#### **Plan: The United States Federal government should place a statutory restriction on the presidential power of indefinite detention.**

#### **The US response to terrorism has resulted in an autoimmune crisis, exemplified by increasing indefinite detention of citizens, permanent residents, and foreigners. This treatment poses the greatest threat to the US and abroad by undermining the morals we claim to protect.**Addis (Boston University Law Review, Vol 87:323 <http://www.bu.edu/law/central/jd/organizations/journals/bulr/volume87n2/documents/ADDISv.2.pdf>)

In the same way that the physical body has clearly demarcated boundaries, ¶ the body politic also has defined territorial and institutional boundaries. A ¶ political community is defined not only by the territory it occupies and the ¶ people that inhabit it, but also by the institutions and norms that organize it.74¶ When terrorists attack, they wish to target not only infrastructure and people, ¶ but also the institutions and norms that they believe organize and shape that ¶ particular political community.75 Indeed, in some circumstances they ¶ announce that to be their objective.76 The leaders of the target countries often ¶ claim this to be the terrorists’ objective as well.77 Ironically, though, when a government responds to this outside invader in the way the United States has, ¶ such a response more than anything else threatens the integrity and health of ¶ the body politic. The result is similar to an autoimmunity crisis.¶ There are five distinct ways in which the war on terror may be leading to the ¶ injury of the very community (body politic) that the war is supposed to protect ¶ from terrorist threat. **First**, at the most basic level**, the war on terror has** ¶ **continually undermined the institutions that define who we are. Practices such** ¶as prolonged detentions **without trial or access to family and lawye**rs,78 the ¶ **establishment of secret detention centers**,79 the use of rendition to outsource ¶,80 and even the use ¶ of highly questionable **torture and other cruel and inhuman treatment of detainees** tactics against prisoners for information gathering have ¶ done just that.81 As Lord Hoffmann noted in a concurring opinion in A v. ¶ Secretary of State for the Home Department, **“The real threat . . . comes not from terrorism but from [practices] such as these.”82 In the process of** ¶ **undermining the institutions and processes that define us, the war on terror** ¶ **threatens to collapse the distinction between “us” and “them.”** **Our tactics** ¶ **increasingly become similar to tactics used by those we define as the Other**.83¶ Second, **the institutions that the war on terror has continually undermined in** ¶ **the guise of fighting terrorism make up the very fabric of our defense structure**. ¶ Take, for example, the self-defense principle discussed above.84 Undermining ¶ this principle in the name of effectively fighting terrorist threats will lead to an unstable world, a detriment to the global interests of the United States. With ¶ America’s unprecedented status as a world power comes unparalleled exposure ¶ to such threats and attacks. The administration’s doctrine of preventive war ¶ may provide analogous support for other states to act out their own paranoia or ¶ imperial ambition.85 Not only will this policy likely encourage other states to ¶ invoke self-defense to intervene in the internal affairs of others,86 it may even ¶ encourage terrorists to provide similar justifications. Rather than achieving ¶ total victory, **the war on terror is simply recycling and endlessly circulating the** ¶ **violence by engaging in repressive actions.**87 Also, noncompliance by the ¶ United States with the dictates of international institutions and processes, either ¶ in relation to the laws of war or human rights, has provided justification for ¶ other countries to flout aspects of international norms and processes.88¶

#### **-Autoimmunity permeates all public policy. The need to securitize internationally becomes the need to securitize all of humanity in the name of a controllable future. This manipulation of temporal politics allows torture, dehumanization, and genocide to become acceptable practices of the present.**

Stockdale 10 (Liam, P.D., Ph.D. in International Relations, Canadian Political Science Association Annual Conference, <http://www.cpsa-acsp.ca/papers-2010/Stockdale.pdf>)

While the idea of pre-emption with regard to discourses of security is perhaps most¶ often associated with the so-called Bush Doctrine in US foreign policymaking0—most clearly¶ exemplified, of course, by the 2003 invasion of Iraq (Ehrenberg et al. 2010, C. Weber¶ 2007)—it must also be stressed that the notion of taking explicit action in the present to preempt potential irruptions of “danger” in the future—what might be termed the logic of preemption—is far from limited in its deployment to the realm of interstate security relations¶ alone. Indeed, as criminologist Richard Ericson asserts, the logic of pre-emption can be seen¶ to permeate all aspects of the exercise of sovereign power in the current moment, to the point¶ where the contemporary security environment might be best termed a “state of pre-emption”¶ (Ericson 2008: 58). Under such conditions, “security” is conceived in terms of safeguarding¶ the future from what may occur by undertaking precautionary measures in the present that are¶ conceived in relation to an imagined future. Security is thus pursued by attempting to “police¶ the future by anticipation,” with the ultimate goal being the realization of an imagined “future¶ perfect” where the “risks” against which these present exceptional practices are deployed will¶ no longer be of concern (Bigo 2007: 31).¶ Accordingly, the logic of pre-emption is innately concerned with exerting control over¶ the temporal dimension of human existence. Sovereign power deployed in pursuit of the logic¶ of pre-emption is thus active in both the spatial and temporal realms, as it attempts to¶ manipulate and control the relationship between present and future through “calculations¶ about probable futures in the present [the temporal element], followed by interventions into¶ the present in order to control that potential future [the spatial element]” (Aradau et al. 2008:¶ 149). The crucial point is that a security climate premised upon the logic of pre-emption is¶ concerned primarily with safeguarding the future, while the present is constructed in ¶ instrumental terms as a site of intervention through which this ultimate aim might be realized.¶ As such, to use the terminology of the Copenhagen School, under the logic of pre-emption,¶ the future is securitized (Buzan et al. 1998). The result is that the proverbial door is opened ¶ for the deployment of exceptional practices “beyond the realm of normal politics” in the¶ present, since the logic of pre-emption holds that it is through proactive/preemptive/precautionary measures enacted in the present that the security of the future can be¶ ensured.Yet the inherent unknowability of the future ensures that pre-emptive pursuits are¶ necessarily plagued by an information deficit, thus generating “an insatiable quest for¶ knowledge” on the part of sovereign authorities pursuing information related to potential¶ future dangers (Aradau & Van Munster 2007: 91). Regardless of the success of such efforts,¶ however, the idea of pre-emptive security is perpetually imbued with an innate level of¶ uncertainty precisely because the future cannot be known for certain, no matter how detailed¶ and precise and rigorous the collected data and subsequent risk calculations might be (de¶ Goede 2008). This leads the imperatives of pre-emptive security to merge with a politics of¶ risk management premised upon the so-called “precautionary principle,” whereby sovereign ¶ decisions relating to appropriate pre-emptive action to be undertaken are made solely on the¶ basis of unsubstantiated suspicion or highly arbitrary (and often highly racialized) calculations¶ regarding the likelihood of a future irruption of threat (Aradau & Van Munster 2007: 102).¶ Accordingly, the pre-emptive practices of sovereign power take on a highly biopolitical¶ character, as governmental intrusions into the everyday lives of individual subjects become an¶ crucial component of the pursuit of security. The securitization of the future thus necessitates¶ the deployment of an extensive array of governmental technologies—from conventional¶ military intervention, to indefinite detention, to pervasive surveillance and biometric¶ monitoring—in pursuit of information that might be relevant to preventing an irruption of¶ danger that may occur in at some indefinite point in the unknown future (Ibid. 105). Aradau ¶ and Van Munster (2007: 97), invoking Foucault, aptly refer to these practices collectively as a¶ precautionary “dispositif of risk,” capturing both the variety of techniques employed and the¶ ultimately unified objective of securing an imagined future that underwrites their enaction.

#### The racism inherent in US justification of indefinite detention- abducting people from around the world and within US borders based on sharing characteristics we’ve been taught to associate with danger and instability- spills over to domestic policies as well. The desire for a “sterile” nation informs our relationship with the local “Other,” suppressing the voices of minorities, women, and countless other identities.

Johnson 10’ (Andrew, Lecturer at Open University, The Pathology of Politics: Derrida’s reading of Auto-immunity and Carl Schmitt 09/12/10)

Auto-immunity is a concept that seeks to undermine this dependence upon the self in political philosophy. Take the example of democracy: In its constitutive autoimmunity, in its vocation of hospitality (with everything in the¶ ipse¶ that works over the etymology and experience of the¶ hospes¶ through the aporias of hospitality), democracy has always wanted by turns and at the same time two incompatible things: it has wanted, on the one hand, to welcome only men, and on the condition that they be citizens, brothers, and compeers, excluding all the others, in particular bad citizens, rogues, noncitizens, and all sorts of unlike and unrecognizable others, and, on the other hand, at the same time or by turns, it has wanted to open itself up, to offer hospitality, to all those excluded. In both cases, let us recall, and here is a problem I take up elsewhere, this hospitality remains limited and conditional. But even in this restricted space it is typical for the democracy to do one or the other, sometimes one and the other, sometime both at the same time and/or by turns. Rogues or degenerates are sometimes brothers, citizens, compeers (Rogues, p. 63).2¶ Derrida locates within democracy a “¶ constitutive autoimmunity ,” that seeks to immunize itself against threats and at the same moment remain open to excluded populations. Thus its constitutive logic is at heart paradoxical. Democracy, by definition, is exemplar of the essential¶ aporia¶ of auto-immunity: by its constitution, it is unable to recognize its mode of protection from its open hospitality to the other. Derrida’s use of auto-immunity becomes political, insofar as it describes the defense mechanisms put into place by a state to protect itself from what is outside and foreign. Immunity, auto-immunity, both biological and political, is an entire way of thinking of security, of borders, of protection schemes, but also, inversely, the means and extent of one’s hospitality. Auto-immunity, as a political concept, describes the immune system of the nation-state itself. Whereas democracy is threatened by its own mode of security/immunity, it has the audacity to hope for an unconditional hospitality that might create an ethically imperative politics.

#### We control the scale of violence – structural violence is necessary to psychologically prime people for macro-level conflict

Scheper-Hughes and Bourgois ‘4

(Prof of Anthropology @ Cal-Berkely; Prof of Anthropology @ UPenn)

(Nancy and Philippe, Introduction: Making Sense of Violence, in Violence in War and Peace, pg. 19-22)

This large and at first sight “messy” Part VII is central to this anthology’s thesis. It encompasses everything from the routinized, bureaucratized, and utterly banal violence of children dying of hunger and maternal despair in Northeast Brazil (Scheper-Hughes, Chapter 33) to elderly African Americans dying of heat stroke in Mayor Daly’s version of US apartheid in Chicago’s South Side (Klinenberg, Chapter 38) to the racialized class hatred expressed by British Victorians in their olfactory disgust of the “smelly” working classes (Orwell, Chapter 36). In these readings violence is located in the symbolic and social structures that overdetermine and allow the criminalized drug addictions, interpersonal bloodshed, and racially patterned incarcerations that characterize the US “inner city” to be normalized (Bourgois, Chapter 37 and Wacquant, Chapter 39). Violence also takes the form of class, racial, political self-hatred and adolescent self-destruction (Quesada, Chapter 35), as well as of useless (i.e. preventable), rawly embodied physical suffering, and death (Farmer, Chapter 34). Absolutely central to our approach is a blurring of categories and distinctions between wartime and peacetime violence. Close attention to the “little” violences produced in the structures, habituses, and mentalites of everyday life shifts our attention to pathologies of class, race, and gender inequalities. More important, it interrupts the voyeuristic tendencies of “violence studies” that risk publicly humiliating the powerless who are often forced into complicity with social and individual pathologies of power because suffering is often a solvent of human integrity and dignity. Thus, in this anthology we are positing a violence continuum comprised of a multitude of “small wars and invisible genocides” (see also Scheper- Hughes 1996; 1997; 2000b) conducted in the normative social spaces of public schools, clinics, emergency rooms, hospital wards, nursing homes, courtrooms, public registry offices, prisons, detention centers, and public morgues. The violence continuum also refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license - even the duty - to kill, maim, or soul-murder. We realize that in referring to a violence and a genocide continuum we are flying in the face of a tradition of genocide studies that argues for the absolute uniqueness of the Jewish Holocaust and for vigilance with respect to restricted purist use of the term genocide itself (see Kuper 1985; Chaulk 1999; Fein 1990; Chorbajian 1999). But we hold an opposing and alternative view that, to the contrary, it is absolutely necessary to make just such existential leaps in purposefully linking violent acts in normal times to those of abnormal times. Hence the title of our volume: Violence in War and in Peace. If (as we concede) there is a moral risk in overextending the concept of “genocide” into spaces and corners of everyday life where we might not ordinarily think to find it (and there is), an even greater risk lies in failing to sensitize ourselves, in misrecognizing protogenocidal practices and sentiments daily enacted as normative behavior by “ordinary” good-enough citizens. Peacetime crimes, such as prison construction sold as economic development to impoverished communities in the mountains and deserts of California, or the evolution of the criminal industrial complex into the latest peculiar institution for managing race relations in the United States (Waquant, Chapter 39), constitute the “small wars and invisible genocides” to which we refer. This applies to African American and Latino youth mortality statistics in Oakland, California, Baltimore, Washington DC, and New York City. These are “invisible” genocides not because they are secreted away or hidden from view, but quite the opposite. As Wittgenstein observed, the things that are hardest to perceive are those which are right before our eyes and therefore taken for granted. In this regard, Bourdieu’s partial and unfinished theory of violence (see Chapters 32 and 42) as well as his concept of misrecognition is crucial to our task. By including the normative everyday forms of violence hidden in the minutiae of “normal” social practices - in the architecture of homes, in gender relations, in communal work, in the exchange of gifts, and so forth - Bourdieu forces us to reconsider the broader meanings and status of violence, especially the links between the violence of everyday life and explicit political terror and state repression, Similarly, Basaglia’s notion of “peacetime crimes” - crimini di pace - imagines a direct relationship between wartime and peacetime violence. Peacetime crimes suggests the possibility that war crimes are merely ordinary, everyday crimes of public consent applied systematically and dramatically in the extreme context of war. Consider the parallel uses of rape during peacetime and wartime, or the family resemblances between the legalized violence of US immigration and naturalization border raids on “illegal aliens” versus the US government- engineered genocide in 1938, known as the Cherokee “Trail of Tears.” Peacetime crimes suggests that everyday forms of state violence make a certain kind of domestic peace possible. Internal “stability” is purchased with the currency of peacetime crimes, many of which take the form of professionally applied “strangle-holds.” Everyday forms of state violence during peacetime make a certain kind of domestic “peace” possible. It is an easy-to-identify peacetime crime that is usually maintained as a public secret by the government and by a scared or apathetic populace. Most subtly, but no less politically or structurally, the phenomenal growth in the United States of a new military, postindustrial prison industrial complex has taken place in the absence of broad-based opposition, let alone collective acts of civil disobedience. The public consensus is based primarily on a new mobilization of an old fear of the mob, the mugger, the rapist, the Black man, the undeserving poor. How many public executions of mentally deficient prisoners in the United States are needed to make life feel more secure for the affluent? What can it possibly mean when incarceration becomes the “normative” socializing experience for ethnic minority youth in a society, i.e., over 33 percent of young African American men (Prison Watch 2002). In the end it is essential that we recognize the existence of a genocidal capacity among otherwise good-enough humans and that we need to exercise a defensive hypervigilance to the less dramatic, permitted, and even rewarded everyday acts of violence that render participation in genocidal acts and policies possible (under adverse political or economic conditions), perhaps more easily than we would like to recognize. Under the violence continuum we include, therefore, all expressions of radical social exclusion, dehumanization, depersonal- ization, pseudospeciation, and reification which normalize atrocious behavior and violence toward others. A constant self-mobilization for alarm, a state of constant hyperarousal is, perhaps, a reasonable response to Benjamin’s view of late modern history as a chronic “state of emergency” (Taussig, Chapter 31). We are trying to recover here the classic anagogic thinking that enabled Erving Goffman, Jules Henry, C. Wright Mills, and Franco Basaglia among other mid-twentieth-century radically critical thinkers, to perceive the symbolic and structural relations, i.e., between inmates and patients, between concentration camps, prisons, mental hospitals, nursing homes, and other “total institutions.” Making that decisive move to recognize the continuum of violence allows us to see the capacity and the willingness - if not enthusiasm - of ordinary people, the practical technicians of the social consensus, to enforce genocidal-like crimes against categories of rubbish people. There is no primary impulse out of which mass violence and genocide are born, it is ingrained in the common sense of everyday social life. The mad, the differently abled, the mentally vulnerable have often fallen into this category of the unworthy living, as have the very old and infirm, the sick-poor, and, of course, the despised racial, religious, sexual, and ethnic groups of the moment. Erik Erikson referred to “pseudo- speciation” as the human tendency to classify some individuals or social groups as less than fully human - a prerequisite to genocide and one that is carefully honed during the unremark- able peacetimes that precede the sudden, “seemingly unintelligible” outbreaks of mass violence. Collective denial and misrecognition are prerequisites for mass violence and genocide. But so are formal bureaucratic structures and professional roles. The practical technicians of everyday violence in the backlands of Northeast Brazil (Scheper-Hughes, Chapter 33), for example, include the clinic doctors who prescribe powerful tranquilizers to fretful and frightfully hungry babies, the Catholic priests who celebrate the death of “angel-babies,” and the municipal bureaucrats who dispense free baby coffins but no food to hungry families. Everyday violence encompasses the implicit, legitimate, and routinized forms of violence inherent in particular social, economic, and political formations. It is close to what Bourdieu (1977, 1996) means by “symbolic violence,” the violence that is often “nus-recognized” for something else, usually something good. Everyday violence is similar to what Taussig (1989) calls “terror as usual.” All these terms are meant to reveal a public secret - the hidden links between violence in war and violence in peace, and between war crimes and “peace-time crimes.” Bourdieu (1977) finds domination and violence in the least likely places - in courtship and marriage, in the exchange of gifts, in systems of classification, in style, art, and culinary taste- the various uses of culture. Violence, Bourdieu insists, is everywhere in social practice. It is misrecognized because its very everydayness and its familiarity render it invisible. Lacan identifies “rneconnaissance” as the prerequisite of the social. The exploitation of bachelor sons, robbing them of autonomy, independence, and progeny, within the structures of family farming in the European countryside that Bourdieu escaped is a case in point (Bourdieu, Chapter 42; see also Scheper-Hughes, 2000b; Favret-Saada, 1989). Following Gramsci, Foucault, Sartre, Arendt, and other modern theorists of power-vio- lence, Bourdieu treats direct aggression and physical violence as a crude, uneconomical mode of domination; it is less efficient and, according to Arendt (1969), it is certainly less legitimate. While power and symbolic domination are not to be equated with violence - and Arendt argues persuasively that violence is to be understood as a failure of power - violence, as we are presenting it here, is more than simply the expression of illegitimate physical force against a person or group of persons. Rather, we need to understand violence as encompassing all forms of “controlling processes” (Nader 1997b) that assault basic human freedoms and individual or collective survival. Our task is to recognize these gray zones of violence which are, by definition, not obvious. Once again, the point of bringing into the discourses on genocide everyday, normative experiences of reification, depersonalization, institutional confinement, and acceptable death is to help answer the question: What makes mass violence and genocide possible? In this volume we are suggesting that mass violence is part of a continuum, and that it is socially incremental and often experienced by perpetrators, collaborators, bystanders - and even by victims themselves - as expected, routine, even justified. The preparations for mass killing can be found in social sentiments and institutions from the family, to schools, churches, hospitals, and the military. They harbor the early “warning signs” (Charney 1991), the “priming” (as Hinton, ed., 2002 calls it), or the “genocidal continuum” (as we call it) that push social consensus toward devaluing certain forms of human life and lifeways from the refusal of social support and humane care to vulnerable “social parasites” (the nursing home elderly, “welfare queens,” undocumented immigrants, drug addicts) to the militarization of everyday life (super-maximum-security prisons, capital punishment; the technologies of heightened personal security, including the house gun and gated communities; and reversed feelings of victimization).

#### Without rupturing that logic through complete hospitality towards the other and the inclusion of different kinds of voices, a global nuclear disaster is inevitable.

Anthony ‘95

Carl Anthony is the Executive Director of the Urban Habitat Program and the chair of the East Bay Conversion Reinvestment Commission Remembering the Cuban Missile Crisis: Freedom from Annihilation Is a Human Right Spring Summer 1995 <http://urbanhabitat.org/node/945> \*language modified

Nuclear weapons are tools of a conquering, violent culture. Racism at domestic and international levels heightens the potential vulnerability and miscalculation surrounding nuclear proliferation. Few people of color have had any role in debate, development, or decision-making about the goals of this brutal technology. In a nuclear ~~holocaust~~ [war] whole populations will be vaporized in the flash of an eye. People deciding the appropriateness of such a choice inevitably would bring their prejudices and fears to the devastating decision to annihilate whole peoples. The concentration of nuclear power in the hands of a Eurocentric technological elite, paranoid about the aims and aspirations of the majority of the world's population—people of color—magnifies the potential for global disaster. The great and growing gulf of human communication between the rich and poor, European and non-European, multiplies the potential antagonism that could result in planetary holocaust. In this context organizing against nuclear proliferation is, by definition, a multicultural effort, bringing the intelligence and wisdom of every community to the global task of defeating the excesses of racism, human aggression, and technology-gone-berserk.

#### In pursuit of so-called terrorists, the US have reduced its foreign policy tactics to the Precautionary Principle- striking any would-be threat and using war as our primary means of communication with the middle east. This has resulted in the transfer of power to the Military Industrial Complex and the few elites who control it.

Addis (Boston University Law Review, Vol 87:323 <http://www.bu.edu/law/central/jd/organizations/journals/bulr/volume87n2/documents/ADDISv.2.pdf>)

The war on terror is radically recasting the notion of preemptive self-defense from that of an emergency measure designed to allow a state to respond to an imminent threat, to one by which a state (in this case the United States) plays the role of guarantor of international peace and security, a role the Charter ¶ explicitly allocates to the Security Council.54 The reallocation of war-making ¶ power is being effected without an amendment to the Charter. There is no ¶ dispute that in the era of weapons of mass destruction the international ¶ community must be proactive, not merely reactive, in the maintenance of ¶ global peace and security. The debate lies in who should authorize such action ¶ and whether the self-defense principle should be transformed into a means by ¶ which each state plays the role of the guarantor of international peace and ¶ security. The Bush doctrine of preventive war threatens to lead to the reallocation of ¶ international war-making power. As part of a new National Security Strategy ¶ and the war on terror, the Bush administration has called for preventive attacks ¶ on so-called “rogue states” who may be potential enemies, even though their ¶ intentions and their capacity to threaten the United States were not yet clear.55¶ The rationale for the policy is that living in an age of terrorism, where an ¶ attack could come at any time and from anywhere, requires the United States ¶ to defend itself by attacking rogue states that give shelter to terrorist groups ¶ and those who seek to develop weapons of mass destruction which may end up ¶ in terrorist hands. The plan is to deprive terrorists of hiding places and rogue ¶ states of the capacity to inflict great damage on the United States in the ¶ future.56 Some commentators have likened this policy of preventive attack to ¶ the well-known “Precautionary Principle” employed in the health and ¶ environmental fields, which states that lack of scientific certainty should not forestall an action that might prevent serious or irreversible harm.57 This ¶ comparison is borne out by the following passage in the National Security ¶ Strategy:¶ We cannot let our enemies strike first. . . . The greater the threat, the ¶ greater is the risk of inaction – and the more compelling the case for ¶ taking anticipatory action to defend ourselves, even if uncertainty remains ¶ as to the time and place of the enemy’s attack. To forestall or prevent ¶ such hostile acts by our adversaries, the United States will, if necessary, ¶ act preemptively.58 The invasion of Iraq was at one time justified as a preventive action,59 and the ¶ U.S. administration has not precluded the possibility that Iran could also be a ¶ target of that policy.¶ The Bush preventive (precautionary) doctrine not only dispenses with the ¶ requirement of imminence, but also shifts the burden to the target states to ¶ demonstrate that they do not harbor terrorists or WMDs, and are not in the ¶ process of developing WMDs.60 The notion of preventive self-defense that the ¶ Bush administration has put forward therefore undermines the idea that self defense is an emergency measure designed to deal with imminent threats. ¶ Further, this version of self-defense undermines the notion that those who ¶ claim there is a threat have the burden of demonstrating that a risk exists and ¶ that it cannot be prevented by any other means. The report of the High-Level ¶ Panel, established by the Secretary-General to advise him on the major issues facing the U.N. and the world, cautions that such preventive military action ¶ will transform the allocation of war-making power. Additionally, the report ¶ states that “in a world full of perceived potential threats, the risk to the global ¶ order and the norm of non-intervention on which it continues to be based is ¶ simply too great for the legality of unilateral preventive action . . . to be ¶ accepted.”61 Under the doctrine of preventive war, a war-making measure that ¶ was devised to deal with emergencies becomes part of the arsenal of ordinary ¶ foreign policy strategies. This, of course, takes us back to the pre-WWII ¶ paradigm that the United Nations regime was meant to have abolished.¶ The notion of preventive attack that the Bush administration has adopted as ¶ an official policy is premised on the idea that the United States has been ¶ engaged in a war since at least September 11. Winning the war under this ¶ policy requires preventive attacks that will impair the capacities of not only ¶ known enemies but also potential enemies, preventing both known and ¶ potential risks. Conceptualizing the struggle against terrorism as a war and ¶ viewing preventive attacks as necessary to successfully prosecute the war turns ¶ the measure that was developed to respond to emergencies into an ordinary ¶ instrument of foreign policy. Such a view also leads to the restructuring of the ¶ allocation of war-making powers that was carefully developed by the U.N. ¶ Charter and the United Nations system.¶ The idea of preventive war is an informal suspension of the principle of self defense. The principle of self-defense is not formally suspended or dispensed ¶ with, but is drastically altered in the name of applying it to this perceived new ¶ circumstance.62 A doctrine that was carefully crafted to deal with emergencies ¶ has, through the policy of preventive war, been transformed into an ordinary ¶ foreign and military policy option, the very thing that the post-WWII ¶ international order was meant to have rejected.63¶ The effect of the war on terror on the principle of self-defense – and on ¶ other aspects of national and international law – is evidenced in more than the ¶ restructuring of the allocation of powers and the transformation of emergency ¶ measures into ordinary processes. It is also contributing to a condition where, in the name of fighting terrorism, the evil Other,64 the United States is turning ¶ on its own body, namely, the institutions and processes that define it and that ¶ perhaps are the country’s best hope for providing immunity from the threats ¶ that terrorism poses. Put simply, the war on terror is leading to an ¶ autoimmunity crisis.

#### It is a priori to refuse the totalizing drive for stability which has prioritized geopolitics over human rights.  This critical ethos is more important than the particular decision itself. The alternative is the destruction of ethics.

Alex Thomson, lecturer in English at the University of Glasgow, Deconstruction and Democracy, 2005, p. 196-197

The affirmation of this kind of analysis would need to be articulated with whatever directly strategic interventions are possible: for example either the affirmation of particular cosmopolitan or internationalist treaties and organizations, or their critique. The task of thought would be to judge as best one can which moment is most propitious for either. I have shown that Derrida’s comments on hospitality, the cosmopolitical and international law are consistent with this proposition. Such work would mean translating deconstruction not only from one institutional context to another, or showing deconstruction to be already at work there, but from one national or state context to another, and from one philosophical idiom to another. But in addition to its more familiar form as intellectual genealogy, a negotiation with the tradition of inherited political concepts, I have suggested that deconstruction might also be the model for a mode of political analysis, which would be concerned with the political event as a combination of a set of depoliticizing tendencies, which together testify to the possibility of a repoliticization. This is a project which exceeds the scope of this book. It also remains essentially ambiguous, and highly susceptible to the necessary and inevitable institutionalization of deconstruction which Derrida describes in his paper ‘Some statements and truisms ...’, and which can itself be understood as more or less equivalent to what I have designated as depoliticization. Such analyses would have to develop out of the events themselves, rather than approaching a particular political problem with a predetermined deconstructive grid to lay over it. Derrida’s insistence that deconstruction is what happens, that deconstruction is democracy, means not only that deconstruction can be considered as a political practice. It must lead us not only to see deconstruction as politics, but politics as deconstruction. Indeed, a deconstructive account of politics might focus not so much on what deconstruction has to say about politics, as on what politics has to tell us about deconstruction. The structure I have set out in this chapter is well described in these remarks: All that a deconstructive point of view tries to show, is that since conventions, institutions and consensus are stabilizations, this means they are stabilizations of something essentially unstable and chaotic. Thus it becomes necessary to stabilize precisely because stability is not natural; it is because there is instability, that stabilization is necessary; it is because there is chaos that there is a need for stability. Now this chaos and instability, which is fundamental, founding and irreducible, is at once naturally the worst against which we struggle with laws, rules, conventions, politics and provisional hegemony, but at the same it is a chance, a chance to change, to destabilize. If there were continual stability, there would be no need for politics, and it is to the extent that stability is not natural, essential or substantial, that politics exists and ethics is possible. Chaos is at once a risk and a chance, and it is here that the possible and the impossible cross each other. [DAP 83-4] In this context we can understand depoliticization as the effect of a stabilization in the political field. ‘Chaos and instability’ becomes another name for what Derrida calls ‘democracy-to-come’ and ‘justice’ elsewhere. Depoliticizing stabilizations of this field of forces are necessary; but until we think chaos itself as fundamental, no kind of political thought will be able to grasp the 'chance to change’ or destabilize. This is what deconstruction offers to political theory, and it depends directly on the apparent refusal to repoliticize, to introduce a new ontology of politics. Deconstruction is apparently both the most radical and the most ascetic alternative to such theories as those of Schmitt and Benjamin, by seeking to discover a revolutionary potential in the everyday, to discern the possibility of destabilization attested to in the maintenance of the law, and to put into question political theory as in and of itself depoliticizing. Yet Derrida insists that repoliticization only has a chance if a decision could be thought without criteria, without rules or any defined or expected outcome. In the vocabulary of his essay 'Psyche: Inventions of the Other’, ‘the only possible invention is the invention of the impossible’ but ‘an invention of the impossible is impossible [.. .] It is in this paradoxical predicament that a deconstruction gets under way [qu'est engagée]’ [PSY 60 / 59]. But this is not to resign ourselves to just anything happening. As Derrida argues in ‘Force of Law’, ‘incalculable justice requires us to calculate’ [POL 28 / 61]. This calculation will not be without risk, but even in the worst circumstances, ‘there is no ethico-political decision or gesture without what [Derrida] would call a “Yes” to emancipation' [DAP 82].

#### The impact is extinction. The US has been locked into a fantasy of total world control resulting in ever-escalating apocalyptic confrontation.

Lifton ‘3

(Robert Jay, Distinguished Professor Emeritus of Psychiatry and Psychology, The City University of New York, Superpower Syndrome, pgs. 8-11)

More than that, 9/11 is not over. We are still in it. While writing this book, I have become aware of the ways in which I, too, am a survivor of 9/11-not in the sense of having been directly victimized by the attacks but because like all Americans, I was exposed to the intense death- related imagery of a suicidal assault on my country. Those televised images had a near-apocalyptic aura for almost everyone. Hence the immediate reference to the space where the two towers collapsed as "Ground Zero," a term previously reserved for the hypocenter of a nuclear explosion. This continuing sense of disaster places me in quite a different relationship to my subject than in my previous studies. True, most of them focused on relatively recent occurrences whose effects were very much still with us. But, Vietnam aside (and in that work I was on another continent, many thousand miles from the war in question), I was looking at them retrospectively. It is impossible as yet to look at 9/11 in retrospect. Its active reverberations are everywhere. We remain in thralldom to what happened on that day. The dynamic of 9/11 dominates American thought and our current national life. Our invasion of Iraq reflects the web of deception that the Bush administration, through its "war on terrorism," has woven around the events of that September morning. By all objective evidence Iraq had nothing to do with 9/11, but as Secretary of Defense Donald Rumsfeld suggested on the day after the attacks, the broad definition of that "war" would require us to invade Iraq. At that moment, Iraq rose to the surface from the deeper dreams and visions of our leaders- and so the moment became one of opportunity. To facilitate that policy our leaders then either made, or encouraged by innuendo, the false claim that Iraq was indeed implicated in 9/11, and by the time of the invasion about 50 percent of Americans had come to believe that falsehood. A deception on such a large scale could only occur because Americans remained genuinely fearful of terrorist attacks even more lethal than 9/11, and because that fear, that sense of vulnerability, could be manipulated to support larger and more ambitious policy aims. It became possible to redirect the fear from Osama bin Laden to another hated Middle Eastern figure, Saddam Hussein, to the point where the two became virtually interchangeable. If anything, American fear of another 9/11 has been intensified by the "successful" invasion and so remains available for use in other situations. September 11 was a triumphant moment for Islamist fanatics-and a profoundly humiliating one for the leaders of the American superpower, who early on decided that their response would be "war" and a specifically American war at that. They then rejected a measured international response to terrorism, offered specifically by the secretary general of the United Nations, a response that would have included the use of force in focused ways short of war, to hunt down the terrorists and bring them to justice, while mobilizing the enormous outpouring of sympathy for our country expressed throughout the world. Instead, this administration chose to respond unilaterally with the rhetoric of war, making it clear that we alone would decide what levels of military force to apply and who to apply it to, accepting no restraints in the process. In that and other ways we have responded apocalyptically to an apocalyptic challenge. We have embarked on a series of wars-first in Afghanistan, then in Iraq, with suggestions of additional targeted countries in the offing- because we have viewed the amorphous terrorist enemy as evil and dangerous. But our own amorphously extreme response feeds a larger dynamic of apocalyptic violence, even as it constructs a twenty-first-century version of American empire. That prospective empire is confusing to the world, to Americans, and perhaps even to those who espouse it. It does not follow prior imperial models of keeping an extensive bureaucracy in place in subject countries and thereby ruling territories extending over much of the earth. Instead, we press toward a kind of control from a distance: mobile forays of military subjugation with subsequent governmental arrangements unclear. Crucial to this kind of fluid world control is our dominating war machine, backed by no less dominant nuclear stockpiles. Such an arrangement can lend itself to efforts at the remote control of history. Any such project, however, becomes enmeshed in fantasy, in dreams of imposing an omnipotent will on others, and in the urge to control history itself. Driven by superpower syndrome, such visions of domination and control can prove catastrophic when, as they must, they come up against the irredeemable stubbornness of reality.

#### Stopping indefinite detention practices is an act of Hospitality towards the Other- autoimmunism constantly relates us to the Other, but prescribes limits to our interactions. Hospitality requires breaking open those limitations and accepting the complete unknowability to a future we shouldn’t try to control, while accepting the possibility for destruction.

Johnson 10’ (Andrew, Lecturer at Open University, The Pathology of Politics: Derrida’s reading of Auto-immunity and Carl Schmitt 09/12/10)

Auto-immunity is a failed attempt by an organism to protect itself. It is clearly connected with another age-old Derridean trope: the¶ pharmakon¶ . The biological concept of auto-immunity is a question of health. In attempting to protect itself, it destroys itself; it plays both the role of both medicine and poison. “[T]his poisoned medicine, this¶ pharmakon¶ of an inflexible and cruel autoimmunity” (Rogues, p. 157). “Once again the state is both self-protecting and self-destroying, at once remedy and poison. The¶ pharmakon¶ is another name, an old name, for this autoimmunitary logic” (Time of Terror, p. 124).As Derrida says there is no condom for auto-immunity. “For there is no absolutely reliable prophylaxis against the autoimmune. By definition” (Rogues, p. 150-151). Auto-immunity is pregnant with itself. This pharmakon partition, between poison and medicine, between self and non-self, signifies both a threat and a chance. Therefore, auto-immunity is not necessarily bad. In fact, while it threatens, it retains a hopeful chance and hyperbolic promise. As Derrida says: “[O]pportunity or chance and threat, threat as chance: autoimmune” (Rogues, p. 52). “[A]lready a question of autoimmunity, of a¶ double bind ¶ of threat and chance” (Rogues, p. 82). We must be cautious to not easily discount auto-immunity as a mere poison threatening to destroy our defenses, but as a possible medicine that opens up chances and hope. The threat is perfectly apparent; however, what is the optimistic chance of auto-immunity? Quite simply, hospitality. In this regard, autoimmunity is not an absolute ill or evil. It enables an exposure to the other, to what and who comes- which means that it mustremain incalculable. Without autoimmunity, with absolute immunity, nothing would ever happen or arrive; we would no longer wait, await, or expect, no longer expect another, or expect any event (Rogues, p. 152).By opening itself up to the other, threatening to destroy itself, the organism has the chance to receive the other. The relationship of self and other is synonymous with Derrida’s ethics of hospitality. In the twilight of Derrida’s late career, he began to posit a novel attempt at ethics. One of his most important contributions is his defense of a hyperbolic ethics of unconditional hospitality: we must remain open to the other, without conditions. A hospitality, worthy of its name, must never prescribe limits to the other if it expects to redeem its full and pure ethical value.

#### The plan is a necessary reimagining of politics. Absent this act of imagination, stagnation is inevitable.

Ingerid S. Straume 11’l |  PhD in the philosophy of education, Papers by Ingerid S. Chapter in "Depoliticization; The Political Imaginary of Global Capitalism", edited by Straume and Humphrey, NSU Press2011, <http://uio.academia.edu/IngeridSStraume/Papers/401266/The_Political_Imaginary_of_Global_Capitalism>

Somewhere in the collective imaginary, there isprobably a fairly acute sense of the true state of the construction: No person raised and educated in a modern democracy can be totally ignorant of the planet's limited resources, nor of the interdependence between resource levels, policies of growth, industrial production, and the inflated level of consumption in capitalist societies.The problem is not so much to imagine the disasters ahead, but rather to believe in the possibility of change, as I have argued in the opening sections of this essay. To further the analysis, I now turn to my case in point, education. The following is based on the premise that political creation draws on the capacity to visualize that society could have been different, since society, with its norms, values, and institutions, is a social creation. To account for this premise, Cornelius Castoriadis distinguishes between what he calls the 'instituting' and the 'instituted' society. The instituting society is society's capacity for self-creation; it is society's capacity to create itself as a certain social 'form.'The instituted society is the create, i.e., the product of the instituting society, consisting of laws, norms, and institutions in which significations are embodied.  Society is self-creation. That which' creates society and history is the instituting society, as opposed to the instituted society. The instituting society is the social imaginary in the radical sense. The self-institution of society is the creation of a human world: of 'things/ 'reality,' language, norms, values, ways of life and death, objects for which we live and objects for which we dies- and of course, first and foremost, the creation of the human individual in which the institution of society is massively embedded.57 In order to change the existing institutions (the instituted) and create new social imaginary significations, it is necessary to realize that things could be otherwise. If this insight is not properly instituted, however, society will see itself as a product of forces outside its own control. The instituting society remains unacknowledged, and the instituted society is not conceived as created by society itself. For instance, capitalism could be conceived as a law-like force to which the social world is subject - one that can only be followed and cannot questioned in any profound sense.  In the sociological tradition from Max Weber, this 'deep questioning\* — i.e., political-philosophical questioning—is seen as a defining characteristic of the project of modernity itself. In modernity, the existing (traditional) social values are no longer seen as valid per definition, something which has deep implications for conscious social reproduction, and therefore, education. At least since Marx, Nietzsche, and Freud, the critique of culture and civilization is constitutive of the project of modernity, and a premise of theories and practices of education. A striking example is the critical education,' taught in Nordic schools in the 1970s and 80s as a deliberate counter influence to mass culture.38 In the following, I will argue that this self-critique has now started to turn back on itself, where critique threatens to turn into cultural self-contempt. This becomes quite clear if we analyze the typical relationship between parents and children in contemporary global capitalism in light of the previously developed sections of this paper. Together with the rise of' critical consciousness' in Western societies, at least since '1968,' many parents have found themselves in a social and natural setting that they sometimes find undesirable, even disturbing and harmful. For example, the natural surroundings and countryside, which until today have been very important in the socialization of Norwegian children,39 are no longer representations of pure or clean nature. Things in the countryside, in woods, and water, are now potentially harmful in an 'unnatural\* way. This transformation happened in just a few years. The shocking implication is, of course, thathuman beings are the agents of this destruction — humanity is undermining its own existence. From this fact comes the notion of humanity as inherently harmful. And while we cognitively and technically appear to have the capacity, we still seem unable to stop the destruction of the natural environment. The situation is inherently 'pathological.' Now, ifand when these ideas enter the field of education via literature, educational programs, etc. the pathology is affirmed and consolidated.  In the Nordic countries, for example, children's literature has tended for some time to thematize adulthood, and especially the shortcomings of adults in political and environmental matters. Books and TV-programs illustrate how 'silly' grown-ups are: always in a hurry and through their grown-up-actions ruining the environment. The authors often try to form an alliance with the children against 'the grown-ups.'60 But since the world of grown-ups is the only resource for the child in the process of becoming an adult self, the subject-position offered to the child in this literature is very problematic. Systematically denigrating adults and adult behavior is detrimental to the child's opportunities for identification, as there are no other ideals available. The child is forced to identify with ambivalence or nothing at all. My main point is that the conflict between adults and children portrayed by this literature points to a deeper conflict, between the culture and the individual — or rather, within the culture itself — where the central imaginary significations that organize Western societies, no longer offer sufficient meaning for its members. And since capitalism's significations  — such as rational mastery, consumerism, and instrumentalism - still provide the compass points for our practical orientation as a collective, the situation is deeply 'schizophrenic' It represents a form of alienation, a split within society's self-image, where the relationship between the instituting and the instituted society is distorted. As Slavoj Zizek has pointed out, we detest it, and we don't believe in it, but we still perform and live it.61 The split runs deep, arising within modern society itself, and there is no (rational) escape. This was tragically demonstrated by the Norwegian socialist minister of finance, who probably felt obliged to pose for the photographer holding shopping bags.  Still, the adult world is the only available template onto which the child's aspiration to grow up can be projected. If this world is discredited, the child is left without the cultural resources necessary to build a self. This is the problem that Hannah Arendt addressed in her controversial essay The Crisis in Education, claiming that: "Anyone who refuses to have joint responsibility for the world should not have children and must not be allowed to take part in educating them."62 In Arendt's view, adults have a duty to hand over an 'intact world\* to the next generation — even when they (the adults) wish to change this world, and wish it were otherwise. Practices of education that ignore, or are unable to follow this principle, are in a state of crisis.  Now, while the crisis I have described here is a socio-cultural one, its manifestations — as always —affect people individually and in relation to one another. For instance, children in capitalist societies express in their wishes and actions the demands of a consumer culture - a culture of which many parents are critical. In other words, the consumption-oriented, seemingly selfish attitudes of the young are, to a large extent, attitudes derived from and reflective of the consumer culture at large — played out as conflicts in the home. Hence, the parent or educator is forced to wrestle with problems far beyond the sphere of the personal and educational, such as consumerism, instrumentalism, reification, and cynicism. The  scene is set for individuals to resist their own culture; a fight they can never' win.' Ambivalence and collective self-contempt takes the stage. Depoliticization, as we have seen, rests on the inability of existing institutions to provide sufficiently robust meaning to act as resources for addressing the political problems of the society in question. Put differently: when a society is not able to justify its own significations, it is alienated from itself and its own creative capacity. Under these circumstances, social reproduction becomes very problematic. The instituting society has given birth to a monster — here, the institution of capitalism — and is paralyzed by it. The deepest effect of depoliticization, therefore, is society's abdication of its own creative capacity, which, as I have argued, also implies cultural and personal suffering.

#### **Hospitality towards the Other is the basis of Democracy to Come.**

Caputo 3, John Caputo, JCRT 4.3 AUGUST 2003, WITHOUT SOVEREIGNTY, WITHOUT BEING:

UNCONDITIONALITY, THE COMING GOD AND

DERRIDA’S DEMOCRACY TO COME, <http://www.scribd.com/doc/170918471/Caputo#download>

The question, is there something that lays claim to us unconditionally but without power or force, is directed at “us,” all of us—Americans and Europeans, democrats and theologians, Westerners and non-Westerners—*anyone* who is associated with the cruel logic of sovereignty. The democracy to come calls for a new revolution, another and still more radically democratic revolution, a revolution in the name of the democracy to come, in which we will break more decisively still with the *ancien régime* of sovereignty itself, dreaming of the incalculable possibility of the impossible, of a democracy without sovereignty. Dreaming of the incalculable, but also calculating, because one must count very carefully and carefully devise ways of counting how the member voices of the democratic assembly will count, who will be allowed to vote, at what age, with what status, etc. (V, 63). That revolution that is being called for will also cut deeply into our psyche and our psychology, because it will force us to reconceive the self, that famous liberal individual, in terms of the other one who lays claims to me, even as it will cut into our theology, because it will force us to reimagine God without sovereignty. God forbid! What is called for in and by the democracy to come is the unconditional gift, which does not seek a return on one’s investment, the gift, in which the self gives up its power, the power of the “I can,” the power of the possible, which is what constitutes a self. What we have asked of the king, we now must ask of ourselves: to give up power, to share and divide it. What is called for is a self that shares its power in a gift without return, a self without ipseity. What is called for is unconditional hospitality to the other, to the stranger and the immigrant, to the tired, the hungry and huddled masses. What is called for is a transforming and transfixing revolution in which the self turns itself inside out and lets itself by claimed by the other.

#### **Hospitality cannot function without an opening- Autoimmunism forces us to constantly relate to the other, providing space for radical action which moves us towards democracy to come. Miller 09** (J. Harris, *Derrida’s Politics of Autoimmunity,* Originally published 2008 in Discourse Journal, updated May 23, 2009, <http://muse.jhu.edu/journals/dis/summary/v030/30.1-2.miller.html>)

What should we do in this terrifying situation? What does Derrida¶ suggest that we should do? **The logic of** **autoimmunization**, the¶ reader will have noted, has one **positive** aspect. It keeps a community,¶ a political entity, open to the wholly other, for example, **to the**¶ **democracy to come.** That means **we** can, **must**, and should still **work**,¶ according to the classic emancipatory ideal, as best we can **in the¶ concrete situation in which we find ourselves, to move**, even were it¶ **only an inch or a centimeter, closer toward the democracy** (perhaps)¶ **to come**. It is our responsibility to do so. The present Democratic¶ Congress is making some moves in that direction.¶ Nevertheless, it will not do to be too cheerful or sanguine about¶ our ability to fulfill this measureless responsibility. One reason for¶ this, as Derrida powerfully argues in *The Gift of Death,* is **that the fulfillment¶ of one specific exigent political responsibility means “irresponsibilizing”¶ oneself in relation to all the other equally exigent¶ political obligations. Each responsibility is wholly other to all the¶ others. One cannot fulfill them all, though each is equally demanding**.¶ Beyond that, however, as Derrida says in a remarkably concentrated¶ passage in *Rogues* (*Voyous*), the last book he was able to read¶ proofs for during his mortal illness, the punctual or stigmatic instant¶ act of exercising sovereign decision, by way of the “*cracy*” in “democracy”¶ (“rule of the people” etymologically), inevitably infects the self¶ of the one who acts with suicidal autoimmunity. The passage is a¶ good example of the way a swarm of Derrida’s key terms are often at¶ work in a given short passage. Citing it in conclusion will give Derrida¶ the last word:¶ Finally, and especially, however one understands *cratic* sovereignty [*la souveraineté¶* cratique], it has appeared as a stigmatic indivisibility that always¶ contracts duration into the timeless instant of the exceptional decision.¶ Sovereignty neither gives nor gives itself the time; it does not take time.¶ Here is where the cruel autoimmunity with which sovereignty is affected¶ begins, the autoimmunity with which sovereignty at once sovereignly¶ affects and cruelly infects itself. Autoimmunity is always, in the same time¶ without duration, cruelty itself, the autoinfection of all autoaffection. It is¶ *Derrida’s Politics of Autoimmunity 223¶* not some particular thing that is affected in autoimmunity, but the self, the¶ *ipse,* the *autos* that finds itself infected. As soon as it needs heteronomy, the¶ event, time, and the other.11

**Embracing an ethic of democracy to come is essential to confront the massive every day instances of violence which support the international system.**Derrida 1995, dir d’etudes @ Ecole des Hautes Etudes en Sciences Sociales Jacques, The Gift of Death  83-7

What is thus found at work in everyday discourse, in the exercise of justice, and first and foremost in the axiomatics of private, public, or international law, in the conduct of internal politics, diplomacy, and war, is a lexicon concerning responsibility that can be said to hover vaguely about a concept that is nowhere to be found, even if we can’t go so far as to say that it doesn’t correspond to any concept at all. It amounts to a disavowal whose resources, as once knows, are inexhaustible. One simply keeps on denying the aporia and antimony, tirelessly, and one treats as nihilist, relativist, even poststructuralist, and worse still deconstructionist, all those who remain concerned in the face of such a display of good conscience. The sacrifice of Isaac is an abomination in the eyes of all, and it should continue to be seen for what it is—atrocious, criminal, unforgivable; Kierkegaard insists on that. The ethical point of view must remain valid: Abraham is a murderer. However, is it not true that the spectacle of this murder, which seems intolerable in the denseness and rhythm of its theatricality, is at the same time the most common event in the world? Is it not inscribed in the structure of our existence to the extent of no longer constituting an event? It will be said that it would be most improbable for the sacrifice of Isaac to be repeated in our day; and it certainly seems that way. We can hardly imagine a father taking is son to be sacrificed on the top of the hill at Montmarte. If God didn’t send a lamb as a substitute or an angel to hold back his arm, there would still be a prosecutor, preferably with an expertise in Middle Eastern violence, to accuse him of infanticide or first-degree murder; and if a psychiatrist who was both something of a psychoanalyst and something f a journalist declared that the father was “responsible,” carrying on as if psychoanalysis had done nothing to upset the order of discourse on intention, conscience, good will, etc., the criminal father would have no chance of getting away with it. He might claim that the wholly other had ordered him to do it, and perhaps in secret (how would he know that?), in order to test his faith, but it would make no difference. Things are such that this man would surely be condemned by any civilized society. On the other hand, **the smooth functioning of such a society, the monotonous complacency of its discourses on morality, politics,** and the law, and the exercise of its rights (whether public, private, national or international), **are in no way impaired by the fact that, because of the structure of the laws of the market that society has instituted and controls, because of the mechanisms of external debt and other similar inequities, that same “society” puts to death or** (but failing to help someone in distress accounts for only a minor difference) **allows to die of hunger and disease tens of millions of children** (those neighbors or fellow humans that ethics or the discourse of the rights of man refer to) **without any moral or legal tribunal ever being considered competent to judge such a sacrifice, the sacrifice of others to avoid being sacrificed oneself**. Not only is it true that **such a society** participates in this incalculable sacrifice, it actually **organizes it.** The smooth functioning of its economic, political, and legal affairs, the smooth functioning of its moral discourse and good conscience and **presupposes the permanent operation of this sacrifice**. And such a sacrifice is not even invisible, for from time to time television shows us, while keeping them at a distance, a series of intolerable images, and a few voices are raised to bring it all to our attention. But these images and voices are completely powerless to induce the slightest effective change in the situation, to assign the least responsibility, to furnish anything more than a convenient alibi. That this order is founded upon a bottomless chaos (the abyss or open mouth) is something that will necessarily be brought home one day to those who just as necessarily forget the same. We are not even talking about wars, the less recent or most recent ones, in which cases one can wait an eternity for morality or international law (whether violated with impunity or invoked hypocritically) to determine with any degree of certainty who is responsible or guilty for the hundreds of thousands of victims who are sacrificed for what or whom one knows not, countless victims, each of those whose singularity becomes each time infinitely singular, every other (one) being every (bit) other, whether they be victims of the Iraqi state or victims of the international coalition that accuses the latter of not respecting the law. For in the discourses that dominate during such wars, it is rigorously impossible, on one side and the other, to discern the religious from the moral, the legal, from the political. The warring factions are all irreconcilable fellow worshipers of the religions of the Book. Does that not make things converge once again in the fight to the death that continues to rage on Mount Moriah over the possession of the secret of the sacrifice by an Abraham who never said anything? Do they not fight in order to take possession of the secret of the as the sign of an alliance with God and to impose its order on the other, who becomes for his part nothing more than a murderer

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## K

Miller 8

That leaves me with the most important Derridean concept of all as a means of understanding and perhaps responding construc- tively to the disastrous situation we are now in, in the United States and in the world: the terrifying logic of autoimmunization. What is this logic? As I have elsewhere argued,9 it is Derrida’s appropriation for politics of the terminology of autoimmunity in the body. Biologists and medical scientists originally borrowed the terminology from the social world. For example, those who took sanctuary in a church were in medieval Christian Europe “immune” from arrest. A Roman magistrate owed munus in the form of periodic games and feasts to those he governed. Wikipedia defines autoimmunity as “the failure of an organism to recognize its own constituent parts (down to the submolecular levels) as ‘self,’ which results in an immune response against its own cells and tissues.” An example is rheumatoid arthritis, “a chronic, inflammatory autoimmune disorder that causes the immune system to attack the joints” (Wikipedia). Derrida, in an extended development in “Faith and Knowledge” (*Foi et savoir*), uses the figure of the body’s disastrous autoimmunity in certain diseases to define an absolutely universal condition of any political order or community:

## DC

#### Won’t pass – GOP won’t cave on shutdown or debt ceiling

Drucker**, Washington Examiner,** 10-3-13

(David, “GOP stands firm against funding bill, will link to debt ceiling fight”, <http://washingtonexaminer.com/gop-stands-firm-against-funding-bill-will-link-to-debt-ceiling-fight/article/2536750>, ldg)

House Republicans are unlikely to blink in the standoff over Obamacare that precipitated a government shutdown, fearing that acceding now to Democratic demands for a “clean” spending bill would weaken their hand in upcoming negotiations over the the debt ceiling. Those Republicans said Wednesday that the spending impasse that shut down the government early Tuesday is less about conservatives' desire to derail Obamacare than it is about strengthening their hand in the debt-ceiling talks. That borrowing limit must be raised by Oct. 17 to prevent the government from defaulting on its financial obligations and Republicans say any future agreement to reopen the government would link the spending bill and the debt ceiling. “This is not just about Obamacare anymore,” centrist Rep. Michael Grimm, R-N.Y., said. “We’re not going to be disrespected,” conservative Rep. Marlin Stutzman, R-Ind., added. “We have to get something out of this. And I don’t know what that even is.” In the weeks leading up to Tuesday's government shutdown, House Republicans pushed for a short-term budget bill that would fund the government at current levels, but also fully and permanently defund Obamacare. President Obama and Senate Democrats rejected that proposal and three others that would have at least slowed implementation of the Affordable Care Act. House Republicans now say they won't agree to a funding bill unless Senate Democrats agree to meet in a conference committee to hash out their differences. They rebuffed a proposal from Senate Democrats Wednesday to form a conference committee only after the funding bill was approved and the government reopened. With the third day of the shutdown dawning and the deadline to raise the debt ceiling fast approaching, House Republican leaders believe maintaining party unity over the budget bill is paramount. Any divisions or concessions would only bolster Obama's hand in the debt ceiling talks. House Republican leaders will drive their rank and file particularly hard to support a debt ceiling proposal that includes provisions on tax and entitlement reform and other GOP priorities. They also don't want to cut short the epic battle against Obamacare that conservatives have long sought. For those reasons, House Speaker John Boehner, R-Ohio, is unlikely to put up a "clean" budget bill that funds the government without Democratic concessions. “The [budget bill] is now part of the debt ceiling fight and we may see a shutdown that extends to mid-October,” said a veteran Republican operative with relationships on Capitol Hill. “Boehner could not pass a [budget bill] with mostly Democratic support now and then have any chance of holding Republicans on the debt ceiling.” House GOP leaders and most of their rank and file never supported conservatives' efforts to use the budget bill and the threat of a government shutdown to defund Obamacare, fearing a political backlash. Polls consistently show most people oppose the strategy and would blame Republicans if the government closed. But having gone as far as they have, House Republicans now say they won't back down. And they expect to score political points in the process. Republican House leaders were surprised that Democrats unanimously opposed GOP efforts to pass small, targeted appropriations bills that would keep only parts of the government open, but they are happy to watch Democrats vote against measures that would open national parks and restore veterans' programs ahead of the 2014 elections. Just as important, however, is the marker Boehner has laid down in this fight and how his caucus would react if he suddenly reversed course and supported a clean budget bill. Boehner originally opposed linking Obamacare to the government funding bill, but gave in to conservatives' demands. Republicans say the speaker has been forceful in closed-door meetings on the funding bill but his credibility could be indelibly damaged if he caves in to Democratic demands now. Rep. Tom Cole, R-Okla., who is close with leadership, suggested that the House majority is prepared to hold the line on a government funding bill and the debt ceiling increase if Senate Democrats refuse to negotiate a compromise. When asked if House Republicans would vote on a "clean" continuing resolution, he said, "Why in the world would you do that?” Cole said of the clean funding bill. “That’s basically, at this point, a surrender to the Democratic position.”

#### A. MASSIVE detainment case in the DC Court now – causes fights.

Greenhouse 10/2

Linda, teaches at Yale Law School, Fish or Cut Bait http://opinionator.blogs.nytimes.com/2013/10/02/fish-or-cut-bait/

It was the most important military commission case to come before any court in the more than seven years since the Supreme Court invalidated the Bush administration’s first effort to set up military commissions to try Guantánamo detainees for war crimes. The argument on Monday in al-Bahlul v. United States, before seven judges of the United States Court of Appeals for the District of Columbia Circuit, was impressive on all counts. The question was whether “conspiracy to commit war crimes” and “material support for terrorism” are crimes for which 9/11 defendants can be tried by military commission. Both lawyers — Michel Paradis, a civilian Defense Department lawyer assigned to represent the defendant, Ali al-Bahlul, and Ian Gershengorn, the newly appointed chief deputy solicitor general, arguing for the government — presented their cases with ease and mastery. The judges let the lawyers talk, interrupting only for pertinent questions, listening attentively to the answers, and (amazingly, to anyone who has ever attended a Supreme Court argument) interrupting one another not at all. (An eighth judge, the newly confirmed Sri Srinivasan, Mr. Gershengorn’s predecessor in the solicitor general’s office, was recused because he had worked on the case for the government.) In other words, what I witnessed in the appeals court’s grand “ceremonial courtroom,” reserved for the infrequent occasions when the entire court sits en banc, was the American legal system at its best. And yet. By the end of the morning, I couldn’t shake the feeling that the object of all this energy, expertise and professional good will — the modern military commission — was fundamentally unworthy of any of it, a jury-rigged ship foundering in a heavy sea of law, politics and the struggle among the branches of government that has been a hallmark of the prolonged Guantánamo saga. The D.C. Circuit can’t save it, even if it were so inclined — which it didn’t appear to be.

#### A. Allows political cover

Pacelle, Prof-Political Science-Georgia Southern, 2002 (Richard L., Prof of Poli Sci @ Georgia Southern University, The Role of the Supreme Court in American Politics: The Least Dangerous Branch? 2002 p 175-6)

The limitations on the Court are not as significant as they once seemed. They constrain the Court, but the boundaries of those constraints are very broad. Justiciability is self-imposed and seems to be a function of the composition of the Court, rather than a philosophical position. Checks and balances are seldom successfully invoked against the judiciary, in part because the Court has positive institutional resources to justify its decisions. The Supreme Court has a relatively high level of diffuse support that comes, in part, from a general lack of knowledge by the public and that contributes to its legitimacy.[6] The cloak of the Constitution and the symbolism attendant to the marble palace and the law contribute as well. As a result, presidents and Congress should pause before striking at the Court or refusing to follow its directives. Indeed, presidents and members of Congress can often use unpopular Court decisions as political cover. They cite the need to enforce or support such decisions even though they disagree with them. In the end, the institutional limitations do not mandate judicial restraint, but turn the focus to judicial capacity, the subject of the next chapter.

#### No chance of war from economic decline---best and most recent data

Daniel W. Drezner 12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” <http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5_The-Irony-of-Global-Economic-Governance.pdf>

The final outcome addresses a dog that hasn’t barked: the effect of the Great Recession on cross-border conflict and violence. During the initial stages of the crisis, multiple analysts asserted that the financial crisis would lead states to increase their use of force as a tool for staying in power.37 Whether through greater internal repression, diversionary wars, arms races, or a ratcheting up of great power conflict, there were genuine concerns that the global economic downturn would lead to an increase in conflict. Violence in the Middle East, border disputes in the South China Sea, and even the disruptions of the Occupy movement fuel impressions of surge in global public disorder. The aggregate data suggests otherwise, however. The Institute for Economics and Peace has constructed a “Global Peace Index” annually since 2007. A key conclusion they draw from the 2012 report is that “The average level of peacefulness in 2012 is approximately the same as it was in 2007.”38 Interstate violence in particular has declined since the start of the financial crisis – as have military expenditures in most sampled countries. Other studies confirm that the Great Recession has not triggered any increase in violent conflict; the secular decline in violence that started with the end of the Cold War has not been reversed.39 Rogers Brubaker concludes, “the crisis has not to date generated the surge in protectionist nationalism or ethnic exclusion that might have been expected.”40 None of these data suggest that the global economy is operating swimmingly. Growth remains unbalanced and fragile, and has clearly slowed in 2012. Transnational capital flows remain depressed compared to pre-crisis levels, primarily due to a drying up of cross-border interbank lending in Europe. Currency volatility remains an ongoing concern. Compared to the aftermath of other postwar recessions, growth in output, investment, and employment in the developed world have all lagged behind. But the Great Recession is not like other postwar recessions in either scope or kind; expecting a standard “V”-shaped recovery was unreasonable. One financial analyst characterized the post-2008 global economy as in a state of “contained depression.”41 The key word is “contained,” however. Given the severity, reach and depth of the 2008 financial crisis, the proper comparison is with Great Depression. And by that standard, the outcome variables look impressive. As Carmen Reinhart and Kenneth Rogoff concluded in This Time is Different: “that its macroeconomic outcome has been only the most severe global recession since World War II – and not even worse – must be regarded as fortunate.”42

## Shift

#### **Autoimmunity causes war- it’s a self-fulfilling prophecy Miller 09** (J. Harris, *Derrida’s Politics of Autoimmunity,* Originally published 2008 in Discourse Journal, updated May 23, 2009, <http://muse.jhu.edu/journals/dis/summary/v030/30.1-2.miller.html>)

In a brilliant analysis in *Philosophy in a Time of Terror* (PTT, 94–99;¶ C11S, 144–52) of the way the destruction of the World Trade Center¶ *Derrida’s Politics of Autoimmunity 221¶* on 9/11 was a true event, Derrida uses this terrifying general logic of¶ autoimmunity to illuminate better than I have seen any other commentator¶ do the way 9/11 was a case of autoimmune suicide, real suicide¶ for the “terrorists,” symbolic suicide for the United States and¶ for the globalized world that depended on the United States as its¶ economic, military, cultural, and technological sovereign power. Derrida¶ does not much emphasize, in this case, the religious base of auto co-immunity in notions of sacrifice, holiness, survival, and¶ messianicity. He emphasizes more, in these pages, Freudian notions¶ of mourning, repression, the unconscious, and traumatism. Derrida¶ stresses the way 9/11 was a consequence and extension of the cold¶ war, since the United States had in one way or another trained and¶ supported many of the terrorist groups. This training was part of its¶ clandestine CIA-operated opposition to the Soviet and then Russian¶ occupation of Afghanistan. The 9/11 terrorists were trained to fly in¶ the United States, used our own planes as bombs, and employed¶ devices like cell phones and computers developed in the United¶ States. It was a spectacular example of autoimmunitary logic, the suicidal¶ turning against ourselves of weapons, machinery, and ideology¶ that we had developed as a kind of immune system to protect us, to¶ keep the United States safe, indemnified, even holy, the sacred¶ “homeland.” Derrida also stresses the way the terror generated by¶ 9/11 and kept alive by the media (endless shots of the Twin Towers¶ falling) and by the Department of Homeland Security (heightened¶ alerts to “yellow” or “red” whenever it is decided we might be forgetting¶ and might begin to notice that our basic civil rights are being¶ taken away) was not a terror of what had already happened. It was¶ fear of something worse, “the worst,” something that has not yet happened,¶ something certain to happen in the future, for example a rain¶ of nuclear bombs from North Korea or from Iran or from some¶ unknown and anonymous terrorist group. Derrida also, finally,¶ asserts that all efforts to repress or forget the terror that is firmly¶ lodged in the unconscious of every U.S. citizen just makes the terror¶ worse in a fearful and terrifying return of the repressed:¶ Yet all these efforts to attenuate or neutralize the effect of the traumatism¶ (to deny, repress, or forget it, to get over it [*pour faire son deuil*]) are but so¶ many desperate attempts. And so many autoimmunitary movements.¶ Which produce, invent, and feed the very monstrosity they claim to overcome.¶ What will never let itself be forgotten is thus the perverse effect of the¶ autoimmunitary itself. For we now know that repression in both its psychoanalytical¶ sense and its political sense—whether it be through the¶ police, the military, or the economy [*au sens politico-policier, politico-militaire,¶ 222 J. Hillis Miller¶ politico-économique*]—ends up producing, reproducing, and regenerating¶ the very thing it seeks to disarm. (PTT, 99; C11S, 152)

# 1ar

#### No causality – economic decline doesn’t cause war

Ferguson 6

Niall, Professor of History @ Harvard, The Next War of the World, *Foreign Affairs* 85.5, Proquest

There are many **unsatisfactory explanations** for why the twentieth century was so destructive. One is the assertion that the availability of more powerful weapons caused bloodier conflicts. But there is no correlation between the sophistication of military technology and the lethality of conflict. Some of the worst violence of the century -- the genocides in Cambodia in the 1970s and central Africa in the 1990s, for instance -- was perpetrated with the crudest of weapons: rifles, axes, machetes, and knives. Nor can economic crises explain the bloodshed. What may be the most familiar causal chain in modern historiography links the Great Depression to the rise of fascism and the outbreak of World War II. But that simple story leaves too much out. Nazi Germany started the war in Europe only after its economy had recovered. Not all the countries affected by the Great Depression were taken over by fascist regimes, nor did all such regimes start wars of aggression. In fact, **no general relationship between economics and conflict is discernible** for the century as a whole. Some wars came after periods of growth, others were the causes rather than the consequences of economic catastrophe, and some severe economic crises were not followed by wars.

#### Empirical studies show no causal relationship between economic decline and war

Miller 1

Morris, Professor of Economics, Poverty: A Cause of War?, http://archive.peacemagazine.org/v17n1p08.htm

Library shelves are heavy with studies focused on the correlates and causes of war. Some of the leading scholars in that field suggest that we drop the concept of causality, since it can rarely be demonstrated. Nevertheless, it may be helpful to look at the motives of war-prone political leaders and the ways they have gained and maintained power, even to the point of leading their nations to war. Poverty: The Prime Causal Factor? Poverty is most often named as the prime causal factor. Therefore we approach the question by asking whether poverty is characteristic of the nations or groups that have engaged in wars. As we shall see, **poverty has never been as significant a factor as one would imagine**. Largely this is because of the traits of the poor as a group - particularly their tendency to tolerate their suffering in silence and/or be deterred by the force of repressive regimes. Their **voicelessness and powerlessness translate into passivity**. Also, because of their illiteracy and ignorance of worldly affairs, the poor become susceptible to the messages of war-bent demagogues and often willing to become cannon fodder. The situations conductive to war involve political repression of dissidents, tight control over media that stir up chauvinism and ethnic prejudices, religious fervor, and sentiments of revenge. The poor succumb to leaders who have the power to create such conditions for their own self-serving purposes. Desperately poor people in **poor nations cannot organize wars**, which are exceptionally costly. The statistics speak eloquently on this point. In the last 40 years the global arms trade has been about $1500 billion, of which two-thirds were the purchases of developing countries. That is an amount roughly equal to the foreign capital they obtained through official development aid (ODA). Since ODA does not finance arms purchases (except insofar as money that is not spent by a government on aid-financed roads is available for other purposes such as military procurement) financing is also required to control the media and communicate with the populace to convince them to support the war. Large-scale armed conflict is so expensive that governments must resort to exceptional sources, such as drug dealing, diamond smuggling, brigandry, or deal-making with other countries. The reliance on illicit operations is well documented in a recent World Bank report that studied 47 civil wars that took place between 1960 and 1999, the main conclusion of which is that the key factor is the availability of commodities to plunder. For greed to yield war, there must be financial opportunities. **Only affluent political leaders and elites can amass such weaponry**, diverting funds to the military even when this runs contrary to the interests of the population. In most inter-state wars the antagonists were wealthy enough to build up their armaments and propagandize or repress to gain acceptance for their policies. Economic Crises? Some scholars have argued that it is not poverty, as such, that contributes to the support for armed conflict, but rather some catalyst, such as an economic crisis. However, a study by Minxin Pei and Ariel Adesnik shows that this **hypothesis lacks merit**. After studying 93 episodes of economic crisis in 22 countries in Latin American and Asia since World War II, they concluded that much of the conventional thinking about the political impact of economic crisis is wrong: "The severity of economic crisis - as measured in terms of inflation and negative growth - bore no relationship to the collapse of regimes ... or (in democratic states, rarely) to an outbreak of violence... In the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another)."

#### Empirically denied – 11 times

-This one isn’t bad, relatively

Ecommerce Journal 8

December, The U.S. economy is now well into its 11th postwar recession, http://www.ecommerce-journal.com/articles/11618\_the\_u\_s\_economy\_is\_now\_well\_into\_its\_11th\_postwar\_recession

The National Bureau of Economic [Research](http://www.ecommerce-journal.com/tags/research) has finally confirmed what the real world has known for at least a year: The [U.S. economy](http://www.ecommerce-journal.com/tags/u_s_economy) is **now well into its 11th postwar** [**recession**](http://www.ecommerce-journal.com/tags/recession)**.** Although the bureau says that it takes anywhere from six to 18 months to determine that a peak in economic activity has been reached, this one has taken longer than its four immediate predecessors.  The bureau says that the latest [business](http://www.ecommerce-journal.com/tags/business) [cycle](http://www.ecommerce-journal.com/tags/cycle) peak was reached a year ago, in December 2007.  By contrast, the March 2001 peak was announced eight months later, while the July 1990 peak was determined within nine months. The July 1981 peak was set six months after the [fact](http://www.ecommerce-journal.com/tags/fact), while it took only five months to establish that a peak was reached in January 1980.  To be fair, some members of the bureau's Business Cycle Dating Committee have felt for several months that the [economy](http://www.ecommerce-journal.com/tags/economy) was in a recession. However, they have deferred to the collective judgment of the committee, which was not reached until Friday.  The next question is, Who cares? The answer: Anyone who is interested in forecasting. This means economists, [investors](http://www.ecommerce-journal.com/tags/investors), policymakers and business people, just to name four categories.  By dating the beginning and end of recessions, comparisons can be made with the previous downturns in order to determine the odds of a further decline. And while different recessions have different causes, such comparisons can be useful.  For example, the shortest postwar recession lasted only six months, while the longest was 16 months. The average, according to the bureau, is 10 months in length.  At 11 months, the current recession is already longer than average, and rapidly closing in on the two longest recessions: 1973-75 and 1981-82.  If the latest recession does no more than equal these two, then it could be over as early as the end of April. However, given the way the data are unfolding and the causes of this particular [downturn](http://www.ecommerce-journal.com/tags/downturn), this seems a bit optimistic.  Most economists figure that the economy will decline at least until the middle of [2009](http://www.ecommerce-journal.com/tags/2009). That would make this recession the longest of the postwar era, at 18 months in length. Some think it could be even longer than that.  But as unique as the current recession might seem, what also is different is how quickly both monetary and fiscal policies have been marshaled to cushion this downturn.