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#### “Before the drone strikes started, my life was very good. I used to go to school and I used to be quite busy with that, but after the drone strikes, I stopped going to school now. I was happy because I thought I would become a doctor. … Before [the strike], my life was normal and very good because I could go anywhere and do anything. But now I am not able to do that because I have to stay inside. . . . Sometimes I have really bad headaches. . . . [and] if I walk too much [on my prosthetic legs], my legs hurt a lot. [Drones have] drastically affected life [in our area].”

#### Sadullah Wazir, teenager and former student from North Waziristan

#### Stanford International Human Rights and Conflict Resolution Clinic (IHRCRC) and Global Justice Clinic (GJC) at NYU School of Law 2012 [February, Living Under Drones, “Victim Stories” http://www.livingunderdrones.org/victim-stories/]

#### Let me begin by saying I do not know Sadullah – nor do I know anyone directly affected by drones, targeted killing, or indefinite detention.

#### This is because I speak from a position of privilege – my personal privilege is what allows me to come to this debate space, to travel here to have this debate, to attend UGA – all of these environments, similar to the privileged environments I grew up in, have shaped my experiences and patterns of thought.

#### While we are privileged, we wish to use our position within this debate space to deconstruct exactly what allows the United States to target Sabdullah and other dark-skinned groups categorized as “Muslim.”.

#### Drones are expanding globally, killing thousands of innocent civilians – failure to question causes a permanent, escalating use

Kebriaei 12 -- Senior Attorney, Center for Constitutional Rights; lead counsel for CCR in Al-Aulaqi v. Panetta (Pardiss, Fall 2012, "POLICY ESSAY: The Distance Between Principle and Practice in the Obama Administration's Targeted Killing Program: A Response to Jeh Johnson," 31 Yale L. & Pol'y Rev. 151, L/N)

Introduction On December 17, 2009, a U.S. cruise missile struck a village in southern Yemen, killing forty-one members of two families - half of whom were children, n1 ages one to fifteen. n2 The target was an alleged al Qaeda-affiliated training camp in the same region, n3 but according to the Yemeni parliamentary committee that investigated the strike, "there were errors in the geographic coordinates and the determination of the location." n4 The United States initially refused to comment, while Yemeni authorities claimed that it had been their own fighter [\*152] jets that had killed dozens of "militants" in simultaneous operations. n5 Nearly a year after the strike, however, the media reported government cables obtained by Wikileaks that made the United States' role clear: during a conversation between former CIA Director David Petraeus and then-Yemeni President Ali Abdullah Saleh, the Yemeni leader assured Petraeus that the Yemenis would "continue saying the bombs are ours, not yours." n6 The attack in al-Majalah was the second known U.S. strike in Yemen since 9/11, n7 and the first authorized by the Obama Administration. n8 Since then, the United States has carried out dozens of operations in Yemen as part of an **expanding program of "targeted killing**." n9 While the government deployed cruise missiles in the strike in al-Majalah in 2009 and today relies largely on unmanned drones in targeted killing operations, its underlying claim of authority is the same - that pursuant to the Authorization for the Use of Military Force n10 [\*153] passed by Congress in response to 9/11 and pursuant to international law, n11 the United States may kill suspected terrorists outside of the usual constraints on the use of lethal force, potentially **anywhere targets may be found**. As high-ranking Administration officials have discussed, n12 the government may conduct such killings on the premise of a global armed conflict with al Qaeda, the Taliban, and "associated forces," and as a matter of national self-defense. Conducted by the CIA and the covert Joint Special Operations Command (JSOC) of the U.S. military, these operations target individuals not just in the battlefield in Afghanistan, but also routinely or increasingly in Pakistan, Yemen, Somalia, and perhaps beyond. n13 The program that President Obama claims to keep tethered "on a very tight leash" n14 has nonetheless **killed between 2,000 and 4,000 people**, according to various estimates, n15 though the Administration refuses to [\*154] release its own data. Indeed, the CIA still maintains in litigation that the program's very existence is a secret that it can neither confirm nor deny. n16 In discussing the Administration's counterterrorism strategy during his address at Yale Law School in February 2012, n17 Jeh Johnson, then the General Counsel of the U.S. Department of Defense, articulated several sound statements of principle and policy, but none account for the Obama Administration's targeted killing program. This Essay traces the distance between principle and practice with respect to four aspects of that program: the premise of a world-ranging armed conflict, the scope of who can be targeted, the Administration's continued withholding of information, and its opposition to judicial review. I. Indefinite Worldwide War "All of us recognize that this should not be the normal way of things ... ." n18 For more than eleven years, the United States has been involved in a declared "war on terror" n19 or "armed conflict with Al Qaeda." n20 The full costs [\*155] cannot be quantified, but tens of thousands of people have been killed n21 and detained, n22 millions have been displaced, n23 and trillions of dollars have been spent and committed. n24 Public opposition to the war in Afghanistan reached an all-time high last year, and individuals from across the political spectrum now agree that the United States should end its involvement in that conflict - the longest in U.S. history. n25 But even as the Administration signals a weakening al Qaeda n26 and moves to withdraw from Afghanistan, and even as President Obama assures that after "more than a decade under the dark cloud of war ... we can see the light of a new day on the horizon," n27 the Administration admits that its global war with al Qaeda will continue. n28 Recent interviews with senior Administration [\*156] officials suggest that the "war" has only reached its "midpoint," and evidence shows that the Administration is ramping up, not winding down, the targeted killing program. n29 Despite the rhetoric of a new day dawning, officials acknowledge that the targeted killing program is "something that is potentially indefinite." n30 As Johnson recognized, this should not be the "normal way of things." n31 Armed conflict is an exceptional situation, defined as intense violence between organized armed groups. n32 Those exceptional conditions trigger exceptional [\*157] rules - the laws of war - that permit deprivations of life and liberty that would normally be prohibited. n33 T/he resort to armed force as a means of self-defense - the Administration's additional rationale for targeted killing n34 - is also an extreme measure, one traditionally reserved to justify an armed response to an "armed attack." n35 The international community intended for the international law of war and self-defense to apply in limited, extraordinary circumstances. n36 Yet the Administration claims the authority to apply these rules globally and indefinitely in carrying out a U.S. killing program that has been escalating for years. n37 [\*158] The geographic scope of the program is expanding in part because of whom the Administration believes it can target in connection with its armed conflict. Outside of Afghanistan, the targets are largely "associated forces" of al Qaeda that the Administration asserts are "cobelligerents," analogizing controversially to the relationship between third-party states and warring parties in situations of international armed conflict. Even if the analogy were appropriate, it is far from clear that the groups at issue are sufficiently organized and "associated" with al Qaeda to render them cobelligerents under international law. To the extent these groups are untethered to the armed conflict between the United States and al Qaeda, the laws of war do not apply. Domestic and international human rights law is the correct framework. Outside of the United States, this is not controversial. It is the framework that the international community has generally recognized as appropriate for dealing with acts of terrorism, and the one that close allies of the United States have applied in responding to attacks on their own soil, including after 9/11. Indeed, it is the framework the United States itself upheld in condemning targeted killings by other countries before 9/11. n38 The broad geographic scope of the program is also based on the Administration claims that the laws of war permit the United States to target individuals **potentially anywhere they are located**, even in areas that do not exhibit the battlefield conditions that justify those exceptional rules. n39 That position is not only highly legally contested, n40 including by some of the United States' closest [\*159] allies, n41 but also dangerous: according to the International Committee of the Red Cross, "the notion that a person "carries' a [noninternational armed conflict] with him when he moves to the territory of a nonbelligerent state should not be accepted." n42 Accepting such a view, and the attendant "proposition that harm or damage could lawfully be inflicted on [civilians or civilian objects] in operation of the [International Humanitarian Law] principle of proportionality because an individual sought by another state is in their midst ... would in effect mean recognition of the concept of a "global battlefield.'" n43 The Administration has responded to accusations that it employs armed force "whenever or wherever [it] wants" by citing respect for other nations' sovereignty as a constraint on its own actions. n44 Indeed, the UN Charter protects the right to state sovereignty and generally prohibits one nation from using aggressive force in another's territory. n45 The Charter does establish a narrow exception to this prohibition: a nation may use extraterritorial force to respond in self-defense to an "armed attack." n46 But the Administration's interpretation of "self-defense" has significantly broadened that exception. First, where a foreign [\*160] state has not consented to the use of force, the Administration asserts that it may nevertheless use force if that state is "unable or unwilling to deal effectively with a threat to the United States." n47 Whether force is permissible in "unable or unwilling" situations is an unsettled question, n48 but even scholars who view the test as proper argue that it is too indeterminate to serve as a meaningful constraint. n49 Second, while state practice supports the use of force in response to an imminent threat of armed attack - where "the necessity of ... self-defence is instant, overwhelming and leaving no choice of means, and no moment of deliberation" n50 - the Administration has argued for the oxymoronic notion of "elongated imminence." n51 Even when the use of force does not violate a state's sovereignty, however, the question of whether it violates the rights of the targeted individual and bystanders is separate and distinct. n52 Unless targeting [\*161] occurs in the context of armed conflict, the laws of war do not apply, and the legality of the killings depends instead on domestic and international human rights law. n53 While the Administration's broad and tenuous legal interpretations have thus helped to "sustain[] a seemingly **permanent war" through the targeted killing program**, n54 the peculiarities of the Administration's new weapons arsenal also play a role. Precision-guided munitions and unmanned drones have made killing cheaper and easier than ever before. n55 Remote-controlled, unmanned drones render **domestic blowback from troop casualties a nonissue**. n56 The accretion of foreign casualties, though steady, is slow and, moreover, denied by the government. Indeed, the continuing opacity surrounding the targeted killing program allows the Administration to continue insisting that only "militants" are being killed. Finally, the advanced technical capabilities of drones can lead to a **dangerous conflation of precision with lawfulness and legitimacy**. n57 As some scholars have warned, **drones create the potential for perpetual asymmetric war**.

#### Targeted killing is a throwback to Vietnam – death metrics and precise tech seduce the public into going along willingly

McCrisken 13 -- Associate Professor in Politics and International Studies at the University of Warwick, and Chair of the British American Security Information Council, an independent organisation focused on encouraging sustainable transatlantic security policies (Trevor, 4/3/2013, "Obama's Drone War," Survival: Global Politics and Strategy 55(2), EBSCO)

Washington’s growing reliance on targeted killing suggests that the success of its counter-terrorism campaign is increasingly **measured by the number of suspects killed in drone attacks**. This emphasis on death statistics is problematic for many reasons. On a practical level, there is uncertainty about the accuracy of reported casualty figures. Since drone strikes in Pakistan remain classified, the only corroboration of such statistics comes from media reports based on statements by anonymous administration offi - cials or civilians in targeted areas. The veracity of such reports is open to dispute. Obviously, dead suspects are unable to prove their innocence, counter claims that they are an ‘imminent threat’ to the United States and its secu - rity interests, or dispute their alleged connection to terrorist groups. In the Vietnam conflict, US forces often made the assumption after a battle or lethal encounter that any dead Vietnamese should be counted as an enemy kill. Similarly, in Obama’s drone campaign, where the remoteness of the target site often precludes any post-attack investigation, terrorism suspects are usually assumed to have been terrorists once they are dead. According to several administration officials, Obama and his advisers in the White House and the CIA use a method for counting civilian casualties that ‘in effect counts all military-age males in a strike zone as combatants ... unless there is explicit intelligence posthumously proving them innocent’. 70 In August 2011, such methods enabled CIA officers quoted in the New York Times to claim that the targeted-killing campaign in Pakistan had killed 600 militants without any civilian casualties in over a year. In June 2011, Brennan made a similar claim in reference to the preceding 11 months, and credited this alleged success to the accuracy of drone technology: ‘there hasn’t been a single collateral death because of the exceptional proficiency, precision of the capabilities we’ve been able to develop’. 71 Such claims were challenged by groups like the Bureau of Investigative Journalism at City University in London, which drew on media accounts and witness testimonies that suggest the attacks resulted in substantial civil - ian casualties. 72 A New York Times editorial in August 2011 acknowledged their research, and concluded that the administration’s claims are hard to believe ... The United States needs to be honest about what it can do and about its failings as well. It will have little ground on which to fault other countries for strikes that cause civilian casualties if it does not own up to its own errors, compensate victims’ families and keep working hard to make fewer errors in the future. 73 Even when drone victims are proven to be members of al-Qaeda, the lack of interrogation and trial prevents a thorough assessment of their role in the organisation. It is frequently impossible, therefore, to verify claims by admin - istration officials that high-level operatives have been killed and terrorist command structures significantly impaired. With no reliable independent verification, let alone public exploration of the evidence held against those killed, such claims can only be taken at face value and depend on placing a lot of faith in the ability of intelligence services to act effectively and appro - priately. Even within the Obama administration, there was concern about adding relatively minor al-Qaeda figures to the kill list. William Daley, the president’s former chief of staff, described the internal discussion: ‘one guy gets knocked off, and the guy’s driver, who’s no. 21, becomes 20? At what point are you just filling the bucket with numbers?’ 74 In some ways, the targeted killing campaign is a **throwback to measures adopted in the Vietnam conflict**, such as ‘body counts’ and ‘kill ratios’. These methods for gauging success in a conflict where more traditional measures, such as clear territorial gains, were not possible raised the same sorts of practical questions as those identified above. They also contributed to the sense among many of the war’s opponents that it was being conducted in immoral ways that contradicted the core values the United States was sup - posedly promoting. Journalist Frances FitzGerald’s statement that in the Vietnam conflict, ‘death and destruction [had] some **absolute value in terms of winning the war’** may also be applied to the administration’s handling of the ‘war on terror’. 75 In September 2011, Brennan said that the administra - tion’s attempt to base its counter-terrorism policy on values has significant consequences for its likelihood of success: Governments around the globe are more likely to provide us with intelligence we need to disrupt ongoing plots; they’re more likely to join us in taking swift and decisive action against terrorists; and they’re more likely to turn over suspected terrorists who are plotting to attack us, along with the evidence needed to prosecute them ... Where terrorists offer injustice, disorder and destruction, the United States and its allies stand for freedom, fairness, equality, hope and opportunity. 76 Such claims seem open to charges of hypocrisy in the context of the administration’s targeted-killing campaign. Its apparent preference for kill- not-capture risks deepening anger directed at the United States in many areas of the world, and may preclude conciliatory actions, such as talks with Taliban and al-Qaeda leaders. The campaign also threatens to damage the United States’ relations with its allies, not least those in Islamabad. Targeted killing using unmanned drones has become the centrepiece of Obama’s counter-terrorism campaign. The administration claims that the campaign is highly effective and reflects US values more fully than the practices of the Bush administration. Doubts remain about these claims, but the use of drones does appear **highly seductive**. The US is being drawn **deeper into a form of warfare** that apparently offers a precise method for eradicating terrorist threats, even in the most remote areas of the globe. The increasing use of drones could make the war a costless exercise in terms of US casualties. Nonetheless, since the use of remotely operated drone attacks **obscures the** political and **moral consequences of lethal force,** the risk of the campaign against terrorism becoming a **perpetual war is** **ever greater**.

#### However this is not unique to drones – US indefinite detention represents the continuation of the imperial legacy

Van Bergen 6 -- Adjunct Faculty at Santa Fe Community College (Jennifer, 2006, "The Dangerous World of Indefinite Detentions: Vietnam to Abu Ghraib," Case Western Reserve Journal of International Law, 37(2/3), Galileo)

Although Vietnam may be and often is seen as a shameful episode in our history, it is clear that **we are now repeating that history**. Yale Law Professor Harold H. Koh wrote in 1990 about the Iran-Contra Affair:' If the Iran-contra committees had looked past Watergate to the Vietnam era, they would have seen that the Iran-contra affair was only the tip of a much larger iceberg that crystallized during the Vietnam War. All of the congressional-executive struggles that surrounded the affair merely replicated battles that transpired during that earlier period. That history should have repeated itself across so many spheres of foreign affairs, even after Congress has passed so many statutes to avoid repetition of the Vietnamera evasions, suggests that the Iran-contra affair exposed systemic, rather than localized, problems in the American foreign-policy process.(FN279) According to Koh, executive seizure of the initiative in foreign affairs can be said to arise from the fact that under our Constitution, the president may more easily do so than may Congress. Koh notes that, beginning with President Franklin Roosevelt's initiation of "extrovert" foreign policy, "[a]n entire generation of Americans grew up and came to power believing in the wisdom of the **muscular presidential leadership of foreign policy**."(FN280) "Yet," Koh notes, "Vietnam caused an entire generation to rethink its attitude toward foreign policy. National elites became less willing to intervene to defend other nations and to bear the costs of world leadership."(FN281) "Why, then, have presidential initiatives not only continued, but **appeared to accelerate,** during the post-Vietnam era?"(FN282) Koh believes that "America's declining role as world hegemon has forced changes in the postwar structure of international institutions, which have in turn stimulated further presidential initiatives."(FN283) A shift has also **taken place in the public mind**. "The rise of new and unanticipated problems not subject to the control of any nation-state, such as global terrorism and the debt crisis, have increasingly forced the United States into a reactive international posture. Given the president's superior institutional capacity to initiate governmental action, the burden of generating reactive responses to external challenges has almost invariably fallen on him."(FN284) According to Koh, "[t]he same public opinion that has empowered the plebiscitary president has simultaneously subjected him to almost **irresistible pressures to act quickly in times of real or imagined crisis**."(FN285) Koh attributed what he saw in 1990 as "the recent wave of treaty breaking and bending" as a reflection of a "reactive presidential role in leading both America's flight from international organizations and its movement toward alternative mechanisms of multilateral cooperation."(FN286) Koh cites "President Reagan's use of short-term military strikes and emergency economic powers (to respond to terrorism); longer-term military commitments in Lebanon and the Persian Gulf (to respond to requests for peacekeeping); arms sales (to respond to military tensions in the Middle East); and covert actions (to effectuate neo-containment policies in Central America and Angola) [as reflections of] the modern American perception that crisis situations uniquely demand a presidential response."(FN287) Whatever the reasons for "presidential initiative," it is clear that such initiative is at the bottom of the abuses found behind the present detentions of combatants. It is clear that, whether or not we should require presidents rather than Congress to be responsible for creating and carrying out foreign policy, the President now is responsible for those things and thus cannot claim both to lead the nation and simultaneously evade responsibility for the egregious acts of subordinates who follow his policies. Having issued orders that intentionally evade and violate the central international laws relating to detention and status determination of belligerents, having sanctioned indefinite detentions and interrogations that violate those same laws, which ultimately led to torture and murder committed by soldiers and military intelligence personnel, the President and his advisers are ultimately responsible for the consequences of those violations. They may not evade such responsibility merely by stating that laws do not apply, or as Charles B. Gittings of the Project to Enforce the Geneva Conventions put it recently in an amicus curiae brief in the Guantanamo Bay Detainee Cases, they may not "commit war crimes with impunity [simply] because they are responsible for enforcing the laws."(FN288)

#### These indefinite detentions are based on racial fear – perpetuates unequal systems of power

Roberts 7 -- Associate Professor of Philosophy at East Carolina University (Rodney C., Oct 2007, "The American Value of Fear and the Indefinite Detention of Terrorist Suspects," Public Affairs Quarterly 21(4), JSTOR)

In addition to the fear of terrorist attack, the appeal to fear for indefinite detention also includes an **implicit appeal** to racial fear. Racial fear adds to the argument's psychological overlay, thus rendering it **stronger and more efficacious**. With the addition of racial fear the U.S. rationale now includes both varieties of political fear posited by Corey Robin. One mode of fear includes "the definition and interpretation by political leaders of public objects of apprehension and con- cern." The primary constituency for this sort of fear is "the nation or some other presumably cohesive community, and its primary object a foreign enemy or some other approximation of the alien, like drugs, criminals, or immigrants." A second mode of political fear "arises from the social, political, and economic hierarchies that divide a people. Though this fear is also created, wielded, or manipulated by political leaders, its specific purpose or function is internal intimidation, to use sanctions or the threat of sanctions to ensure that one group retains or augments its power at the expense of another."41 This kind of fear grows out of, and **helps to perpetuate**, inequities of wealth, status, and power in our society. Indeed, according to Robin, this sort of fear "is so closely linked to society's various hierarchies - and to the rule and submission such hierarchies entail - that it qualifies as a basic mode of social and political control."42 The fear at work in the indefinite detention rationale has value because it evokes the near-universal first sort of political fear.43 Many will no doubt agree that the U.S. has never had a greater single event as a public object of concern than the attacks of September 11, 2001. But there is also a sense in which the fear at work here has a **particularly American value**. Since there is a clear sense in which slavery is the genesis of racial injustice in America,44 and since this fear is partly rooted in America's history of racial injustice, there is a sense in which the racial fear implicit in the indefinite detention rationale is a particularly American value. Such implicit appeals to racial fear are regularly made in the U.S. and serve as **unspoken justification** for the perpetration of injustices against those who have been targeted by the dominant society. The much-publicized case of Charles Stuart is a case in point. Stuart claimed that a black man armed with a revolver "accosted" him and his wife Carol as they left a Massachusetts hospital following a child-birthing class. Stuart claimed that the robber "ordered him to drive to an isolated section of the racially mixed Mission Hill district [of Boston] where [the man] shot and robbed them. Police mounted an intense search for the killer in Mission Hill and the predominantly black Roxbury neighborhood. Black community leaders in Mission Hill complained that police were indiscriminately stopping and frisking 20 black men a day." In the end it was discovered that Stuart had shot himself in the abdomen and mortally wounded his wife, who was seven months pregnant, by shooting her point blank in the head. Boston's black community had felt the force of police persecution "for more than two months as the result of a lie."45 But what if "Charles Stuart had described a white person as his wife's killer. Would the case have become national news? Would the police have searched Charlestown for the white everyman? Or would such a violation of individual rights not have been tolerated?"46 The black experience in America tells us that the answer to these questions are clearly "no," "no," and a resounding "yes!" Paradigmatic of the racial fear phenomenon in America is the "white fear that black men will ravish white women," the "historical practice of lynching black men for alleged sexual offenses against white women," and the "ever-present social taboo regarding interracial sexual relations."47 This "myth of the black rapist" is grounded in the view that, because of the bestial nature of their race, black men are naturally prone to rape. "In the history of the United States, the fraudulent rape charge stands out as one of the most formidable artifices invented by racism. The myth of the Black rapist has been methodically conjured up whenever recurrent waves of violence and terror against the Black community have required convinc- ing justifications."48 A classic in successful appeals to political fear that includes an implicit appeal to racial fear and that invokes the fear of the black rapist can be found in the political ads of 1988. William R. Horton, a black man "who was in jail for murder in Massachusetts in 1986, was released on a furlough. After being released, he invaded a home in Maryland where he raped a [white] woman and stabbed her fiancée. Horton had been on a weekend furlough which was part of an experiment in the criminal justice program of then-Governor Michael Dukakis."49 An entire series of television ads began in September 1988 as part of the Bush campaign against Dukakis. Often referred to as "Willie" Horton in the ads, his case and his image were used as symbols of "the terrors of crime in a fear appeal argument."50 One ad "invites the false inference that 268 murderers jumped furlough to rape and kidnap;" but Horton is the only one who fits this description.51 "Helping propel the false generalization from the isolated case of Horton to hordes of others who presumably did what he had done were complex and unspoken references to race."52 The ad encouraged "unwarranted fears about blacks raping and murdering whites."53 The use of Horton "shaped the visual por- trayal of crime in network news in ways that reinforced the mistaken assumption that violent crime is disproportionately committed by blacks, disproportionately committed by black perpetrators against white victims, and disproportionately the activity of black males against white females."54 For many, every "Arab looking" man with a darker-than-white complexion is **subject to candidacy as a potential terrorist**. This phenomenon can still be witnessed today at airport security check-points throughout the U.S. Like the black accused who "needs only to be 'seen' to be guilty of a prior offense," his color is part of the evidence that connects him to terrorism.55 Expressions like "rag head" and "camel jockey" may imply references to religion, customs, etc. However, the expressions "dune coon" and "sand nigger" are clear signs that the racial fear implicit in the rationale for indefinitely detaining "terrorist suspects" has some grounding in the history of racial injustice in America. Ironically, like the "Willie" Horton ads, these phrases entered our vernacular around the time of the Bush administration of almost two decades ago. Finally, the U.S. imprisonment of Japanese Americans in part because of race helps to explain the imprisonment of the men at Guantánamo. It also lends sup- port to the idea that the appeal to fear for indefinite detention includes an implicit appeal to racial fear. Although Franklin Roosevelt made no mention of Japanese Americans in his Executive Order 1066, it was nevertheless apparently clear to a majority of Americans which people were to be the objects of the order. As a means of ensuring "every possible protection against espionage and against sabo- tage to national defense material, . . . premises and . . . utilities," he "authorized and directed] the Secretary of War, and the Military Commanders whom he may from time to time designate, whenever he or any designated Commander deem such action necessary or desirable to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which ... the right of any person to enter, remain in, or leave shall be subject to whatever restriction the Secretary of War or the appropriate Military Com- mander may impose in his discretion."56 Given the history of race in America it is hardly surprising that the order did not inspire large-scale imprisonments of white Americans. The Axis powers included Italy and Germany, and we had already been at war with Germany less than three decades prior to our entry into World War II. Moreover, Germany committed a near-genocide in its efforts toward fulfilling Hitler's Final Solution. Yet there were no internment camps for German Americans. Indeed, while blacks continued to endure the injustice of American apartheid throughout the 1940s, not only did German Americans continue to enjoy the benefits of white privilege, but German prisoners of war regularly enjoyed the benefits of this privilege as well. Charles Dryden, one of the few surviving Tuskegee Airmen, recently "recalled his pride in returning from Africa and Europe after serving in Tuskegee's original 99th Fighter Squadron, only to be stationed in Walterboro, [South Carolina] where he saw German prisoners of war get privileges in theaters and cafeterias that were denied to Black soldiers."57 More than four decades after the end of World War II the U.S. finally admitted that its imprisonment of people of Japanese ancestry was in part racially motivated. The Civil Liberties Act of 1988 (H.R. 442) declares that ( 1 ) a grave injustice was done to citizens and permanent resident aliens of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II; [and] (2) these actions were without security reasons and without any acts of espionage or sabotage documented by the Commission on Wartime Relocation and Internment of Civilians, and were motivated by racial prejudice, wartime hysteria, and a failure of political leadership [.]58 Grave injustice, lack of reason, racial prejudice, wartime hysteria, and a failure of political leadership - sounds just like our approach to Guantánamo.59

#### This has created total war – unfortunately, others are only calling for “transparency” and “oversight” of the War on Terror – we must demand rejection to prevent a continuous cycle

Hajjar 13 -- chair of the Law and Society Program at the University of California, Santa Barbara (Lisa, 2/13/2013, "State of the Drones," Middle East Research and Information Project, http://www.merip.org/newspaper\_opeds/oped021313)

Whether a target actually poses some kind of imminent threat is a matter of facts and accurate intelligence. But to accept that targeted killing is just another way to wage war requires accepting the **expansion and** thus **distortion of the concept of “hostilities.”** The distortion arises from what distinguishes targeted killing from the conventions of war: surreptitious and riskless killing, as well as the absence or negation of elemental rules of armed conflict such as hors de combat immunity or a possibility of individual surrender. Targeted killing is a small-scale tactic to strike at individuals. But its logic is that of total war. The total war logic latent in Obama’s State of the Union address is that the war will (or can or should) go on as long as terrorists pose threats to the nation. There is **no mention of an end** of drone warfare, even as an end to boots-on-the-ground warfare is one of the uplifting themes of the speech. In such a total war, surrender, **negotiation or armistice literally is inconceivable.** If the question is how we can keep fighting all over, the answer is drones. The human enemies -- the perpetrators and abettors of terrorist acts -- are **elusive**, dispersed among civilian populations and “real.” But how is this reality conceived? In fact, the practice of targeted killing and the discourse supporting it helps us understand this. Juxtaposed against the messy and amorphous concept of terrorism is a kind of certainty about the existence of identifiable (and killable) terrorists whose names are stockpiled in the “disposition matrix.” The practice of targeted killing, whether by drones or other means, manifests as a **lethal whack-a-mole project to eliminate what is imagined** and **proclaimed to be a finite number of terrorists.** As critics of drone warfare correctly point out and investigators and analysts can empirically support, such attacks alienate and enrage communities and societies within which they occur. In Pakistan and Yemen, in particular, accelerating drone warfare and “collateral damage” (civilian deaths) have contributed to political instability and intensified anti-American sentiment. Moreover, US drone warfare is strongly opposed by publics in countries far beyond those regions. Indeed, to perceive or anticipate the adverse consequences of drone warfare we have only to look at the consequences of the previously preferred US strategy for waging the war on terror: capture, interrogation using violent and degrading methods, and indefinite detention. The torture of Arabs and Muslims was a major recruitment tool for al-Qaeda and other terrorist organizations. The consequences of the torture policy, according to Matthew Alexander (pseudonym), a retired Air Force major with extensive interrogation experience in Iraq, included the attraction of foreign fighters to Iraq who conducted attacks that caused the majority of US casualties and injuries. Connecting the dots, Alexander says, “at least hundreds but more likely thousands of American lives (not to count Iraqi civilian deaths) are linked directly to the policy decision to introduce the torture and abuse of prisoners as accepted tactics.” Now that killing has supplanted capture as the preference and the centerpiece of US counter-terrorism strategy, drones have supplanted Abu Ghraib and Guantánamo as symbols, recruitment tools and motivators for America’s enemies. Stanley McChrystal, a retired US Army general who played a huge role in the development of drone warfare and other forms of targeted killing, and counter-terrorism strategizing more broadly, has begun striking a very critical chord: What scares me about drone strikes is how they are perceived around the world. The resentment created by American use of unmanned strikes...is much greater than the average American appreciates. They are hated on a visceral level, even by people who’ve never seen one or seen the effects of one. The criticism of drone warfare in the US has concentrated **mainly on the secrecy** shrouding the policy. Indeed, it is quite troubling that we (the public) do not have -- because it is classified -- specific information about the legal authority for drone warfare, the criteria for being designated as killable, the list of countries where the US has conducted or plans to conduct lethal operations, and more. However, we do have information to anticipate blowback arising from the negative consequences and hostile reactions to drone warfare, and we also do have evidence that contemporary US counter-terrorism strategy privileges targeted killing and manifests as lethal whack-a-mole. Evidence is provided by every government official who makes a public statement that we are winning the war against al-Qaeda by thinning their ranks or eliminating their top leadership. The larger point of McChrystal’s criticism of drones is that the consequences of their current use may be strategically detrimental: “If their use threatens the broader goals or creates more problems than it solves, then you have to ask whether they are the right tool.” Rather than engaging in this variety of larger strategic thinking in which means, goals and consequences are weighed, many advocates tend to emphasize that the use of drones to attack suspected terrorists and militants is just, necessary and effective because whatever evil drones do is lesser than the evil done by those killed (on purpose) by drones (John Brennan made the same argument during his Senate confirmation hearing to become the next director of the CIA). Lesser evil thinking is not well suited to the kinds of complex strategic problems drone warfare and targeted killing raise. As Eyal Weitzman explains: The principle of the lesser evil is often presented as a dilemma between two or more bad choices in situations where available options are, or seem to be, limited.... The principle [is] understood as taking place within a closed system in which those posing the dilemma, the options available for choice, the factors to be calculated and the very parameters of calculation are unchallenged...as if the previous accumulation of events has not taken place, and the future implications are out of bounds. Waging war with drones may be a practical means of attacking targets in hard-to-access locales and avoiding the risks and costs of boots on the ground. Indeed the **seductiveness and availabilit**y of drone technology is a driving factor in the **geographical expansion** of what the US government refers to and justifies as war. That expansion is evidence that **this is a total war, for which there is no conceivable end or victory** unless one subscribes to the idea that there are a finite number of enemies, and that no others will be inspired by the war -- and by the drones -- to become enemies. The war may someday end, but not because drones killed all the enemies in the world.

#### Discussions and criticism of counter-terror are masked by political tactics – makes the public deny we’re at war and we deny casualties and obvious racial targeting – has parallels to police tactics

Toth 13 -- recent graduate of the London School of Economics (Kate, 4/27/2013, "REMOTE-CONTROLLED WAR: IMPLICATIONS OF THE DISTANCING OF STATE-SPONSORED VIOLENCE ON AMERICAN DEMOCRACY," http://www.academia.edu/3125323/REMOTE-CONTROLLED\_WAR\_IMPLICATIONS\_OF\_THE\_DISTANCING\_OF\_STATE-SPONSORED\_VIOLENCE\_ON\_AMERICAN\_DEMOCRACY)

The Obama administration has changed the definition of the “enemy” creating, what Keen (2012) might refer to as, a more “useful” enemy; instead of referring to their actions as included within the “War on Terror,” it is now “a campaign against a single, **clearly identifiable** group” (Rohde, 2012), thus justifying in turn, the **precision of their strikes**. This definition remains broad enough, however, to encompass **whatever they might desire**, needing to validate the target only as being part of “al-Qaeda and its associated forces” (Woods and Lamb, 2012). In summation, the Obama administration has justified the programs, while not officially confirming their existence, and has asserted broad powers – including the US Attorney General claiming the right to assassinate American citizens, with due process in this case being unspecified, only defined as not necessarily found in the justice system (US Department of Justice, 2012) – whilst refusing the provide the specific documents that explain these decisions (Waxman and Masters, 2012).Glenn Greenwald of Salon declared that President Obama had “shredded the Fifth Amendment” with Holder’s reclassification of due process (Engelhardt, 2012). This decision is, however, quite in line with the features of the “Security Compact” described by Foucault, which includes the state’s “right to kill (its own subjects)” in order to maintain its boundaries and protect law and order (Epstein, 2008). Thus, in an issue as nontransparent, new, and generally unclear as this is, it is important to first clarify the known facts. What is known is that drone technology is spreading rapidly: the US currently has approximately 7,500 drones in use (Zenko, 2012) and 12,000 more on the ground, up from just 50 one decade ago (Singer, 2012). Under President Bush, a total 44 strikes were authorized and all were confined to Pakistan, while President **Obama approved 239** between January 2009, when he was sworn in, and December 2011 (Miller, 2011). These strikes are no longer confined to Pakistan: President Obama has also approved bombings in Yemen, Somalia, the Philippines (Engelhardt, 2012), and Libya (Singer, 2012).Although, in the case of Yemen, Yemeni officials told reporter David Rohde that all of the US attacks were, in fact, approved by the Yemeni government (Rohde, 2012). There are two types of targets: “signature” targets, defined as “people who might be associated with bad people or who spend time with them,” and “personality” targets, those whose names and profiles are known (Entous, 2011). The logic that counterterrorism officials employ in declaring a “signature” target is that people that are “in an area of known terrorist activity, or found with a top Qaeda operative, are probably up to no good” (Becker and Shane, 2012). This reasoning is reflected increasingly, too, in the domestic arena, with the practice of **stop-and-frisk increasing in magnitude**, especially in large cities like New York 5 .Given that the US government does not confirm the existence of the program, or provide figures of those killed, independent analysis of the strikes must be relied upon. The Bureau of Investigative Journalism estimates that up to 3,000 have been killed, including 781 civilians since 2004 (Woods and Lamb, 2012) 6 . Part of the difficulty in analyzing the civilian casualties – and part of the **politically beneficial tactic** that allows President Obama to declare that there have been few civilians casualties – is that “**all military-age males** in a strike zone” **are designated as enemy combatants**, “unless there is **explicit intelligence** posthumously **proving them innocent**” (Becker and Shane, 2012). This assumption of guilt, in combination with authorizing a “signature” target because they associate with the “wrong” people or are at the wrong place, is a notable departure from the traditional “innocent until proven guilty. ”The argument can be made that drone attacks are encompassed under the Authorization for Use of Military Force, PL 107-40. Passed by Congress and signed into law by President Bush in September 2001, it authorizes the US military to use “all necessary and appropriate force against those nations, organizations, or persons [the President]determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001” (Council on Foreign Relations, 2001). Indeed, John Brennan, Obama’s top counterterrorism adviser, argues that this law does not just apply to “hot battlefields,” those countries currently in declared war with the US, but is globally inclusive (Woods and Lamb, 2012). The technical benefit of drones is the estimated reduction in civilian casualties and their overall efficacy. Drones have been described as successfully preventing the Taliban from congregating easily or freely (Rohde, 2012). Moreover, an independent analysis by political scientist Avery Plaw estimated civilian deaths at between four and 20 percent, which, even the high end of 20 percent, is lower than other modes of warfare (Shane,2012). One example given for comparison is when the Pakistani Army has conducted raids in the same region that drone strikes are conducted – generally, the Federally Administered Tribal Areas (FATA) – the civilian fatality rated is estimated to be 46percent (Shane, 2012). Accepting these estimates as close approximations of the reality on the ground, even these lower total potential casualties have to be weighted against, on one hand, the **broader question of whether the strikes are just** – in the moral and legal sense – and on the other, the immediate backlash resulting from them. Indeed, news outlets have reported on the “deep resentment” drones cause (Rohde, 2012),the resulting radicalization of local populations (Shane, 2012; Engelhardt, 2012), and their use as a tool for terrorist recruitment (Becker and Shane, 2012). A 2011 Pew Research Center Poll found that an astounding 97 percent of Pakistanis who knew about the strikes said they were a “bad thing,” which resulted in a 10 percent bump in the unfavorable rating of the US by Pakistanis (Pew Research Center, 2012a). It is not difficult to see how this is possible: the drones circle for hours at a time, a **constant, “haunting” specter of danger** (National Public Radio, 2012), and internationally, a “**potent, unnerving symbol of unchecked American** **power**” (Rohde, 2012). Simultaneously, drones are dramatically altering what Americans see (or **do not see**) as war and how this process is deliberated.

#### **Counter-terror operations do not exist solely in the Middle East – the United States uses terrorists and criminals to target races at home and abroad – a united challenge is key**

Daulatzai 13 -- Associate Professor in the Department of Film and Media Studies and the Program in African American Studies at the University of California, Irvine; Ph.D., University of Southern California, Critical Studies (Sohail, 5/9/2013, "Are we all Muslim now? Assata Shakur and the Terrordome," http://www.aljazeera.com/indepth/opinion/2013/05/20135712155495678.html)

Assata Shakur is now a Muslim. Well, she didn't actually convert to Islam. But in the eyes of the United States government where "terrorism" and threats to the state have become synonymous with Islam and Muslims, the recent placement of Assata Shakur on the FBI's "Most Wanted Terrorist List", has for all intents and purposes, made her one. While her being named to the list shocked many, is it really that surprising, especially when one considers how the "war on terror" has been used as a logic of control to systematically target, undermine and destroy any challenge to the domestic and global realms of US power? Welcome to the Terrordome Recently while in New York, I was on a panel at the Riverside Church that explored the links between the "war on crime" and the "war on terror". I joined an incredible group of mostly black and Muslim activists, individuals (including Yusef Salaam, one of the "Central Park Five"), and family members of individuals who have been persecuted and incarcerated due to the policies of these proxy "wars". As I discussed on the panel, it's no coincidence that the figure of the "black criminal" and the "Muslim terrorist" both emerged in US political culture in the early 1970s due to the **neurotic fears of Black Power** domestically, and the threats to an **expanding US imperial footprint** in Muslim countries abroad. For the individuals and family members who have been deeply scarred by these violent state policies, their powerful testimonies of life on the frontlines made plain to all of us there the deep connections that exist between the "war on crime" and the "war on terror", between the "black criminal" and the "Muslim terrorist". Take the logic of "crime" for example. Cle Shaheed Sloan's 2005 documentary Bastards of the Party and Mike Davis' book City of Quartz suggest that the criminalisation of blackness in the late 1960s and early 70s was in essence a counter-insurgency strategy against black communities in the shadow of Black Power, as the "war on crime" (and "war on drugs") became an extension of the dirty wars waged by COINTELPRO that sought to prevent the future emergence of the exact kinds of political activities that Assata Shakur and others were involved in. As scholars such as Michelle Alexander and Khalil Gibran Muhammad have noted, once the US state defined particular activities as "crime", it then sought to **crack down and control it.** **As the fears of the "black criminal" were stoked**, the political will was generated in mainstream America to pass repressive laws that normalised "crime" and linked it almost **exclusively to blackness**, making **all black people suspicious**, and leading to state-sanctioned racial profiling, the **creation of an urban police state**, and the explosion of a massive prison archipelago that Michelle Alexander has called "the new Jim Crow". Similarly in the "war on terror", the US has named particular acts as "terrorism", delegitimising them and **generating the political will through fear** to normalise the figure of the "terrorist", making Muslim-looking people, and even Muslim countries themselves, suspects under deep suspicion in their struggles for self-determination. As a result, the need for state security created broad "anti-terrorism" measures that **expanded state power**, making Muslim countries subject to invasions, sanctions, bombs, and drones, and making Muslim bodies subject to indefinite detention, torture, surveillance and targeted murder, as Muslims got marked as people who don't have the right to have rights. While the system of mass incarceration used the face of the "black criminal" to legitimise itself and disproportionately target black men and women, the tentacles of incarceration soon expanded to include Latinos and other poor people in its orbit. Similarly, the "war on terror" has used the face of the "Muslim terrorist" to narrow the scope of dissent, expand state control, and prevent the creation of alternatives to exploitation and war. But while the Muslim has been the face of this, the logic of "terror" is now being used to target other countries and also **black and brown communities domestically**, as the fluid category of the "terrorist" continues to morph. Organised confusion While many were shocked that Assata would be placed on the "Most Wanted Terrorist List", some argued that not only is she innocent of the charges against her, but that what she was struggling for as a black revolutionary could not possibly make her a "terrorist". But this begs the question: who is a "terrorist"? And what does he do that would make him one? Would he by chance have a beard? Wear flowing garb? Be a Muslim? By all credible accounts, Assata is not guilty of killing Officer Forester in 1973. But the focus by many on her innocence as the reason why she is not a "terrorist" misses the point completely. Because whether she's innocent or not, the **labelling of her as a "terrorist" has more to do with her political beliefs** and the liberation struggles that she was a part of. In fact, **it's those very beliefs and activities that led to her (and others) being targeted** under the FBI's COINTELPRO, persecuted, put on trial, convicted and then forced to ultimately flee the country and live in exile in Cuba. For the US state, **when it comes to labelling a "terrorist",** innocence or guilt are simply irrelevant details. For her supporters and those on the Left who deny that she's a "terrorist", we have to understand that to the US government that's exactly what she is. But instead of denying it, **it's high time that we instead challenge the prevailing logic of "terrorism",** refuse to normalise it**, and recognise it for what it is:** not onlya political label used to **discredit and undermine struggles for self-determination**, but also a legal frame that then gives the state the sanction and power to narrow the scope of dissent and **violently crackdown and arrest, incarcerate, torture, bomb, drone, invade, and even assassinate those deemed threats to state interests**. But if her allies continue to accept "terrorism" as the ruling paradigm, and make the **false and fatal distinction** between the struggles of black radicals like Assata from the struggles of Third World peoples fighting for dignity against racist, imperial power in places such as Palestine, Afghanistan, Iraq and elsewhere, then these supporters are not only misunderstanding and undermining the internationalist legacy of Assata Shakur and the Black Panther Party (who supported the Palestinians and other Third World struggles), but they are also ironically reinvigorating the **very same violent state forces that she and the Black Power movement struggled to eliminate**. No coincidences, only consequences More than just targeting Assata, the FBI and the Obama Administration have essentially labelled the Black Power movement as "terrorists". But in trying to rewrite and destroy that past, the labelling of Assata as a "terrorist" is also an attack and warning to those who are organising today against the very same forces that Assata was over 40 years ago: police brutality, militarism, imperial war, economic exploitation, and racist state practices that continue to perpetuate black suffering and the decimation of the Global South. And if that wasn't chilling enough, in calling her a "terrorist" and Cuba a "state sponsor of terror", **could a drone attack on Assata be that far-fetched?** Could the official state policy of targeted assassinations - a policy that ironically mimics the targeted killing by COINTELPRO of Fred Hampton, Bunchy Carter and others - and that now murders Muslims who are deemed threats to US and Israeli interests be in the offing for her? And what about those artists and activists who have supported her and other Cuban solidarity activists: are they not now subject to the "material support for terrorism" law that has imprisoned so many and also severely curtailed the work of Muslim charities seeking to help those in Kashmir, Palestine, Pakistan and elsewhere? If there is a silver lining in this, its that for those black, Latino, Muslim, Arab and South Asian communities who are involved in political work that is now or soon will be lumped into the category of "terrorist", this is an opportunity for us to use our collective exclusion as suspect communities and deepen our links and points of solidarity to **vigorously fight the violent forces that target us** in a different ways. Despite the mainstream Muslim, black, Latino and South Asian communities who have assumed the logic of "anti-terrorism" and have tied their fates to successes of white supremacy and US empire, the internationalist legacies we have inherited from Malcolm X, Assata Shakur and others within Black radical movements endures. It's seen in the black, Latino, South Asian and Arab organisers in New York and Los Angeles doing work around the NYPD "Stop and Frisk" programme and the "Stop LAPD Spying" campaigns; it's present in the work of artists and activists struggling for migrant justice around the US-Mexico border. It's also evidence in the beautiful work of Angela Davis, Alice Walker, Robin Kelley, Cynthia McKinney and others who recently travelled to Palestine and have spoken out against Zionism and US empire, and in favour of Palestinian self-determination; and it's also born witness in the collective statement of solidarity signed by many black activists and scholars in 2012 called "African Americans for Justice in the Middle East & North Africa". These are exactly the kinds of internationalist political positions that Malcolm X and later Black Power advocates like Assata Shakur took, as they **understood the urgent need for global solidarity**, seeing the racist links, for example, between the NYPD programme of "Stop and Frisk" and the Bush Doctrine of "Pre-emptive War", between Pelican Bay and Guantanamo Bay, and between Abner Louima and Abu Ghraib. For to not question how the logic of "terrorism" is now being used to silence black and Third World voices is to undermine the very movements that Assata (and so many others) have so valiantly sacrificed their lives and livelihoods for. Let's remember that yesterday it was Nelson Mandela who the United States labelled a "terrorist", and today it's a Palestinian, an Afghan and now Assata. **Tomorrow it could be a labour organiser, a student activist, a teacher, or maybe even you.**

#### Thus, \_\_\_\_ and I wish to utilize this debate space to begin a process of critical interrogation of targeted practices of killing and indefinite detention as they exist in domestic and international forms. This should not be recognized as an end-point but a starting point that can help facilitate broader discussions of militarism and imperialism within and outside of this debate space.

#### Our approach is informed by our personal experiences. Having participated in debate for much of our lives, we feel that it can serve a productive role in helping us to cultivate skills to grapple with problems in our community. Even if we do not experience these forms of oppression, even if most people we know do not, it's a question of creating pedagogy: even if it's just our opponents, judges, and coaches, we create dialogues and linkages that allow it to spread more broadly.

#### Debate is a process not a product – we recognize that the ballot doesn't present the perfect solution to resolving militarism and imperialism, but we do believe we can contribute something positive to the discussion.

#### Targeted killing raises deeper questions of how the US conducts and represents war – we must use these spaces to raise moral challenges to their use and sanitized representation

McCrisken 13 -- Associate Professor in Politics and International Studies at the University of Warwick, and Chair of the British American Security Information Council, an independent organisation focused on encouraging sustainable transatlantic security policies (Trevor, 4/3/2013, "Obama's Drone War," Survival: Global Politics and Strategy 55(2), EBSCO)

However, the ease and anonymity with which drone strikes are carried out (or ‘PlayStation mentality’, 35 as it has been called) raises **deeper questions about the conduct of war** by a democratic, constitutional society. Despite the release of new information on the attacks, their secretive and remote nature has rendered them ‘unreal’. Jack Healey, founder of the Human Rights Action Center in Washington DC, wrote that ‘there has been no serious and widespread ethical discussion of their use in the US media or in the streets’. 36 The US public has received an increasingly **sanitised**, **emotionally detached** and **technologically precise representation** of American warfare since the 1991 Gulf War (if not earlier). Drones follow a trend of increas - ingly remote weapons that distance both their operators from the physical act of killing and the public from their human costs. The 1991 campaign in Iraq was frequently likened to a video game, as news agencies broadcast detailed footage of laser-guided bombs hitting obscure targets. These seemingly precise strikes have since become a key feature of US operations. Jean Baudrillard’s famous claim that ‘The Gulf War did not take place’ seems increasingly resonant as we move deeper into the realms of ‘virtual war’. 37 **Reliance on targeted killing alters public perception of the ‘war on terror’ to obscure its political and moral implications**: strikes carried out with such minimal risk to the attacker arguably create the opportunity of waging perpetual war.

#### Debates over drones shouldn’t argue over institutional fixes, but should discuss how we can learn from their problems and erase the drone from our political imagination

Rothenberg 13 -- professor of practice at the School of Politics and Global Studies, ASU and the Lincoln fellow for Ethics and International Human Rights Law (Daniel, 5/6/2013, "What the Drone Debate Is Really About," from Future Tense, a partnership of Slate, the New America Foundation, and Arizona State University, <http://www.slate.com/articles/technology/future_tense/2013/05/drones_in_the_united_states_what_the_debate_is_really_about.html>)

The term drone **draws attention**, **elicits passions**, and **sparks heated discussions**. Often the debate about drones flattens the complexity of real policy issues as the questions asked demand impossible answers, “Are drones good or bad?” or “Are you for or against drones?” Not surprisingly, this approach heightens the tensions attached to debate about drones, turning conversations into arguments and echoing the polarization that characterizes so much of contemporary political discourse. The intensity of interest in drones arose some years after they became a key element of U.S. military operations abroad. Interestingly, after more than a decade at war, drones remain the only military system within an extraordinarily advanced arsenal to have captivated popular attention. And they have done so at a time when the public has grown weary of war and the deep confusions surrounding the objectives, value, and purpose of these conflicts. For many within the military, the intensity of the debate about drones in combat has been perplexing. As they often point out, drones are simply one of a number of military platforms upon which information-gathering technology or weapons are deployed. For tactical purposes, it may make little difference whether a Hellfire missile is launched from a fighter jet or a drone. And, as military experts and knowledgeable observers emphasize, drones do not operate independently—rather, they are part of a complex, multilayered system in which particular technologies, drones and others, are useful only as integrated within a larger strategic vision. That said, much of the discussion of drones focuses not on their use by the military within defined war zones, where domestic and international law applies, but rather to their use by the CIA and other organizations in places where the legality of their deployment is under question, where data are minimal and where secrecy prevails. In this way, covert drone strikes are the **latest** in a **series of interrelated issues**—including **torture, black sites, and extraordinary rendition**—that reflect directly on the meaning, impact, and ethics of U.S. strategy (once called the global war on terror). Yet, even as drones are linked to existing questions of the appropriateness, legitimacy, and potential illegality of U.S. action, they are the only element of this critique linked to advanced technology, with its complex evocation of promise and danger. Drones have become the **iconic public image** of the U.S. government’s international projection of military force, during a complex and uncertain time when support is waning and there is great confusion as to the purpose of these ongoing conflicts. More recently, public debate on drones has turned to their current and potential use within our country. And, in this context as well, drones have produced tense discussions about multiple issues including protecting privacy, respecting core constitutional rights, and enabling potential abuses of state power. In response, there are demands for increased regulation as well as concerns that new rules will have a profoundly negative effect on our society. Many worry that the use of drones in our country will usher in a new era of intrusive state surveillance and may even be used as a means of attacking and killing American citizens here at home. For those who currently use drones or advocate for their expanded deployment—whether for military or civilian applications—these debates are deeply frustrating. They point out that drones are simply machines, neither good nor bad, not the sort of issue for which one should seek either support or rejection. They point to drones’ capacity to safely, effectively and inexpensively fight fires, monitor weather patterns, spray crops, and provide ongoing real-time information on hundreds of issues. This is why there is an ongoing effort to shift the language of the debate by replacing the popular term drone with one of a number of arguably more accurate—and less politically loaded—alternatives including unmanned aerial vehicle (UAV), remotely piloted vehicle (RPV), or remotely piloted aircraft (RPA). Still, drone remains the default term and will be for the foreseeable future. In fact, the lure and power of the word drone provides insight into the true nature and intensity of the debate. Drones have come to us from foreign battlefields and migrated to the domestic policy environment. While drones may be simple and varied machines, the ones we know best bear names that suggest both danger and brutality, the **Predator** (MQ-1) and the **Reaper** (MQ-9). **Drones embody the glory of American technological superiority and innovation** (at least for now) and appear to many as an ideal tool for facing a difficult, distant, and elusive enemy. Yet, woven into their usefulness abroad is a sense that they are the first expressions of a new reality defined by multiple related technologies whose transformative capacities are as dangerous here as they have been proved to be abroad. Drones captivate us. Their sleekly disturbing look, an odd combination of the fragile and the deadly, produces both fascination and fear. The word drone highlights these qualities, depicting a machine that is solitary, potentially autonomous, ever present, and quietly menacing. The truth is that those who suggest that public debate needs to focus clearly on what drones really are and really do, are **missing the point**. Facts alone will not resolve the heated discussions. Rather the idea of drones and the resulting questions, complex and varied as they are, are enmeshed in **powerful narratives of fear and mistrust** as drones have become a **central element of the contemporary American political imagination.** The drone debate is not only about targeted killings abroad or potential invasions of privacy at home; it is about how this emerging technology has come to **symbolize** the **disorder, threat, uncertainty, and fear** of our rapidly changing world. The **challenge we face** as a society is not simply how to regulate drones (which is clearly necessary) but rather how to **learn from the passions they inspire** such that we connect serious policy debate on emerging technologies with a respect and acknowledgement for the very real fears of so many.

#### **Imperialism doesn’t exist solely outside our borders – we must point out continuities between imperial strategies abroad and at home to challenge these circuits of violence**

McClintock 9 (Anne, Professor of English and Women’s and Gender Studies at the University of Wisconsin, “Paranoid Empire: Specters from Guantánamo and Abu Ghraib,” Project Muse)

By now it is fair to say that the United States has come to be dominated by two grand and dangerous hallucinations: the promise of benign US globalization and the permanent threat of the “war on terror.” I have come to feel that we cannot understand the extravagance of the violence to which the US government has committed itself after 9/11—two countries invaded, thousands of innocent people imprisoned, killed, and tortured—unless we grasp a defining feature of our moment, that is, a deep and disturbing doubleness with respect to power. Taking shape, as it now does, around fantasies of global omnipotence (Operation Infinite Justice, the War to End All Evil) coinciding with nightmares of impending attack, the United States has entered the domain of paranoia: dream world and catastrophe. For it is only in paranoia that one finds simultaneously and in such condensed form both deliriums of absolute power and forebodings of perpetual threat. Hence the spectral and nightmarish quality of the “war on terror,” a limitless war against a limitless threat, a war vaunted by the US administration to encompass all of space and persisting without end. But the war on terror is not a real war, for “terror” is not an identifiable enemy nor a strategic, real-world target. The war on terror is what William Gibson calls elsewhere “a consensual hallucination,” 4 and the US government can fling its military might against ghostly apparitions and hallucinate a victory over all evil only at the **cost of catastrophic self-delusion** and the infliction of great calamities elsewhere. I have come to feel that we urgently need to make visible (the better politically to challenge) those established but concealed **circuits of imperial violence** that now animate the war on terror. We need, as urgently, to **illuminate the continuities that connect those circuits of imperial violence abroad with the vast, internal shadowlands of prisons and supermaxes**—the modern “slave-ships on the middle passage to nowhere”—that have come to characterize the United States as a super-carceral state. 5 Can we, the **uneasy heirs of empire,** now speak **only of national things?** If a long-established but primarily covert US imperialism has, since 9/11, manifested itself more aggressively as an overt empire, does the terrain and object of intellectual inquiry, as well as the **claims of political responsibility**, not also extend beyond that useful fiction of the “exceptional nation” to embrace the shadowlands of empire? If so, how can we theorize the phantasmagoric, imperial violence that has come so dreadfully to constitute our kinship with the ordinary, but which also at the same moment renders extraordinary the ordinary bodies of ordinary people, an imperial violence which in collusion with a complicit corporate media would render itself invisible, casting states of emergency into fitful shadow and fleshly bodies into specters? For imperialism is not something that happens elsewhere, an offshore fact to be deplored but as easily ignored. Rather, the force of empire comes to reconfigure, **from within,** the nature and violence of the nation-state itself, giving rise to perplexing questions: Who under an empire are “we,” the people? And who are the ghosted, ordinary people beyond the nation-state who, in turn, constitute “us”? We now inhabit a crisis of violence and the visible. How do we insist on seeing the violence that the imperial state attempts to render invisible, while also seeing the ordinary people afflicted by that violence? For to allow the spectral, disfigured people (especially those under torture) obliged to inhabit the haunted no-places and penumbra of empire to be made visible as ordinary people is to forfeit the long-held US claim of moral and cultural exceptionalism, the traditional self-identity of the United States as the uniquely superior, universal standard-bearer of moral authority, a tenacious, national mythology of originary innocence now in tatters. The deeper question, however, is not only how to see but also how to theorize and oppose the violence without becoming beguiled by the seductions of spectacle alone. 6 Perhaps in the labyrinths of torture we must also find a way to speak with ghosts, for specters disturb the authority of vision and the hauntings of popular memory disrupt the great forgettings of official history. Paranoia Even the paranoid have enemies. —Donald Rumsfeld Why paranoia? Can we fully understand the proliferating circuits of imperial violence—the very eclipsing of which gives to our moment its uncanny, phantasmagoric cast—without understanding the pervasive presence of the paranoia that has come, quite violently, to manifest itself across the political and cultural spectrum as a defining feature of our time? By paranoia, I mean not simply Hofstadter’s famous identification of the US state’s tendency toward conspiracy theories. 7 Rather, I conceive of paranoia as an inherent contradiction with respect to power: a double-sided phantasm that oscillates precariously between deliriums of grandeur and nightmares of perpetual threat, a deep and dangerous doubleness with respect to power that is held in unstable tension, but which, if suddenly destabilized (as after 9/11), can produce pyrotechnic displays of violence. The pertinence of understanding paranoia, I argue, lies in its peculiarly intimate and peculiarly dangerous relation to violence. 8 Let me be clear: I do not see paranoia as a primary, structural cause of US imperialism nor as its structuring identity. Nor do I see the US war on terror as animated by some collective, psychic agency, submerged mind, or Hegelian “cunning of reason,” nor by what Susan Faludi calls a national “terror dream.” 9 Nor am I interested in evoking paranoia as a kind of psychological diagnosis of the imperial nation-state. Nations do not have “psyches” or an “unconscious”; only people do. Rather, a social entity such as an organization, state, or empire can be spoken of as “paranoid” if the dominant powers governing that entity cohere as a collective community around contradictory cultural narratives, self-mythologies, practices, and identities that oscillate between delusions of inherent superiority and omnipotence, and phantasms of threat and engulfment. The term paranoia is analytically useful here, then, not as a description of a collective national psyche, nor as a description of a universal pathology, but rather as an analytically strategic concept, a way of seeing and being attentive to contradictions within power, a way of making visible (the better politically to oppose) the contradictory flashpoints of violence that the state tries to conceal. Paranoia is in this sense what I call a hinge phenomenon, articulated between the ordinary person and society, between psychodynamics and socio-political history. Paranoia is in that sense dialectical rather than binary, for its violence erupts from the force of its multiple, cascading contradictions: the intimate memories of wounds, defeats, and humiliations condensing with cultural fantasies of aggrandizement and revenge, in such a way as to be productive at times of unspeakable violence. For how else can we understand such debauches of cruelty? A critical question still remains: does not something terrible have to happen to ordinary people (military police, soldiers, interrogators) to instill in them, as ordinary people, in the most intimate, fleshly ways, a paranoid cast that enables them to act compliantly with, and in obedience to, the paranoid visions of a paranoid state? Perhaps we need to take a long, hard look at the simultaneously humiliating and aggrandizing rituals of militarized institutions, whereby individuals are first broken down, then reintegrated (incorporated) into the larger corps as a unified, obedient fighting body, the methods by which schools, the military, training camps— not to mention the paranoid image-worlds of the corporate media—instill paranoia in ordinary people and fatally conjure up collective but unstable fantasies of omnipotence. 10 In what follows, I want to trace the flashpoints of imperial paranoia into the labyrinths of torture in order to illuminate three crises that animate our moment: the crisis of violence and the visible, the crisis of imperial legitimacy, and what I call “the enemy deficit.” I explore these flashpoints of imperial paranoia as they emerge in the torture at Guantánamo and Abu Ghraib. I argue that Guantánamo is the territorializing of paranoia and that torture itself is paranoia incarnate, in order to make visible, in keeping with Hazel Carby’s brilliant work, those contradictory sites where imperial racism, sexuality, and gender catastrophically collide. 11 The Enemy Deficit: Making the “Barbarians” Visible Because night is here but the barbarians have not come. Some people arrived from the frontiers, And they said that there are no longer any barbarians. And now what shall become of us without any barbarians? Those people were a kind of solution. —C. P. Cavafy, “Waiting for the Barbarians” The barbarians have declared war. —President George W. Bush C. P. Cavafy wrote “Waiting for the Barbarians” in 1927, but the poem haunts the aftermath of 9/11 with the force of an uncanny and prescient déjà vu. To what dilemma are the “barbarians” a kind of solution? Every modern empire faces an abiding crisis of legitimacy in that it flings its power over territories and peoples who have not consented to that power. Cavafy’s insight is that an imperial state claims legitimacy only by evoking the threat of the barbarians. It is only the threat of the barbarians that constitutes the silhouette of the empire’s borders in the first place. On the other hand, the hallucination of the barbarians disturbs the empire with perpetual nightmares of impending attack. The enemy is the abject of empire: the rejected from which we cannot part. And without the barbarians the legitimacy of empire vanishes like a disappearing phantom. Those people were a kind of solution.

#### Perpetual warfare is sustained through a captive marginalized population – what started as the wars on crime and drugs has now spread to the war on terror

Gordon 6 (Avery Gordon is professor in sociology at the University of California, Santa Barbara, and the author, most recently, of Keeping Good Time: reflections on knowledge, power, and people, “Abu Ghraib: imprisonment and the war on terror” Race Class 2006 48: 42)

War and peace Being or becoming the enemy returns us to the complicated imbrication of imprisonment and war with which I began. An increasingly **perma- nent** captive population in the US has been created out of the spoils of Indian wars, civil wars, anti-communist cold wars, wars on crime, wars on drugs and now a war on terror. While war has always been the hand- maiden of captivity and imprisonment, what is distinctive in the post- second world war period is the **invention of perpetual wars, general wars without end**, made on false promises of security and waged against **ever shifting** spectral enemies, driven by ideologies of order and counter-insurgency and by policies to contain and quarantine the effects of global poverty.34 Endless war, endless captivity. Permanent war, perpetual prisoners of war. In the early history of warfare, there was no recognition of a status of prisoner of war, for the defeated enemy, considered the property of the victor, was either killed or enslaved by him. Despite the Geneva Convention and international laws governing the conduct of warfare, the US has retained, as befits the imperial power it is, the ancient right of the strong and the conqueror to enslave fallen enemies. Thus, in the war on terror, there are no longer any prisoners of war in the modern, post-Westphalian sense, only ‘enemy combatants’, fallen captives. Here, in the new permanent security war, the ‘foreign’ enemy captured, tortured, ritually humiliated, detained indefinitely, often secretly, tragi- cally finds his complement in the ‘**internal’ enemy**. Both are the raw material of an organised abandonment in the service of a parasitical war economy; both are subjects of a corrupt, malleable law that indicts without substantive representation; both are subject to a crushing punishment, renamed administration. And the social death and dis- honour of both **are presented as** the necessary **price** for ‘our’ safety and security. (Sometimes, of course, the external and the internal enemy are one and the same). These are the terms of the war on terror the US is waging and soliciting in **every part** of the world. It does not act alone, however. Europe’s xeno-racist carceral complex for refugees, asylum seekers and the economically precarious; Israel’s genocidal occupation and enclosure of the Palestinians in a concentration camp state; South Africa’s adoption of a US-style war on crime and its consequent imprisonment of ever larger numbers of black youth (sadly the Soweto generation and their children); soaring rates of imprison- ment (the second highest in the world) in Russia and its previously or presently occupied territories, Turkmenistan, Ukraine, Kazakhstan, Latvia, Lithuania, Estonia, Kyrgyzstan, Moldova and Chechnya; the transformation of the Caribbean Basin into an off shore-banking- tourist-prison archipelago . . . And so on, and on, and on.35 Increas- ingly, long-term captive populations worldwide are being created by a ‘global state security apparatus’ with many participating nation states facilitating the fastest growing business sector in the world.36 Bloated militarism in a crushing world economy dependent on the ‘productive’ destruction of places, communities, social wealth, shared intelligence and the **systematic abandonment** of entire peoples pave the road to ruin upon which the US and its allies travel. This way of life is not sustainable, despite the imperial announcements of victory and invincibility. In the meantime, it is **necessary** to raise the call and the movements for the abolition of permanent war and the captivity and negation that accompany it. Worldwide, most individuals do not favour (and many actively oppose) the occupation war in Iraq. Even in the US, where majorities have supported it, these are declining. This presents an opportunity to transform strong sentiment against one war in Iraq and its estimated $700 billion price tag into a stronger movement for what Seymour Melman liked, after a lifetime fighting for it, to just call conversion – the transition from a militaristic or war social economy to a peace social economy.37 This will involve, as a first step, understanding the broader patterns underlying the behaviour of soldiers and police in Iraq and the larger context in which the mili- tary prison operates, and bringing these understandings as necessities into the political mobilisations against the war in Iraq and the ongoing war on terror. Mass imprisonment and organised abandonment play **a central role** **today** in the perpetuation and expansion of a ‘secure’ or **security- centred** world economy and in its extreme and **untenable** social costs, one of which is our young people and their right to a future, to a destiny determined by themselves. One of the ugliest and most suppressed facts about the expansion of imprisonment in the world today, whether in the US or France or the United Kingdom or South Africa or Brazil or Turkey or Nigeria, is that the vast majority of the world’s prisoners are young. As are its soldiers. And thus our young men and women alike, our most vulnerable young, those in need of the greatest care and protection, are increasingly faced with the choice – rendered starkly in the photos taken at Abu Ghraib and in the US’s insistence that Iraqi independence be contingent on its possessing a US-approved militarised police force – of being prisoner or police/soldier. The Mothers of the Plaza de Mayo, the mothers of the ‘disappeared’, would call this state of affairs, military civil authoritarianism. It is a contraction of possibility for living – a captive destiny – that is a cruel patrimony and a shameful inheritance. Peace is never just the absence of a war; it is, as Melman described it, the ‘moving peacefully’ towards the elimination of institutions and decision-making powers that plan, make, support and love war. It is necessary today, yet it is inconceivable without the abolition of its adjunct, mass imprisonment.

#### **These structures have become embedded in the American political system – generating a conversation is key to imagine alternate possibilities**

Davis 5 (Angela, Abolition Democracy, p. 68-76)

In your work on prisonsyou have noted that sexual coercion is fun- damental to prison regimes. The Guantdnamo and Abu Ghraib sexual torture revelations, however, are implanting the idea that such extremes only occur offshore and are rare occurrences. It is as though the prison-industrial system had duplicated itself out- side the States in order to divert attention from the everyday domestic reality of torture and sexual coercion. The prison-industrial-complex embraces a vast set of institutions from the obvious ones, such as the prisons and the various places of incarceration such as jails, "jails in Indian country," immigrant detention centers, and military prisons to corpora- tions that profit from prison labor or from the sale of products that enable imprisonment, media, other government agencies, etc. Ideologies play **a central** role in consolidating the prison- industrial-complex—for example the marketing of the **idea** that prisons are necessary to democracy and that they are a major component of the solution of social problems. Through- out the world, racism has become **embedded** in imprisonment practices: whether in the U.S., Australia, or Europe, you will dis- cover a disproportionate number of people of color and peo- ple from the Global South incarcerated in jails and prisons. The everyday tortures experienced by the inhabitants of domestic prisons in the U.S. have **enabled** the justification of the treatment meted out to prisoners in Abu Ghraib and Guantanamo. As I said earlier, it was hardly accidental that a U.S. prison guard like Charles Graner was recruited to work in Abu Ghraib. He was already familiar with the many ways prison objectifies and dehumanizes its inhabitants. Yes, this is actually in one of the official reports. It was pointed out that the military actually appointed Graner because of his experience. Exactly. So the connections do not have to be made from the outside. They are already there to be discovered. As I said before, this is a person whom they must have known had already been the target of at least two lawsuits. In one suit, Graner was accused of throwing a detained man on the floor, kicking and beating him, and placing razorblades in his food. In another lawsuit he was accused of picking up a detainee by the feet and throwing him into a cell. There is another interesting parallel that I would like to raise in the context of this question, and that is the extent to which the U.S. purposefully transfers detainees to other countries whose governments are free to interrogate and torture them without accountability or restraint. This is process is officially called "extraordinary rendition." What are the parallels between extraordinary rendition and the trafficking of prisoners across state borders? A num- ber of years ago video footage was made public that depicted the brutal treatment of prisoners in Texas, who were held in a wing of the Brazoria County Detention privately run by Capital Correctional Resources, Inc. This wing held prison- ers from Missouri who had been transferred to serve their sentences in Texas. The videotape depicts riot-suppression training strategies and was made available to the media in connection with a lawsuit filed by a prisoner who had been bitten by a dog during the training. Guards kicked prisoners, assaulted them with electric prods, and ordered them to crawl as dogs pursued them. In the aftermath of this violence, Mis- souri cancelled its contract. But this has not stopped the prac- tice of trafficking the prisoners across state borders, as they are trafficked across national borders. Of course the practice of extraordinary rendition is designed to enable prisoners to be interrogated and tor- tured without the U.S. government being held directly accountable. I think that you're right that there is a widespread assumption that torture could never occur within U.S. borders. As a matter of fact, in the earliest con- versations about the violation of prisoners' human rights at the military prison in Guantlnamo, government officials distinguished between what was allowable offshore and what was allowable within the territory of the United States. They argued that such rights as due process and the right to legal counsel could only be claimed within U.S. borders, but not necessarily outside. Likewise, Alberto Gonzalez characterized the Geneva Conventions as too "quaint" to be applicable to "illegal combatants" incarcer- ated in Guantanamo Bay. What are the prospects for prison abolitionism in light of this perpetual war on terror? The prison system, with its surplus violence and torture, seems to have entrenched itself in the American polity. How can we convince Americans that this system is a cancer on the heart of democracy? There is no straightforward answer to this question, but I can begin to think through some of the implications of your question. The abolitionist movement has a long history, and during various eras, activists have maintained that prevailing conditions in prisons and jails, along with their failure to accomplish their **announced** purpose, constituted the strongest argument for abolition. Of course, conditions have become even worse over the years and an unimaginable num- ber of people—over two million—are currently held in the network of U.S. prisons and jails. Moreover, we have wit- nessed how these institutions can be **deployed** in the U.S. war for global dominance—and this is yet another argument for their abolition. When we call for prison abolition, we are **not** imagining the **isolated** dismantling of the facilities we call prisons and jails. That is **not** the project of abolition. We proposed the notion of a prison-industrial-complex to reflect the extent to which the prison is **deeply** structured by economic, social, and political conditions that **themselves** will also have to be dismantled. So you might say that prison abolition is a way of talking about the pitfalls of the particular version of democracy represented by U.S. capitalism. Capitalism—especially in its contemporary global form— continues to produce problems that neither it nor its prisons are prepared to solve. So prison abolition requires us to rec- ognize the extent that our present social order—in which are embedded a complex array of social problems—will have to be radically transformed. Prison abolitionist strategies reflect an understanding of the connections between institutions that we usually think about as disparate and disconnected. They reflect an under- standing of the extent to which the overuse of imprisonment is a consequence of eroding educational opportunities, which are further diminished by using imprisonment as a false solu- tion for poor public education. Persisting poverty in the heart of global capitalism leads to larger prison populations, which in turn reinforce the conditions that reproduce poverty. When I refer to prison abolitionism, I like to draw from the DuBoisian notion of abolition democracy. That is to say, it is not only, or not even primarily, about abolition as a neg- ative process of tearing down, but it is also about building up, about creating new institutions. Although DuBois referred very specifically to slavery and its legal disestablish- ment as an economic institution, his observation that this negative process by itself was insufficient has deep resonances for prison abolition today. DuBois pointed out that in order to fully abolish the oppressive conditions produced by slav- ery, new democratic institutions would have to be created. Because this did not occur; black people encountered new forms of slavery—from debt peonage and the convict lease sys- tem to segregated and second-class education. The prison systern continues to carry out this terrible legacy. It has become a receptacle for all of those human beings who bear the inher- itance of the failure to create abolition democracy in the after- math of slavery. And this inheritance is not only born by black prisoners, but by poor Latino, Native American, Asians, and white prisoners. Moreover, its use as such a receptacle for people who are deemed the detritus of society is on the rise throughout the world. In light of the global "war on terror," what, then, are the prospects for prison abolitionism? I use the term "prison abolitionism," here, because one of the greatest challenges is to **persuade** people in all walks of life—but especially those who are most damaged by this institution—that a world without prisons is conceivable. The need to **generate a conversation** about the prospects for abolition is perhaps even greater now, because **linked** to the abolition of prisons is the abolition of the instruments of war, the abolition of racism, and, of course, the abolition of the social circumstances that lead poor men and women to look toward the military as their only avenue of escape from poverty,

\*\*\*Marked

homelessness, and lack of opportunities. As it was important during the Vietnam War era to locate opposition to that war within a context that acknowledged the expanding military-industrial-complex, so is it now important to reveal the connections between the military-industrial- complex and the prison-industrial-complex and the poten- tial linkages between the forms of resistance that both have provoked. As of now, some 5,500 soldiers are classified as deserters—many of them conscientious objectors. This rising number of resisters within the military reflects the fact that many men and women who have been ordered to Iraq, or fear that they may be ordered, entered the military not with the intention to defend the imperial ambitions of the Bush administration, but rather because they were seeking oppor- tunities for travel, education and other opportunities denied to them because of their racial and class backgrounds. The most well known case is that of Jeremy Hinzman, a young white soldier who unsuccessfully applied for conscientious objector status before being deployed by the Army to Afghanistan, and then later left for Canada when he learned that he was being sent to Iraq. Cindy Sheehan, the Gold Star Mother who spent a month protesting outside of President Bush's Crawford, Texas home while he vacationed their in August 2005, joined the antiwar movement after her son Casey was killed in an ambush in Iraq. Casey, she says, only joined the military to receive financial aid necessary for him to finish college.Challenges to the military are very much related to the prison abolition struggle. To focus more specifically on prison abolition, I see it as a project that involves **re-imagining insti- tutions**, ideas, and strategies, and creating new institutions, ideas, and strategies that will render prisons obsolete. That is why I called the book I wrote on prisons, Are Prisons Obso- lete?16 It is up to us to insist on the obsolescence of imprisonment as the dominant mode of punishment, but we cannot accomplish this by wielding axes and literally hacking at prison walls, but rather by demanding new democratic insti- tutions that take up the issues that can **never be addressed by prisons** in productive ways.

### **2AC**

#### Raising awareness about intersections is efficacious – helps raise political consciousness and inspire action

Chikwendu 13 -- Ph.D. candidate in Gender Studies at University of Leeds (Meremu, 12/2013, "Circular Consciousness in the Lived Experience of Intersectionality: Queer/LGBT Nigerian Diasporic Women in the USA," Journal of International Women's Studies 14(4))

Circular consciousness is the understanding that subject positionings are in **constant motion**, sliding over, under, and around each other, **consequently informing and redefining each other**. Within circular consciousness, intersecting subject positionings leave traces upon each other, which work to push understandings of the lived experience of intersectionality as nonhierarchical, **relational, and overlapping**. The movement is circular, but not bounded. It is not a closed circle – as in repetitious – and there are no beginnings or endpoints; rather with circularity I want to suggest constant motion, during which some understandings might drop off, and new understandings might be picked up. These redefined understandings encounter all the other redefined identities and leaving even further traces. In this way there is constant reshaping. Circular consciousness is also the movement around power, subjectivity, and agency, including the agency to deflect unwanted definitions of our identities. As Patricia Hill Collins noted, “Rather than viewing consciousness as a fixed entity, a more useful approach sees it as continually evolving and negotiated. A dynamic consciousness is vital to both individual and group agency” (2000:285). **Consciousness as a mobilising call to arms** is a familiar refrain among many rights-based movements, and consciousness-raising is historically an **important experiential component of political activism**. Attaining critical awareness of structural disenfranchisement and institutional imbalances in order to see seemingly invisible operations of power is synonymous with having political consciousness. I want to bring this politicised understanding of consciousness into my conception of circular consciousness; to remember that intersectionality has its roots in antiracism and anti-marginalisation political activism. From the oft-cited example of Sojourner Truth’s 1851 speech with her powerful refrain, “And ain't I a woman?,” to the Combahee River Collective Statement (1983:264), more than a century later that “our particular task [is]the development of integrated analysis and practice based upon the fact that the major systems of oppression are interlocking,” intersectionality was first and foremost an experience-based understanding that power is deployed and felt **multi-dimensionally and multi-directionally**. Intersectionality has since become a running thread through various interventions into “single-axis analysis” (Crenshaw 1989:139) and can contemporarily be viewed as “**the need to explore the interconnections between different axes of differentiation and social division**s” (Brah 1996: 14). That is, it can be a theory, an analytical tool, a political device, and as I will argue, a way of being conscious. Circular consciousness is the understanding that **there is no firm ground**, yet there can be self-awareness of the ways in which one is hailed categorically; and from this self-awareness, agential strategies can arise in which identities are tactically deployed. Gayatri Spivak famously called this type of manoeuvring “strategic essentialism” (1988: 205) and then subsequently distanced herself from the phrase because “my notion just simply became the union ticket for essentialism. As to what is meant by strategy, no on wondered about that” (1993:35). It is these strategies that is under examination here, the strategies that can be useful in remaining self-determined while negotiating multiple identities.

#### Anti-blackness is not an ontological antagonism---conflict is inevitable in politics, but does not have to be demarcated around whiteness and blackness---the aff’s ontological fatalism recreates colonial violence

Peter Hudson 13, Political Studies Department, University of the Witwatersrand, Johannesburg , South Africa, has been on the editorial board of the Africa Perspective: The South African Journal of Sociology and Theoria: A Journal of Political and Social Theory and Transformation, and is a member of the Johannesburg Workshop in Theory and Criticism, The state and the colonial unconscious, Social Dynamics: A journal of African studies, 2013

Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, its real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.

#### Our pedagogical method is necessary to address issues like the environment, trade, and militarism that *exceed* whiteness. Their representation of “whiteness” as a root cause reduces all these to products of whiteness instead of dealing with them in their full complexity.

George YÚDICE Latin American & Caribbean Studies; Spanish & Portuguese Languages and Literatures; Social and Cultural Analysis @ Princeton, 95[“Neither Impugning nor Disavowing Whiteness Does a Viable Politics Make: The Limits of Identity Politics” *After Political Correctness* eds. Christopher Newfield and Ronald Strickland p. 279-281]

It is arguments such as those of SWOP and Ganados del Valle, not simply the claim that all we need to fight is white, Eurocentric cultural imperialism, that have the power to incorporate the white middle and working classes into struggles led by coalitions that include people of color and that benefit the citizenry rather than capitalist corporations. Whites must feel that they have a stake in the politics of multiculturalism and not simply see themselves as a backdrop against which subordinated groups take on their identity. The question may be raised whether the rearticulation of whiteness and the incorporation of whites into struggles over resource distribution do not lead to the deconstruction of other racial and identity groupings and thus weaken the basis on which people of color in the United State" have waged their politics. Rearticulating whiteness does not necessarily lead to a weakening of the identity of people of color and other oppressed groups, but it does create the possibility that many more issues will be perceived no longer as exclusively "white" concerns but also as matters of importance to ethnoracially and sexually minoritized groups and vice versa. Shifting the focus of struggle from identity to. resource distribution will also make it possible to engage such seemingly nonracial issues as the environment, the military, the military-industrial complex, foreign aid, and free-trade agreements as matters impacting local identities and thus requiring a global politics that works outside of the national frame, Of course, such a politics is meaningless unless it can be articulated among diverse constituencies and to the location of power and capital in the state. In City of Quartz, Mike Davis has mapped the ways in which urban ethnoracial politics and a myriad of global forces brokered by the US. state are imbricated: The privatization of the architectural public realm, moreover, is shadowed by parallel restructurings of electronic space, as heavily policed, pay-access "information or- ders:' elite data-bases and subscription cable services appropriate part of the invisible agora. Both processes, of course, mirror the deregulation of the economy and the re- cession of non-market entitlement. 63 The erosion of public space, the bunkerization of the wealthy, the segregation of ethnoracial groups, the political economy of drugs, the expendability of youth, the absolute permeation of everyday life by consumerism from the richest to the poorest, even a religious schism between right-to-lifers (Archbishop Mohanty) and Christian liberationists (Father Olivares)----all of these phenomena are shaped by global forces that greatly exceed although they certainly do not exclude the question of whiteness. It is incumbent upon multiculturalists and identity- politics activists, if we are going to make a difference, to take our politics beyond, without placing all the blame on or fostering disavowal of, the white (straw)man at which we have aimed so many of our efforts. I CAN'T IMAGINE EVER WANTING TO BE WHITE. This statement makes me think, but it does not encourage me to imagine; in fact, it admits to a failure of the imagination. But why not imagine the cir-cumstances under which one might want to be white-or black, or brown, or queer, or none of the above?

### **1AR**

#### **They present a false choice – identifying domestic and international struggles as distinct creates complacency with external violence and allows that same violence to exist at home**

Daulatzai 12 -- Associate Professor in the Department of Film and Media Studies and the Program in African American Studies at the University of California, Irvine; Ph.D., University of Southern California, Critical Studies (Sohail, 7/31/2012, *Black Star, Crescent Moon: The Muslim International and Black Freedom beyond America*, p.xi-xiv)

As scholars and historians have shown, Civil Rights has also had a flip side to it that has had to do with its assumptions about U.S. foreign policy and Black peoples' relationship to the rest of the world. When it emerged from the Cold War and the Red Scare of communism in the aftermath of World War II, Civil Rights assumed that the United States' moral standing in winning the hearts and minds of the decolonizing nations of Africa and Asia (which includes what is now the "Middle East") was linked to its treatment of Black peoples in the United States. In exchange for legislation on education, interstate transportation, voting rights, and other measures, the Civil Rights establishment **supported an aggressive U.S. foreign policy in the name of anticommunism**, including U.S. covert interventions and wars in Africa and Asia to prevent Soviet influence from spreading there, because communism was viewed by the United ~tates as a bigger threat to the Third World than colonialism. 5 But while Civil Rights has assumed that Black freedom is attainable within U.S. legal frameworks and political institutions, **critical Black internationalists have historically questioned that assumption**, seeing white supremacy as a global phenomenon and looking to international struggles in the Third World as **lenses for their own battles with white power**, **exploring the tactics and strategies of those struggles**, and also seeking solace and solidarity by expanding their racial community of belonging. And while Civil Rights has assumed that the United States has been a force for good in the world, whether it be through fighting and eradicating communism or any other perceived threats to U.S. national security, Black internationalists have been skeptical and have even outright challenged U.S. foreign policy, viewing it as similar to European colonialism, as an extension of Manifest Destiny and a racist logic that it practices at home.6 The election of Obama only served to further intensify the euphoria around the narrative of Civil Rights, as his election suggested to many that white supremacy no longer exists in a "postracial" America and that Black freedom not only can be realized in the United States but already has been. In affirming the triumphalist narrative of Civil Rights and seeking to create domestic consensus of racial harmony, Obama's election also sought to project the United States as a force for good in the world, making Black internationalism irrelevant or, through the Kenyandescended Obama, as now being embodied in the larger narrative of American universalism. In contrast to what many perceived to be a reckless and rogue unilateralism of President Bush in the post-9/11 era, the election of Obama was seen as a calming balm, a kind of national healing, as the United States could now be presented as a moral beacon to the world that spreads democracy and freedom while restoring faith to those at home. The containment of Black internationalism and the **attempt to erase the possibility of it** are **recurrent features within U.S. political culture**.

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In the post-9/11 climate, this containment has had to do with the current moment of U.S. empire, which views "Islam" and "the Muslim" as the **defining threats** to U.S. interests and to the global order that the United States has assumed to defend. With Blackness now the face of a U.S. empire in a state of permanent war with the Muslim Third World through occupation, overt war, **drone attacks**, the gulag at **Guantanamo**, and other covert means, Obama's presidency raises compelling questions about not only the relationship of Blackness to U.S. imperial power, but also of the relationship of Blackness to Islam and the Muslim Third World. Not surprisingly, it was Malcolm X who Feinstein conjured, only to dismiss. Why? Because not only is Malcolm's "Ballot or the Bullet" speech his .most well-known meditation on the futility of Black electoral participation and the urgent need to internationalize Black freedom dreams, but also because it is Malcolm X whose legacy reveals a rich and compelling history between Blackness, Islam, and the Muslim Third World, a history and legacy that has not only profoundly ' shaped Black radical thought, but a history and legacy that provides a powerful challenge to the post-9/11 era and the election of Obama.7 Through Malcolm's conversion to Islam and his critical Black internationalism, he has become a historical lens and a contemporary frame for understanding U.S. power, the **global dimensions of white supremacy**, and the relationships between Black freedom struggles in the United States and those in Africa and elsewhere in the Muslim Third World. Black Star, Crescent Moon explores this political and cultural history of Black Islam, Black radicalism, and the Muslim Third World in the postWorld War II era, when Black freedom struggles in the United States and decolonization in the Third World were taking place.8 In probing ideas about Black identity, tactics and strategies of liberation, art and aesthetics, questions around national belonging and citizenship, and the global nature of white supremacy, Black Star, Crescent Moon examines the history of Black Islam, Black radicalism, and the Muslim Third World within the context of the Civil Rights and Black Power eras, the post-Civil Rights era of mass incarceration, and the post-Cold War and post-9/11 eras. Largely due to Malcolm, but also because it is deeply rooted in Black resistance to New World slavery, the relationship between Blackness and Islam has raised a **tremendous amount of anxiety** within the larger U.S. national imagination, as it continues to circle and even **haunt contemporary ideas and debates around U.S. political culture**.9 In the post-9/11 climate, in which some are seemingly Muslim simply by association, Obama himself has been "smeared" with the "slur" of being Muslim. Throughout his campaign and even as president, the rumor and innuendo arouna Obama have created a climate in which 61 percent of Americans believe either that he is a Muslim or that he might be, according to an August 2010 PEW poll. 10 And there is so-called evidence to back it up, whether it is the focus on his middle name (Hussein), his father's identity as a Muslim, the short time he lived in Indonesia during his childhood and attended a madrassa (school) there, the famous 60 Minutes episode during the 2008 primary in which Ohio voters expressed fear that he might be a "Muzz-lum," and the infamous New Yorker cover, the specter of Islam in the post-9/11 climate haunts not only U.S. national identity and the larger West but also that it has been projected onto Obama in interesting ways that reveal an even deeper anxiety about the history of the relationship between Blackness and Islam. For to be Black is one thing in America that marks you as un-American, but to be Black and Muslim is quite another, as it marks you as anti-American, suggesting that potentially Obama is not the Manchurian candidate of the twentieth century but an Arabian candidate in the twenty-first, an executive fifth column poised to overthrow the United States.