religion and region, is made up of diverse and even conflicting strands, and consists of values and practices that can be interpreted and related in several different ways. The assimilationist ignores all this, and either offers a highly abridged and distorted view of national cul- ture or equates it with that of the dominant group. If minorities are left free to negotiate their relations with the wider society and have an incentive to do so, they might decide to assimilate, but they are less likely to do so if assimilation is imposed, rushed or brings no benefits. The Jews have survived two millennia of a strong assimilationist pressure from Christians, the ethnic and cultural minori- ties in the Soviet Union have survived the most brutal repression the formidable economic and cultural pressures of the United States have not succeeded in creating a melting pot, and the most deBrrmncd •"empts by the Algerian and Sudanese governments have faded to «Amlate the Berbers and the southern Sudanese Christians respectively.

## Old Cards

#### And empirics prove – income inequality decreases

Carey and Horiuchi 13 [John M. Carey (John Wentworth Professor in the Social Sciences, Department of Government, Dartmouth College). Yusaku Horiuchi (Associate Professor and Mitsui Chair in the Study of Japan, Department of Government, Dartmouth College). Compulsory Voting and Income Inequality. Prepared for presentation in a seminar on Latin American Politics in the Weatherhead Center for International Affairs at Harvard University on April 23, 2013, and a seminar in the Department of Government at Dartmouth College on April 30, 2013] AJ

For matters of inference, keeping the issue of redistribution out of debates over compulsory voting has its methodological advantages. Specifically, as we have argued, the apparent absence of redistributive motivations for the Venezuelan reform in 1993 increases the validity of the synthetic control method we employ in this paper to estimate the reform’s unintended impact on economic inequality. Our results, however, suggest that from a normative perspective, questions of inequality and redistribution belong at the center of these debates. The Venezuelan results suggest that ending compulsory voting, and the subsequent drop-off in electoral participation, contributed to increasing economic inequality in the 1990s above levels Venezuelans would otherwise have experienced.

#### Voting is a form of empowerment – failure to expand voting excludes black voters from our democracy

Weatherspoon 7 [(Floyd, expert in African-American males and the law, published in law journals and newspapers, associate dean for Alternative Dispute Resolution Programs, member of the National Bar Association and the American Bar Association, external Administrative Judge for the EEOC) “The Mass Incarceration of African-American Males: A Return to Institutionalized Slavery, Oppression, and Disenfranchisement of Constitutional Rights” 13 Texas Wesleyan Law Review 599 (2007)] AT

The mass incarceration of African-American males has resulted in the subordination of their constitutional rights of freedom and equal protection under the law. The struggle continues for African-American males to find their rightful place in society. The massive disenfranchisement of African-American males in this country further isolates them from the general public. The isolation of African-American males is already evident in employment and education. The denial of voting further subordinates their status socially, economically, and politically. Without the right to vote, African-American males are devalued by the various political systems that promulgate policies that disproportionately impact their constitutional rights. Re-enfranchising African-American males will empower them to actively participate in our system of democracy. A failure to do so reverts African-American males to second class citizens, or even worse, subordinates them to a system of de facto slavery.