# ASU Cards Round 3

## 1AC

#### Same as round 2.

## 2AC

### Terrorism

#### Clearly defining terror is key to build international coalitions against terrorism and to reform the practice of terror itself.

Ganor, deputy dean of the Lauder School of Government and Diplomacy at the Interdisciplinary Center, ‘2

[Boaz, member of Israel’s National Committee for Homeland Security Technologies, of the International Advisory Board of Institute of Defense and Strategic Studies (IDSS) in Singapore, and of the International Advisory team of the Manhattan Institute (CTCT) to the New-York Police Department (NYPD), “Defining Terrorism: Is One Man’s Terrorist Another Man’s Freedom Fighter?” Police Practice and Research, 2002, Vol. 3, No. 4, pp. 287-304, RSR]

A correct and objective definition of terrorism can be based upon accepted international laws and principles regarding what behaviors are permitted in conventional wars between nations. These laws are set out in the Geneva and Hague Conventions, which in turn are based upon the basic principle that the deliberate harming of soldiers during wartime is a necessary evil, and thus permissible, whereas the deliberate targeting of civilians is absolutely forbidden. These Conventions thus differentiate between soldiers who attack a military adversary, and war criminals who deliberately attack civilians. This normative principle relating to a state of war between two countries can be extended without difficulty to a conflict between a nongovernmental organization and a state. This extended version would thus differentiate between guerrilla warfare and terrorism. Exactly in parallel with the distinction between military and civilian targets in war, the extended version would designate as ‘Guerilla Warfare’ the ‘deliberate use of violence against military and security personnel in order to attain political, ideological and religious goals.’ ‘Terrorism,’ on the other hand, would be defined as ‘the deliberate use or the threat to use violence against civilians in order to attain political, ideological and religious aims’ (an attack aimed against government personnel should therefore be defined as terrorism if the target was not in a decision making position of the state’s Counter-Terrorism policy). What is important in these definitions is the differentiation between the goals and the means used to achieve these goals. The aims of terrorism and guerrilla warfare may well be identical; but they are distinguished from each other by the means used – or more precisely, by the targets of their operations. The guerrilla fighter’s targets are military ones, while the terrorist deliberately targets civilians. By this definition, a terrorist organization can no longer claim to be ‘freedom fighters’ because they are fighting for national liberation or some other worthy goal. Even if its declared ultimate goals are legitimate, an organization that deliberately targets civilians is a terrorist organization. There is no merit or exoneration in fighting for the freedom of one population if in doing so you destroy the rights of another population. If all the world’s civilian populations are not to become pawns in one struggle or another, terrorism – the deliberate targeting of civilians – must be absolutely forbidden, regardless of the legitimacy or justice of its goals. The ends do not justify the means. By carrying out terrorist attacks, the perpetrators make themselves the enemies of all mankind. Only on the basis of an international agreement on the definition of terrorism will it be possible to demand that all nations withhold all support from terrorist organizations. Only on this basis can countries be required to act against terrorists, even when they agree with and support the terrorists’ goals. The worldwide acceptance of the above definition of terrorism – and the adoption of international legislation against terrorism and support for terrorism based upon this definition – could bring about a change in the cost-benefit calculations of terrorist organizations and their sponsors. At present, terrorist organizations may carry out either terrorist or guerrilla attacks according to their preferences and local conditions only, with no external reason to choose one type of attack over the other. After all, as far as the rest of the world is concerned, the two types of attack are morally equivalent; punishment is identical in both cases. However, should these organizations and their sponsors be made aware that the use of terror will bring them more harm than good, they may opt to focus on guerrilla warfare rather than on terrorism. This would be a great achievement for Counter-Terrorism.

#### **Even if there’s a risk that our impacts aren’t true, you should err on the side that they are- the magnitude of terrorism means it’s the biggest existential risk.**

Allison, Director of the Belfer Center for Science and International Affairs, ‘7

[Graham, 11-12-7, “The Three ‘Nos’ Knows”, National Interest,

<http://nationalinterest.org/article/the-three-nos-knows-1843>, RSR]

MUELLER IS entitled to his opinion that the threat of nuclear proliferation and nuclear terrorism is "exaggerated" and "overwrought." But analysts of various political persuasions, in and out of government, are virtually unanimous in their judgment to the contrary. As the national-security community learned during the Cold War, risk = likelihood x consequences. T h u s, even when the likelihood of nuclear Armageddon was small, the consequences were so catastrophic that prudent policymakers felt a categorical imperative to do everything that feasibly could be done to prevent that war. Today, a single nuclear bomb exploding in just one city would change our world. Given such consequences, differences between a 1 percent and a 20 percent likehhood of such an attack are relatively insignificant when considering how we should respond to the threat.

### Leadership

#### Our description of international relations is true and ethical – game-theory proves that liberal internationalism emphasizes cooperation in protection of global goods.

Recchia and Doyle, ‘11

[Stefano (Assistant Professor in International Relations at the University of Cambridge) and Michael (Harold Brown Professor of International Affairs, Law and Political Science at Columbia University), “Liberalism in International Relations”, In: Bertrand Badie, Dirk Berg-Schlosser, and Leonardo Morlino, eds., International Encyclopedia of Political Science (Sage, 2011), pp. 1434-1439, RSR]

Relying on new insights from game theory, ¶ scholars during the 1980s and 1990s emphasized ¶ that so-called international regimes, consisting of ¶ agreed-on international norms, rules, and decision-making procedures, can help states effectively coordinate their policies and collaborate in ¶ the production of international public goods, such ¶ as free trade, arms control, and environmental ¶ protection. Especially, if embedded in formal multilateral institutions, such as the World Trade ¶ Organization (WTO) or North American Free ¶ Trade Agreement (NAFT A), regimes crucially ¶ improve the availability of information among ¶ states in a given issue area, thereby promoting ¶ reciprocity and enhancing the reputational costs ¶ of noncompliance. As noted by Robert Keohane, ¶ institutionalized multilateralism also reduces strategic competition over relative gains and thus ¶ further advances international cooperation. ¶ Most international regime theorists accepted ¶ Kenneth Waltz's (1979) neorealist assurription of ¶ states as black boxes-that is, unitary and rational ¶ actors with given interests. Little or no attention ¶ was paid to the impact on international cooperation of domestic political processes and dynamics. ¶ Likewise, regime scholarship largely disregarded ¶ the arguably crucial question of whether prolonged interaction in an institutionalized international setting can fundamentally change states' ¶ interests or preferences over outcomes (as opposed ¶ to preferences over strategies), thus engendering ¶ positive feedback loops of increased overall cooperation. For these reasons, international regime ¶ theory is not, properly speaking, liberal, and the ¶ term neoliberal institutionalism frequently used to ¶ identify it is somewhat misleading. ¶ It is only over the past decade or so that liberal ¶ international relations theorists have begun to systematically study the relationship between domestic politics and institutionalized international cooperation or global governance. This new scholarship ¶ seeks to explain in particular the close interna tional ¶ cooperation among liberal democracies as well as ¶ higher-than-average levels of delegation b)' democracies to complex multilateral bodies, such as the ¶ \ ¶ Liberalism in International Relations 1437 ¶ European Union (EU), North Atlantic Treaty ¶ Organization (NATO), NAFTA, and the WTO ¶ (see, e.g., John Ikenberry, 2001; Helen Milner & ¶ Andrew Moravcsik, 2009). The reasons that make ¶ liberal democracies particularly enthusiastic about ¶ international cooperation are manifold: First, ¶ transnational actors such as nongovernmental ¶ organizations and private corporations thrive in ¶ liberal democracies, and they frequently advocate ¶ increased international cooperation; second, ¶ elected democratic officials rely on delegation to ¶ multilateral bodies such as the WTO or the EU to ¶ commit to a stable policy line and to internationally lock in fragile domestic policies and constitutional arrangements; and finally, powerful liberal ¶ democracies, such as the United States and its ¶ allies, voluntarily bind themselves into complex ¶ global governance arrangements to demonstrate ¶ strategic restraint and create incentives for other ¶ states to cooperate, thereby reducing the costs for ¶ maintaining international order. ¶ Recent scholarship, such as that of Charles ¶ Boehmer and colleagues, has also confirmed the ¶ classical liberal intuition that formal international ¶ institutions, such as the United Nations (UN) or ¶ NATO, independently contribute to peace, especially when they are endowed with sophisticated ¶ administrative structures and information-gathering ¶ capacities. In short, research on global governance ¶ and especially on the relationship between democracy and international cooperation is thriving, and ¶ it usefully complements liberal scholarship on the ¶ democratic peace.

### Schmitt

#### Our interpretation is that debate should be a question of the aff plan versus a competitive policy option.

#### This is key to ground and predictability – infinite number of possible kritik alternatives or things the negative could reject explodes the research burden. That’s a voting issue.

#### State engagement is a better method ---- refusal to engage in the methodical politics of democratic citizenship makes their impacts inevitable.

Dietz, Professor of Political Science and Gender Studies Program at Northwestern University, ‘94

[Mary, “’THE SLOW BORING OF HARD BOARDS’: METHODICAL THINKING AND THE WORK OF POLITICS”, American Political Science Review, Vol. 88, No. 4 December 1994, http://www.jstor.org/stable/pdfplus/2082713.pdf]

Earlier, in considering the means-end category in politics, I suggested that everything hinges upon the action context within which this mode of thinking takes place. I now want to suggest that there is a richer conceptual context-beyond utilitarian objectification, rational capitalist accumulation, and/or Leninism-within which to think about the category of means and ends. Weil offers this alternative in her account of methodical thinking as (1) problem- oriented, (2) directed toward enacting a plan or method (solutions) in response to problems identified, (3) attuned to intelligent mastery (not domination), and (4) purposeful but not driven by a single end or success. Although Weil did not even come close to doing this herself, we might derive from her account of methodical thinking an action concept of politics. Methodical politics is equally opposed to the ideological politics Hannah Arendt deplores, but it is also distinct in important respects from the theatrical politics she defends. Identifying a problem-or what the philosopher David Wiggins calls "the search for the **best specification** of what would honor or answer to relevant concerns" (1978, 145)-is where methodical politics begins.26 It continues (to extrapolate from Weil's image of the methodical builders) in the determination of a means-end sequel, or method, directed toward a political aim. It reaches its full realization in the actual undertaking of the plan of action, or method, itself. To read any of these action aspects as falling under technical rules or blueprints (as Arendt tends to do when dealing with means and ends) is to confuse problem solving with object making and something methodical with something ideological. By designating a problem orientation to political activity, methodical politics assigns value to the activity of constantly deploying "knowing and doing" on new situations or on new understandings of old ones. This is neither an ideological exercise in repetition nor the insistent redeployment of the same pattern onto shifting circumstances and events. The problem orientation that defines methodical politics rests upon a recognition of the political domain as a matrix of obstacles where it is impossible to secure an ideological fix or a single focus. In general, then, methodical politics is best under- stood from the perspective of "the fisherman battling 880 American Political Science Review Vol. 88, No. 4 against wind and waves in his little boat" (Weil 1973, 101) or perhaps as Michael Oakeshott puts it: "In political activity . . . men sail a boundless and bottomless sea; there is neither harbour for shelter nor floor for anchorage, neither starting-place nor ap- pointed destination" (1962, 127).27 Neither Weil's nor Oakeshott's is the perspective of the Platonist, who values chiefly the modeller who constructs his ship after pre-existing Forms or the pilot-philosopher who steers his craft to port by the light of immutable Forms fixed in a starry night. In both of the Platonic images (where the polis is either an artifact for use or a conveyance to safe harbor), a single and predictable end is already to hand. Neither Weil's nor Oakeshott's images admit any equivalent finality. The same is true of methodical politics, where political phenomena present to citizens-as the high sea presents to the sailor-challenges to be identified, demands to be met, and a context of circumstances to be engaged (without blueprints). Neither the assurance of finality nor the security of certainty attends this worldly activity. In his adamantly instrumental reading of politics in the ancient world, M.I. Finley makes a similar point and distinguishes between a problem orientation and patterned predictability by remarking upon the "iron compulsion" the Greeks and Romans were under "to be continuously inventive, as new and often unantic- ipated problems or difficulties arose that had to be resolved without the aid of precedents or models" (1983, 53). With this in mind, we might appreciate methodical politics as a mode of action oriented toward problems and solutions within a context of adventure and unfamiliarity. In this sense, it is compatible with Arendt's emancipatory concept of natality (or "new beginnings") and her appreciation of openness and unpredictability in the realm of human affairs. There are other neighborly affinities between methodical and theatrical politics as well. Both share a view of political actors as finite and fragile creatures who face an infinite range of possibilities, with only limited powers of control and imagination over the situations in which they are called upon to act. From both a methodical and a theatrical vantage point, this perpetual struggle that is politics, whatever its indeterminacy and flux, acquires meaning only when "knowing what to do and doing it" are united in the same performance (Arendt, 1958a, 223). Freedom, in other words, is realized when Plato's brilliant and devious conceptual maneuver is outwitted by a politics that opposes "the escape from action into rule" and reasserts human self-realization as the unification of thought-action in the world (pp. 223-25). In theatrical politics, however, the actual action content of citizen "knowing and doing" is **upstaged** by the spectacular appearance of personal identities courageously revealed in the public realm. Thus Plato's maneuver is outwitted in a bounded space where knowing what to do and doing it are disclosed in speech acts and deeds of self-revelation in the company of one's-fellow citizens. In contrast, methodical politics doggedly reminds us that **purposes themselves are what matter** in the end, and that citizen action is as much about obstinately pursuing them as it is about the courage to speak in performance. So, in methodical politics, the Platonic split between knowing and doing is overcome in a kind of boundless navigation that is realized in purposeful acts of collective self-determination. Spaces of appearances are indispensable in this context, but these spaces are not exactly akin to "islands in a sea or as oases in a desert" (Arendt 1970, 279). The parameters of methodical politics are more fluid than this, set less by identifiable boundaries than by the very activity through which citizens "let realities work upon" them with "inner concentration and calmness" (Weber 1946, 115). In this respect, methodical politics is not a context wherein courage takes eloquent respite from the face of life, danger (the sea, the desert), or death: it is a daily confrontation wherein obstacles or dangers (including the ultimate danger of death) are transformed into prob- lems, problems are rendered amenable to possible action, and action is undertaken with an aim toward solution. Indeed, in these very activities, or what Arendt sometimes pejoratively calls the in order to, we might find the perpetuation of what she praises as the for the sake of which, or the perpetuation of politics itself (1958a, 154). To appreciate the **emancipatory dimension** of this action concept of politics as methodical, we might now briefly return to the problem that Arendt and Weil think most vexes the modern world-the deformation of human beings and human affairs by forces of automatism. This is the complex manipulation of modern life that Havel describes as the situation in which everything "must be cossetted together as firmly as possible, **predetermined, regulated and controlled**" and "every aberration from the prescribed course of life is **treated as error, license and anarchy**" (1985, 83). Constructed against this symbolic animal laborans, Arendt's space of appearances is the agonistic opposite of the distorted counterfeit reality of automatism. The space of appearances is where individuality and personal identity are **snatched from the jaws of automatic processes** and recuperated in "the merciless glare" of the public realm (Arendt 1969, 86). Refigured in this fashion, Arendtian citizens counter reductive technological complexes in acts of individual speech revelation that powerfully proclaim, in collective effect, "This is who we are!" A politics in this key does indeed dramatically defy the objectifying processes of modern life-and perhaps even narratively transcends them by delivering up what is necessary for the reification of human remembrance in the "storybook of mankind" (Arendt 1958a, 95). But these are also its limits. For whatever else it involves, Arendtian politics cannot entail the practical confrontation of the situation that threatens the human condition most. Within the space of appearances, Arendt's citizens can neither search for the best specification of the problem before them nor, it seems, pursue solutions to the problem once it is identified, for such activities involve "the pursuit of a definite aim which can be set by practical considerations," and that is homo faber's prerogative and so in the province of "fabrication," well outside the space of appearances where means and ends are left behind (pp. 170-71). Consequently, automatism can be conceptualized as a "danger sign" in Arendt's theory, but it cannot be designated as a problem in Arendt's politics, a problem that citizens could cognitively counter and purposefully attempt to resolve or transform (p. 322). From the perspective of methodical politics, which begins with a **problem orientation, automatism can be specified and encountered within the particular spaces** or circumstances (schools, universities, hospitals, factories, corporations, prisons, laboratories, houses of finance, the home, public arenas, public agencies) upon which its technological processes intrude. Surely something like this is what Weil has in mind when she calls for "a sequence of mental efforts" in the drawing up of "an inventory of modern civilization" that begins by "**refusing** **to subordinate one's own destiny to the course of history**" (1973, 123-24). Freedom is immanent in such moments of cognitive inventory, in the **collective citizen-work** of "taking stock"-identifying problems and originating methods-and in the shared pursuit of purposes and objectives. This is simply what it means to think and act methodically in spaces of appearances. Nothing less, as Wiggins puts it, "can rescue and preserve civilization from the mounting irrationality of the public province, . . . from Oppression exercised in the name of Management (to borrow Simone Weil's prescient phrase)" (1978, 146).

#### Case OW.

#### Perm do both.

#### **We solve the K. We claim that no one, not terrorists, should be denied the aspect of being human. That solves Schmitt’s impact.**

#### **Schmitt assumes politics are divorced from human decisions – all humans have bias, means the alt can’t solve.**

Scheuerman 96-Professor of Indiana University-Bloomington, PhD in Political Science @ Harvard [William, The Review of Politics, “Carl Schmitt’s Critique of Liberal Constitutionalism,” Spring 1996, Vol. 58, No. 2, pg. 319-320, JSTOR, DKP]

Second, Schmitt merely reverses Kelsen's juxtaposition of legal science (and its emphasis on the legal norm) to the problem of concrete political power (the will). But he never questions the value of making this juxtaposition in the first place. Very much like Kelsen, Schmitt repeatedly conceives of the "will" as something altogether distinct from the "norm". At the outset of Constitutional Theory, he emphatically observes that the will, "in contrast to mere norms," is something "existential" (seinsmiifige) and thus qualitatively distinct from the "ought" (Sollen) character of norms. "The concept of the legal order contains two totally different elements: the normative element of the law and the existential (seinsmii3ige) element of a concrete order" (emphasis added].48 Later, he adds that "the word 'will' describes-in contrast to every form of dependence on normative and abstract rightness-the essentially existential nature of the basis of [legal] validity."49 The 1922 Political Theology is even more blunt on this point: validity derives from a "pure decision not based on reason and discussion and not justifying itself, that is ... an absolute decision created out of nothingness."50 Schmitt simply turns Kelsen's worldview on its head. For Kelsen, the normative element of law (conceived of as distinct from state authority) is the centerpiece of legal experience, whereas Schmitt posits that the (decisionistically conceived) will constitutes its core. This shift fails to save Schmitt from the errors of his positivist opponent. Schmitt criticizes Kelsen's value-relativism and worries about its nihilistic overtones.51 But is this not even a better description of Schmitt's own restatement of Kelsen's positivism, particularly in light of Schmitt's uncritical view of the "pure decision not based on reason or discussion and not justifyingitself"? Schmitt perceptively comments that Kelsen's conception of the legal system in terms of "pure normativity" smacks of the realm of make-believe. But what about Schmitt's own "pure" decision, his "will" free of all conceivable normative restraints? Admittedly, Schmitt's extremely open-ended conception of the "normative" makes it difficult to imagine exactly what constitutes a "pure decision" or "norm-less will." But a naive question may be in order here: is it not the case that the human will always and inevitably expresses itself in accordance with some type of norm or "normativistic" outlook? As Max Weber comments at the outset of Economy and Society, human action entails that the "acting individual attaches a subjective meaning to his behavior-be it overt or covert, omission or acquiescence."52 This meaning may be simple or complicated, attractive or repellent, liberal or illiberaLink - in any event, our common world is constituted by means of purposeful human action, by modes of human activity having a practical or normative significance for us. Meaning-constitutive human activity inevitably structures the social world, and facticity and normativity thus inevitably overlap in such a way as to render Schmitt's concept of the will-less norm as one-sided and truncated as Kelsen's corresponding norm-less will. Schmitt's idea of the norm-less will deceptively suggests the possibility of a form of unbridled subjectivity probably incompatible with the basic principles of any identifiably human form of subjectivity. Animals and automatons may act outside the parameters of "normative" concerns. But humankind cannot.

Schmitt wrote to appease the Nazis and serve their cause. Even if it is not their original intent, the alternative will be coopted by fascism.

Wolin 06, Richard Wolin, taught at Reed College, the University of Paris-X, and Distinguished Professor of History, Comparative Literature, and Political Science at the Graduate Center at CUNY, The Frankfurt School Revisited, 2006, p. 246-247//MC

During the 1990s a new fascination developed among the academic “theory” crowd: the doctrines of the controversial German right-wing political philosopher Carl Schmitt (1888–1985). During the 1920s Schmitt had written a series of provocative political studies: Dictatorship (1920), Political Theology (1922), The Crisis of Parliamentary Democracy (1923), and The Concept of the Political (1927). At the center of his work lay a fascination with dictatorship, which he perceived as a means of restoring “sovereignty” in an era where it had been eroded by mechanisms of political pluralism such as parliament and rule of law. Schmitt famously derided the bourgeoisie as the “chattering class” (die diskuttierende Klasse). He denigrated parliament — the bourgeois institution par excellence — as a political “debating society” and held it responsible for the depletion of modern political will. The trappings of bourgeois rule — separation of powers, rule of law, rational debate, judicial review — were, in his opinion, tantamount to an abnegation of sovereignty. Schmitt’s antiliberalism culminated in “decisionism”: a glorification of political will, without regard to its content or direction. In Schmitt’s view — and on this point, he was unequivocal — “decision” (Entscheidung) is oriented toward “dictatorship, not legitimacy.”2 Schmitt’s partisans on the academic left feign surprise that, when Hitler seized power in 1933, their man enthusiastically jumped on the Nazi bandwagon. Yet, given his glorification of dictatorship throughout the 1920s, what else should one have expected? During the regime’s initial months, Schmitt coauthored Gleichschaltung legislation justifying the exclusion of political “enemies.” He defended the lawlessness of the June 30, 1934, Röhm purge (the Night of the Long Knives) with an obsequious article entitled “The Führer Protects the Law.” Later in the 1930s, he popularized the Nazi doctrine of Grossraum (Greater Space), thereby underwriting German continental imperialism. For these acts, he came within a hair’s breadth of being indicted by the allies as a war criminal. In the West, Schmitt’s rise to prominence coincided with communism’s collapse. It was as though, following socialism’s demise, Marxism as an analytical tool had also become obsolete. Understandably, there arose a search for new theoretical methods and models to counter global capitalism’s “hegemonic” claims and practices. Partisans of the academic Left viewed Derrida’s 1994 book-length study of Schmitt, The Politics of Friendship, as a bellwether. With the imprimatur of deconstruction’s chief ventriloquist, Schmitt suddenly became fashionable — an object of left-wing intellectual chic. Among those who flirted with left Schmittianism were the late British political theorist Paul Hirst and the former “Hegelian Marxists” associated with the social theory journal Telos.3 Schmitt’s wholesale cynicism concerning international law — following the Nuremburg trials and the birth of the United Nations, he famously remarked that “whoever says humanity lies” — has found resonances in Hardt and Negri’s Empire, where human rights law is regarded as little more than ideological window dressing for the globalization agenda. Schmitt famously defined politics as the ability to distinguish friends from enemies. Wellarmed with bellicose Schmittian maxims — for example, “The pinnacle of Great Politics is the moment when the enemy comes into concrete clarity as the enemy” — the post-Marxist Left sought to counter proclamations concerning the “end of history” with a Schmitt-inspired search for political enemies. But it is important to keep in mind that Schmitt, the Third Reich’s future “Crown Jurist,” developed the friend/enemy distinction for the sake of undermining rather than strengthening democracy (namely, the Weimar Republic). Is this the route that the reflective democratic Left wishes to travel? Back in the 1960s, extremist segments of the German student Left openly flirted with Schmitt’s doctrines, which confirmed their suspicions of “bourgeois democracy” (one should recall that the acronym of the German student left was “APO,” or Extra-Parliamentary Opposition). Its followers were fascinated by Schmitt’s notion that liberalism — the sphere of “interests” — perpetually undermines the democratic ideal of self-rule. Yet, Schmitt seems to have enjoyed the last laugh. He fraternized with the student Left with the hope that their antiparliamentary actions would lead to the declaration of a state of emergency — which is exactly what happened during the “German Autumn” of 1977: the kidnapping and murder of employers union president Hans-Martin Schleyer, the hijacking of a Lufthansa jet to Mogadishu, Somalia (both acts perpetrated by the Red Army Faction terrorists), and the mysterious deaths of Andreas Baader and Ulrike Meinhof in Stammheim prison.4 Those who seek to appropriate Schmitt’s doctrines for the ends of the political Left must seriously weigh the risks of appropriating a fascist critique of democracy for left-wing purposes. The unambiguous lesson of the “German Autumn” is that a Left that internalizes the antiparliamentary ideology of the Far Right is flirting with disaster. One of the major problems besetting the idea of a left-Schmittian revival was that Schmitt himself was by no means ill-disposed toward capitalism. His great aversion was toward socialism, whose atheistic proponents Schmitt, in a clerico-fascist spirit (Schmitt was a great admirer of the Iberian dictators Salazar and Franco), likened to apostles of the anti-Christ. It was in this vein that Schmitt was fond of citing the nineteenth-century Spanish Catholic philosopher Juan Donoso Cortès’s view that the battle against atheistic socialism was not merely another political struggle, but Armageddon: an eschatological struggle in which the salvation of humanity itself was at stake.

#### We must continually engage human rights to produce an increasingly better society by embracing the alterity and uniqueness of all individuals.

Burggraveve 04 (Roger, The Good and Its Shadow: The View of Levinas on Human Rights as the Surpassing of Political Rationality, <http://www.springerlink.com/content/2hnac1r8cdr4ewx8/fulltext.pdf> [Human Rights Review](http://www.springerlink.com/content/1524-8879/), 2004, [Volume 6, Number 2](http://www.springerlink.com/content/1524-8879/6/2/), 92-94) WC

The one who thinks and acts from the basis of human rights – e.g., standing up for and committing oneself to the rights of certain minorities or forgotten peoples – then does more in terms of humanization than what the sociopolitical structures can achieve. This is so because these structures can never take to heart completely the singular realization of the rights of the unique other. In our ever more international and structurally constructed societal bonds, they precisely make it possible to orientate separately every responsible person towards the necessary surplus of the good for each and every other. In one of his three articles, which Levinas dedicated entirely to human rights; he expressed the bond between the uniqueness of the other and human rights in a radical and challenging manner (HS 176-78). Human rights, which in no way whatsoever must be attributed from without because they are experienced as a prior and therefore as irrevocable and inalienable, express the alterity or absoluteness of every human being (AT 151). Every reference is annulled by human rights since it is acknowledged that every individual person possesses those rights: they are inherent to their being-human as persons. In this regard, human rights wrench every human person away from the determining order of nature and the social body, to which everyone indeed obviously belong. Herein lies, according to Levinas, a remarkable paradox. Thanks to the belongingness of every person to human kind – humanity – every person possesses an incomparable alterity and uniqueness, whereby everyone likewise transcends the generalness of the human kind. The belongingness of every person to the human kind does not mean a reduction to a neutral unity, but a presentation as a unique person, who by means of that fact itself actually destroys humanity as an abstract idea. Every person is unique in his or her genre. Every person is a person like every other person and yet utterly unique and irreducible: a radically spate other. Humanity exists only by grace or irreducible beings, who are for each other utterly unique and non-exchangeable others. Levinas also calls it the absolute identity of the person (HS 176). It is about a uniqueness that surpasses every individuality of the many individuals in their kind. The uniqueness or dignity of every individual person does not depend on one or the other specific and distinctive difference. It is about an “unconditional” uniqueness, in the sense that the dignity of the person – over every individual person – is not determined by their sex, color of skin, place of birth, moment of their existence, not by the possession of certain qualities and capacities. Every person possess dignity that is to be utterly respected, independent of whichever property of characteristic. It is about uniqueness that precedes every difference, namely understanding a radical alterity as an irreducible and inalienable alterity, whereby a person can precisely say “I.” This leads Levinas to state that human rights reveal the uniqueness or the absoluteness of the human person, in spite of their belongingness to the human kind or rather thanks to this belongingness. This is absolute, literally detached and unconditional alterity and thus uniqueness of every person simply signifies the paradox, the mystery and the newness of the human in being!

### Executive Power K

#### Perm do both

#### **Floating PIKs are bad.**

#### Liberal legal thought provides space for the K.

Altman, Professor of Philosophy; Georgia State University, 90 (Andrew, Critical Legal Studies: A Liberal Critique, page 8)

In addition, it would be a distortion of liberal theory to suggest that it has no place for nonlegal modes of social regulation, such as mediation. Liberals can and do acknowledge the value of such nonlegal mechanisms in certain social contexts and can consis that the liberal view requires us to recognize that such procedures and rules have a central role to play in resolving fairly and effectively the conflicts that arise in a society characterized by moral, religious, and political pluralism. Thus, the liberal endorsement of legalism does not necessarily involve a commitment to legalism in the sense that Judith Shldar defines the term: “the ethical attitude that holds moral conduct to be a matter of rule following, and moral relationships to consist of duties and rights determined by rules.” Shldar, Legalism (Cambridge: Harvard University Press, 1986), p. 1. Shlclar understands full weli that a commitment to the liberal rule of law does not entail an acceptance of legalism in her sense of the term. See Legalism, pp. xi-xli. And those who reject the rule of law can argue in the political arena for extending the role of such informal mechanisms. Of course, a liberal state could not allow the antinomians to eradicate legal institutions; in that sense, one might say that the liberal rule of law is not neutral. But the kind of political neutrality which the liberal defends does not aim to guarantee that any normative view has an opportunity to remake society wholly in its vision. It does guarantee an opportunity to negotiate and compromise within a framework of individual rights, and there is no reason why those who defend non- legal modes of social regulation cannot seize the opportunity under a liberal regime to carve out a significant role for nonlegal modes of social regulation within the liberal state. The liberal ver sion of political neutrality demands that antinomians have such an opportunity, but there is nothing remotely inconsistent in liberal thought in making that demand or prohibiting antilegalism from going so far as to destroy all legal institution

#### **Legal positivism is the best methodology – refined by the moral sentiment of the community.**

Finnis, Professor of Law at University College, Oxford and at the University of Notre Dame, ‘96

[John, “The Truth in Legal Positivism,” in The Autonomy of Law, ed. Robert P. George. Oxford: Clarendon Press, pp. 195-214, RSR]

‘There is a necessary or conceptual connection between law and morality.’ True, for the reasons people have for establishing systems of positive law (with power to override immemorial custom), and for maintaining them (against the pull of strong passions and individual self-interest), and for reforming and restoring them when they decay or collapse, include certain moral reasons, on which many of those people often act. And only those moral reasons suffice to explain why such people’s undertaking takes the shape it does, giving legal systems the many defining features they have – features which a careful descriptive account such as H. L. A. Hart’s identifies as characteristic of the central case of positive law and the focal meaning of ‘law’, and which therefore have a place in an adequate concept (understanding and account) of positive law ‘The identification of the existence and content of law does not require resort to any moral argument’. True, for how else could one identify wicked laws such as Israel’s prophet denounced in words so often quoted by Aquinas: ‘Woe to those who make unfair laws [*leges iniquas]*, who draw up instruments imposing injustice [*iniustitiam]*, and who give judgments oppressing the poor’? And since the whole of a human community’s existing law, however completely just and decent, is positive, somehow humanly posited, why deny and then facts which are referred to as ‘human positing’ – custom, legislation, judgments-can all be identified by lawyerly historical methods, without ‘moral argument’?¶ The identification of one’s legal duty as a judge or other subject of the law sometimes requires resort to moral argument, and is always a matter of moral responsibility (both as to the identifying and as to the carrying out) which derives, in one way or another, from the bearing of moral principles and norms on the positive law of one’s community.’ True, for constitution-makers have a moral responsibility to establish sources of law which can be identified without resort to moral argument, and judges and other subjects have a moral responsibility to defer (within limits) to such sources. When the sources yield no determinate solution, all concerned have the responsibility of supplementing the sources to fill the gap by a choice guided by standards of fairness and other morally true principles and norms, where possible by standards which already have currency in the community and lend moral force to those parts of its positive law which are morally acceptable.¶

#### The law can help people --- reformism is empirically more successful than revolutionary withdrawal.

Kazin, Professor of History at Georgetown University, ‘11

[Michael, Has the US Left Made a Difference, Dissent Spring p. 52-54]

But when political radicals made a big difference, they generally did so as decidedly junior partners in a coalition driven by establishment reformers. Abolitionists did not achieve their goal until midway through the Civil War, when Abraham Lincoln and his fellow Republicans realized that the promise of emancipation could speed victory for the North. Militant unionists were not able to gain a measure of power in mines, factories, and on the waterfront until Franklin Roosevelt needed labor votes during the New Deal. Only when Lyndon Johnson and other liberal Democrats conquered their fears of disorder and gave up on the white South could the black freedom movement celebrate passage of the civil rights and voting rights acts. For a political movement to gain any major goal, it needs to win over a section of the governing elite (it doesn’t hurt to gain support from some wealthy philanthropists as well). Only on a handful of occasions has the Left achieved such a victory, and never under its own name. The divergence between political marginality and cultural influence stems, in part, from the kinds of people who have been the mainstays of the American Left. During just one period of about four decades—from the late 1870s to the end of the First World War— could radicals authentically claim to represent more than a tiny number of Americans who belonged to what was, and remains, the majority of the population: white Christians from the working and lower-middle class. At the time, this group included Americans from various trades and regions who condemned growing corporations for controlling the marketplace, corrupting politicians, and degrading civic morality. But this period ended after the First World War—due partly to the epochal split in the international socialist movement. Radicals lost most of the constituency they had gained among ordinary white Christians and have never been able to regain it. Thus, the wageearning masses who voted for Socialist, Communist, and Labor parties elsewhere in the industrial world were almost entirely lost to the American Left—and deeply skeptical about the vision of solidarity that inspired the great welfare states of Europe. Both before and after this period, the public face and voice of the Left emanated from an uneasy alliance: between men and women from elite backgrounds and those from such groups as Jewish immigrant workers and plebeian blacks whom most Americans viewed as dangerous outsiders. This was true in the abolitionist movement—when such New England brahmins as Wendell Phillips and Maria Weston Chapman fought alongside Frederick Douglass and Sojourner Truth. And it was also the case in the New Left of the 1960s, an unsustainable alliance of white students from elite colleges and black people like Fannie Lou Hamer and Huey Newton from the ranks of the working poor. It has always been difficult for these top and- bottom insurgencies to present themselves as plausible alternatives to the major parties, to convince more than a small minority of voters to embrace their program for sweeping change. Radicals did help to catalyze mass movements. But furious internal conflicts, a penchant for dogmatism, and hostility toward both nationalism and organized religion helped make the political Left a taste few Americans cared to acquire. However, some of the same qualities that alienated leftists from the electorate made them pioneers in generating an alluringly rebellious culture. Talented orators, writers, artists, and academics associated with the Left put forth new ideas and lifestyles that stirred the imagination of many Americans, particularly young ones, who felt stifled by orthodox values and social hierarchies. These ideological pioneers also influenced forces around the world that adapted the culture of the U.S. Left to their own purposes—from the early sprouts of socialism and feminism in the1830s to the subcultures of black power, radical feminism, and gay liberation in the 1960s and 1970s. Radical ideas about race, gender, sexuality, and social justice did not need to win votes to become popular. They just required an audience. And leftists who were able to articulate or represent their views in creative ways often found one. Arts created to serve political ends are always vulnerable to criticism. Indeed, some radicals deliberately gave up their search for the sublime to concentrate on the merely persuasive. But as George Orwell, no aesthetic slouch, observed, “the opinion that art should have nothing to do with politics is itself a political attitude.” In a sense, the radicals who made the most difference in U.S. history were not that radical at all. What most demanded, in essence, was the fulfillment of two ideals their fellow Americans already cherished: individual freedom and communal responsibility. In 1875, Robert Schilling, a German immigrant who was an official in the coopers, or caskmakers, union, reflected on why socialists were making so little headway among the hard-working citizenry: ….everything that smacks in the least of a curtailment of personal or individual liberty is most obnoxious to [Americans]. They believe that every individual should be permitted to do what and how it pleases, as long as the rights and liberties of others are not injured or infringed upon. [But] this personal liberty must be surrendered and placed under the control of the State, under a government such as proposed by the social Democracy. Most American radicals grasped this simple truth. They demanded that the promise of individual rights be realized in everyday life and encouraged suspicion of the words and power of all manner of authorities—political, economic, and religious. Abolitionists, feminists, savvy Marxists all quoted the words of the Declaration of Independence, the most popular document in the national canon. Of course, leftists did not champion self-reliance, the notion that an individual is entirely responsible for his or her own fortunes. But they did uphold the modernist vision that Americans should be free to pursue happiness unfettered by inherited hierarchies and identities. At the same time, the U.S. Left—like its counterparts around the world—struggled to establish a new order animated by a desire for social fraternity. The labor motto “An injury to one is an injury to all” rippled far beyond picket lines and marches of the unemployed. But American leftists who articulated this credo successfully did so in a patriotic and often religious key, rather than by preaching the grim inevitability of class struggle. Such radical social gospelers as Harriet Beecher Stowe, Edward Bellamy, and Martin Luther King, Jr., gained more influence than did those organizers who espoused secular, Marxian views. Particularly during times of economic hardship and war, radicals promoted collectivist ends by appealing to the wisdom of “the people” at large. To gain a sympathetic hearing, the Left always had to demand that the national faith apply equally to everyone and oppose those who wanted to reserve its use for privileged groups and undemocratic causes. But it was not always possible to wrap a movement’s destiny in the flag. “America is a trap,” writes the critic Greil Marcus, “its promises and dreams…are too much to live up to and too much to escape.”

#### Individual connection to challenge executive authority and activate a democratic society. Political apathy now is the reason for presidential control.

Kleinerman, Ph.D. in Political Science from Michigan State University, 2009 [Benjamin, The Discretionary President: The Promise and Peril of Executive Power, p. 8-9]

As citizens of a modern constitutional republic, we should not view our responsibility as judges of discretion as a burden. Modern liberalism, which exists in a close, although not intrinsic, partnership with modern constitutionalism, forecloses many of our political judgments when it changes the political question from the ends toward which politics should aim to the means by which to achieve previously settled ends. Beginning with Hobbes, political power no longer involves contestations over fundamental political ends; instead, political peace and prosperity are taken to be the only legitimate aims of politics. Given this change, as Hobbes knew so well and to which he looked forward hopefully, a liberal people can become quite apolitical. As we become more apolitical, we become more accepting of the claims of strong executive power. To some degree, modern constitutionalism aims to solve this problem by inviting us to become political again through making judgments about the proper scope of discretionary executive power. This judgment is good not only because it controls executive power; it also invigorates our political selves in a way that liberalism otherwise does not. Douglas Casson puts this point nicely: "To prove that we are rational and free persons and not Filmerian slaves, we must reclaim what is naturally ours. We must take up the difficult task of making determinations about the proper exercise of political power under conditions of uncertainty."38 Making political judgments about the use of discretionary executive power is not merely something we are forced to take up because of the incompleteness of constitutionalism; it is instead a component part of the modern constitutional project. It supplies the essential politics that is otherwise all too lacking in the liberal project. But, again, this judgment is only possible if we view discretionary executive power as inherently extralegal and as initially extraconstitutional. To bring it into the constitution, we must judge it as necessary to the preservation of the laws and the Constitution for which it must be exercised.

#### Only a proper legal understanding by the public restricts the president.

Kleinerman, Ph.D. in Political Science from Michigan State University, 2009 [Benjamin, The Discretionary President: The Promise and Peril of Executive Power, p. 12-13]

In fact, many of the disputes of the past administration revolve around the rightful place of a wide variety of powers. For instance, to some, the president's authorization of the NSA wiretaps was an egregious violation because he seemed to be literally making new law without any input from the branch whose responsibility it is to make the law. Benjamin Wittes, in a much-lauded book called Law and the Long War, argues that much of the problem in the post-9/11 world is that the Bush administration relied all too much on its inherent executive power and failed to place the U.S. response to terrorism on a proper legal footing. Wittes seeks to begin the steps toward a "viable permanent legal architecture for the struggle."46 The goal, he suggests, should be a "legal architecture that grants the president the powers he needs yet also generates the sort of accountability for the use of those powers that might sustain them with long-term public confidence."47 Wittes's argument is both timely and important. To ground the confrontation with terrorism, a president needs more than merely discretionary executive power. Given the permanent and thus nonextraordinary character of a meaningful "war on terror," U.S. citizens cannot and should not simply call on the powers of a discretionary executive. Wittes writes, "Broad presidential war powers are only defensible insofar as they represent a temporary aggrandizement of executive power to handle a crisis." But this "crisis" seems as though it will be a permanent feature of the modern world. To rely on the description of this war as a crisis "is really to describe a permanent state of emergency with a corresponding growth of executive power and a diminution of checks upon it."48¶ But to remain constitutional in this new ordinary, where vast and unthinkable destruction remains a constant possibility, one should not simply seek to place all foreseeable powers that might be necessary on the kind of legal footing Wittes envisions. Again, although one can imagine scenarios in which torture might be necessary, this does not mean that the United States should legalize torture. Instead, its citizens must think through both what powers they should legalize, and by doing so routinize, and what powers they should leave either outside the laws or simply make illegal, thus forcing the executive power, if it wants to so act, to justify the necessity of its action to Congress and the public. But the public can only do this when it has a proper understanding of discretionary executive power and its relation to the legislature.¶ Much of our problem, as I will suggest in later chapters, is that we no longer have an understanding of the separation of powers model that would be so helpful to us in thinking through the proper governmental arrangements in this confrontation with terrorism. For this reason, Wittes's suggestions, depending as they do on an understanding of the difference between the legislative, executive, and judicial functions, end up falling on deaf ears. Wittes suggests, for instance, "If the goal is a long-term, stable set of legal structures for a conflict of indefinite duration against a novel adversary, neither the judiciary nor the executive can ultimately deliver." He continues, "Only Congress can remove the conflict from the paralyzing war-versus-law-enforcement divide and craft for terrorism new legal rules tailored to terrorism's own peculiarities."44 The problem is that public reception of this argument depends on an understanding of the important functional differences in the separation of powers model between the executive, the legislature, and the judiciary.¶ But this notion of the separation of powers, as the founders understood it, tends to elude us. Describing the founders' understanding, Jeffrey Tulis writes, "The term separation of owers has perhaps obstructed understanding of the extent to which afferent structures were designed to give each branch the special quality needed to secure its governmental objectives."5° Each branch has different objectives. The executive aims, first and foremost, at security, or, as Tulis puts it, "self-preservation." Congress aims, first and foremost, at representing the popular will. The courts aim, first and foremost, at protecting rights. Because of each branch's objective, it is structured so as to achieve the virtue most conducive to achieving this function. The legislature requires deliberation. The executive requires energy, And the judiciary requires judgment. Having lost this perspective is a problem not simply or even primarily because we have lost the founders' original intent. As Tulis shows so well in his book The Rhetorical Presidency, the Constitution remains structured so as to achieve, for each branch, its main objective. And, at the same time, the Constitution stands in the way of each branch achieving functions beyond that to which it is assigned. So, in the case of the presidency, the Constitution is structured so that the president can achieve the energy required to preserve security, but it is also structured to prevent what the founders would have viewed as the type of demagogic leadership envisioned by Woodrow Wilson's transformation of the presidency into a rhetorical mouthpiece for the people. Thus, the new expectations for the presidency constantly grind against its constitutional places. Or, as Wittes unwittingly shows, we have not looked to Congress to provide a legal structure for this confrontation with terrorism because we no longer conceive of Congress as the home of deliberation in the regime.52

## 1AR

### Terrorism

#### **Discourse must be combined with interventions at the policy level to change the knowledge economy of terrorism**

Graham et. al. 4 (Phillip W., Sen. Public Health Researcher @ RTI International, Discourse and Society, 2004, 15(2-3). pp. 199-221., Muse) JPG

Martin and Rose (2003) suggest that the challenge for discourse analysis is to show how emancipation, as well as domination, is achieved through discourse; that an analytical focus on ‘hegemony’ must be balanced with a focus on discourses of empowerment—discourses designed to ‘make peace, not war’, that successfully ‘redistribute power without necessarily struggling against it’ (2003: 264; cf Martin, 1999); and that analysis needs to move away from ‘demonology’ and ‘deconstruction’ towards the design of ‘constructive’ discourse (Martin, in press). These are certainly important considerations for the theory and practice of discourse analysis. At least as important to our mind are clear understandings of macro-social, -cultural, and -economic changes, all of which can be seen quite clearly from a discourse-historical perspective—in a process of historical *reconstruction*—to grasp human history as a seamless, unbroken whole. It has become clear that in what is called “a global knowledge economy”, meanings and their mediations perform increasingly important and overt political-economic functions (cf. Graham, 2002; Fairclough and Graham, 2002). The sole social function of academics is, and always has been, ‘to influence discourse’ (David Rooney, personal correspondence)—that is all we can do as academics, whether through teaching, writing, or through the manifold arts of activism. Feudalism was tied to land and militarism; mercantilism was tied to gold and mercenary armies; capitalism was tied to ownership of productive apparatus and imperialism; corporatism is tied to the ownership of legal fictions—money, corporations, and intellectual property—and ‘information warfare’, all of which are products of discourse (Graham, 2002). Each of these developments—each stage in the ‘phylogenesis’ of western economic systems (Martin, 2003: 266)—has tended towards an increasing reliance on abstract- discursive rather than brute-physical coercion in the maintenance of inequalities.The current political economic system, as transitional as it may be, is undoubtedly the most discourse- and media-reliant system in history, precisely because of its size and the high levels of abstraction that both support it and constitute the bulk of its commodities (Graham, 2000). Understanding this means understanding the importance and potential of discursive interventions. The Pentagon’s ‘Total Information Awareness’ program fully recognises this (DARPA, 2003). Similarly, whichever group perpetrated the attacks on the World Trade Centre and the Pentagon also fully recognised it: the attacks were directed at symbolic centres of a globally hegemonic system and were designed specifically for their mass media impact. Merely exposing facts and breaking silences (as per Chomsky and Pilger) is not enough either; the current malaise is primarily axiological (values-based). Discursive interventions at the axiological level are necessary in the policy field, in the multiple fields of mass media, and in every local field. Ours is a discourse-based global society, a discourse-based global economy, and a discourse-based global culture. Consequently, humanity has never been so close to realising our ‘species-being’ (Marx, 1844/1975: ch 4)—our universal humanity—whilst simultaneously being so close to achieving self-annihilation. Discursive interventions will necessarily be decisive in the outcome between these two paths

### Schmitt

#### Lack of political engagement leads to the elitist control of the world and global instability

Boggs, Professor of Political Science, ‘97

(Carl, National University, *Theory & Society* 26, December, p. 773-4)

The decline of the public sphere in late twentieth-century America poses a series of great dilemmas and challenges. Many ideological currents scrutinized here ^ localism, metaphysics, spontaneism, post- modernism, Deep Ecology – intersect with and reinforce each other. While these currents have deep origins in popular movements of the 1960s and 1970s, they remain very much alive in the 1990s. Despite their different outlooks and trajectories, they all share one thing in common: a depoliticized expression of struggles to combat and overcome alienation. The false sense of empowerment that comes with such mesmerizing impulses is accompanied by a loss of public engagement, an erosion of citizenship and a depleted capacity of individuals in large groups to work for social change. As this ideological quagmire worsens, urgent problems that are destroying the fabric of American society will go unsolved – perhaps even unrecognized – only to fester more ominously into the future. And such problems (ecological crisis, poverty, urban decay, spread of infectious diseases, technological displacement of workers) cannot be understood outside the larger social and global context of internationalized markets, finance, and communications. Paradoxically, the widespread retreat from politics, often inspired by localist sentiment, comes at a time when agendas that ignore or side- step these global realities will, more than ever, be reduced to impotence. In his commentary on the state of citizenship today, Wolin refers to the increasing sublimation and dilution of politics, as larger numbers of people turn away from public concerns toward private ones. By diluting the life of common involvements, we negate the very idea of politics as a source of public ideals and visions.74 In the meantime, the fate of the world hangs in the balance. The unyielding truth is that, even as the ethos of anti-politics becomes more compelling and even fashionable in the United States, it is the vagaries of political power that will continue to decide the fate of human societies. This last point demands further elaboration. The shrinkage of politics hardly means that corporate colonization will be less of a reality, that social hierarchies will somehow disappear, or that gigantic state and military structures will lose their hold over people's lives. Far from it: the space abdicated by a broad citizenry, well-informed and ready to participate at many levels, can in fact be filled by authoritarian and reactionary elites – an already familiar dynamic in many lesser- developed countries. The fragmentation and chaos of a Hobbesian world, not very far removed from the rampant individualism, social Darwinism, and civic violence that have been so much a part of the American landscape, could be the prelude to a powerful Leviathan designed to impose order in the face of disunity and atomized retreat. In this way the eclipse of politics might set the stage for a reassertion of politics in more virulent guise – or it might help further rationalize the existing power structure. In either case, the state would likely become what Hobbes anticipated: the embodiment of those universal, collective interests that had vanished from civil society.75

#### Even if the friend-enemy distinction is good, using it exclusively causes conflict. The perm is the best option.

Thorup 6 (Mikkel Thorup, Ph.D. dissertation @ the Institute of Philosophy and the History of Ideas, January, 2006, “In Defence of Enmity – Critiques of Liberal Globalism,” p. 39-40, TH) NAR

This text is mainly about the potential dangers of the liberal approach to politics. But this is not turning it into an unqualified defence or advocacy of the conflict perspective. As an illustration of the dangers of what we can call ‘manichean decisionism’, I’ll briefly mention an article on Schmitt’s concept of the political by Bernard Willms (1991), in which he classifies two traditions of political thinking: political realism and political fictionalism (try to guess his position!). Political fictionalism “subordinates politics to ‘higher’ principles or ‘truths’”, whereas political realism is “the permanently repeated attempt to conceive of politics as what in fact it is” (1991: 371). It is a (unintended) caricature on the self-professed realist’s sense of superiority because of their courage and ability to confront the really real reality: Political fictionalisms help to satisfy man’s need for consolation, edification, hope and sense, tending to veil real conditions of government. The political realist seeks to identify necessities – irrespective of their severity and without consideration for any need for deceit under the existing government. (1991: 371-2) This is the kind of reductionism of the political that I want to avoid. Working with Schmitt’s categories and critiques entails a danger of falling in the (very self-comforting) trap of proclaiming only one true and ‘hard’ version of the political and of dismissing all others as fictions and wishful thinking. Primacy of the political becomes primacy of foreign policy, organized violence etc. The political is effectively reduced to a few areas – which is just what liberalism is criticized for doing. The friend/enemy distinction or conflictuality may often be a dominant feature of the political, but that is not to say that it is then the political. As Ankersmit (1996: 127) says, that would be the same as making the unavoidability of marital disagreements into the very foundation of marriage as such. I want instead to argue that the political contains a number of styles, sides, variants (or whatever one want to call it) that can very loosely and ideal-typically be grouped in two main forms: Politics as conflict and politics as technique, where neither of them can claim exclusivity. So, I want to avoid a sterile discussion of what the political really is. My interest is far more the various styles of the political that are operative in political debate. Schmitt and many other conflict theoreticians do not see the other face of the political as anything other than a ‘secondary’, ‘dependent’, ‘corrupted’ expression of politics. Liberals tend to exclude politics as conflict, confining it to other spaces in time or geography, as aberration or relapse. What the two concepts each do is to highlight a certain aspect of the political, and my claim is that they are elements of a unity. There’s a certain pendulum process at work and I’ll give that a number of expressions, which basically states the not very controversial thought that the political world is located between the extremes of repetition and break, stability and change, regime and revolution, or, as I prefer to call them, technique and conflict. Depoliticization, then, is a way to describe the attempts to or methods of making repetition, stability and regime universal and eternal – to place areas, practices and actors beyond change and critique – whereas repoliticization describes the opposite movement – disruption, change, recreation of the entire social space.