# ASU Cards Round Doubles ASU

## 1AC

#### Same as round 1.

## 2AC

### Activism

#### No circumvention – the President would use the NSC

Harvey Rishikof 8, Professor of Law and Former Chair of the Department of National Security Strategy at the National War College and Kevin E Lunday, Captain and judge advocate in the US Coast Guard, "Due Process Is a Strategic Choice: Legitimacy and the Establishment of an Article III National Security Court", December 19, www.cwsl.edu/content/journals/Rishikof.pdf

The primary triggering mechanism for establishing NSC jurisdiction would fall within the discretion and control of the Attorney General. Through certification and charging provisions, the Attorney General could invoke NSC jurisdiction by certifying that persons in custody inside the United States are suspected of terrorist activity, or by charging persons in custody outside the United States with one or more specific terrorism offenses. However, the NSC would provide the government with a preferred venue to manage terrorism cases and proceedings, reducing the risk of the NSC being sidelined like the current ATRC.102 Further, the NSC could review challenges to the executive certification or charging decisions,103 transferring those cases in which the government has improperly attempted to employ the NSC for non-terrorism cases to the appropriate district court. This review power will reduce government incentives to dress up any case in terrorism clothing to obtain the advantages of the NSC procedures. The review power would not prevent the government from pursuing a terrorism matter in district court instead of the NSC. However, even without an executive action triggering NSC jurisdiction, if a district court determines that it is unable to adequately manage a terrorism case, it would be permitted to sua sponte transfer the case to NSC jurisdiction

### Leadership

#### **Terrorism is predictable and we can prevent large scale instances of it**

Gardeazabal 12 (Christina, My educational background includes an Honours Bachelor’s degree in philosophy from McGill University, a Master’s degree in political science from the University of Alberta, and a Bachelor’s degree in education from the University of Toronto. I live in Toronto, Canada.#22. A Summary of ‘The Signal and the Noise: Why So Many Predictions Fail–but Some Don’t’ by Nate Silver, http://newbooksinbrief.com/2012/10/15/22-a-summary-of-the-signal-and-the-noise-why-so-many-predictions-fail-but-some-dont-by-nate-silver/)

When you look back at some of the events leading up to the attacks of September 11, 2001, the attacks themselves can seem almost inevitable. As Silver notes, “there had been at least a dozen warnings about the potential for aircraft to be used as weapons, including a 1994 threat by Algerian terrorists to crash a hijacked jet into the Eiffel Tower, and a 1998 plot by a group linked to Al Qaeda to crash an explosives-laden airplane into the World Trade Center; The World Trade Center had been targeted by terrorists before…; Al Qaeda was known to be an exceptionally dangerous and inventive terrorist organization…; Secretary of State Condoleezza Rice had been warned in July 2001 about heightened Al Qaeda activity—and that the group was shifting its focus from foreign targets to the United States itself…; An Islamic fundamentalist named Zacarias Moussaoui had been arrested on August 16, 2001, less than a month before the attacks, after an instructor at a flight training school in Minnesota reported he was behaving suspiciously. Moussaoui, despite having barely more than 50 hours of training and having never flown solo, had sought training in a Boeing 747 simulator, an unusual request for someone who was nowhere near obtaining his pilot’s license” (loc. 7098).¶ Again, all of these events can make the 9/11 attacks seem almost inevitable. And indeed, at least some are convinced that these signs are so clear that the U.S. government must have known about the attacks beforehand; and therefore, must somehow have been involved in them (loc. 7009). The fact of the matter is, though, that events like this often seem predictable after the fact because we know exactly what to look for, whereas beforehand the signals are lost in a sea of noise (loc. 7017). As Silver notes, “our national security agencies have to sort through literally tens of thousands or even hundreds of thousands of potential warnings to find useful nuggets of information. Most of them amount to nothing” (loc. 7102).¶ Still, it is worth asking whether the U.S. government might have been better prepared for the attacks, and to what degree we can prepare ourselves for future ones. With regards to the former question, the answer would appear to be a resounding ‘yes’. To begin with, it was later determined (by the 9/11 Commission Report) that a major reason why the attacks were able to come off as ‘successful’ as they were, was because the American government had lacked the imagination to consider an attack of the kind and scope as that which occurred (loc. 7109). Indeed, as Silver points out, “the North American Aerospace Defense Command (NORAD) had actually proposed running a war game in which a hijacked airliner crashed into the Pentagon. But the idea was dismissed as being ‘too unrealistic’” (loc. 7113).¶ Now, it is one thing to fail to imagine something that is entirely without precedent, or evidence to indicate that it may occur, but neither of these can be said regarding the September 11 attacks. To begin with, while the FAA recognized the possibility of a terrorist hijacking an airplane, its protocols centered on a scenario whereby there would be a prolonged and tense standoff (loc. 7116). Meanwhile, suicide attacks by this time already had a long and storied history (loc. 7119), and they “had become much more common in the years immediately preceding September 11; one database of terrorist incidents documented thirty-nine of them in 2000 alone… up from thirty one in the 1980s” (loc. 7124). What’s more, as mentioned above, plots to use airplanes to crash into buildings had already been uncovered.¶ As for size of the September 11 attacks, it is true that a terrorist attack of this size had never been successfully executed, but the statistics indicated that it was a clear possibility. This is because terrorist attacks have actually been found to follow a very distinct statistical power-law known as a double-logarithmic scale (loc. 7227). When it comes to terrorist attacks, the power law draws a relationship between the size of a terrorist attack and its relative frequency. Given that this is the case, the size and frequency of previous attacks can be used to predict how often a terrorist attack of a particular size will occur in the future. When it comes to an attack of the size of 9/11, the power-law predicted (even before the attack ever occurred) that we could expect to see one “about once every eighty years in a NATO country, or roughly once in our lifetimes” (loc. 7243). In other words, “what this data does suggest is that an attack on the scale of September 11 should not have been unimaginable” (loc. 7247).¶ But if the data suggests that a terrorist attack that kills thousands of people should not be considered unimaginable, what of attacks on an even larger scale? Frighteningly, the power law distribution of terrorist attacks “gives us reason to believe that attacks that might kill tens of thousands or hundreds of thousands of people are a possibility to contemplate as well” (loc. 7251). And, of course, we can well imagine the means through which an attack of this size would be accomplished: weapons of mass destruction, particularly nuclear and biological weapons (loc. 7253, 7335).¶ Nevertheless, the good news is that terrorist attacks can be curbed through human intervention, and there is reason to believe that prudent intervention can buck the power-law trend. The evidence comes out of Israel, where terrorism is much more a part of everyday life than it is in America. As Silver explains, Israel takes a unique approach to terrorism whereby prevention is aimed primarily at large-scale attacks: “small-scale terrorism is treated more like crime than an existential threat. What Israel certainly does not tolerate is the potential for large-scale terrorism (as might be made more likely, for instance, by one of their neighbors acquiring weapons of mass destruction)” (loc. 7429).¶ And the evidence that the approach is working is clear. As Silver explains, “Israel is the one country that has been able to bend Clauset’s curve. if we plot the fatality tolls from terrorist incidents in Israel using the power-law method, we find that there have been significantly fewer large-scale terror attacks than the power-law would predict; no incident since 1979 has killed more than two hundred people” (loc. 7432). This is extremely significant, for it suggests that the power-law is not cast in stone, and that “our strategic choices do make some difference” (loc. 7432).

#### Legal reforms restrain the cycle of violence and prevent error replication

Colm O’Cinneide 8, Senior Lecturer in Law at University College London, “Strapped to the Mast: The Siren Song of Dreadful Necessity, the United Kingdom Human Rights Act and the Terrorist Threat,” Ch 15 in Fresh Perspectives on the ‘War on Terror,’ ed. Miriam Gani and Penelope Mathew, <http://epress.anu.edu.au/war_terror/mobile_devices/ch15s07.html>

This ‘symbiotic’ relationship between counter-terrorism measures and political violence, and the apparently inevitable negative impact of the use of emergency powers upon ‘target’ communities, would indicate that it makes sense to be very cautious in the use of such powers. However, the impact on individuals and ‘target’ communities can be too easily disregarded when set against the apparent demands of the greater good. Justice Jackson’s famous quote in Terminiello v Chicago [111] that the United States Bill of Rights should not be turned into a ‘suicide pact’ has considerable resonance in times of crisis, and often is used as a catch-all response to the ‘bleatings’ of civil libertarians.[112] The structural factors discussed above that appear to drive the response of successive UK governments to terrorist acts seem to invariably result in a depressing repetition of mistakes.¶ However, certain legal processes appear to have some capacity to slow down the excesses of the counter-terrorism cycle. What is becoming apparent in the UK context since 9/11 is that there are factors at play this time round that were not in play in the early years of the Northern Irish crisis. A series of parliamentary, judicial and transnational mechanisms are now in place that appear to have some moderate ‘dampening’ effect on the application of emergency powers.¶ This phrase ‘dampening’ is borrowed from Campbell and Connolly, who have recently suggested that law can play a ‘dampening’ role on the progression of the counter-terrorism cycle before it reaches its end. Legal processes can provide an avenue of political opportunity and mobilisation in their own right, whereby the ‘relatively autonomous’ framework of a legal system can be used to moderate the impact of the cycle of repression and backlash. They also suggest that this ‘dampening’ effect can ‘re-frame’ conflicts in a manner that shifts perceptions about the need for the use of violence or extreme state repression.[113] State responses that have been subject to this dampening effect may have more legitimacy and generate less repression: the need for mobilisation in response may therefore also be diluted.

#### EFFORTS TO FIND A RADICAL THIRD OPTION TO THE WAR ON TERRORISM GENERATES A PATERNALISTIC UNDERSTANDING OF THE OTHER AND TIES THE HANDS OF THE UNITED STATES PREVENTING ACTION TO STOP GENOCIDE, TERRORISM, SEXISM AND OTHER ATROCITIES—THE CHOICES ARE HARDLINE OR ANNIHILATION

Hanson 4 (Professor of Classical Studies at CSU Fresno, City Journal, Spring, City Journal, Spring, http://www.city-journal.org/html/14\_2\_the\_fruits.html)

Rather than springing from realpolitik, sloth, or fear of oil cutoffs, much of our appeasement of Middle Eastern terrorists derived from a new sort of anti-Americanism that thrived in the growing therapeutic society of the 1980s and 1990s. Though the abrupt collapse of communism was a dilemma for the Left, it opened as many doors as it shut. To be sure, after the fall of the Berlin Wall, few Marxists could argue for a state-controlled economy or mouth the old romance about a workers’ paradise—not with scenes of East German families crammed into smoking clunkers lumbering over potholed roads, like American pioneers of old on their way west. But if the creed of the socialist republics was impossible to take seriously in either economic or political terms, such a collapse of doctrinaire statism did not discredit the gospel of forced egalitarianism and resentment against prosperous capitalists. Far from it. If Marx receded from economics departments, his spirit reemerged among our intelligentsia in the novel guises of post-structuralism, new historicism, multiculturalism, and all the other dogmas whose fundamental tenet was that white male capitalists had systematically oppressed women, minorities, and Third World people in countless insidious ways. The font of that collective oppression, both at home and abroad, was the rich, corporate, Republican, and white United States. The fall of the Soviet Union enhanced these newer post-colonial and liberation fields of study by immunizing their promulgators from charges of fellow-traveling or being dupes of Russian expansionism. Communism’s demise likewise freed these trendy ideologies from having to offer some wooden, unworkable Marxist alternative to the West; thus they could happily remain entirely critical, sarcastic, and cynical without any obligation to suggest something better, as witness the nihilist signs at recent protest marches proclaiming: “I Love Iraq, Bomb Texas.” From writers like Arundhati Roy and Michel Foucault (who anointed Khomeini “a kind of mystic saint” who would usher in a new “political spirituality” that would “transfigure” the world) and from old standbys like Frantz Fanon and Jean-Paul Sartre (“to shoot down a European is to kill two birds with one stone, to destroy an oppressor and the man he oppresses at the same time”), there filtered down a vague notion that the United States and the West in general were responsible for Third World misery in ways that transcended the dull old class struggle. Endemic racism and the legacy of colonialism, the oppressive multinational corporation and the humiliation and erosion of indigenous culture brought on by globalization and a smug, self-important cultural condescension—all this and more explained poverty and despair, whether in Damascus, Teheran, or Beirut. There was victim status for everybody, from gender, race, and class at home to colonialism, imperialism, and hegemony abroad. Anyone could play in these “area studies” that cobbled together the barrio, the West Bank, and the “freedom fighter” into some sloppy global union of the oppressed—a far hipper enterprise than rehashing Das Kapital or listening to a six-hour harangue from Fidel. Of course, pampered Western intellectuals since Diderot have always dreamed up a “noble savage,” who lived in harmony with nature precisely because of his distance from the corruption of Western civilization. But now this fuzzy romanticism had an updated, political edge: the bearded killer and wild-eyed savage were not merely better than we because they lived apart in a pre-modern landscape. No: they had a right to strike back and kill modernizing Westerners who had intruded into and disrupted their better world—whether Jews on Temple Mount, women in Westernized dress in Teheran, Christian missionaries in Kabul, capitalist profiteers in Islamabad, whiskey-drinking oilmen in Riyadh, or miniskirted tourists in Cairo. An Ayatollah Khomeini who turned back the clock on female emancipation in Iran, who murdered non-Muslims, and who refashioned Iranian state policy to hunt down, torture, and kill liberals nevertheless seemed to liberal Western eyes as preferable to the Shah—a Western-supported anti-communist, after all, who was engaged in the messy, often corrupt task of bringing Iran from the tenth to the twentieth century, down the arduous, dangerous path that, as in Taiwan or South Korea, might eventually lead to a consensual, capitalist society like our own. Yet in the new world of utopian multiculturalism and knee-jerk anti-Americanism, in which a Noam Chomsky could proclaim Khomeini’s gulag to be “independent nationalism,” reasoned argument was futile. Indeed, how could critical debate arise for those “committed to social change,” when no universal standards were to be applied to those outside the West? Thanks to the doctrine of cultural relativism, “oppressed” peoples either could not be judged by our biased and “constructed” values (“false universals,” in Edward Said’s infamous term) or were seen as more pristine than ourselves, uncorrupted by the evils of Western capitalism.¶ Who were we to gainsay Khomeini’s butchery and oppression? We had no way of understanding the nuances of his new liberationist and “nationalist” Islam. Now back in the hands of indigenous peoples, Iran might offer the world an alternate path, a different “discourse” about how to organize a society that emphasized native values (of some sort) over mere profit. So at precisely the time of these increasingly frequent terrorist attacks, the silly gospel of multiculturalism insisted that Westerners have neither earned the right to censure others, nor do they possess the intellectual tools to make judgments about the relative value of different cultures. And if the initial wave of multiculturalist relativism among the elites—coupled with the age-old romantic forbearance for Third World roguery—explained tolerance for early unpunished attacks on Americans, its spread to our popular culture only encouraged more.¶ This nonjudgmentalism—essentially a form of nihilism—deemed everything from Sudanese female circumcision to honor killings on the West Bank merely “different” rather than odious. Anyone who has taught freshmen at a state university can sense the fuzzy thinking of our undergraduates: most come to us prepped in high schools not to make “value judgments” about “other” peoples who are often “victims” of American “oppression.” Thus, before female-hating psychopath Mohamed Atta piloted a jet into the World Trade Center, neither Western intellectuals nor their students would have taken him to task for what he said or condemned him as hypocritical for his parasitical existence on Western society. Instead, without logic but with plenty of romance, they would more likely have excused him as a victim of globalization or of the biases of American foreign policy. They would have deconstructed Atta’s promotion of anti-Semitic, misogynist, Western-hating thought, as well as his conspiracies with Third World criminals, as anything but a danger and a pathology to be remedied by deportation or incarceration

### Nietzsche K

#### 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).

#### Individual connection to congressional action and separation of powers is the only way to challenge executive authority

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

#### Perm do both

#### Attempting to change the world is crucial to celebrating life. Refusing to try denies our own lives while condemning others to unnecessary suffering. This means that suffering is not inevitable.

May, Class of 1941 Memorial Professor of Philosophy at Clemson University, ‘5

[Todd, “To change the world, to celebrate life”, Philosophy and Social Criticism, 2005, Vol. 31, Nos. 5-6, pp. 517-531]

To change the world and to celebrate life. This, as the theologian Harvey Cox saw, is the struggle within us. It is a struggle in which one cannot choose sides; or better, a struggle in which one must choose both sides. The abandonment of one for the sake of the other can lead only to disaster or callousness. Forsaking the celebration of life for the sake of changing the world is the path of the sad revolutionary. In his preface to Anti-Oedipus, Foucault writes that one does not have to be sad in order to he revolutionarv. The matter is more urgent than that, however. One cannot be both sad and revolutionary lacking a sense of the wondrous that is already here, among us, one who is bent upon changing the world can only become solemn or bitter. He or she is focused only on the future; the present is what is to be overcome. The vision of what is not but must come to be overwhelms all else, and the point of change itself becomes lost. The history of the left in the 20th century offers numerous examples of this, and the disaster that attends to it should be evident to all of us by now. The alternative is surely not to shift one’s allegiance to the pure celebration of life, although there are many who have chosen this path. It is at best blindness not to see the misery that envelops so many of our fellow humans, to say nothing of what happens to sentient nonhuman creatures. The attempt to jettison world-changing for an uncritical assent to the world as it is requires a self-deception that I assume would be anathema for those of us who have studied Foucault. Indeed, it is anathema for all of us who awaken each day to an America whose expansive boldness is matched only by an equally expansive disregard for those we place in harm’s way. This is the struggle, then. The one between the desire for life celebration and the desire for world-changing. The struggle between reveling in the contingent and fragile joys that constitute our world and wresting it from its intolerability. I am sure it is a struggle that is not foreign to anyone who is reading this. I am sure as well that the stakes for choosing one side over another that I have recalled here are obvious to everyone. The question then becomes one of how to choose both sides at once. III Maybe it happens this way. You walk into a small meeting room at the back of a local bookstore. There are eight or ten people milling about. They’re dressed in dark clothes, nothing fancy, and one or two of them have earrings or dreadlocks. They vary in age. You don’t know any of them. You’ve never seen them before. Several of them seem to know one another. They are affectionate, hugging, letting a hand linger on a shoulder or an elbow. A younger man, tall and thin, with an open face and a blue baseball cap bearing no logo, glides into the room. Two others, a man and a woman, shout, ‘Tim!’ and he glides over to them and hugs them, one at a time. They tell him how glad they are that he could make it, and he says that he just got back into town and heard about the meeting. You stand a little off to the side. Nobody has taken a seat at the rectangle of folding tables yet. You don’t want to be the first to sit down. Tim looks around the room and smiles. Several other people filter in. You’re not quite sure where to put your hands so you slide them into your jean pockets. You hunch your shoulders. Tim’s arrival has made you feel more of an outsider. But then he sees you. He edges his way around several others and walks up to you and introduces himself. You respond. Tim asks and you tell him that this is your first time at a meeting like this. He doesn’t ask about politics but about where you’re from. He tells you he has a friend in that neighborhood and do you know . . . ? Then several things happen that you only vaguely notice because you’re talking with Tim. People start to sit down at the rectangle of tables. One of them pulls out a legal pad with notes on it. She sits at the head of the rectangle; or rather, when she sits down there, it becomes the head. And there’s something you don’t notice at all. You are more relaxed, your shoulders have stopped hunching, and when you sit down the seat feels familiar. The woman at the head of the table looks around. She smiles; her eyes linger over you and a couple of others that you take to be new faces, like yours. She says, ‘Maybe we should begin.’ IV I can offer only a suggestion of an answer here today. It is a suggestion that brings together some thoughts from the late writings of Maurice Merleau-Ponty with those of Foucault, in order to sketch not even a framework for thought, but the mere outlines of a framework. It is not a framework that would seek to find the unconscious of each in the writings of the other. Neither thinker finishes or accomplishes the other. (Often, for example regarding methodology, they do not even agree.) Rather, it is a framework that requires both of them, from their very different angles, in order to be able to think it. My goal in constructing the outlines of this framework is largely philosophical. That is to say, the suggestion I would like to make here is not one for resolving for each of us the struggle of life-celebration and world-changing, but of offering a way to conceive ourselves that allows us to embrace both sides of this battle at the same time. Given the thinkers I have chosen as reference points, it will be no surprise when I say that that conception runs through the body. Let me start with Merleau-Ponty. In his last writings, particularly in The Visible and the Invisible, he offers a conception of the body that is neither at odds nor even entangled with the world, but is of the very world itself. His concept of the flesh introduces a point of contact that is also a point of undifferentiation. The flesh, Merleau-Ponty writes, ‘is the coiling over of the visible upon the seeing body, of the tangible upon the touching body, which is attested in particular when the body sees itself, touches itself seeing and touching the things, such that, as tangible it descends among them’.2 We must recall this economy of the flesh before we turn to Foucault. There is, for Merleau-Ponty, a single Being. Our world is of that Being, and we are of our world. We are not something that confronts the world from outside, but are born into it and do not leave it. This does not mean that we cannot remove ourselves from the immediacy of its grasp. What it means is that to remove ourselves from that immediacy is neither the breaking of a bond nor the discovery of an original dichotomy or dualism. What is remarkable about human beings is precisely our capacity to confront the world, to reflect upon it, understand it, and change it, while still being of a piece with it. To grasp this remarkable character, it is perhaps worth recalling Gilles Deleuze’s concept of the fold. The world is not composed of different parts; there is no transcendent, whether of God or of subjectivity. The world is one. As Deleuze sometimes says, being is univocal. This oneness is not, however, inert or inanimate. Among other things, it can fold over on itself, creating spaces that are at once insides and outsides, at once different from and continuous with one another. The flesh is a fold of Being in this sense. It is of the world, and yet encounters it as if from a perceptual or cognitive distance. It is a visibility that sees, a tangible that touches, an audible that hears. Merleau- Ponty writes: There is vision, touch when a certain visible, a certain tangible, turns back upon the whole of the visible, the whole of the tangible, of which it is a part, or when suddenly it finds itself surrounded by them, or when between it and them, and through their commerce, is formed a Visibility, a Tangible in itself, which belong properly neither to the body qua fact nor to the world qua fact . . . and which therefore form a couple, a couple more real than either of them.3 For Merleau-Ponty, thought and reflection do not attach themselves to this flesh from beyond it, but arise through it. As our body is of this world, our thought is of our bodies, its language of a piece with the world it addresses. ‘[I]f we were to make completely explicit the architectonics of the human body, its ontological framework, and how it sees itself and hears itself, we would see the possibilities of language already given in it.’4 This conception of the body as flesh of the world is not foreign to Foucault, although of course the terms Merleau-Ponty uses are not his. We might read Foucault’s politics as starting from here, inaugurated at the point of undifferentiation between body and world. The crucial addition he would make is that that point of undifferentiation is not historically inert. The body/world nexus is inscribed in a history that leaves its traces on both at the same time, and that crosses the border of the flesh and reaches the language that arises from it, and the thought that language expresses. How does this work?V Maybe it doesn’t happen that way. Maybe it happens another way. Maybe you walk into a room at a local community center. The room is large, but there aren’t many people, at least yet. There’s a rectangular table in the center, and everyone is sitting around it. A couple of people look up as you walk in. They nod slightly. You nod back, even more slightly. At the head of the table is someone with a legal pad. She does not look up. She is reading the notes on the pad, making occasional marks with the pen in her right hand. Other people come in and take places at the table. One or two of them open laptop computers and look for an outlet. Eventually, the table fills up and people start sitting in chairs behind the table. Your feel as though you’re in an inner circle where you don’t belong. You wonder whether you should give up your chair and go sit on the outside with the others who are just coming in now. Maybe people notice you, think you don’t belong there. At this moment you’d like to leave. You begin to feel at once large and small, visually intrusive and an object of scrutiny. You don’t move because maybe this is OK after all. You just don’t know. The room is quiet. A couple of people cough. Then the woman seated at the head of the table looks up. She scans the room as if taking attendance. She says, ‘Maybe we should begin.’ VI Merleau-Ponty’s discussion of the body as flesh is an ontological one. Although he does not see the body as remote from its historical inscription, his discussion does not incorporate the role such inscription plays. For a body to be of the world is also for it to be temporal, to be encrusted in the continuous emerging of the world over time. And this emerging is not abstract; rather, it is concrete. The body/world nexus evolves during particular historical periods. This fold of the flesh, this body, is not nowhere and at any time. It is there, then; or it is here, now. A body is entangled within a web of specific events and relations that, precisely because it is of this world, are inescapably a part of that body’s destiny. As Merleau-Ponty tells us in Phenomenology of Perception, ‘our open and personal existence rests on an initial foundation of acquired and stabilized existence. But it could not be otherwise, if we are temporality, since the dialectic of acquisition and future is what constitutes time.’5 The medium for the body’s insertion into a particular net of events and relations is that of social practices. Our bodies are not first and foremost creatures of the state or the economy, no more than they are atomized wholes distinct from the world they inhabit. Or better, they are creatures of the state and the economy inasmuch as those appear through social practices, through the everyday practices that are the ether of our lives. Social practices are the sedimentation of history at the level of the body. When I teach, when I write this article, when I run a race or teach one of my children how to ride a bicycle, my body is oriented in particular ways, conforming to or rejecting particular norms, responding to the constraints and restraints of those practices as they have evolved in interaction with other practices over time. Through its engagement in these practices, my body has taken on a history that is not of my making but is nevertheless part of my inheritance. It is precisely because, as Merleau-Ponty has written, the body and the world are not separate things but rather in a chiasmic relation that we can think this inheritance. And it is because of Foucault’s histories that we can recognize that this inheritance is granted through specific social practices. And of course, as Foucault has taught us, social practices are where the power is. It is not, or not simply, at the level of the state or the modes of production where power arises. It is, as he sometimes puts it, at the capillaries. One of the lessons of Discipline and Punish is that, if the soul is the prison of the body, this is because the body is inserted into a set of practices that create for it a soul. These practices are not merely the choices of an individual whose thought surveys the world from above, but instead the fate of a body that is of a particular world at a particular time and place. Moreover, these practices are not merely in service to a power that exists outside of them; they are mechanisms of power in their own right. It is not because Jeremy Bentham disliked the prison population that the Panopticon became a grid for thinking about penal institutions. It is instead because the evolution of penal practices at that time created an opening for the economy of visibility that the Panopticon represented. When Foucault writes that . . . the soul has a reality, it is produced permanently around, on, within the body by the functioning of a power that is exercised on those punished – and, in a more general way, on those one supervises, trains and corrects, over madmen, children at home and at school, the colonized, over those who are stuck at a machine and supervised for the rest of their lives6 his claim is informed by four other ones that lie behind it: that bodies are of a piece with the world, that the body/world nexus is a temporal one, that the medium of that corporeal temporality is the practices a body is engaged in, and that that medium is political as well as social. The last three claims are, of course, of the framework of Foucault’s thought. The first one is the ontological scaffolding provided by Merleau-Ponty. And it is by means of all four that we can begin to conceive things so as to be able to choose both world-changing and lifecelebrating at the same time. VII It could happen yet another way. Increasingly, it does. There is no meeting. There are no tables and no legal pads. Nobody sits down in a room together, at least nobody sits down at a place you know about. There may not even be a leaflet. Maybe you just got an email that was forwarded by someone you know slightly and who thought you might be interested. At the bottom there’s a link, in case you want to unsubscribe. If you don’t unsubscribe you get more notices, with petitions to sign or times and places for rallies or teach-ins or marches. Maybe there’s also a link for feedback or a list for virtual conversations or suggestions. If you show up, it’s not to something you put together but to something that was already in place before you arrived. How did you decide on this rally or teach-in? You sat in front of your computer screen, stared at it, pondering. Maybe you emailed somebody you know, asking for their advice. Is it worth going? If it’s on campus you probably did. It matters who will see you, whether you have tenure, how much you’ve published. There are no Tims here. You’ve decided to go. If it’s a teach-in, you’ve got plausible deniability; you’re just there as an observer. If it’s a rally, you can stand to the side. But maybe you won’t do that. The issue is too important. You don’t know the people who will be there, but you will stand among them, walk among them. You will be with them, in some way. Bodies at the same time and place. You agree on the issue, but it’s a virtual agreement, one that does not come through gestures or words but through sharing the same values and the same internet connections. As you march, as you stand there, nearly shoulder to shoulder with others of like mind, you’re already somewhere else, telling this story to someone you know, trying to get them to understand the feeling of solidarity that you are projecting back into this moment. You say to yourself that maybe you should have brought a friend along. There are many ways to conceive the bond between world-changing and life-celebrating. Let me isolate two: one that runs from Merleau-Ponty to Foucault, from the body’s chiasmic relation with the world to the politics of its practices; and the other one running back in the opposite direction. The ontology Merleau-Ponty offers in his late work is one of wonder. Abandoning the sterile philosophical debates about the relation of mind and body, subject and object, about the relation of reason to that which is not reason, or the problem of other minds, his ontology forges a unity of body and world that puts us in immediate contact with all of its aspects. No longer are we to be thought the self-enclosed creatures of the philosophical tradition. We are now in touch with the world, because we are of it. Art, for example, does not appeal solely to our minds; its beauty is not merely a matter of the convergence of our faculties. We are moved by art, often literally moved, because our bodies and the work of art share the same world. As Merleau-Ponty says, ‘I would be at great pains to say where is the painting I am looking at. For I do not look at it as I do a thing; I do not fix it in its place. My gaze wanders in it as in the halos of Being. It is more accurate to say that I see according to it, or with it, than that I see it.’7 It is only because my body is a fold of this world that art can affect me so. But this affection is also a vulnerability. As my look can happen according to a work of art, so it can happen according to a social practice. And even more so in proportion as that social practice and its effects are suffused through the world in which I carry on my life, the world my body navigates throughout the day, every day. I do not have a chance to look according to a painting by Cezanne very often; but I do encounter the effects of normalization as it has filtered through the practices of my employment, of my students’ upbringing, and of my family’s expectations of themselves and one another. The vulnerability of the body, then, is at once its exposure to beauty and its opening to what is intolerable. We might also see things from the other end, starting from politics and ending at the body. I take it that this is what Foucault suggests when he talks about bodies and pleasures at the end of the first volume of the History of Sexuality. If we are a product of our practices and the conception of ourselves and the world that those practices have fostered, so to change our practices is to experiment in new possibilities both for living and, inseparably, for conceiving the world. To experiment in sexuality is not to see where the desire that lies at the core of our being may lead us; that is simply the continuation of our oppression by other means. Rather, it is to construct practices where what is at issue is no longer desire but something else, something that might go by the name of bodies and pleasures. In doing so, we not only act differently, we think differently, both about ourselves and about the world those selves are inseparable from. And because these experiments are practices of our bodies, and because our bodies are encrusted in the world, these experiments become not merely acts of political resistance but new folds in the body/ world nexus. To construct new practices is to appeal to aspects or possibilities of the world that have been previously closed to us. It is to offer novel, and perhaps more tolerable, engagements in the chiasm of body and world. Thus we might say of politics what Merleau-Ponty has said of painting, that we see according to it. Here, I take it, is where the idea of freedom in Foucault lies. For Foucault, freedom is not a metaphysical condition. It does not lie in the nature of being human, nor is it a warping, an atomic swerve, in the web of causal relations in which we find ourselves. To seek our freedom in a space apart from our encrustation in the world is not so much to liberate ourselves from its influence as to build our own private prison. Foucault once said: There’s an optimism that consists in saying that things couldn’t be better. My optimism would consist rather in saying that so many things can be changed, fragile as they are, bound up more with circumstances than with necessities, more arbitrary than self-evident, more a matter of complex, but temporary, historical circumstances than with inevitable anthropological constraints . . .8 That is where to discover our freedom. And what happens from there? From the meetings, from the rallies, from the petitions and the teach-ins? What happens next? There is, after all, always a next. If you win this time – end aid to the contras, divest from apartheid South Africa, force debt-forgiveness by technologically advanced countries – there is always more to do. There is the de-unionization of workers, there are gay rights, there is Burma, there are the Palestinians, the Tibetans. There will always be Tibetans, even if they aren’t in Tibet, even if they aren’t Asian. But is that the only question: Next? Or is that just the question we focus on? What’s the next move in this campaign, what’s the next campaign? Isn’t there more going on than that? After all, engaging in political organizing is a practice, or a group of practices. It contributes to making you who you are. It’s where the power is, and where your life is, and where the intersection of your life and those of others (many of whom you will never meet, even if it’s for their sake that you’re involved) and the buildings and streets of your town is. This moment when you are seeking to change the world, whether by making a suggestion in a meeting or singing at a rally or marching in silence or asking for a signature on a petition, is not a moment in which you don’t exist. It’s not a moment of yours that you sacrifice for others so that it no longer belongs to you. It remains a moment of your life, sedimenting in you to make you what you will become, emerging out of a past that is yours as well. What will you make of it, this moment? How will you be with others, those others around you who also do not cease to exist when they begin to organize or to protest or to resist? The illusion is to think that this has nothing to do with you. You’ve made a decision to participate in world-changing. Will that be all there is to it? Will it seem to you a simple sacrifice, for this small period of time, of who you are for the sake of others? Are you, for this moment, a political ascetic? Asceticism like that is dangerous. Freedom lies not in our distance from the world but in the historically fragile and contingent ways we are folded into it, just as we ourselves are folds of it. If we take Merleau-Ponty’s Being not as a rigid foundation or a truth behind appearances but as the historical folding and refolding of a univocity, then our freedom lies in the possibility of other foldings. Merleau-Ponty is not insensitive to this point. His elusive concept of the invisible seems to gesture in this direction. Of painting, he writes: the proper essence of the visible is to have a layer of invisibility in the strict sense, which it makes present as a certain absence . . . There is that which reaches the eye directly, the frontal properties of the visible; but there is also that which reaches it from below . . . and that which reaches it from above . . . where it no longer participates in the heaviness of origins but in free accomplishments.9 Elsewhere, in The Visible and the Invisible, he says: if . . . the surface of the visible, is doubled up over its whole extension with an invisible reserve; and if, finally, in our flesh as the flesh of things, the actual, empirical, ontic visible, by a sort of folding back, invagination, or padding, exhibits a visibility, a possibility that is not the shadow of the actual but its principle . . . an interior horizon and an exterior horizon between which the actual visible is a partitioning and which, nonetheless, open indefinitely only upon other visibles . . .10 What are we to make of these references? We can, to be sure, see the hand of Heidegger in them. But we may also, and for present purposes more relevantly, see an intersection with Foucault’s work on freedom. There is an ontology of freedom at work here, one that situates freedom not in the private reserve of an individual but in the unfinished character of any historical situation. There is more to our historical juncture, as there is to a painting, than appears to us on the surface of its visibility. The trick is to recognize this, and to take advantage of it, not only with our thoughts but with our lives. And that is why, in the end, there can be no such thing as a sad revolutionary. To seek to change the world is to offer a new form of life-celebration. It is to articulate a fresh way of being, which is at once a way of seeing, thinking, acting, and being acted upon. It is to fold Being once again upon itself, this time at a new point, to see what that might yield. There is, as Foucault often reminds us, no guarantee that this fold will not itself turn out to contain the intolerable. In a complex world with which we are inescapably entwined, a world we cannot view from above or outside, there is no certainty about the results of our experiments. Our politics are constructed from the same vulnerability that is the stuff of our art and our daily practices. But to refuse to experiment is to resign oneself to the intolerable; it is to abandon both the struggle to change the world and the opportunity to celebrate living within it. And to seek one aspect without the other – life-celebration without world-changing, world-changing without life-celebration – is to refuse to acknowledge the chiasm of body and world that is the wellspring of both. If we are to celebrate our lives, if we are to change our world, then perhaps the best place to begin to think is our bodies, which are the openings to celebration and to change, and perhaps the point at which the war within us that I spoke of earlier can be both waged and resolved. That is the fragile beauty that, in their different ways, both Merleau- Ponty and Foucault have placed before us. The question before us is whether, in our lives and in our politics, we can be worthy of it. So how might you be a political body, woven into the fabric of the world as a celebrator and as a changer? You went to the meeting, and then to the demonstration. How was it there? Were the bodies in harmony or in counterpoint? Did you sing with your feet, did your voice soar? Did your mind come alive? Did you see possibilities you had not seen before? Were there people whose words or clothes, or even the way they walked hand in hand (how long has it been since you’ve walked hand in hand with someone out in public?) offer you a possibility, or make you feel alive as well as righteous? And how about those people off to the side, the ones on the sidewalk watching? Maybe they just stared, or maybe nodded as you went past. Or maybe some of them shouted at you to stop blocking the streets with your nonsense. Did you recoil within yourself, see yourself as in a mirror, or as the person at Sartre’s keyhole who’s just been caught? Did you feel superior to them, smug in your knowledge? Or did they, too, show you something you might learn from? Are they you at another moment, a moment in the past or in the future? Are they your parents that you have not explained to, sat down beside, or just shared a meal with? That one over there, the old man slightly stooped in the long overcoat: whom does he remind you of? What message might he have unwittingly brought for you? And why does it have to be a demonstration? You go to a few meetings, a few more demonstrations. You write some letters to legislators. You send an email to the President. And then more meetings. The next thing you know, you’re involved in a political campaign. By then you may have stopped asking why. This is how it goes: demonstrations, meetings with legislators, internet contacts. Does it have to be like this? Are demonstrations and meetings your only means? Do they become, sooner or later, not only means but ends? And what kinds of ends? In some sense they should always be ends: a meeting is a celebration, after all. But there are other ends as well. You go to the meeting because that fulfills your obligation to your political conscience. Does it come to that? There are other means, other ends. Other means/ends. Some people ride bicycles, en masse, slowly through crowded urban streets. You want environmentalism? Then have it. The streets are beautiful with their tall corniced buildings and wide avenues. To ride a bike through these streets instead of hiding in the armor of a car would be exhilarating. If enough of you do it together it would make for a pleasant ride, as well as a little lived environmentalism. Would you want to call it a demonstration? Would it matter? There are others as well who do other things with their bodies, more dangerous things. Some people have gone to Palestine in order to put their bodies between the Palestinians and the Israeli soldiers and settlers who attack them. They lie down next to Palestinians in front of the bulldozers that would destroy homes or build a wall through a family’s olive orchard. They feel the bodies of those they are in solidarity with. They smell the soil of Palestine as they lay there. Sometimes, they are harmed by it. A young woman, Rachel Corrie, was deliberately crushed by a US bulldozer operated by an Israeli soldier as she kneeled in front of a Palestinian home, hoping to stop its demolition. To do politics with one’s body can be like this. To resist, to celebrate, is also to be vulnerable. The world that you embrace, the world of which you are a part, can kill you too. And so you experiment. You try this and you try that. You are a phenomenologist and a genealogist. You sense what is around you, attend to the way your body is encrusted in your political involvements. And you know that that sensing has its own history, a history that often escapes you even as it envelops you. There is always more to what you are, and to what you are involved in, than you can know. So you try to keep vigilant, seeking the possibilities without scorning the realities. It’s a difficult balance. You can neglect it if you like. Many do. But your body is there, woven into the fabric of all the other bodies, animate and inanimate. Whether you like it or not, whether you recognize it or not. The only question is whether you will take up the world that you are of, or leave it to others, to those others who would be more than willing to take your world up for you.

#### No impact – threat construction isn’t sufficient to cause wars

Kaufman, Prof Poli Sci and IR – U Delaware, ‘9

(Stuart J, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” *Security Studies* 18:3, 400 – 434)

Even when hostile narratives, group fears, and opportunity are strongly present, war occurs only if these factors are harnessed. Ethnic narratives and fears must combine to create significant ethnic hostility among mass publics. Politicians must also seize the opportunity to manipulate that hostility, evoking hostile narratives and symbols to gain or hold power by riding a wave of chauvinist mobilization. Such mobilization is often spurred by prominent events (for example, episodes of violence) that increase feelings of hostility and make chauvinist appeals seem timely. If the other group also mobilizes and if each side's felt security needs threaten the security of the other side, the result is a security dilemma spiral of rising fear, hostility, and mutual threat that results in violence. A virtue of this symbolist theory is that symbolist logic explains why ethnic peace is more common than ethnonationalist war. Even if hostile narratives, fears, and opportunity exist, severe violence usually can still be avoided if ethnic elites skillfully define group needs in moderate ways and collaborate across group lines to prevent violence: this is consociationalism.17 War is likely only if hostile narratives, fears, and opportunity spur hostile attitudes, chauvinist mobilization, and a security dilemma.

#### **The plan gives security transformative potential --- alt alone fails and their impact is false**

Nunes, 12

[Reclaiming the political: Emancipation and critique in security studies, João Nunes, Security Dialogue 2012 43: 345,Politics and International Studies, University of Warwick, UK, p. sage publications]

In the works of these authors, one can identify a tendency to see security as inherently connected to exclusion, totalization and even violence. The idea of a ‘logic’ of security is now widely present in the critical security studies literature. Claudia Aradau (2008: 72), for example, writes of an ‘exclusionary logic of security’ underpinning and legitimizing ‘forms of domination’. Rens van Munster (2007: 239) assumes a ‘logic of security’, predicated upon a ‘political organization on the exclusionary basis of fear’. Laura Shepherd (2008: 70) also identifies a liberal and highly problematic ‘organizational logic’ in security. Although there would probably be disagreement over the degree to which this logic is inescapable, it is symptomatic of an overwhelmingly pessimistic outlook that a great number of critical scholars are now making the case for moving away from security. The normative preference for desecuritization has been picked up in attempts to contest, resist and ‘unmake’ security (Aradau, 2004; Huysmans, 2006; Bigo, 2007). For these contributions, security cannot be reconstructed and political transformation can only be brought about when security and its logic are removed from the equation (Aradau, 2008; Van Munster, 2009; Peoples, 2011). This tendency in the literature is problematic for the critique of security in at least three ways. First, it constitutes a blind spot in the effort of politicization. The assumption of an exclusionary, totalizing or violent logic of security can be seen as an essentialization and a moment of closure. To be faithful to itself, the politicization of security would need to recognize that there is nothing natural or necessary about security – and that security as a paradigm of thought or a register of meaning is also a construction that depends upon its reproduction and performance through practice. The exclusionary and violent meanings that have been attached to security are themselves the result of social and historical processes, and can thus be changed. Second, the institution of this apolitical realm runs counter to the purposes of critique by foreclosing an engagement with the different ways in which security may be constructed. As Matt McDonald (2012) has argued, because security means different things for different people, one must always understand it in context. Assuming from the start that security implies the narrowing of choice and the empowerment of an elite forecloses the acknowledgment of security claims that may seek to achieve exactly the opposite: alternative possibilities in an already narrow debate and the contestation of elite power.5 In connection to this, the claims to insecurity put forward by individuals and groups run the risk of being neglected if the desire to be more secure is identified with a compulsion towards totalization, and if aspirations to a life with a degree of predictability are identified with violence. Finally, this tendency blunts critical security studies as a resource for practical politics. By overlooking the possibility of reconsidering security from within – opting instead for its replacement with other ideals – the critical field weakens its capacity to confront head-on the exceptionalist connotations that security has acquired in policymaking circles. Critical scholars run the risk of playing into this agenda when they tie security to exclusionary and violent practices, thereby failing to question security actors as they take those views for granted and act as if they were inevitable. Overall, security is just too important – both as a concept and as a political instrument – to be simply abandoned by critical scholars. As McDonald (2012: 163) has put it, If security is politically powerful, is the foundation of political legitimacy for a range of actors, and involves the articulation of our core values and the means of their protection, we cannot afford to allow dominant discourses of security to be confused with the essence of security itself. In sum, the trajectory that critical security studies has taken in recent years has significant limitations. The politicization of security has made extraordinary progress in problematizing predominant security ideas and practices; however, it has paradoxically resulted in a depoliticization of the meaning of security itself. By foreclosing the possibility of alternative notions of security, this imbalanced politicization weakens the analytical capacity of critical security studies, undermines its ability to function as a political resource and runs the risk of being politically counterproductive. Seeking to address these limitations, the next section revisits emancipatory understandings of security.

#### Pragmatism is the best way to prescribe good action even despite a flawed epistemology.

Wight, University of Exeter School of Humanities and social sciences politics department, ‘7

[Colin, “Inside the epistemological cave all bets are off” <http://www.ciaonet.org/olj/jird/jird_200703_v10n1_d.pdf>, p.43-46, accessed 10-22-11, TAP]

In some respects, this might seem to place me close to the position that Kratochwil suggests is absurd. For is not my position a form of ‘anything goes’? Well, again agreeing with Kratochwil that we should reject traditional logic and its associated yes or no answers, I will reply both yes and no. 10 Yes, it is an ‘anything goes’ position insofar as I reject outright that we need to commit ourselves to any particular epistemological position in advance of making or judging particular knowledge claims. I can see no good reason for giving any specific epistemological standpoint a position of a priori privilege. But I can also answer no because this position does not mean that we are unable to make informed judgements on the basis of the evidence for the claim. The fact that philosophers have been unable to provide secure foundations for one or other epistemological stance does not alter the fact that we continue to use these positions to get along in the world. In this respect, I agree completely with Kratochwil’s claim (2007: 11) that both absolute certainty and absolute doubt are impossible positions to hold, and that we ‘go on’in a situation located somewhere in between. It may be philosophically naıve of me to claim that if I wish to know how many cars are parked in my drive, then the easiest way is to probably go and look. But I can do this without needing philosophy to prove empiricism infallible. Equally, in certain circumstances I might be able to ascertain how many cars are in my drive without looking; if, for example, I know that at time T1 that there were three cars and that one went away at time T2, then, if asked at time T3 (assuming these events are sequential), I have a legitimate case to say ‘two’. Of course, in either case, I could still be wrong but the point is that the claim about the existence of a certain number of cars can justifiably be supported on various epistemological grounds and we do not know in advance which will be the most appropriate. Hence the context in which the claim emerges is also an important aspect of its validity. In both cases, there is no doubt that observation or the process of rational deduction is theoretically laden, but to say that our concepts help carve up the world in certain ways is not to accept that they either determine the physicality of what exists or can, in all cases, stop an object from existing. 11 Again, in some respects, my position might appear to be quite close to Kratochwil’s pragmatist alternative. After all, pragmatists generally argue that we should do what works. There are certainly aspects of Kratochwil’s position that do suggest some affinities with my notion of epistemological opportunism. Thus, for example, he argues that ‘each science provides its own court and judges the appropriateness of its own methods and practices’(Kratochwil 2007: 12). This is, indeed, the position scientific realists adopt in relation to epistemological and methodological matters, although Kratochwil seems to reject that scientific realism out of hand. 12 But it is not clear why each science would need to judge the appropriateness of its own methods and practices unless there are some fundamental ontological differences that distinguish the object of study; which is exactly why scientific realists insist that ontology forms the starting point of all enquiry, not the a priori commitment to a set of scientific methods. According to the positivist view of science, there is a general set of rules, procedures and axioms which, when taken together, constitute the ‘scientific method’. Although the various strands of positivism disagree over the exact form of these axioms, the need to define them is common to all versions (Halfpenny 1982). For scientific realists, on the other hand, there can be no ‘scientific method’because differing phenomena will require differing modes of investigation and perhaps different models of explanation. This argument is embedded in the differing ontological domains that concern the individual sciences. Hence there can be no scientific method as such, since differing object domains will require methods appropriate to their study and a range of epistemological supports. Kratochwil’s position is very different. He accepts that we have to ‘search for viable criteria of assessment of our theories’(Kratochwil 2007: 1), but exactly which criteria does he suggest? First, he explicitly rejects the notion that the world itself will play any role, arguing that ‘if we recognize the constitutive nature of our concepts then we have to accept that we never ‘‘test’’ against the ‘‘real world’’ but only against other more or less-articulated theories’ (Kratochwil 2007: 3). The use of ‘never’is a very strong statement and seems to rule out any role for empirical research. 13 Of course, Kratochwil may argue that by ‘real world’he does not mean the world of experience but some Platonic realm beyond experience. But, in so doing, he would be aligning himself with the positivists who also denied the possibility of accessing reality beyond that which can be experienced. Equally, of course, the empirical is part of the real world even if it does not exhaust it. Ultimately I think Kratochwil, like the positivists, does treat the world as the ‘world of experience’. This means that he has a very philosophically idealist notion of the real world, which also means that rather than transcending the materialist/idealist dichotomy, he is clearly on one side of it. 14 There is, however, some confusion regarding this issue. For example, despite claiming that the objects of experience are the result of our constructions and interests, he also argues that no one really contests the claim that there is a common substratum to these objects (Kratochwil 2007: 6). Equally in previous work he has claimed that no one seriously doubts the existence of an independent world (Kratochwil 2000: 91). Given these claims, it seems that the point he is trying to make is the relatively uncontested idea that we describe the world in certain ways and that those descriptions play a role, perhaps even determine, in how we interact with the world. I know of no one who would object to this, but this is a long way from the claim that we construct objects in a physical sense, by describing them in particular ways, or that the world plays no role in terms of the assessment of our claims. To illustrate this issue he uses the example of a table, which he claims is something entirely different to a ‘physicist, the chemist, the cabinet maker, the user, or the art historian’(Kratochwil 2007: 6). Now, of course, how we use a table, or how we describe it is almost exclusively a matter of our discourses and interests. No one doubts this. Nor does anyone doubt that objects can be described in a number of differing ways. Yet the fact still remains that in order for any object to function as a table it needs to have a set of properties such that it can fulfill that role. Hence, we construct tables out of materials, such as wood, that have the properties of being able to support objects placed on them. No matter how creative we are within our community of rule-following scientists, we are not yet able to construct tables out of water. 15 Thus, the world itself simply cannot be discarded in the manner Kratochwil suggests. One can think of many such examples where the world does in a very real and important sense talk to us: penalizing any attempt to put out fires using petrol rather than water for example; attempting to run our cars by packing them with environmental waste; or attempting to feed the starving of the world on fresh air as opposed to substances that provide nutritional value. 16 If Kratochwil’s idealist metaphysics were correct, all of these should be possible as long as we have an interest in achieving them, and providing enough of a given community followed the rules governing this process. The nature of matter itself, however, seems to block this move, which, because we continuously interact with the material world, cannot be simply described, as Kratochwil does, as ‘irrelevant’(Kratochwil 2007: 6). In a very meaningful and practical sense the world does communicate with us, accepting or rejecting our attempts to fashion it in ways to suit our interests on the basis of its specific modes of being (Pickering 1995). Likewise, when physicists or chemists interact with a table they generally do so in terms of it being a table, to place computers on, etc. 17 Similarly, art historians also relate to tables as tables and only treat particular tables with additional properties as ‘art objects’. And it is not just any table that can function as a work of art, but only a table that does indeed possess certain properties that match it to the rules that determine what constitutes an ‘art object’. Without this, just about any table would do and the notion of forgery in art would be redundant. Of course, these issues are infinitely more complicated in the social world where existence is dependent upon language and concepts. 18 Nonetheless, even in this realm existential claims made by theorists in academia are not a necessary, or sufficient, element to bring social objects into being, and nor do academic claims to the contrary stop particular social objects from existing. Social objects existed long before institutionally located social scientists attempted to describe them. Equally, in order to transcend the materialism/idealism dichotomy, we should be wary of embracing too sharp a distinction between natural and social processes. Accordingly, it is the case that human patterns of behaviour are impacting on global environmental processes in ways we have yet to fully understand and these processes will continue irrespective of whether we reach an intersubjective agreement on what they mean. And, of course, these same human-influenced processes will react back on social life in unforeseen ways, again often irrespective of our descriptions of them. 19

#### Their own ethics demands an evaluation of bodily harm.

Nussbaum, Ernst Freund Distinguished Service Professor of Law and Ethics at the University of Chicago, ‘94

[Martha, Holds Associate appointments in Classics and Political Science, is a member of the Committee on Southern Asian Studies, and a Board Member of the Human Rights Program. She previously taught at Harvard and Brown where she held the rank of university professor, “Pity and Mercy: Nietzsche's Stoicism”, University of California Press, Pages: 139-167]

We now turn to the heart of the matter, the role of "external goods" in the good human life. And here we encounter a rather large surprise. There is no philosopher in the modern Western tradition who is more emphatic than Nietzsche is about the central importance of the body, and about the fact that we are bodily creatures. Again and again he charges Christian and Platonist moralities with making a false separation between our spiritual and our physical nature; against them, he insists that we are physical through and through. The surprise is that, having said so much and with such urgency, he really is very loathe to draw the conclusion that is naturally suggested by his position: that human beings need worldly goods in order to function. In all of Nietzsche's rather abstract and romantic praise of solitude and asceticism, we find no grasp of the simple truth that a hungry person cannot think well; that a person who lacks shelter, basic health care, and the basic necessities of life, is not likely to become a great philosopher or artist, no matter what her innate equipment. The solitude Nietzsche describes is comfortable bourgeois solitude, whatever its pains and loneliness. Who are his ascetic philosophers? "Heraclitus, Plato. Descartes, Spinoza, Leibniz, Kant, Schopenhauer"—none a poor person, none a person who had to perform menial labor in order to survive. And because Nietzsche does not grasp the simple fact that if our abilities are physical abilities they have physical necessary conditions, he does not understand what the democratic and socialist movements of his day were all about. The pro-pity tradition, from Homer on, understood that one functions badly if one is hungry, that one thinks badly if one has to labor all day in work that does not involve the fully human use of one's faculties. I have suggested that such thoughts were made by Rousseau the basis for the modern development of democratic-socialist thinking. Since Nietzsche does not get the basic idea, he docs not see what socialism is trying to do. Since he probably never saw or knew an acutely hungry person, or a person performing hard physical labor, he never asked how human self-command is affected by such forms of life. And thus he can proceed as if it does not matter how people live front day to day, how they get their food. Who provides basic welfare support for Zarathustra? What are the "higher men" doing all the day long? The reader docs not know and the author does not seem to care. Now Nietzsche himself obviously was not a happy man. He was lonely, in bad health, scorned by many of his contemporaries. And yet, there still is a distinction to be drawn between the sort of vulnerability that Nietzsche's life contained and the sort we find if we examine the lives of truly impoverished and hungry people. We might say. simplifying things a bit, that there are two sorts of vulnerability: what we might call bourgeois vulnerability—for example, the pains of solitude, loneliness, bad reputation, some ill health, pains that are painful enough but still compatible with thinking and doing philosophy—and what we might call basic vulnerability, which is a deprivation of resources so central to human functioning that thought and character are themselves impaired or not developed. Nietzsche, focuv ing on the first son of vulnerability, holds that it is not so bad; it may even be good for the philosopher.\*® The second sort. I claim, he simply neglects—believing, apparently, that even a beggar can be a Stoic hero, if only socialism does not inspire him with weakness.5"

#### Policy debate is good for education, the development of empathy, and producing real world engagement from participants. Clear rules, a stable topic, and institutional role playing and simulation are integral to the process. The things you criticize about debate make it a unique exercise in active learning.

Lantis 8 (Jeffrey S. Lantis is Professor in the Department of Political Science and Chair of the International Relations Program at The College of Wooster, “The State of the Active Teaching and Learning Literature”, http://www.isacompss.com/info/samples/ thestateoftheactiveteachingandlearningliterature\_sample.pdf)

Simulations, games, and role-play represent a third important set of active teaching and learning approaches. Educational objectives include deepening conceptual understandings of a particular phenomenon, sets of interactions, or socio-political processes by using student interaction to bring abstract concepts to life. They provide students with a real or imaginary environment within which to act out a given situation (Crookall 1995; Kaarbo and Lantis 1997; Kaufman 1998; Jefferson 1999; Flynn 2000; Newmann and Twigg 2000; Thomas 2002; Shellman and Turan 2003; Hobbs and Moreno 2004; Wheeler 2006; Kanner 2007; Raymond and Sorensen 2008). The aim is to enable students to actively experience, rather than read or hear about, the “constraints and motivations for action (or inaction) experienced by real players” (Smith and Boyer 1996:691), or to think about what they might do in a particular situation that the instructor has dramatized for them. As Sutcliffe (2002:3) emphasizes, “Remote theoretical concepts can be given life by placing them in a situation with which students are familiar.” Such exercises capitalize on the strengths of active learning techniques: creating memorable experiential learning events that tap into multiple senses and emotions by utilizing visual and verbal stimuli. Early examples of simulations scholarship include works by Harold Guetzkow and colleagues, who created the Inter-Nation Simulation (INS) in the 1950s. This work sparked wider interest in political simulations as teaching and research tools. By the 1980s, scholars had accumulated a number of sophisticated simulations of international politics, with names like “Crisis,” “Grand Strategy,” “ICONS,” and “SALT III.” More recent literature on simulations stresses opportunities to reflect dynamics faced in the real world by individual decision makers, by small groups like the US National Security Council, or even global summits organized around international issues, and provides for a focus on contemporary global problems (Lantis et al. 2000; Boyer 2000). Some of the most popular simulations involve modeling international organizations, in particular United Nations and European Union simulations (Van Dyke et al. 2000; McIntosh 2001; Dunn 2002; Zeff 2003; Switky 2004; Chasek 2005). Simulations may be employed in one class meeting, through one week, or even over an entire semester. Alternatively, they may be designed to take place outside of the classroom in local, national, or international competitions. The scholarship on the use of games in international studies sets these approaches apart slightly from simulations. For example, Van Ments (1989:14) argues that games are structured systems of competitive play with specific defined endpoints or solutions that incorporate the material to be learnt. They are similar to simulations, but contain specific structures or rules that dictate what it means to “win” the simulated interactions. Games place the participants in positions to make choices that 10 affect outcomes, but do not require that they take on the persona of a real world actor. Examples range from interactive prisoner dilemma exercises to the use of board games in international studies classes (Hart and Simon 1988; Marks 1998; Brauer and Delemeester 2001; Ender 2004; Asal 2005; Ehrhardt 2008) A final subset of this type of approach is the role-play. Like simulations, roleplay places students within a structured environment and asks them to take on a specific role. Role-plays differ from simulations in that rather than having their actions prescribed by a set of well-defined preferences or objectives, role-plays provide more leeway for students to think about how they might act when placed in the position of their slightly less well-defined persona (Sutcliffe 2002). Role-play allows students to create their own interpretation of the roles because of role-play’s less “goal oriented” focus. The primary aim of the role-play is to dramatize for the students the relative positions of the actors involved and/or the challenges facing them (Andrianoff and Levine 2002). This dramatization can be very simple (such as roleplaying a two-person conversation) or complex (such as role-playing numerous actors interconnected within a network). The reality of the scenario and its proximity to a student’s personal experience is also flexible. While few examples of effective roleplay that are clearly distinguished from simulations or games have been published, some recent work has laid out some very useful role-play exercises with clear procedures for use in the international studies classroom (Syler et al. 1997; Alden 1999; Johnston 2003; Krain and Shadle 2006; Williams 2006; Belloni 2008). Taken as a whole, the applications and procedures for simulations, games, and role-play are well detailed in the active teaching and learning literature. Experts recommend a set of core considerations that should be taken into account when designing effective simulations (Winham 1991; Smith and Boyer 1996; Lantis 1998; Shaw 2004; 2006; Asal and Blake 2006; Ellington et al. 2006). These include building the simulation design around specific educational objectives, carefully selecting the situation or topic to be addressed, establishing the needed roles to be played by both students and instructor, providing clear rules, specific instructions and background material, and having debriefing and assessment plans in place in advance. There are also an increasing number of simulation designs published and disseminated in the discipline, whose procedures can be adopted (or adapted for use) depending upon an instructor’s educational objectives (Beriker and Druckman 1996; Lantis 1996; 1998; Lowry 1999; Boyer 2000; Kille 2002; Shaw 2004; Switky and Aviles 2007; Tessman 2007; Kelle 2008). Finally, there is growing attention in this literature to assessment. Scholars have found that these methods are particularly effective in bridging the gap between academic knowledge and everyday life. Such exercises also lead to enhanced student interest in the topic, the development of empathy, and acquisition and retention of knowledge.

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#### Even if predictions aren’t perfect acting on relative confidence of scenarios materializing is good---the alt is etiher political paralysis or pure reaction.

Ulfelder, Research Director for the Political Instability Task Force at Science Applications International Cooperation, ‘11

[Jay, “Why Political Instability Forecasts Are Less Precise Than We’d Like (and Why It’s Still Worth Doing)" May 5 dartthrowingchimp.wordpress.com/2011/05/05/why-political-instability-forecasts-are-less-precise-than-wed-like-and-why-its-still-worth-doing/]

If this is the best we can do, then what’s the point? Well, consider the alternatives. For starters, we might decide to skip statistical forecasting altogether and just target our interventions at cases identified by expert judgment as likely onsets. Unfortunately, those expert judgments are probably going to be an even less reliable guide than our statistical forecasts, so this “solution” only exacerbates our problem. Alternatively, we could take no preventive action and just respond to events as they occur. If the net costs of responding to crises as they happen are roughly equivalent to the net costs of prevention, then this is a reasonable choice. Maybe responding to crises isn’t really all that costly; maybe preventive action isn’t effective; or maybe preventive action is potentially effective but also extremely expensive. Under these circumstances, early warning is not going to be as useful as we forecasters would like. If, however, any of those last statements are false–if responding to crises already underway is very costly, or if preventive action is (relatively) cheap and sometimes effective–then we have an incentive to use forecasts to help guide that action, in spite of the lingering uncertainty about exactly where and when those crises will occur. Even in situations where preventive action isn’t feasible or desirable, reasonably accurate forecasts can still be useful if they spur interested observers to plan for contingencies they otherwise might not have considered. For example, policy-makers in one country might be rooting for a dictatorship in another country to fall but still fail to plan for that event because they don’t expect it to happen any time soon. A forecasting model which identifies that dictatorship as being at high or increasing risk of collapse might encourage those policy-makers to reconsider their expectations and, in so doing, lead them to prepare better for that event. Where does that leave us? For me, the bottom line is this: even though forecasts of political instability are never going to be as precise as we’d like, they can still be accurate enough to be helpful, as long as the events they predict are ones for which prevention or preparation stand a decent chance of making a (positive) difference.

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#### Imagining dystopian outcomes allow us to transfer socio-political practices to resolve questions of structural violence.

Kurasawa, Professor of Sociology at York University of Toronto, ‘4

[Fuyuki, Constellations, Vol. 11, Issue 4, JL]

Rather than bemoaning the contemporary preeminence of a dystopian imaginary, I am claiming that it can enable a novel form of transnational socio-political action, a manifestation of globalization from below that can be termed preventive foresight. We should not reduce the latter to a formal principle regulating international relations or an ensemble of policy prescriptions for official players on the world stage, since it is, just as significantly, a mode of ethico-political practice enacted by participants in the emerging realm of global civil society. In other words, what I want to underscore is the work of farsightedness, the social processes through which civic associations are simultaneously constituting and putting into practice a sense of responsibility for the future by attempting to prevent global catastrophes. Although the labor of preventive foresight takes place in varying political and socio-cultural settings – and with different degrees of institutional support and access to symbolic and material resources – it is underpinned by three distinctive features: dialogism, publicity, and transnationalism. In the first instance, preventive foresight is an intersubjective or dialogical process of address, recognition, and response between two parties in global civil society: the ‘warners,’ who anticipate and send out word of possible perils, and the audiences being warned, those who heed their interlocutors’ messages by demanding that governments and/or international organizations take measures to steer away from disaster. Secondly, the work of farsightedness derives its effectiveness and legitimacy from public debate and deliberation. This is not to say that a fully fledged global public sphere is already in existence, since transnational “strong publics” with decisional power in the formal-institutional realm are currently embryonic at best. Rather, in this context, publicity signifies that “weak publics” with distinct yet occasionally overlapping constituencies are coalescing around struggles to avoid specific global catastrophes.4 Hence, despite having little direct decision-making capacity, the environmental and peace movements, humanitarian NGOs, and other similar globally-oriented civic associations are becoming significant actors involved in public opinion formation. Groups like these are active in disseminating information and alerting citizens about looming catastrophes, lobbying states and multilateral organizations from the ‘inside’ and pressuring them from the ‘outside,’ as well as fostering public participation in debates about the future. This brings us to the transnational character of preventive foresight, which is most explicit in the now commonplace observation that we live in an interdependent world because of the globalization of the perils that humankind faces (nuclear annihilation, global warming, terrorism, genocide, AIDS and SARS epidemics, and so on); individuals and groups from far-flung parts of the planet are being brought together into “risk communities” that transcend geographical borders.5 Moreover, due to dense media and information flows, knowledge of impeding catastrophes can instantaneously reach the four corners of the earth – sometimes well before individuals in one place experience the actual consequences of a crisis originating in another. My contention is that civic associations are engaging in dialogical, public, and transnational forms of ethico-political action that contribute to the creation of a fledgling global civil society existing ‘below’ the official and institutionalized architecture of international relations.6 The work of preventive foresight consists of forging ties between citizens; participating in the circulation of flows of claims, images, and information across borders; promoting an ethos of farsighted cosmopolitanism; and forming and mobilizing weak publics that debate and struggle against possible catastrophes. Over the past few decades, states and international organizations have frequently been content to follow the lead of globally- minded civil society actors, who have been instrumental in placing on the public agenda a host of pivotal issues (such as nuclear war, ecological pollution, species extinction, genetic engineering, and mass human rights violations). To my mind, this strongly indicates that if prevention of global crises is to eventually rival the assertion of short-term and narrowly defined rationales (national interest, profit, bureaucratic self-preservation, etc.), weak publics must begin by convincing or compelling official

representatives and multilateral organizations to act differently; only then will farsightedness be in a position to ‘move up’ and become institutionalized via strong publics.7 Since the global culture of prevention remains a work in progress, the argument presented in this paper is poised between empirical and normative dimensions of analysis. It proposes a theory of the practice of preventive foresight based upon already existing struggles and discourses, at the same time as it advocates the adoption of certain principles that would substantively thicken and assist in the realization of a sense of responsibility for the future of humankind. I will thereby proceed in four steps, beginning with a consideration of the shifting socio-political and cultural climate that is giving rise to farsightedness today (I). I will then contend that the development of a public aptitude for early warning about global cataclysms can overcome flawed conceptions of the future’s essential inscrutability (II). From this will follow the claim that an ethos of farsighted cosmopolitanism – of solidarity that extends to future generations – can supplant the preeminence of ‘short-termism’ with the help of appeals to the public’s moral imagination and use of reason (III). In the final section of the paper, I will argue that the commitment of global civil society actors to norms of precaution and transnational justice can hone citizens’ faculty of critical judgment against abuses of the dystopian imaginary, thereby opening the way to public deliberation about the construction of an alternative world order (IV).