#### Our interpretation is that the affirmative’s advantages should stem from the implementation of a topical plan.

#### “USFG should” proscribes both a stable agent and mechanism

Ericson ‘03

(Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb *should*—the first part of a verb phrase that urges action. 3. An action verb to follow *should* in the *should*-verb combination. For example, *should adopt* here **means to put a** program or **policy into action though governmental means**. 4. A specification of directions or a limitation of the action desired. The phrase *free trade*, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the *affirmative side* in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### The Aff undermines the ability to have a limited and stable number of Affirmatives to prepare against. This is a reason to vote negative.

#### First is Decision-making

#### Increasing the abstraction of debates and undermining stasis hampers the decision-making benefits of debate

Steinberg, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, ‘8

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 45)

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007.

Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.

To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.

Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### Decision-making is the most important facet of education we could take away from debate – key to success in any future role

Steinberg, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, ‘8

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 9-10)

After several days of intense debate, first the United States House of Representatives and then the U.S. Senate voted to authorize President George W. Bush to attack Iraq if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. Debate about a possible military\* action against Iraq continued in various governmental bodies and in the public for six months, until President Bush ordered an attack on Baghdad, beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition.¶ Meanwhile, and perhaps equally difficult for the parties involved, a young couple deliberated over whether they should purchase a large home to accommodate their growing family or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job. Each of these\* situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions.¶ Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making homes from committees to juries to the U.S. Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations.¶ We all make many decisions even- day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate CO vote for. paper or plastic, all present lis with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration?¶ Is the defendant guilty as accused? Tlie Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, TIMI: magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople. academics, and publishers. We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs?¶ The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates.¶ Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized.¶ Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others.¶ Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate.

#### Next is substantive side bias

#### Surely the Aff will say the Neg can still debate them on the substance of their advocacy but not defending the clear actor and mechanism of the resolutional produces a substantive side bias.

#### Affirmatives that don’t defend the resolution make deploying other strategies against them inordinately Aff tilted. They have the ability to radically recontextualize link arguments, empathize different proscriptive claims of the 1AC while using traditional competition standards like perms to make being impossible inordinately difficult.

#### And we have an external impact to this net benefit

#### Sufficient research-based preparation and debates focused on detailed points of disagreement are crucial to transforming political culture

Gutting (professor of philosophy at the University of Notre Dame) 13

(Gary, Feb 19, A Great Debate, http://opinionator.blogs.nytimes.com/2013/02/19/a-great-debate/?emc=eta1)

This is the year of what should be a decisive debate on our country’s spending and debt. But our political “debates” seldom deserve the name. For the most part representatives of the rival parties exchange one-liners: “The rich can afford to pay more” is met by “Tax increases kill jobs.” Slightly more sophisticated discussions may cite historical precedents: “There were higher tax rates during the post-war boom” versus “Reagan’s tax cuts increased revenues.”

Such volleys still don’t even amount to arguments: they don’t put forward generally accepted premises that support a conclusion. Full-scale speeches by politicians are seldom much more than collections of such slogans and factoids, hung on a string of platitudes. Despite the name, candidates’ pre-election debates are exercises in looking authoritative, imposing their talking points on the questions, avoiding gaffes, and embarrassing their opponents with “zingers” (the historic paradigm: “There you go again.”).

There is a high level of political discussion in the editorials and op-eds of national newspapers and magazines as well as on a number of blogs, with positions often carefully formulated and supported with argument and evidence. But even here we seldom see a direct and sustained confrontation of rival positions through the dialectic of assertion, critique, response and counter-critique.
Such exchanges occur frequently in our law courts (for example, oral arguments before the Supreme Court) and in discussions of scientific papers. But they are not a significant part of our deliberations about public policy. As a result, partisans typically remain safe in their ideological worlds, convincing themselves that they hold to obvious truths, while their opponents must be either knaves or fools — with no need to think through the strengths of their rivals’ positions or the weaknesses of their own.

Is there any way to make genuine debates — sustained back-and-forth exchanges, meeting high intellectual standards but still widely accessible — part of our political culture? (I leave to historians the question of whether there are historical precedents— like the Webster-Hayne or Lincoln-Douglas debates.) Can we put our politicians in a situation where they cannot ignore challenges, where they must genuinely engage with one another in responsible discussion and not just repeat talking points?

A first condition is that the debates be focused on specific points of major disagreement. Not, “How can we improve our economy?” but “Will tax cuts for the wealthy or stimulus spending on infrastructure do more to improve our economy?” This will prevent vague statements of principle that don’t address the real issues at stake.

Another issue is the medium of the debate. Written discussions, in print or online could be easily arranged, but personal encounters are more vivid and will better engage public attention. They should not, however, be merely extemporaneous events, where too much will depend on quick-thinking and an engaging manner. We want remarks to be carefully prepared and open to considered responses.

#### And effective deliberative discourse is the lynchpin to solving all existential problems

Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology for enhancing democratic deliberative capacities. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life.

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class, gender, and racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; and increasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

### 2nd Off

#### We ARE AT WAR! A necessary part of war is dealing with our enemies once we capture them, prisons are the best means of dealing with this issue. The aff would prefer you imagine a world of ever expanding friendships, where we all get along and sing Kumbaya around the campfire while making s’mores. This delusion produces a new more violent invisible war against an outside the aff doesn’t think exists.

RASCH 05 (LINES OF ENEMITY)

There is a song by Leonard Cohen called ‘‘There Is a War.’’ The war that Cohen sings of is a war between ‘‘the left and right,’’ ‘‘the black and white,’’ ‘‘the odd and the even,’’ and, as always with Cohen, between ‘‘the man and the woman.’’ But there is another war, a metawar that regu- lates these others. ‘‘There is a war,’’ he sings, ‘‘between the ones who say there is a war and the ones who say there isn’t.’’ Cohen’s clever line points to a lopsided double bind. Those who claim there is no war, made in opposition to those who claim there is, are drawn by their very claim into the war they maintain does not exist. There is, then, a war for them too, though they see it as a war against war, Krieg dem Kriege, or, to put it in a characteristically American idiom, a war to end all war. But those who say there is a war say that the war can never end. Even the war for perpetual peace is a perpetual war. ‘‘Why don’t you come on back to the war,’’ Cohen invites us over and over again in his song. ‘‘Why don’t you come on back to the war?’’ I propose we accept his invitation.¶ Accepting Cohen’s invitation means deciding on a fundamental distinction that runs through all political philosophy and that has risen once again to the surface in the radical responses to the emerging global order that some want to call Pax Americana and others simply Empire. It is a distinction that Carl Schmitt was keenly aware of; indeed, an unambiguous decision for one alternative over the other structures his entire thought.1 That distinction is between good and evil, or, in the world of ‘‘those’’ about whom Cohen sings, between the presupposition of primordial peace and the presupposition of a war of all against all.¶ In The Concept of the Political, Schmitt concludes that ‘‘all genuine politi- cal theories presuppose man to be evil, i.e., by no means an unproblematic but a dangerous and dynamic being.’’2 This anthropological fiction—and Schmitt is aware of the claim’s fictional status—serves as the logical premise that secures Schmitt’s definition of the political as the friend/enemy distinction. We live in a world, he says, in which associations with like- minded others are our only means of security and happiness. Indiscriminate concourse of all with all cannot be the foundation for necessary politi- cal discriminations. Thus, the anthropological presupposition of evil, guilt, and violence is designed to expose what Schmitt sees as the duplicity of liberal theory, which consists in using the promise of formal equality to camouflage political power by displacing it in the realms of economics and morality. Liberal theory denies original enmity by assuming the innate goodness of the human being. Those—communitarians and liberals alike— who say there is no war presuppose a counterfactual ‘‘ontological priority of non-violence,’’ a ‘‘state of total peace’’3 that invites universal inclusion based on the ‘‘essential homogeneity and natural virtue of mankind.’’4 If, in such a benign state of nature, violence were to break out, such violence would be considered a perversion and, if all else were to fail, would have to be extirpated by an even greater violence. To cite John Locke, this ‘‘State of perfect Freedom’’ and universal ‘‘Equality,’’ governed solely by reason and natural law, can be disturbed only by an ‘‘Offender’’ who ‘‘declares himself to live by another Rule, than that of reason and common Equity.’’ Such a ‘‘Criminal’’ has ‘‘declared War against all Mankind, and therefore may be destroyed as a Lyon or a Tyger, one of those wild Savage Beasts, with whom Men can have no Society nor Security.’’5 The political, on this view, emerges only as the result of the Fall—that is, emerges only to fight the war against war, a war always initiated by a sinful or bestial other. It seeks to make itself superflu- ous by restoring or, more progressively, establishing for the first time this natural order of peace. Should one demur and find the perfect state to be less than advertised, then one’s demurral would most assuredly be recognized not as legitimate political opposition, but rather as evidence of greed, moral perversity, or some other pathological behavior.¶ With its pacific presuppositions, liberalism, according to Schmitt, dis-solves the specificity of the political and hides the necessarily asymmetric power relations that mark all political maneuverings. By way of an anthro-pological sleight of hand, liberalism represents itself as an ethos, a moral and economic emancipation, and not as what it really is, namely, a power- political regime with traditional power-political aims. For Schmitt, distinctions, rather than the effacement of distinctions, structure the space within which we live, including the space of the political. Only within structured space, space literally marked by human activities, by human groupings and the boundaries they draw, do terms achieve their meanings. Norms, he repeatedly stated, are derived from situations, normal situations; they are not derived logically from underived first principles. Categories like ‘‘lib- erty’’ and ‘‘equality’’ can have political significance only when defined and delineated within the sphere of the political. They are neither natural nor innately human qualities; they are not self-evident truths. Consequently, Schmitt’s suspicion of liberalism, pacifism, or any other -ism that denies an initial and therefore ever-present potential war of all against all is a suspi- cion of those who wish to make their operative distinctions invisible, and thus incontestable, by claiming the immorality or illegality of all distinction. Schmitt’s insistence, then, on our ‘‘evil’’ nature is evidence neither of his existential misanthropy nor even, necessarily, of his conservative authori- tarianism, but rather of his desire to secure the autonomy and necessity of that human mechanism called ‘‘the political.’’ To the question of whether there is a war, Schmitt emphatically answers ‘‘yes’’—by which he means to affirm not armed conflict or bloodshed as a virtue in and of itself, but rather the necessity of the view that the proverbial state of nature is, as Hobbes knew, a state marked by imperfection, and that this imperfection manifests itself as violence and the guilt associated with it.

#### This ideology of inclusion creates a never ending cycle of violence against those deviants who “create conflict” justifying extermination.

Rasch 4 (William, Prof. of German Studies, Indiana U, Sovereignty and its Discontents, Birkbeck Law Press, pg. 15) my

What could be wrong with such a vision? Certainly it is neither verifiable nor deniable empirically, so one cannot object on that ground. Ontologies are posited, not proven; and the same goes for philosophical anthropology at this level of abstraction. What we have in Milbank, then, is an image of a primordially pacified globe, and a lovely image it is. It satisfies the demands, or so it would seem, of a non-Kantian ethics, based on expansion rather than repression of desire,7 and a quintessentially enlightened theology that places original goodness over sin. It also sketches the outlines for an ideal, noncapitalist economics based on collective utilization of the commons, and links this sketch, much like recent radical histories,8 to a putatively pre-fallen stage of history of the human race not yet marked by the doctrine of property and dominion. It conforms to the demand for the symmetry and ‘noble simplicity’ of a classical aesthetics. And its portrayal of the political, to the extent that such a portrayal exists, does offer a distinct alternative to Schmitt’s friend/enemy model. But, not unexpectedly, here some difficulties arise, because the image of peaceful harmony that is found in the original text of peaceful creation is overlaid by the more violent and imperfect second text. The question becomes: How do we move from that second text back to the first one? How, in other words, do we convince those not already willing to participate in the coming community to give up their ‘sinful’ ways? The question is a difficult one, because if peace is the default mode of the universe and violence only ‘an unnecessary intrusion’ brought into the community by ‘a free subject who asserts a will that is truly independent of God and of others, and thereby a will to the inhibition and distortion of reality’ (Milbank, 1990, p 432), how does one combat that violence if not by violence? The exercise of a corrective violence, a ‘just’ violence, aimed at the sinful intrusion is, of course, a traditional Christian response.9 It is not, however, Milbank’s. Instead he offers something perhaps even more insidious. Milbank opts for ‘ecclesial coercion’, a form of ‘noncoercive persuasion’ (Milbank, 1990, p 418) that is a collective, communal pressure expressed as ‘social anger’ or ‘calm fury’. ‘When a person commits an evil act’, Milbank writes, ‘he cuts himself off from social peace’, because ‘an individual’s sin is never his alone … its endurance harms us all, and therefore its cancellation is also the responsibility of all’ (Milbank, 1990, pp 421, 422). Therefore, non-coercive persuasion is the collective pressure of the group that ideally leads to renewed voluntary conformity, the ‘free consent of will’ (Milbank, 1990, p 418), on the part of the deviant individual. The political as Schmitt envisions it disappears completely once one presupposes the ontological priority of non-violence. But what takes its place? It may seem ironic, but once one renounces the political and embraces the community based on harmonious universal inclusion of the peaceful and absolute exclusion of ‘sin’, one seems to have what Schmitt refers to as ‘democracy’ based on homogeneity. When one excludes the political, one has to guard the borders vigilantly against those willful intruders who deviate from God’s will – which also means that one need be ever vigilant within those borders as well. Such an atmosphere, it seems, lends itself well to the description, cited above, of the ‘total state which no longer knows anything absolutely nonpolitical’ (Schmitt, 1976, p 25), which is to say that the political loses its autonomy and becomes conflated with the moral. What then becomes of those who are not ‘persuaded’, who adamantly refuse to ‘participate’? Is ‘sin’ the only category available to describe their behavior? And is there no legitimate political alternative to pure and absolute consensus? Will all dissent and all dissenters who refuse to repent be eternally damned? We know by now what question to ask, and it is a quintessentially Schmittian question: Who decides? Who decides on what is and what is not peace, what is and what is not violence, what is and what is not sin? And we know the answer: the sovereign, here the far from non-coercive sovereignty of the collective known as the Christian community. By extension, the same question can be asked of the other proponents of the ontological priority of nonviolence, that is, of Agamben and of Hardt and Negri. Does negating the presupposition of violence negate the sovereign, or is not the negation itself a sovereign act, one made by the theologian or the philosopher, or by a liberal order that claims to have solved, once and for all, the nihilistic problem of the political?

#### Our alternative is to draw a line in the sand to separate friend from enemy. War is a fundamental part of what constructs our identity, we can only know who we are by the opposition between that what we are not. The arbitary and clear nature of this decision however is essential for a recognition to the validity of the right for enemies to exist.

Rasch 2005 (Lines in the Sand: Enmity as a Structuring Principle

South Atlantic Quarterly Spring 2005 104(2): 253-262; doi:10.1215/00382876-104-2-253)

Schmitt, then, starts from the premise of imperfection and acknowledges an ontological priority of violence. If, he reasons, one starts with the rather biblical notions of sin and guilt, not natural innocence, then homogeneity, being contingent, historical, and not the least natural, must be predicated on heterogeneity. That is, citizenship or participation or community must be constructed, not assumed, and can only be local, circumscribed, not global. One recognizes one’s own in the face of the other and knows the comfort of inclusion only as the necessary result of exclusion—though in modern, functionally differentiated society, those inclusions and exclusions may be multiple, contradictory, and not necessarily tied to place. ‘‘An abso- lute human equality,’’ Schmitt writes in his Crisis of Parliamentary Democ- racy, ‘‘would be an equality without the necessary correlate of inequality and as a result conceptually and practically meaningless, an indifferent equality. . . . Substantive inequalities would in no way disappear from the world and the state; they would shift into another sphere, perhaps separated from the political and concentrated in the economic, leaving this area to take on a new, disproportionately decisive importance.’’6 This, Schmitt’s, is not a popular sentiment, even if it echoes somewhat the Marxist distinc- tion between a political and a social democracy, between a formal and sub- stantial equality. But if one acknowledges that at least within modernity all inclusion requires exclusion, that inclusions and exclusions in addition to being unavoidable are also contingent and malleable, then rather than react with dismay, one might see in this ‘‘logical fact,’’ if fact it is, both the condition for the possibility of dissent and the condition for the possibility of recognizing in the one who resists and disagrees a fellow human being and thus legitimate political opponent, not a Lyon or Tyger or other Sav- age Beast.

For it is not that exclusions are miraculously made absent once distinc- tions are not formally drawn. On the contrary, unacknowledged distinc- tions, and those who are distinguished by them, simply go underground, become invisible, and grow stronger, more absolute, in their violent and explosive force. When the retrograde and condemned distinction between the ‘‘Greek’’ and the ‘‘barbarian’’ becomes a simple, sanguine affirmation of humanity, this ideal affirmation actually turns out to be nothing other than a distinction drawn between all those who, by their right behavior, show themselves to be truly ‘‘human’’ and those who, alas, by their per- verse dissent, have revealed themselves to be evildoers, to be ‘‘inhuman.’’ Deliberate, visible, ‘‘external’’ distinctions that demarcate a space in which a ‘‘we’’ can recognize its difference from a ‘‘they,’’ preferably without marking that difference in a necessarily asymmetrical manner, are to be preferred, in Schmitt’s world, to the invisible and unacknowledged distinctions that mark those who are exemplary humans from those who, by their political dissent, show themselves to be gratuitously perverse. For reasons, then, of making difference visible, Schmitt favors lines drawn in the sand, or, in the ‘‘mythical language’’ used in The Nomos of the Earth, ‘‘firm lines’’ in the ‘‘soil,’’ ‘‘whereby definite divisions become apparent,’’ and, above them, on the ‘‘solid ground of the earth,’’ ‘‘fences, enclosures, boundaries, walls, houses, and other constructs,’’ so that the ‘‘orders and orientations of human social life become apparent’’ and the ‘‘forms of power and domination be- come visible.’’7

### Case

#### Obama is prioritizing capture over drone strikes now

David Corn 13, Washington Bureau Chief at Mother Jones, 5/23/13, “Obama's Counterterrorism Speech: A Pivot Point on Drones and More?,” http://www.motherjones.com/mojo/2013/05/obama-speech-drones-civil-liberties

So Obama's speech Thursday on counterterrorism policies—which follows his administration's acknowledgment yesterday that it had killed four Americans (including Anwar al-Awlaki, an Al Qaeda leader in Yemen)—is a big deal, for with this address, Obama is self-restricting his use of drones and shifting control of them from the CIA to the military. And the president has approved making public the rules governing drone strikes.¶ The New York Times received the customary pre-speech leak and reported:¶ A new classified policy guidance signed by Mr. Obama will sharply curtail the instances when unmanned aircraft can be used to attack in places that are not overt war zones, countries like Pakistan, Yemen and Somalia. The rules will impose the same standard for strikes on foreign enemies now used only for American citizens deemed to be terrorists.¶ Lethal force will be used only against targets who pose "a continuing, imminent threat to Americans" and cannot feasibly be captured, Attorney General Eric H. Holder Jr. said in a letter to Congress, suggesting that threats to a partner like Afghanistan or Yemen alone would not be enough to justify being targeted.¶ These moves may not satisfy civil-liberties-minded critics on sthe right and the left. Obama is not declaring an end to indefinite detention or announcing the closing of Gitmo—though he is echoing his State of the Union vow to revive efforts to shut down that prison. Still, these moves would be unimaginable in the Bush years. Bush and Cheney essentially believed the commander in chief had unchallenged power during wartime, and the United States, as they saw it, remained at war against terrorism. Yet here is Obama subjecting the drone program to a more restrictive set of rules—and doing so publicly. This is very un-Cheney-like. (How soon before the ex-veep arises from his undisclosed location to accuse Obama of placing the nation at risk yet again?)¶ Despite Obama's embrace of certain Bush-Cheney practices and his robust use of drones, the president has tried since taking office to shift US foreign policy from a fixation on terrorism. During his first days in office, he shied away from using the "war on terrorism" phrase. And his national security advisers have long talked of Obama's desire to reorient US foreign policy toward challenges in the Pacific region. By handing responsibility for drone strikes to the military, Obama is helping CIA chief John Brennan, who would like to see his agency move out of the paramilitary business and devote more resources to its traditional tasks of intelligence gathering and analysis.¶ With this speech, Obama is not renouncing his administration's claim that it possesses the authority to kill an American overseas without full due process. The target, as Holder noted in that letter to Congress, must be a senior operational leader of Al Qaeda or an associated group who poses an "imminent threat of violent attack against the United States" and who cannot be captured, and Holder stated that foreign suspects now can only be targeted if they pose "a continuing, imminent threat to Americans." (Certainly, there will be debates over the meaning of "imminent," especially given that the Obama administration has previously used an elastic definition of imminence.) And Obama is not declaring an end to the dicey practice of indefinite detention or a conclusion to the fight against terrorism.

#### Restricting detention policies means we kill and extradite prisoners

Jack Goldsmith 09, a professor at Harvard Law School and a member of the Hoover Institution Task Force on National Security and Law, assistant attorney general in the Bush administration, 5/31/09, “The Shell Game on Detainees and Interrogation,” <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/29/AR2009052902989.html>

The cat-and-mouse game does not end there. As detentions at Bagram and traditional renditions have come under increasing legal and political scrutiny, the Bush and Obama administrations have relied more on other tactics. They have secured foreign intelligence services to do all the work -- capture, incarceration and interrogation -- for all but the highest-level detainees. And they have increasingly employed targeted killings, a tactic that eliminates the need to interrogate or incarcerate terrorists but at the cost of killing or maiming suspected terrorists and innocent civilians alike without notice or due process.¶ There are at least two problems with this general approach to incapacitating terrorists. First, it is not ideal for security. Sometimes it would be more useful for the United States to capture and interrogate a terrorist (if possible) than to kill him with a Predator drone. Often the United States could get better information if it, rather than another country, detained and interrogated a terrorist suspect. Detentions at Guantanamo are more secure than detentions in Bagram or in third countries.¶ The second problem is that terrorist suspects often end up in less favorable places. Detainees in Bagram have fewer rights than prisoners at Guantanamo, and many in Middle East and South Asian prisons have fewer yet. Likewise, most detainees would rather be in one of these detention facilities than be killed by a Predator drone. We congratulate ourselves when we raise legal standards for detainees, but in many respects all we are really doing is driving the terrorist incapacitation problem out of sight, to a place where terrorist suspects are treated worse.¶ It is tempting to say that we should end this pattern and raise standards everywhere. Perhaps we should extend habeas corpus globally, eliminate targeted killing and cease cooperating with intelligence services from countries that have poor human rights records. This sentiment, however, is unrealistic. The imperative to stop the terrorists is not going away. The government will find and exploit legal loopholes to ensure it can keep up our defenses.¶ This approach to detention policy reflects a sharp disjunction between the public's view of the terrorist threat and the government's. After nearly eight years without a follow-up attack, the public (or at least an influential sliver) is growing doubtful about the threat of terrorism and skeptical about using the lower-than-normal standards of wartime justice.¶ The government, however, sees the terrorist threat every day and is under enormous pressure to keep the country safe. When one of its approaches to terrorist incapacitation becomes too costly legally or politically, it shifts to others that raise fewer legal and political problems. This doesn't increase our safety or help the terrorists. But it does make us feel better about ourselves.

#### You know absolutely nothing about what it’s like to be imprisoned in Abu Ghraib or a factory farm- this trivialization dilutes your arguments. Prison abolition can only succeed if it follows the lead of those oppressed – assuming the lived experience of an animal means you cannot queer any binaries between any characteristics

Nagel and Nocella 13 (The End of Prisons: Reflections from the Decarceration Movement edited by Mechthild E. Nagel, Anthony J. Nocella II)

Those in privileged and dominant positions often claim to be allies, but end up dictating what strategies and tactics the oppressed movement adopts. They claim to strive for peace and for everyone to look to make a new future before engaging in social justice and addressing the injustices of the past. This volume speaks to the need for activists to engage in social justice before we can be in a place and space of peace. Without addressing and ending racism, sexism, homophobia, ageism, elitism, stateism, ableism, classism, and specieism, we will never have peace. Moreover, those whoa re privileged and dominant are not in a struggle as those who are oppressed. Thus, those who are privileged and dominant must be willing to risk resistance and fight more for social justice than the oppressed, because they, not the oppressed, are part of the problem (Nocella, 2012). This volume argues that instead, those who are privileged and dominant should follow the lead of, and work with, instead of for those who are oppressed. ¶ Whie the title of the volume has changed, it is still dedicated ot the abolition of all forms of prisons and has three significant purposes (1) to redefine the concept of the carceral in a way that is rooted in the lived experiences within conditions of institutionalization, the mass industrial compled, and various systems of domination; (2) to examine prisons from an interdisciplinary academic-activist approach; (3) to stress that prisons of all kinds must end, including reservations that oppress native peoples, zoos that confine non-human animals, and parks that manicure, cultivate and, in essence, control nature. The abolition of prisons will be difficult and challenging. It might include self defense against acts of murder, torture and rape. Those who are privileged and dominant might not adopt these tactics of self defense because no one is attacking them, but they cannot dictate the struggle or they will perpetuate the oppression. All told, abolition encompasses many aspects of society. Rather than being satisfied with mere reform of systems of oppression, we argue for the complete eradication of systems that have not well served humanity and other sentient and non-sentient beings that have been subject to human forms of domination. In other words, to be a true prison abolitionist, one must understand the complexities of how society has manipulated and dominated people, nonhuman animals, and plants to be exploited in different systems and institutions.

#### Limits are key to their movement – we can’t know the rightness or wrongness of their idea unless we have access to literature on both sides. This undermines support for their advocacy

Underwood, Prof of Communication Studies, 2k1(Psychology of Communication,

http://www.cultsock.ndirect.co.uk/MUHome/cshtml/psy/hovland3.html)

Whether or not you should include arguments for and against your case depends very much on your audience.If you know that they already agree with you, a one-sided argument is quite acceptable. If they areopposed to your point of view, then a one-sided message will actually be less effective, being dismissed as biased. Even if your audience don't know much about the subject, but do know that there are counterarguments (even if they don't know what they are) will lead them to reject your views as biased.Hovland'sinvestigations into mass propaganda used to change soldiers' attitudes also suggests that the intelligence of thereceivers is an important factor, a two-sided argument tending to be more persuasive with the more intelligent audience.

#### The devil is in the details—the mechanism of statutory or judicial restrictions on war powers is the debate. Procedural requirements and their effectiveness determine whether we can or cannot curtail the military.

Dehn 11 John C. Dehn, Assistant Professor, Department of Law, United States Military Academy Temple Law Review Spring, 2011 83 Temp. L. Rev. 599 ARTICLE: THE COMMANDER-IN-CHIEF AND THE NECESSITIES OF WAR: A CONCEPTUAL FRAMEWORK

B. The Constitutional Design and Military Regulation There is little question that the Framers adopted a new approach to command and control of national armed forces. By vesting Commander-in-Chief authority in the President while placing the authority to raise, maintain, govern, and regulate the military in Congress, the Constitution broke with the condition then existing in Great Britain. Alexander Hamilton described the difference as follows:¶ The president is to be commander in chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the king of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy; while that of the British king extends to the declaring of war, and to the raising and regulating of fleets and armies; all which, by the constitution under consideration, would appertain to the legislature. [n57](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n57) While some commentary has suggested that this relative vesting of constitutional powers over the military implies that the President has no power to regulate the military, [n58](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n58) this is clearly inaccurate. The directive authority of military command equates to a near infinite power of internal regulation. [n59](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n59) A commander need not repeatedly issue the same order to assert his or her directive authority over routine tasks. Effective command requires that many directives be made generally applicable and remain in effect until rescinded or superseded. [n60](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n60) Therefore, some power to establish standing orders, or regulations, must necessarily exist. [n61](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n61) As Madison explained, "no axiom is more clearly established in law, or in reason, than that wherever the end is required, the means are authorized; wherever a general power to do a thing is given, every particular power necessary for doing it is included." [n62](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n62) This understanding was later echoed by Chief Justice Marshall in McCulloch v. Maryland. [n63](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n63) [\*613] Equally clear was both Madison and Marshall's belief that these "necessary' powers are implied from the nature of the power expressly granted. [n64](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n64) The general directive authority intrinsic to "military command" is undoubtedly why the Supreme Court has consistently upheld the internal regulatory authority of the Commander-in-Chief and his subordinate commanders. [n65](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n65)

#### Statutory restrictions are legislative

The Law Dictionary 13 “What is Statutory Restriction?, The Law Dictionary: Featuring Black’s Law Dictionary Free Online Legal Dictionary 2nd Edition, Accessed 7-22-2013, http://thelawdictionary.org/statutory-restriction/

What is STATUTORY RESTRICTION?

Limits or controls that have been place on activities by its ruling legislation.

#### Judicial means the courts

American Heritage Dictionary 2k, http://www.thefreedictionary.com/judicial

b. Decreed by or proceeding from a court of justice: a judicial decision.

#### Debate inevitably involves exclusions---making sure that those exclusions occur along reciprocal lines is necessary to foster democratic habits and critical thinking---this process outweighs the content of the aff

Anderson 6—prof of English at Johns Hopkins (Amanda, The Way We Argue Now, 25-8)

25¶ Whether such a procedural approach actually helps to yield any substantive normative guidance is an issue of debate. Habermas has sought to justify communicative ethics through appeal to the principles of respect and reciprocity that he claims are inherent in linguistic practices geared toward reaching understanding. Attempting to redress the overwhelmingly negative forms of critique characteristic of both the Frankfurt School and poststructuralist traditions, he argues that the logocentrism of Western thought and the powerful instrumentality of reason are not absolute but rather constitute “a systematic foreshortening and distortion of a potential always already operative in the communicative practice of everyday life.” The potential he refers to is the potential for mutual understanding “inscribed into communication in ordinary language.” 7 Habermas acknowledges the dominance and reach of instrumental reason—his project is largely devoted to a systematic analysis of the historical conditions and social effects of that dominance—yet at the same time he wishes to retrieve an emancipatory model of communicative¶ ¶ 26¶ reason derived from a linguistic understanding of intersubjective relations. As Benhabib argues, this form of communicative action, embodied in the highly controversial and pervasively misunderstood concept of the “ideal speech situation,” entails strong ethical assumptions, namely the principles of universal moral respect and egalitarian reciprocity (SS, 29).¶ Habermas has famously argued that he does not believe any metaphysical grounding of such norms is possible; he insists instead that we view the normative constraints of the ideal speech community as “universal pragmatic presuppositions” of competent moral actors who have reached the postconventional stage of moral reasoning. Habermas’s theory combines a “weak transcendental argument” concerning the four types of validity claims operative in speech acts with an empirical reconstruction of psychosocial development derived from Lawrence Kohlberg. Benhabib, though she, too, appeals to socialization processes, distinguishes her position from Habermas’s “weak transcendental argument” by promoting a “historically self-conscious universalism” that locates the ethical principles of respect and reciprocity as “constituents of the moral point of view from within the normative hermeneutic horizon of modernity” (SS, 30). Benhabib’s work thus constitutes, like Habermas’s, a strong defense of specific potentialities of modernity. She differs from him in two key respects, besides the emphasis already outlined. First, she believes that Habermas’s emphasis on consensus seriously distorts his account of communicative ethics. Like others who have argued against the conflation of understanding and consensus, Benhabib champions instead a discourse model of ethics that is geared toward keeping the conversation going:¶ When we shift the burden of the moral test in communicative ethics from consensus to the idea of an ongoing moral conversation, we begin to ask not what all would or could agree to as a result of practical discourses to be morally permissible or impermissible, but what would be allowed and perhaps even necessary from the standpoint of continuing and sustaining the practice of the moral conversation among us. The emphasis now is less on rational agreement, but more on sustaining those normative practices and moral relationships within which reasoned agreement as a way of life can flourish and continue. (SS, 38)8¶ ¶ 27¶ The second significant difference between Habermas and Benhabib is that Benhabib rejects Habermas’s rigid opposition between justice and the good life, an opposition that effectively relegates identity-based politics to a lower plane of moral practice, and that for Benhabib undercuts our ability to apprehend the radical particularity of the other. While she believes in the importance of self-reflexive interrogations of conventional identities and roles, she strongly opposes any ethics or politics that privileges the unencumbered or detached self over the concrete, embodied, situated self. She argues in particular against those liberal models that imagine that conversations of moral justification should take place between individuals who have bracketed their strongest cultural or social identifications and attachments. Instead she promotes what she calls an “interactive universalism”:¶ Interactive universalism acknowledges the plurality of modes of being human, and differences among humans, without endorsing all these pluralities and differences as morally and politically valid. While agreeing that normative disputes can be settled rationally, and that fairness, reciprocity and some procedure of universalizability are constituents, that is, necessary conditions of the moral standpoint, interactive universalism regards difference as a starting point for reflection and action. In this sense, “universality” is a regulative ideal that does not deny our embodied and embedded identity, but aims at developing moral attitudes and encouraging political transformations that can yield a point of view acceptable to all. Universality is not the ideal consensus of fictitiously defined selves, but the concrete process in politics and morals of the struggle of concrete, embodied selves, striving for autonomy. (SS, 153) ¶ This passage encapsulates the core of Benhabib’s position, which attempts to mediate between universalism and particularism as traditionally understood. On the one hand, universalism’s informing principles of rational argumentation, fairness, and reciprocity adjudicate between different positions in the ethicopolitical realm, enabling crucial distinctions between those notions of the good life that promote interactive universalism and those that threaten its key principles. It insists, in other words, that there is a specifiable moral standpoint from which—to take a few prominent examples—Serbian aggression, neo-Nazism, and gay bashing can be definitively condemned. On the other hand, universalism “regards difference as a starting point.” It understands identity as “embodied and embedded” and promotes encounters with otherness so as to nurture the development of a moral attitude that will “yield a point of view acceptable to all.”¶ Of course it must simultaneously be recognized that the “all” here cannot coherently include those who have, according to universalism’s own principles, forfeited their place as equal participants in the ethicopolitical¶ ¶ 28¶ community. Ironically, then, Benhabib’s redefinition of universalism insists on inevitable exclusion, but not in the sense that many poststructuralist and postmodernist cultural critics do, as the hardwired effect of universalism’s false claims to inclusiveness, and as victimizing those disempowered by race, class, gender, or sexuality. Against naive conceptions of inclusiveness and plurality, which ultimately prove self-undermining in their toleration of communities, individuals, and practices that exclude others arbitrarily, interactive universalism claims that certain exclusions are not only justified, but indeed required by the principles of recognition and respect that underpin democratic institutions and practices.

#### Failure to assign Us/Them dichotomies explodes into violent conflict because we wage warfare strictly on moral grounds

Rasch 5 (William, Henry H. H. Remak Professor of Germanic Studies at India University, South Atlantic Quarterly, 104:2, AD: 6/21/10) jl

For it is not that exclusions are miraculously made absent once distinctions are not formally drawn. On the contrary, unacknowledged distinctions, and those who are distinguished by them, simply go underground, become invisible, and grow stronger, more absolute, in their violent and explosive force. When the retrograde and condemned distinction between the ‘‘Greek’’ and the ‘‘barbarian’’ becomes a simple, sanguine affirmation of humanity, this ideal affirmation actually turns out to be nothing other than a distinction drawn between all those who, by their right behavior, show themselves to be truly ‘‘human’’ and those who, alas, by their perverse dissent, have revealed themselves to be evildoers, to be ‘‘inhuman.’’ Deliberate, visible, ‘‘external’’ distinctions that demarcate a space in which a ‘‘we’’ can recognize its difference from a ‘‘they,’’ preferably without marking that difference in a necessarily asymmetrical manner, are to be preferred, in Schmitt’s world, to the invisible and unacknowledged distinctions that mark those who are exemplary humans from those who, by their political dissent, show themselves to be gratuitously perverse. For reasons, then, of making difference visible, Schmitt favors lines drawn in the sand, or, in the ‘‘mythical language’’ used in The Nomos of the Earth, ‘‘firm lines’’ in the ‘‘soil,’’ ‘‘whereby definite divisions become apparent,’’ and, above them, on the ‘‘solid ground of the earth,’’ ‘‘fences, enclosures, boundaries, walls, houses, and other constructs,’’ so that the ‘‘orders and orientations of human social life become apparent’’ and the ‘‘forms of power and domination become visible.’’7 In Nomos, Schmitt describes the now much maligned and seldom mourned European nation-state systemas ‘‘the highest form of order within the scope of human power’’ (187). Historically, the territorial state developed as a response to the religious civil wars of the sixteenth and early seventeenth centuries. Once thought of as a unity called Christendom, Europe became fractured by the events of the Reformation and Counter- Reformation. The old asymmetrical distinction between believers and nonbelievers that governed the relationship not only between Christians and non-Christians, but also between Christian orthodoxy and heresy, now threatened to regulate the distinction between Catholics and Protestants. Yet, miraculously (one might be tempted to say), with the conclusion of religious warfare in 1648, a symmetrical relationship among the European nation-states prevailed—in theory, if not always in fact. It is this symmetrical ordering of internally differentiated Europe that Schmitt highlights. In effect—and Hobbes had already described it in these terms—the war of all individuals against all individuals in the state of nature, which perennially threatens to resurface within the state as civil discord, is elevated into a war of all states against all states in a second-order state of nature.

Rejection of universal system of ethics is a genuine gesture of accepting alterity

Secomb 00 (Linnell, Prof of Philosoophy and Gender Studies at the G of Sydney, Hypatia, Vol. 15, No. 2, Going Australian: Reconfiguring Feminism and Philosophy (Spring, 2000), pp. 133-150, AD: 6/21/10)

Thiscommunityof singular beings, who are exposed to each other in the sharing of community and attain existence in the context of this exposure,is not an entity or astatic essence**.** Neither is it a common project or a joint production by human existences. Community is not a work or a project constructed together after negotiated agreement. Community**,** Nancy suggests, "cannot arise from the domain of work. One does not produce it, one experiences or one is constituted by it as the experience of finitude" (1991, 31). Community, then, is not a common work or project but is a sharing which is never completed.Thisincompletion does not imply lack butsuggests the ongoing, never completed, activity of sharing**.** Community is an incompletion always in process; an unworking, unraveling, unbecoming: "Incompletion is its 'principle,' .. , a workless and inoperative activity. It is not a matter of making, producing or instituting a community; . . . it is a matter of incompleting its sharing. Sharing is always incomplete" (Nancy 1991, 35).Communityis not a productive project of becoming, a social contract produced by citizens. Itis a sharing of singularities who are together unbecoming and unbinding in their sharing and social binding. This unworking is the refusal of unity. It is resistance to totalizing communion**.** Nancy suggests thatfascism annihilates community by destroying difference but that there is always a resistance to this destruction**.** "[T]he fascist masses," Nancy writes, "tend to annihilate community in the delirium of an incarnated communion.... [C]ommunity never ceases to resist this will.Community is,in a sense, resistanceitself: namely, resistance to immanence"(Nancy 1991, 35).These characteristics of community**--**its pre-existence whichevokes the[End Page 141]being of singularity as an inclining towards others, its revelation of finitude as the structure of self and others in the sharing of community, and its incompletion and unbinding--constitute an understanding of community which belies the assumptions of universalist formulations of the political body**.** Instead of community understood as a contract or a "reasonable agreement" between individuals, herecommunity is understood as the sharing and interrelation that allows the human existence to be**.** Rather thancommunityunderstood as a common work or project of similar citizens, itisan unworking or unbecoming that isthe incompletion of sharing and exposure of alterities. As a result,community as limit and finitude replaces community understood as a communion or union of individuals.

### A2: Perm

#### Links are DA’s to the permutation

#### The alt is not the status quo intervention—

#### The permutation severs out of framing of the 1ac—that’s a voting issue—severance skewers negative ground and makes debate impossible.

Framing politics with an ethical theology destroys the political – the alternative must stand alone

Rasch 04 (William, Prof. of German Studies, Indiana U, Sovereignty and its Discontents, Birkbeck Law Press, pg. 3-4)

In opposition to the near universal pressure to abolish the pesky complexity of the political, the aim of this volume is to reject every resurrection of eschatological desire, and to affirm conflict as the necessary and salutary basis of political life. To this end, the work of Carl Schmitt can be of considerable help. One must be clear, however, that the term most often associated with his thought – namely political theology – is not a term that can be sensibly used to describe his own best work. When, in 1922, Schmitt writes that ‘all significant concepts of the modern theory of the state are secularized theological concepts’(Schmitt, 1985b, p 36), he makes an analogous claim about the modern political state to the one Max Weber had already made nearly two decades earlier about the modern money economy.2 Just as wealth, industriously achieved, serves as a sign of grace for the Puritansin early modern Europe (and the Massachusetts Bay Colony), so too the sovereign, as a mortal God, mimics divinity. But God and grace soon become mere power and market value,and Schmitt’s and Weber’s emphases center on the necessities of this secularization, on the profane, not the sacred, on the political and the economic, not the theological. Their focus is on the butterfly, so to speak, not the caterpillar. Schmitt and Weber, each in their own way, may have recoiled from the effects of neutralization and rationalization, even preached the occasional Jeremiad against the vacuous sterility of the modern wasteland, but, as both recognized and clearly stated, by at least the end of the eighteenth century neither the monopolization of power nor the accumulation of wealth were thought to guarantee salvation, or even hint at special dispensation when it came to God’s favors. If capitalism was born from the spirit of Protestantism, it was, for all that, capitalist, not Calvinist. And if the concepts of the modern theory of the state still carried the traces of their ethereal origin, they were nonetheless political concepts, and these traces had been thoroughly profaned. In short, the political for Schmitt was no more theological than money was for Weber. And it made absolutely no sense to be nostalgic for an imagined other space or fulfilled time in which the sacred and the profane were united. Indeed, it was for the autonomy of the political against the prevailing political theologies, the religions of humanity called socialism and liberalism, that Schmitt waged his conceptual warfare. Thus, if one wants to insist on referring to Schmitt as a political theologian, it is because he made a religion out of the political – out of the distinction, that is, between the theological and the political – and not because he sought either the spirit or the authority of the divine in the power and violence that is the mundane world of politics. It behooves us, therefore, to examine, briefly, the nature of this autonomy before we move on to the more detailed examinations of the structure of the political in the chapters that follow.