# Round 3—Aff vs Georgetown LP

## 1AC

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#### 9/11 presented America with a choice—in our moment of greatest vulnerability, the country could choose to strike back against a newfound enemy or reflect on vulnerability and the global nature of our community

**Butler 9**—not Judy

(Judith, “Gender is Extramoral”, <http://mrzine.monthlyreview.org/2009/butler160509.html>, dml)

J.B.: When the USA was attacked in September 2001, the government set out to quickly construct an idea of the country as sovereign, impermeable, invulnerable, because it was unacceptable that its frontiers had been breached. The system involved creating very powerful images, normally of men: men of the government, men fighting to save people inside the World Trade Center. There was a kind of resurgence of the idea of a strong, efficacious, militarised man, a man whose body will never be destroyed nor affected by anyone, who will be pure action and pure aggression. A certain idea of the subject was produced: who is the American subject? Who is America? A very aggressive affirmation was made about masculine sovereignty, a certain idea of what the body is -- of the masculine body, a certain idea of masculine subjectivity, which also amounts to a national self-comprehension -- and then naturally they annihilated the sovereignty of Iraq, of Afghanistan, they resorted to Guantanamo because it is not under Cuban sovereignty and is also outside the borders of US sovereignty, in such a way that they could do what they wanted. They play with sovereignty; they take a certain kind of sovereignty as a prerogative, but do not respect sovereignty as a principle. Another possibility would have been to say: we have been attacked, we accept the fact that we live in a global community, our frontiers are porous, people can cross them, we have to decide how we want to live this. Instead of defending ourselves, what we need are new international agreements and also to show the USA as being committed to international law, because we should remember that since 2001, and even before, Bush has refused to sign almost any international treaties: the anti-missile treaty, that establishing the International Court; anything to do with international cooperation, including the UN. He exercised his sovereignty over them and against them. Perhaps because international cooperation is an ethos: we are dependent on a global world, we are all vulnerable, there can be accusations and agreements. How do we live together? What kind of agreements do we accept? But it is the nation-states that establish agreements between themselves and the real question is that of the stateless peoples: insurgent populations, people who live within political organisations that are not permitted to participate in international agreements. What kind of connection can be established here? This implies another kind of politics, a global politics, one that does not restrict itself to the nation-states. I am referring to other ways of thinking our vulnerability as nations, our limits as nations, and that include the conception of the subject as being fundamentally dependent or fundamentally social, as well as the forms of political organisation that seek to structure global politics in such a way as to gain recognition of our interdependence.

#### The government made the wrong choice. Instead of opening up space for dissident questioning of democratic accountability, the executive branch asserted its hegemony over all in its ability to combat the nebulous enemy of terrorism—absent a critical intervention this ushers in a state of endless war

**Rowan 5**—University of London Department of Geography, look at the title of this article

(Rory, “Imagine a Boot Stamping on Your Face Indeﬁnitely: The ‘War On Terror’ and Executive Hegemony”, Anamesa vol 3 issue 1, spring 2005, dml)

“Terror” is chosen as an enemy because it signiﬁes a potentially limitless threat that ﬁ rst necessitates an increased centralization of state power in the hands of the executive, and then guarantees not only the potentially limitless continuation, but also the extension of these executive powers, in order to respond to the threat. The lack of clear signiﬁ cation inherent in “terror” leaves the enemy/ object of war potentially limitless in number and character. An enemy that is of uncertain nature and not identiﬁ able by state borders means that any war waged against it will be of uncertain duration. The lack of a precise object of war leaves the war without clear objectives. It cannot be known how or when “terror” is defeated. Just as “terror” is of an uncertain nature, so the war waged against it will be of uncertain duration. Judith Butler argues that during the “war on terror” “state power restructures temporality itself,” as “terror” is not a historically limited problem over which a decisive victory can be scored.17 If the “war on terror” is a mechanism to guarantee an executive hegemony, then this hegemony remains of an uncertain nature and duration. It may be foolish to think it has already been fully realized. The undeﬁ ned duration of the “war on terror” gives a crucial insight into its nature, and its relation to the executive hegemony it justiﬁ es. In its lack of clear objectives, the “war on terror” threatens to continue without end. This makes permanent the executive hegemony it supposedly calls for. It could be seen as an attempt to effect some sort of historical closure, as if the “war on terror” were itself the future.18 The “war on terror” becomes an age. In the initial months after the attacks on the World Trade Center and the Pentagon on September 11, 2001, the phrase “war on terror” appeared alongside “age of terror” in ofﬁ cial discourse. Perhaps “age of terror” would have been a more ﬁ tting way to describe current events. The discourse of a “war on terror” acts as pre-emptive historiography, which according to Zizek ensures that “the loop between present and future is closed.”19 The logic of the Bush Doctrine, the logic of pre-emptive strikes, presupposes “that we can treat the future as something that in a way, has already taken place.”20 The “war on terror” thus displays a logic that uses the threat of future terrorist attacks to justify the extension of the current hegemonic order. This logic presupposes that any measures taken by the executive are always already justiﬁ ed by threats that may be possible in the future. 21 The “war on terror” thus serves to ensure the extension of an executive hegemony for an uncertain duration. This reveals the true nature of the “war” itself. It produces a new era only to regulate it. Through the “war on terror,” the executive positions itself as the regulating body of a new order deﬁ ned by the executive’s hegemony. The “war on terror” is used ﬁ rst to justify, and then to regulate, the executive hegemony. As Michael Hardt and Antonio Negri argue, in a situation in which a war with no foreseeable end is initiated, war is not a “threat to the existing structure of power, not a destabilizing force, but rather, on the contrary, an active mechanism that constantly creates and reinforces the present global order.”22 War is established not as an exception but as the normalizing force of the new era. The choice of “terror” as the enemy is crucial to establishing war’s regulative role. The “war on terror” allows the “metaphoric universalization of the signiﬁ er ‘terror,’” writes Zizek; “it is elevated to become the hidden point of equivalence between all social ills.”23 It is this logic of equivalence that gives the “war on terror” a hegemonic function. The extension of the name “terror” guarantees the continuation of this new order, producing ever more objects in need of regulation, thus guaranteeing the new executive hegemony. Any opposition to the hegemony of the executive can be equated with terror either directly or through metonymic suggestion. The aim of this process is to dampen any opposition, so that the executive’s hegemony can be maintained and further extended. The executive gives itself the power to accuse any number of suspects of being involved in “terrorist” activities. Any form of opposition movement with an alternative vision of state order can be outlawed by the decision of the executive itself. The opposition movements that are criminalized in this way ﬁ nd themselves delegitimized and ultimately depoliticized. The executive has the power to decide who or what can legitimately enter the ﬁ eld of the political, thus completely encompassing the political in its hegemony. The new judicial powers of the executive with regard to suspected “terrorists” become a political tool for excluding opposition from legitimacy on the basis that they are political enemies of the state and pose a “concrete” threat to security. Opposition can therefore be criminalized on the grounds of being political, but paradoxically be de-politicized in the same gesture. The “war on terror” is so bound up with the regulation of the executive hegemony it initiated that the distinction between war and policing is blurred. The criminalizing of political opposition allows it to become the depoliticized object of regulation. Political opposition is reduced to the status of a “social ill” that is in need of state regulation/ordering through police operations. The exercise of legitimate opposition is rhetorically elevated to the level of a threat to public security. This is true not only of domestic affairs but also on a global level where nation-states such as Afghanistan and Iraq become the objects of a regulative policing/war.24 Here the phrases “rogue state” or “failed state” de-legitimize states that will soon be the objects of war, reducing them to global “ills.” Indeed the “war on terror” is ﬁ rmly rooted in a U.S. tradition of government rhetorically invoking war in programs tackling social problems such as “war on poverty,” “war on crime,” “war on drugs,” and so on. “War” in this case is rhetorically used to justify changes made in the allocation of state powers, to the executive from other branches. This is portrayed as an urgent security requirement, yet is also meant to evoke a sense of underlying security typical of peacetime “wars” on social ills. As Hardt and Negri argue, “the metaphorical discourse of war is invoked as a strategic political maneuver in order to achieve the total mobilization of social forces for a united purpose typical of a war effort.”25 This is a well-worn formula: producing an external enemy to bring internal unity, or to justify measures enforcing it. What is novel about the “war on terror” is that the enemy is so abstract that making any distinction between internal and external becomes difﬁ cult, due to the ambiguity of the signiﬁ er terror. This ambiguity makes it ever harder to locate the limits of the new hegemony. Those obstacles painted both as threats to security that require war as a response, and as “social ills” in need of state regulation are no longer conﬁ ned merely to the domestic arena. The real aim of the “war on terror,” the extension of the executive hegemony at both domestic and global levels, may have yet to reach its fullest extent. This makes the public critique of the “war on terror” and the demand for the accountability of the executive urgent priorities for democracy both within and outside the United States.

#### This manifests itself in the executive practice of indefinite detention. We should object not only to the horrific conditions inflicted upon the victims of this practice, but the political moment it signifies—the instant that our president is allowed to suspend the laws indefinitely, the law is suspended infinitely—we must dissent to prevent an unfettered sovereign who can initiate war with impunity

**Butler 4**—not Judy

(Judith, *Precarious Life* pg 64-66, dml)

We might, and should, object that rights are being suspended indefinitely, and that it is wrong for individuals to live under such conditions. Whereas it makes sense that the US government would take immediate steps to detain those against whom there is evidence that they intend to wage violence against the US, it does not follow that suspects such as these should be presumed guilty or that due process ought to be denied to them. This is the argument from the point of view of human rights. From the point of view of a critique of power, however, we also have to object, politically, to the indefinite extension of lawless power that such detentions portend. If detention may be indefinite, and such detentions are presumably justified on the basis of a state of emergency, then the US government can protract an indefinite state of emergency. It would seem that the state, in its executive function, now extends conditions of national emergency so that the state will now have recourse to extralegal detention and the suspension of established law, both domestic and international, for the foreseeable future. Indefinite detention thus extends lawless power indefinitely. Indeed, the indefinite detention of the untried prisoner-or the prisoner tried by military tribunal and detained regardless of the outcome of the trial-is a practice that presupposes the indefinite extension of the war on terrorism. And if this war becomes a permanent part of the state apparatus, a condition which justifies and extends the use of military tribunals, then the executive branch has effectively set up its own judiciary function, one that overrides the separation of power, the writ of habeas corpus (gaaranteed, it seems, by Guantanamo Bay's geographical location outside the borders of the United States, on Cuban land, but not under Cuban rule), and the entitlement to due process. It is not just that constitutional protections are indefinitely suspended, but that the state (in its augmented executive function) arrogates to itself the right to suspend the Constitution or to manipulate the geography of detentions and trials so that constitutional and international rights are effectively suspended. The state arrogates to its functionaries the right to suspend rights, which means that if detention is indefinite there is no foreseeable end to this practice of the executive branch (or the Department of Defense) deciding, unilaterally, when and where to suspend constitutionally protected rights, that is, to suspend the Constitution and the rule of law, so producing a form of sovereign power in these acts of suspension. These prisoners at Camp Delta (and formerly Camp X-Ray), detained indefinitely, are not even called "prisoners" by the Department of Defense or by representatives of the current US administration. To call them by that name would suggest that internationally recognized rights pertaining to the treatment of prisoners of war ought to come into play. They are, rather, "detainees," those who are held in waiting, those for whom waiting may well be without end. To the extent that the state arranges for this pre-legal state as an "indefinite" one, it maintains that there will be those held by the government for whom the law does not apply, not only in the present, but for the indefinite future. In other words, there will be those for whom the protection of law is indefinitely postponed. The state, in the name of its right to protect itself and, hence, and through the rhetoric of sovereignty, extends its power in excess of the law and defies international accords; for if the detention is indefinite, then the lawless exercise of state sovereignty becomes indefinite as well. In this sense, indefinite detention provides the condition for the indefinite exercise of extra-legal state power. Although the justification for not providing trials--and the attendant rights of due process, legal counsel, rights of appeal-is that we are in a state of national emergency, a state understood as out of the ordinary, it seems to follow that the state of emergency is not limited in time and space, that it, too, enters onto an indefinite future. Indeed, state power restructures temporality itself, since the problem of terrorism is no longer a historically or geographically limited problem: it is limitless and without end, and this means that the state of emergency is potentially limitless and without end, and that the prospect of an exercise of state power in its lawlessness structures the future indefinitely. The future becomes a lawless future, not anarchical, but given over to the discretionary decisions of a set of designated sovereigns-a perfect paradox that shows how sovereigns emerge within governmentality-who are beholden to nothing and to no one except the performative power of their own decisions. They are instrumentalized, deployed by tactics of power they do not control, but this does not stop them from using power, and using it to reanimate a sovereignty that the governmentalized constellation of power appeared to have foreclosed. These are petty sovereigns, unknowing, to a degree, about what work they do, but performing their acts unilaterally and with enormous consequence. Their acts are clearly conditioned, but their acts are judgments that are nevertheless unconditional in the sense that they are final, not subject to review, and not subject to appeal.

#### Our advocacy is to say no to the executive’s ability to indefinitely detain.

**Rowan 5**—University of London Department of Geography, the best article titler in the world

(Rory, “Imagine a Boot Stamping on Your Face Indeﬁnitely: The ‘War On Terror’ and Executive Hegemony”, Anamesa vol 3 issue 1, spring 2005, dml)

The French legal theorist Julien Freund warned, in his analysis of Carl Schmitt’s work, that “once power has been acquired legally, nothing guarantees it will be exercised legally and the legality in force will not be transgressed.”26 For this very reason a healthy democracy cannot be reduced to the vote alone. Those who are elected democratically (although even this is open to question in the United States) may have no interest in the continuation of democracy and indeed may seek its destruction. The ability to publicly criticize and demand accountability from the government is also essential to the functioning of a healthy democracy. The balance of powers in the United States government was designed to guarantee the accountability of those in power to the public. The current executive, however, has sought to undermine this balance and thus the public’s ability to hold the executive accountable for its actions is diminished. Democracy must be reconceived as being inseparable from accountability and the public’s ability to freely criticize the government where they see ﬁ t. For democracy to be worthy of that name, we must once again take control of language, and, once again, we must say “no.”

#### While legal action is necessary, it is not sufficient—only the affirmative’s ethical orientation forces a reconceptualization of what it means to be human and who is grievable—this is a stance against the endless violence of the status quo

**Butler 4**—not Judy

(Judith, *Precarious Life* pg 86-92, dml)

So, these prisoners, who are not prisoners, will be tried, if they will be tried, according to rules that are not those of a constitutionally defined US law nor of any recognizable international code. Under the Geneva Convention, the prisoners would be entitled to trials under the same procedures as US soldiers, through court martial or civilian courts, and not through military tribunals as the Bush administration has proposed. The current regulations for military tribunals provide for the death penalty if all members of the tribunal agree to it. The President, however, will be able to decide on that punishment unilaterally in the course of the final stage of deliberations in which an executive judgment is made and closes the case. Is there a timeframe set forth in which this particular judicial operation will cease to be? In response to a reporter who asked whether the government was not creating procedures that would be in place indefinitely, "as an ongoing additional judicial system created by the executive branch," General Counsel Haynes pointed out that the "the rules [for the tribunals] ... do not have a sunset provision in them ... I'd only observe that the war, we think, will last for a while." One might conclude with a strong argument that government policy ought to follow established law. And in a way, that is part of what I am calling for. But there is also a problem with the law, since it leaves open the possibility of its own retraction, and, in the case of the Geneva Convention, extends "universal" rights only to those imprisoned combatants who belong to "recognizable" nation-states, but not to all people. Recognizable nation-states are those that are already signatories to the convention itself. This means that stateless peoples or those who belong to states that are emergent or "rogue" or generally unrecognized lack all protections. The Geneva Convention is, in part, a civilizational discourse, and it nowhere asserts an entitlement to protection against degradation and violence and rights to a fair trial as universal rights. Other international covenants surely do, and many human rights organizations have argued that the Geneva Convention can and ought to be read to apply universally. The International Committee of the Red Cross made this point publicly (February 8, 2002). Kenneth Roth, Director of Human Rights Watch, has argued strongly that such rights do pertain to the Guantanamo Prisoners (January 28, 2002), and the Amnesty International Memorandum to the US Government (April 15, 2002), makes clear that fifty years of international law has built up the assumption of universality, codified clearly in Article 9(4) of the International Covenant on Civil and Political Rights, ratified by the US in 1992. Similar statements have been made by the International Commission on Jurists (February 7, 2002) and the Organization for American States human rights panel made the same claim (March 13, 2002), seconded by the Center for Constitutional Rights (June ro, 2002). Exclusive recourse to the Geneva Convention, itself drafted in 1949, as the document for guidance in this area is thus in itself problematic. The notion of "universality" embedded in that document is restrictive in its reach: it counts as subjects worthy of protection only those who belong already to nation-states recognizable within its terms. In this way, then, the Geneva Convention is in the business of establishing and applying a selective criterion to the question of who merits protection under its provisions, and who does not. The Geneva Convention assumes that certain prisoners may not be protected by its statute. By clearly privileging those prisoners from wars between recognizable states, it leaves the stateless unprotected, and it leaves those from nonrecognized polities without recourse to its entitlements. Indeed, to the extent that the Geneva Convention gives grounds for a distinction between legal and illegal combatants, it distinguishes between legitimate and illegitimate violence. Legitimate violence is waged by recognizable states or "countries," as Rumsfeld puts it, and illegitimate violence is precisely that which is committed by those who are landless, stateless, or whose states are deemed not worth recognizing by those who are already recognized. In the present climate, we see the intensification of this formulation as various forms of political violence are called "terrorism," not because there are valences of violence that might be distinguished from one another, but as a way of characterizing violence waged by, or in the name of, authorities deemed illegitimate by established states. As a result, we have the sweeping dismissal of the Palestinian Intifada as "terrorism" by Ariel Sharon, whose use of state violence to destroy homes and lives is surely extreme. The use of the term, "terrorism," thus works to delegitimate certain forms of violence committed by non-state-centered political entities at the same time that it sanctions a violent response by established states. Obviously, this has been a tactic for a long time as colonial states have sought to manage and contain the Palestinians and the Irish Catholics, and it was also a case made against the African National Congress in apartheid South Africa. The new form that this kind of argument is taking, and the naturalized status it assumes, however, will only intensify the enormously damaging consequences for the struggle for Palestinian self-determination. Israel takes advantage of this formulation by holding itself accountable to no law at the very same time that it understands itself as engaged in legitimate self-defense by virtue of the status of its actions as state violence. In this sense, the framework for conceptualizing global violence is such that "terrorism" becomes the name to describe the violence of the illegitimate, whereas legal war becomes the prerogative of those who can assume international recognition as legitimate states. The fact that these prisoners are seen as pure vessels of violence, as Rumsfeld claimed, suggests that they do not become violent for the same kinds of reason that other politicized beings do, that their violence is somehow constitutive, groundless, and infinite, if not innate. If this violence is terrorism rather than violence, it is conceived as an action with no political goal, or cannot be read politically. It emerges, as they say, from fanatics, extremists, who do not espouse a point of view, but rather exist outside of "reason," and do not have a part in the human community. That it is Islamic extremism or terrorism simply means that the dehumanization that Orientalism already performs is heightened to an extreme, so that the uniqueness and exceptionalism of this kind of war makes it exempt from the presumptions and protections of universality and civilization. When the very human status of those who are imprisoned is called into question, it is a sign that we have made use of a certain parochial frame for understanding the human, and failed to expand our conception of human rights to include those whose values may well test the limits of our own. The figure of Islamic extremism is a very reductive one at this point in time, betraying an extreme ignorance about the various social and political forms that Islam takes, the tensions, for instance, between Sunni and Shiite Muslims, as well as the wide range of religious practices that have few, if any, political implications such as the da'wa practices of the mosque movement, or whose political implications are pacifist. If we assume that everyone who is human goes to war like us, and that this is part of what makes them recognizably human, or that the violence we commit is violence that falls within the realm of the recognizably human, but the violence that others commit is unrecognizable as human activity, then we make use of a limited and limiting cultural frame to understand what it is to be human. This is no reason to dismiss the term "human," but only a reason to ask how it works, what it forecloses, and what it sometimes opens up. To be human implies many things, one of which is that we are the kinds of beings who must live in a world where clashes of value do and will occur, and that these clashes are a sign of what a human community is. How we handle those conflicts will also be a sign of our humanness, one that is, importantly, in the making. Whether or not we continue to enforce a universal conception of human rights at moments of outrage and incomprehension, precisely when we think that others have taken themselves out of the human community as we know it, is a test of our very humanity. We make a mistake, therefore, if we take a single definition of the human, or a single model of rationality, to be the defining feature of the human, and then extrapolate from that established understanding of the human to all of its various cultural forms. That direction will lead us to wonder whether some humans who do not exemplify reason and violence in the way defined by our definition are still human, or whether they are "exceptional" (Haynes) or "unique" (Hastert), or "really bad people" (Cheney) presenting us with a limit case of the human, one in relation to which we have so far failed. To come up against what functions, for some, as a limit case of the human is a challenge to rethink the human. And the task to rethink the human is part of the democratic trajectory of an evolving human rights jurisprudence. It should not be surprising to find that there are racial and ethnic frames by which the recognizably human is currently constituted. One critical operation of any democratic culture is to contest these frames, to allow a set of dissonant and overlapping frames to come into view, to take up the challenges of cultural translation, especially those that emerge when we find ourselves living in proximity with those whose beliefs and values challenge our own at very fundamental levels. More crucially, it is not that "we" have a common idea of what is human, for Americans are constituted by many traditions, including Islam in various forms, so any radically democratic self-understanding will have to come to terms with the heterogeneity of human values. This is not a relativism that undermines universal claims; it is the condition by which a concrete and expansive conception of the human will be articulated, the way in which parochial and implicitly racially and religiously bound conceptions of human will be made to yield to a wider conception of how we consider who we are as a global community. We do not yet understand all these ways, and in this sense human rights law has yet to understand the full meaning of the human. It is, we might say, an ongoing task of human rights to reconceive the human when it finds that its putative universality does not have universal reach. The question of who will be treated humanely presupposes that we have first settled the question of who does and does not count as a human. And this is where the debate about Western civilization and Islam is not merely or only an academic debate, a misbegotten pursuit of Orientalism by the likes of Bernard Lewis and Samuel Huntington who regularly produce monolithic accounts of the "East," contrasting the values of Islam with the values of Western "civilization." In this sense, "civilization" is a term that works against an expansive conception of the human, one that has no place in an internationalism that takes the universality of rights seriously. The term and the practice of "civilization" work to produce the human differentially by offering a culturally limited norm for what the human is supposed to be. It is not just that some humans are treated as humans, and others are dehumanized; it is rather that dehumanization becomes the condition for the production of the human to the extent that a "Western" civilization defines itself over and against a population understood as, by definition, illegitimate, if not dubiously human. A spurious notion of civilization provides the measure by which the human is defined at the same time that a field of would-be humans, the spectrally human, the deconstituted, are maintained and detained, made to live and die within that extra-human and extrajuridical sphere of life. It is not just the inhumane treatment of the Guantanamo prisoners that attests to this field of beings apprehended, politically, as unworthy of basic human entitlements. It is also found in some of the legal frameworks through which we might seek accountability for such inhuman treatment, such that the brutality is continued-revised and displaced-in, for instance, the extra-legal procedural antidote to the crime. We see the operation of a capricious proceduralism outside of law, and the production of the prison as a site for the intensification of managerial tactics untethered to law, and bearing no relation to trial, to punishment, or to the rights of prisoners. We see, in fact, an effort to produce a secondary judicial system and a sphere of non-legal detention that effectively produces the prison itself as an extra-legal sphere maintained by the extrajudicial power of the state. This new configuration of power requires a new theoretical framework or, at least, a revision of the models for thinking power that we already have at our disposal. The fact of extra-legal power is not new, but the mechanism by which it achieves its goals under present circumstances is singular. Indeed, it may be that this singularity consists in the way the "present circumstance" is transformed into a reality indefinitely extended into the future, controlling not only the lives of prisoners and the fate of constitutional and international law, but also the very ways in which the future may or may not be thought.

#### Recognizing the value and grievability of all life is a pre-requisite to ethical judgments—this is critical to hedge against status quo politics can designate who’s lives are worth even recognizing as lives

**Butler 9**—not Judy

(Judith, *Frames of War* pg 13-15, dml)

We read about lives lost and are often given the numbers, but these stories are repeated every day, and the repetition appears endless, irremediable. And so, we have to ask, what would it take not only to apprehend the precarious character of lives lost in war, but to have that apprehension coincide with an ethical and political opposition to the losses war entails? Among the questions that follow from this situation are: How is affect produced by this structure of the frame? And what is the relation of affect to ethical and political judgment and practice? To say that a life is precarious requires not only that a life be apprehended as a life, but also that precariousness be an aspect of what is apprehended in what is living. Normatively construed, I am arguing that there ought to be a more inclusive and egalitarian way of recognizing precariousness, and that this should take form as concrete social policy regarding such issues as shelter, work, food, medical care, and legal status. And yet, I am also insisting, in a way that might seem initially paradoxical, that precariousness itself cannot be properly recognized. It can be apprehended, taken in, encountered, and it can be presupposed by certain norms of recognition just as it can be refused by such norms. Indeed, there ought to be recognition of precariousness as a shared condition of human life (indeed, as a condition that links human and non-human animals), but we ought not to think that the recognition of precariousness masters or captures or even fully cognizes what it recognizes. So although I would (and will) argue that norms of recognition ought to be based on an apprehension of precariousness, I do not think that precariousness is a function or effect of recognition, nor that recognition is the only or the best way to register precariousness. To say that a life is injurable, for instance, or that it can be lost, destroyed, or systematically neglected to the point of death, is to underscore not only the finitude of a life (that death is certain) but also its precariousness (that life requires various social and economic conditions to be met in order to be sustained as a life). Precariousness implies living socially, that is, the fact that one's life is always in some sense in the hands of the other. It implies exposure both to those we know and to those we do not know; a dependency on people we know, or barely know, or know not at all. Reciprocally, it implies being impinged upon by the exposure and dependency of others, most of whom remain anonymous. These are not necessarily relations of love or even of care, but constitute obligations toward others, most of whom we cannot name and do not know, and who may or may not bear traits of familiarity to an established sense of who "we" are. In the interest of speaking in common parlance, we could say that "we" have such obligations to "others" and presume that we know who "we" are in such an instance. The social implication of this view, however, is precisely that the "we" does not, and cannot, recognize itself, that it is riven from the start, interrupted by alterity, as Levinas has said, and the obligations "we" have are precisely those that disrupt any established notion of the "we." Over and against an existential concept of finitude that singularizes our relation to death and to life, precariousness underscores our radical substitutability and anonymity in relation both to certain socially facilitated modes of dying and death and to other socially conditioned modes of persisting and flourishing. It is not that we are born and then later become precarious, but rather that precariousness is coextensive with birth itself (birth is, by definition, precarious), which means that it matters whether or not this infant being survives, and that its survival is dependent on what we might call a social network of hands. Precisely because a living being may die, it is necessary to care for that being so that it may live. Only under conditions in which the loss would matter does the value of the life appear. Thus, grievability is a presupposition for the life that matters. For the most part, we imagine that an infant comes into the world, is sustained in and by that world through to adulthood and old age, and finally dies. We imagine that when the child is wanted, there is celebration at the beginning of life. But there can be no celebration without an implicit understanding that the life is grievable, that it would be grieved if it were lost, and that this future anterior is installed as the condition of its life. In ordinary language, grief attends the life that has already been lived, and presupposes that life as having ended. But, according to the future anterior (which is also part of ordinary language), grievability is a condition of a life's emergence and sustenance.7 The future anterior, "a life has been lived," is presupposed at the beginning of a life that has only begun to be lived. In other words, "this will be a life that will have been lived" is the presupposition of a grievable life, which means that this will be a life that can be regarded as a life, and be sustained by that regard. Without grievability, there is no life, or, rather, there is something living that is other than life. Instead, "there is a life that will never have been lived," sustained by no regard, no testimony, and ungrieved when lost. The apprehension of grievability precedes and makes possible the apprehension of precarious life. Grievability precedes and makes possible the apprehension of the living being as living, exposed to non-life from the start.

#### Humanity is a tiny speck in the history of a universe that will inevitably die – in the face of uncontrollable catastrophe and cosmic flux, ethics must enter first in your decision calculus

**Clark 10 –** Senior Lecturer in Geography at Open University

(Nigel, “Ex-Orbitant Generosity: Gifts of Love in a Cold Cosmos”, Parallax, Vol. 16, No. 1, Pg. 80-95, dml)

Harman has no qualms about positing nonhuman objects that attract and repel each other. 50 He conceives of the elemental surfaces of things as making demands on each other, responding with the same sincerity that Levinas spoke of, all the while concealing their inner depths. In the context of thinking through our inhabitation of a volatile earth, this sort of inquiry is deeply promising. Even if we are not yet enthralled by the issue of the interactions of astral bodies in far-ﬂung galaxies for their own sake, the question of how independently forceful objects encounter each other on – or in the vicinity of – our planet has tremendous implications for the earth-bound beings who are constantly caught in the fallout of these clashes. Though, if we are willing to follow Harman and agree that nonhuman objects have their own imperatives, do we also want to posit that these elemental encounters prompt ethical ﬁdelities amongst themselves – besides those they may or may not incite amongst the vulnerable human bodies transﬁxed in their path? In recent writing on the gift, there have been a number of variations on the theme of Nietzsche’s selﬂess, life-giving solar ﬂux. For Adriaan Peperzak, musing on the heterogeneous character of gift-giving: ‘Not only can the sun, trees, and animals give, but also anonymous forces and unknown sources. Nature, Fortune, Destiny, Moira, the gods, or God may be experienced or imagined as givers’. 51 In a related way, for Genevieve Vaughan, ‘Gaia, our Mother Earth [. . . .] the abundant planet on which we live’ is a preeminent source of the gifts upon which human life depends. 52 While such accounts rarely provide explicit consideration of the relations of give and take that might pertain amongst these generous entities in our absence, there is little to indicate that these bounteous ﬂows switch off whenever their human recipients vacate the scene. Karen Barad, however, is unequivocal. In her extended consideration of the interactive materiality of the universe, Barad boldly insists that the world’s constant becoming raises questions of ethical responsibility at every moment, **whether humans are present or not**: ‘Ethicality is part of the fabric of the world; the call to respond and be responsible is part of what is’. 53 The merger of ontology and ethics that Barad proposes is far from unique. In the current rage for philosophies of immanence, for neo-vitalism and processuality – the insistence on a single ontological plane in which disparate entities engage in streams of transmutation generally presupposes that the ethical is implicated in the all-encompassing creative ﬂux. This does not imply creativity or becoming is painless, however. In Deleuze’s inﬂuential take on pure immanence, life may ﬂow on indomitably, but there is nonetheless plenty of wounding as encounters between bodies trigger violent and unpredictable transformations. Thus: ‘every dynamism is a catastrophe. There is necessarily something cruel in this birth of a world which is a chaosmos’. 54 For Deleuze, and those in his orbit, the ethical is not primarily a response to the suffering that arises out of wrenching change – or any kind of response or obligation at all. As the afﬁrmation of the transformative possibility that inheres in encounters and interactions, ethics is an immanent evaluation of the process of becoming. Although the usual term in Deleuze and Guattari’s writings for the driving force of creative transformation is ‘desire’, John Protevi accentuates the ethical-ontological fusion by picking up those instances in their work when this is referred to as ‘love’: ‘When bodies join in the mutual experimental deterritorialisation that is love, we ﬁnd Deleuze and Guattari’s most adventurous concept: the living, changing, multiplying virtual, the unfolding of the plane of consistency. Love is complexity producing novelty, the very process of life’. 55 In this way, desire or love *is*becoming, and generosity is generativity - which makes it, to borrow a formulation from Ray Brassier, `ontologically ubiquitous’.56 Effectively, there is no need for a distinctive ethics to address the injuries of transmutation, because the catastrophe itself is ultimately productive. With the championing of pure process and incessant becoming that characterises much of the contemporary take on `immanence’, **what counts is not so much the substantive bodies that happen to come into being, so much as the great overarching stream of generative matter-energy from which all individuated forms are bodied forth**.Where the unlimited potential for becoming or change takes precedence over the limited and constrained condition of the actual bodies it gives rise to,**there can be no absolute and irreparable loss**. Whatever dissolution of bodily integrity takes place, **what ever fate befalls actual beings, is less of a termination than a reconfiguration, a temporary undoing that facilitates a renewed participation in the greater flow.** And with this prioritization of process over product, of virtuality over actuality, whatever fidelity is called for is to the `flux of invincible life’ itself - rather than to its interruptions.57 `Catastrophe’, in this sense, is the speedy, if painful, passage to a fresh start, to a new life. If it is a crack that fissures the ontological universe, then it is ultimately a self- suturing one. But for some theorists who take the event of the cataclysm to heart, a non- annihilating disaster is not a disaster worthy of the name. As Edith Wyschogrod concludes of Deleuzo-Guattarian catastrophism: `Because there is nothing but the fullness of desiring production, they cannot, strictly speaking, explain disease and natural catastrophe....’ 58 For Ray Brassier, the fashionable avowal of pure process or immanence raises a more general issue: that of how such philosophies are to account for discontinuity at all, how they are to explain breaks in pure productivity or lapses into inactivity. This is a problem not just for Deleuze, he suggests, `but for any philosophy that would privilege becoming over stasis’.59 Brassier’s engagement with solar extinction returns us to the literal exorbitance of an earth **open and precarious in the face of an inhospitable cosmos and to the Levinasian theme of existence fissured by impassable rifts**. Whereas Harman stresses the innumerable ruptures that punctuate a universe of heterogeneous objects, Brassier zeroes on the quandaries posed by one particular juncture. Against any philosophy that assumes the necessity of a thinking being to make sense of the world, and equally counter to any philosophical stance that posits an incessant stream of becoming, he draws out the significance of the moment when **terrestrial life** might be – or rather, **will be - totally, irredeemably, extinguished**. Playing off a discussion by Jean-François Lyotard about our sun gradually burning out and rendering the earth uninhabitable - an eventuality which scientists have predicted with some confidence – Brassier points up the certainty of non-existence that weighs upon all life.60 For Levinas, the impossibility of self-identity, of synchronicity, and of the closure of reciprocity is signalled by the passage into the time of the other: **the interruption of self- presence by `a time** **without me**’.61 In his working through of the inheritance of Levinas, Derrida observes that love is always a rupture in the living present, haunted by the knowledge that `One of us will see the other die, one of us will live on, even if only for an instant’.62 This is love’s exorbitance, the impossibility of its recuperation into an economy of reciprocal, synchronous or symmetrical gestures. For Brassier, that fact that terrestrial life is eventually doomed by solar catastrophe **promises a time without me, without any of us,** without thought or experience, without even the life that lends death its much-touted significance. **This is a quite literal crack in the ontological edifice of the universe: objective scientific knowledge that propels thought on the impossible task of thinking thought’s own non-being**. As Brassier announces: `Lyotard’s `solar catastrophe’ effectively transposes Levinas’s theologically inflected `impossibility of possibility’ into a natural-scientific register, so that it is no longer the death of the Other that usurps the sovereignty of consciousness, but the extinction of the sun’.63 In the face of the other, in its exposure to the elements, **we catch a glimpse of our own vulnerability and finitude**.64 In the face of a cyclone, or the face of others traumatised by gale-force winds, we see forces strong enough to overwhelm communities, cities, entire regions. We may also in some opaque sense - but in a way that is currently subject to elucidation by the physical sciences - **feel an intimation of energies that could overwhelm an earth. And ultimately annihilate every conceivable entity**. In Brassier’s words: roughly **one** **trillion, trillion, trillion** **years from now, the accelerating expansion of the universe will have disintegrated the fabric of matter itself, terminating the possibility of embodiment. Every star in the universe will have burnt out, plunging the cosmos into a state of absolute darkness and leaving behind nothing but spent husks of collapsed matter**.65 Negating the consolation of endless becoming or ubiquitous self-overflowing, this scenario implies that **ethics too is ultimately doomed**: the gift of the disaster pointing finally to the disaster of the gift. And yet, across a nation state that could have been any patch of the globe, ordinary folk offer beds to complete strangers, the townspeople of a backwater village ladle out lashings of Hurricane Gumbo to dishevelled company, and a million and one other obscure acts of love flare and fade away: tiny sparks of generosity that arc across the cracks in daily life. And keep doing so in spite of, because of, the perishability that characterises the gift, its giver and its recipient alike. For John Caputo, who also gazes directly at the coming solar disaster, **it is the very `face of a faceless cosmos’ that makes of an ethical opening to an other `an act of hyperbolic partiality and defiance’**.66 In this way, it is not just that each gift is an offering of flesh and the giving of a terrain, but that every gift carries the trace of the very extinguishing of existence. In its responsiveness to the inconsistency or the excessiveness of light, each generous reception murmurs against the dying of all light. Somewhere beside or beyond critical thought’s harsh cross-examination of compassion and the neo-vitalist extension of ethical dispositions into every corner of the cosmos, then, runs this other option, propelled by the very exorbitance, diachrony and asymmetry that severs being from thought and unhinges ethics from ontology. **If it negates the radical passivity of generosity to demand that it enacts a moral cost accounting before it sets forth, so too does it rebuke the idea of a responsibility that is primordially receptive to declare that every spontaneous energetic or material discharge is in essence a gift.** Demands might well emit from any object, but not every thing can give in or give out in response to a summons. As biologist Lynn Margulis and science writer Dorion Sagan put it: `**life is matter that chooses’**.67 Which appears to makes choice fairly rare in the known universe, as well as contingent and, in all likelihood, ephemeral. **Like other living creatures, we humans `can turn away from faces as we can turn away from the surfaces of things’**. Or choose not too. Even if it is not unique, **perhaps our particularly pronounced capacity to vacillate between turning toward and turning away has a defining quality**. If not us, then who?

#### Debaters should be ethical social critics.

**McGee and Romanelli 97** – Assistant Professor in Communication Studies at Texas Tech AND Director of Debate at Loyola University of Chicago

(Brian and David, “Policy Debate as Fiction: In Defense of Utopian Fiat”, Contemporary Argumentation and Debate 18 (1997) 23-35, dml)

Snider argued several years ago that a suitable paradigm should address “something we can ACTUALLY DO” as opposed to something we can MAKE BELIEVE ABOUT” (“Fantasy as Reality” 14). A utopian literature metaphor is beneficial precisely because it is within the power of debaters to perform the desired action suggested by the metaphor, if not always to demonstrate that the desired action is politically feasible.

Instead of debaters playing to an audience of those who make public policy, debaters should understand themselves as budding social critics in search of an optimal practical and cultural politics. While few of us will ever hold a formal policy-making position, nearly all of us grow up with the social and political criticism of the newspaper editorial page, the high school civics class, and, at least in homes that do not ban the juxtaposition of food and politics, the lively dinner table conversation. We complain about high income taxes, declining state subsidies for public education, and crumbling interstate highways. We worry about the rising cost of health care and wonder if we will have access to high-quality medical assistance when we need it. Finally, we bemoan the decline of moral consensus, rising rates of divorce, drug use among high school students, and disturbing numbers of pregnant teen-agers. From childhood on, we are told that good citizenship demands that we educate ourselves on political matters and vote to protect the polis; the success of democracy allegedly demands no less. For those who accept this challenge instead of embracing the political alienation of Generation X and becoming devotees of *Beavis and Butthead*, social criticism is what good citizens do**.**

Debate differs from other species of social criticism because debate is a game played by students who want to win. However, conceiving of debate as a kind of social criticism has considerable merit. Social criticism is not restricted to a technocratic elite or group of elected officials. Moreover, social criticism is not necessarily idle or wholly deconstructive. Instead, such criticism necessarily is a prerequisite to any effort to create policy change, whether that criticism is articulated by an elected official or by a mother of six whose primary workplace is the home. When one challenges the status quo, one normally implies that a better alternative course of action exists. Given that intercollegiate debate frequently involves exchanges over a proposition of policy by student advocates who are relatively unlikely ever to debate before Congress, envisioning intercollegiate debate as a specialized extension of ordinary citizen inquiry and advocacy in the public sphere seems attractive. Thinking of debate as a variety of social criticism gives debate an added dimension of public relevance.

One way to understand the distinction between debate as policy-making and debate as social criticism is to examine Roger W. Cobb and Charles D. Elder’s agenda-building theory.5 Cobb and Elder are well known for their analytic split of the formal agenda for policy change, which includes legislation or other action proposed by policy makers with formal power (e.g., government bureaucrats, U.S. Senators), from the public agenda for policy change, which is composed of all those who work outside formal policy-making circles to exert influence on the formal agenda. Social movements, lobbyists, political action committees, mass media outlets, and public opinion polls all constitute the public agenda, which, in turn, has an effect on what issues come to the forefront on the formal agenda. From the agenda-building perspective, one cannot understand the making of public policy in the United States without comprehending the confluence of the formal and public agenda.

In intercollegiate debate, the policy-making metaphor has given primacy to formal agenda functions at the expense of the public agenda. Debaters are encouraged to bypass thinking about the public agenda in outlining policy alternatives; appeals for policy change frequently are made by debaters under the strange pretense that they and/or their judges are members of the formal agenda elite. Even arguments about the role of the public in framing public policy are typically issued by debaters as if those debaters were working within the confines of the formal agenda for their own, instrumental advantage. (For example, one thinks of various social movement “backlash” disadvantage arguments, which advocate a temporary policy paralysis in order to stir up public outrage and mobilize social movements whose leaders will demand the formal adoption of a presumably superior policy alternative.) The policy-making metaphor concentrates on the formal agenda to the near exclusion of the public agenda, as the focus of a Katsulas or a Dempsey on the “real-world” limitations for making policy indicates.

Debate as social criticism does not entail exclusion of formal agenda concerns from intercollegiate debate. The specified agent of action in typical policy resolutions makes ignoring the formal agenda of the United States government an impossibility. However, one need not be able to influence the formal agenda directly in order to discuss

what it is that the United States government should do. Undergraduate debaters and their judges usually are far removed—both physically and functionally—from the arena of formal-agenda deliberation. What the disputation of student debaters most closely resembles, to the extent that it resembles any real-world analog, is public-agenda social criticism. What students are doing is something they really CAN do as students and ordinary citizens; they are working in their own modest way to shape the public agenda.

While “social criticism” is the best explanation for what debaters do, this essay goes a step further. The mode of criticism in which debaters operate is the production of utopian literature. Strictly speaking, debaters engage in the creation of fictions and the comparison of fictions to one another. How else does one explain the affirmative advocacy of a plan, a counterfactual world that, by definition, does not exist? Indeed, traditional inherency burdens demand that such plans be utopian, in the sense that current attitudes or structures make the immediate enactments of such plans unlikely in the “real world” of the formal agenda. Intercollegiate debate is utopian because plan and/or counterplan enactment is improbable. While one can distinguish between incremental and radical policy change proposals, the distinction makes no difference in the utopian practice of intercollegiate debate.

More importantly, intercollegiate debate is utopian in another sense. Policy change is considered because such change, it is hoped, will facilitate the pursuit of the good life. For decades, intercollegiate debaters have used fiat or the authority of the word “should” to propose radical changes in the social order, in addition to advocacy of the incremental policy changes typical of the U.S. formal agenda. This wide range of policy alternatives discussed in contemporary intercollegiate debate is the sign of a healthy public sphere, where thorough consideration of all policy alternatives is a possibility. Utopian fiction, in which the good place that is no place is envisioned, makes possible the instantiation of a rhetorical vision prerequisite to building that good place in our tiny corner of the universe. Even Lewis Mumford, a critic of utopian thought, concedes that we “can never reach the points of the compass; and so no doubt we shall never live in utopia; but without the magnetic needle we should not be able to travel intelligently at all” (Mumford 24-25).

An objection to this guiding metaphor is that it encourages debaters to do precisely that to which Snider would object, which is to “make believe” that utopia is possible. This objection misunderstands the argument. These students already are writers of utopian fiction from the moment they construct their first plan or counterplan text. Debaters who advocate policy change announce their commitment to changing the organization of society in pursuit of the good life, even though they have no formal power to call this counterfactual world into being. Any proposed change, no matter how small, is a repudiation of policy paralysis and the maintenance of the status quo. As already practiced, debate revolves around utopian proposals, at least in the sense that debaters and judges lack the formal authority to enact their proposals. Even those negatives who defend the current social order frequently do so by pointing to the potential dystopic consequences of accepting such proposals for change.

## 2AC

### case

**Bellacasa 10**—Lecturer in Science, Technology and Organisation Studies at the School of Management at the University of Leicester

 (Maria Puig de la, Ethics, Place, & Environment, Vol. 13, No. 2, 2010 “Ethical Doings in Naturecultures,” Pg. 151-169, dml)

What these approaches have in common is a contribution to a conception of ethics that decentres the human subject in bio-political and techno-social collectives. They enrich our perception of complex articulations of agency, decentring individual human agents and considering the social as a tissue of associations between humans, non humans, and objects working in the realisation of new relational formations. These views have the potential to challenge the ethical beyond its focus on human individual intentionality and flourishing. They could contribute a ‘post-conventional’ (Shildrick & Mykitiuk, [2005](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0040)) vision of the ethical that embeds it in processes, rather than discussing it as a set of added concerns that humans reflect on when technoscientific and other material matters are already established. It is easy to note that STS has not remained immune to the age of ethics: references to the ethical in this field become more and more frequent – in combination with, or replacing, earlier concerns for elucidating the political interests supporting science and technology. However, like in many of the approaches to biopolitics above considered the ethical remains in this field of study an ethnographic or sociological object. A general perception is that STS scholars avoid taking explicit judgements or elaborate prescriptive frameworks: ‘their job is to illuminate the social processes by which arguments achieve legitimacy rather than to use their understanding of those processes to establish the legitimacy of their own arguments or positions’ (Johnson & Wetmore, [2008](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0027)). Interest in the ethical here is not aimed at promoting ethical obligations nor commitments but remains mostly about observing the ethical under construction around a socio-technological problem and detecting the participants ‘assembled’ in this making. Thus, in spite of the potential of STS to transform the ethical, it is rare to see its insights thematised as possibilities for proposing new ethical visions. From an ethicists perspective this is often discussed as a normative ‘deficit’ (Keulartz et al., [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0028)). However, to identify engagement with the ethical to normative claims is a reductive approach that allows overlooking other potential involvements. As STS scholar Lucy Suchman reminds, ‘… the price in recognizing the agency of artefacts need not be the denial of our own’ (Suchman, [2007](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0048), p. 285; see also Barad, [2007](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0003) for an ontology of asubjective ethical agency). In fact, I think disengagement with ethical theorising might correspond to a rejection of the humanist framework in which ethics is traditionally understood. Naturecultures’ cosmologies require a form of ethical commitment that learns from the decentring of the human. But here there is an important point to be made for the purpose of this paper. The category ‘nonhuman’ in studies dealing with science and technology conflates very diverse forms of life. But decentring the human has different effects whether we refer to engagement invested further in the dis-objectification of the ‘natural’ (bios and/or phusis) rather than of the ‘technological’ (techne)[5](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834%22%20%5Cl%20%22EN0005). Not only each human-nonhuman configuration points to different specificities, but the interference of the ‘nonhuman’ in the ethical and the political varies generically whether attention is turned to an artefact or to an animal/organic entity. This is not only a conceptual issue or a matter of ontological categorisation; it is a concrete problem. If we aim to think the ethical not as an abstract sphere but as embedded in actual practices, when dealing with the organic and the animal we enter a world marked by concerns of, for instance, animal rights and ecological movements, also we touch affective spheres associated with living beings such as suffering, loving, caring. The ‘non human’ brings us in different ethico-political directions when it involves ‘bio-worlds’. In engaging with alterities that are capable of responding to human intervention – with pain, death and extinction (Van Dooren, forthcoming; Bird Rose & Van Dooren, forthcoming) and by creating affective and life-sustaining interdependencies (Haraway, [2007](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0019)) –acknowledging agency and liveliness is not the same as recognising that machines are ‘alive’. The semantics of naturecultures when they concern bios might then be less those of networks and connections than those of ecologies and relations. In consequence, the inclusion of non human others from the animal/organic world produces a different set of ethical concerns than the engagement with technological entities. In a naturecultural perspective on technoscience, agency is indeed distributed and decentred from its humanistic pole. But here the ethical consequences of interdependent entanglements of nonhumans and humans are not only about the preservation of human existence, and/or about which decisions will better respond to novel forms of biopower introduced by technoscience – e.g. the effects of biomedicine for human subjectivity, of technological waste on humans and their environments. Other problems become crucial: how do we actively engage with the lived experiences of forms of non human bios whose existences are today increasingly integrated in the cultural world of human techne? How do we acknowledge their agency without denying the asymmetrical power historically developed by human agencies in bios? How do we engage with accountable forms of ethico-political caring that respond to alterity without nurturing purist separations between humans and nonhumans? How to engage with care of earth without idealising nature or de-responsibilizing human agency by seeing it as either inevitable destructive or paternalistic stewardship? There are many sites where one could look for situated pragmatic ways of addressing these questions (e.g. animal carers, conservation planners). Based on my own research and involvement in permaculture collectives, I propose a vision of this movement as an intervention in naturecultures that builds ethical obligation on personal practices in a non humanistic way. Permaculture practices are ethical doings that connect ordinary personal living with the collective. They decentre human agency without denying its specificity. They promote ethical obligations that do not start from, nor aim at moral norms, but that are articulated as existential and concrete necessities. These are born out of material constraints and situated relationalities in the making with other people, living beings, and earth's ‘resources’. Thus, the ‘principles’: care for earth, people and return of the surplus, are both quite generic – their actualisations vary – and involve very concrete material ways of conceiving how to work with patterns of bios (ecological cycles, physical forces). The people I talked to during my research and activism, often spoke about how, after a training, they started trying to implement the practices they learnt in local communities both in urban and rural environments – from the backyard to the local council, or joining larger ways of public activism. Most of them strongly affirm that they have changed their personal everyday way of relating with nature, of measuring their own impact on the planet in smaller and bigger ways. This can go from starting to compost food waste, to plant and produce food locally, to promote ecological building. But even when the action is acknowledged as a deeply intimate one – as can be a spiritual connection or the building of one's self as an ethical being – it is mostly affirmed as collectively engaged. The collective here does not only include humans, but the plants and animals we cultivate, raise, eat (or not), as well as earth's energetic resources: air, water. It is in connection with these that we ‘individuals’ live and act: at every level of our lives we depend on them and they depend on us. Permaculture ethics of care are based on the perception that we are embedded in a web of complex relationships in which personal actions have consequences for more than ourselves and our kin. And that conversely those collective connections transform ‘our’ personal life. The ecological perception of being part of the earth, a part which does its share of care, requires that the earth is not reduced to a spiritual or visionary image, e.g. Gaia, but is also felt: earth as ‘real dirt under our fingernails’ (Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), p. 6); our bodies responding to the needs of water because we are water (Lohan, [2008](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0030)); our energy being living material processed by other forms of life. Permaculture ethical principles can indeed be seen as ideas that we became able of doing, but it is more appropriate to say that it is the doing that transforms the way we feel, think, engage, with the principles. We are pushed to thicken their meaning, by for instance, wanting to learn more about the needs of the soil we take for granted (Ingham, [1999](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0025)). Before continuing, I’ll give a simple example, practicing composting. Here naturecultural interdependency is not only more than a moral principle, it is also more than a matter of fact that we become aware of: it becomes a matter of care to be dealt with through ethical doings. I use the word ‘doing’ to mark the ordinariness, the ‘uneventful’ connotation in contrast with ‘action’. For people living in urban areas composting is a more or less accessible practice to caring for the earth, as an everyday task of returning the surplus. One of the basic principles that permaculture endorses is to produce ‘no waste’ (Carlsson, [2008](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0007), p. 9). Thus techniques of composting are an important part of earth activist trainings. Not only how to keep a good compost going, but also how to become knowledgeable regarding the liveliness, and needs of, a pile of compost. One of the ways of knowing if a pile of compost is healthy is if we see it fill up with pinkie sticky worms: ‘… worms are the great creators of fertility. They tunnel into the soil, turning and aerating it. They eat soil particles and rotting food, passing them through their gut and turning them into worm castings, an extremely valuable form of fertilizer, high in nitrogen, minerals and trace elements ….’ (Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), p. 170). Worms, in compost – some people keep worm buckets in the kitchens – are a good example of the nonhuman beings of which permaculture ethics make you aware, but not the only one: ‘anyone who eats should care about the microorganisms in the soil’ (Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), p. 8, my emphasis). However, this ‘should’ doesn’t work, without a transformation of ethos. Worms are a more visible manifestation of soil life than microorganisms, but are as easy to neglect. Caring for the worms is not a given: most people have learned to be disgusted by them. Becoming able of a caring obligation towards worms is nurtured by hands on dirt, love and curiosity for the needs of an ‘other’, whether this is the people we live with, the animals we care for, the soil we plant in. It is by working with them, by feeding them and gathering their castings as food for plants, that a relationship is created that acknowledges our interdependency: these neglectable sticky beings reappear as quite amazing as well as indispensable – for they take care of our waste, they process it so that it becomes food again. This commitment to care for an earthy other is not understandable with reference to utilitaristic ethics – I take care for the earth and the worms, because I need them; because they are of ‘use’ to me. Nonhuman others are not there to serve ‘us’. They are here to live with. And, clearly when we don’t listen to what they are saying, experiencing, needing, the responses are consequential – as mass extinctions and animal related epidemics testify. But if this is not a utilitarian relationship, is it an altruistic one? We need to avoid this binary to understand what is becoming possible in this specific conception of relationships and mutual obligation. Human agency in the permaculture cosmology is nature working. This means that humans are full participants to the becoming of natural worlds. However they have their own worldly tasks. Creating ‘abundance’ by working with nature is seen as a typical human skill and contribution. However, abundance is not considered a surplus of life that can be squandered, or considered as self-regenerative biocapital to invest in a speculative future (Cooper, [2008](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0010)). On the contrary, it is only by returning the surplus of life – e.g. by composting – that the production of abundance can be sustained. This is something that permaculture activists consider ancient wisdom. Many refer to knowledge of indigenous populations and ancient agricultural knowledge. In the words of Mabel Mc Kay, a Powo healer: ‘when people don’t use the plants, they get scarce. You must use them so they will come up again. All plants are like that. If they’re not gathered from, or talked to and cared about, they’ll die’ (quoted in Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), p. 9; see also Mendum, [2009](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0033)). This vision could be also named naturecultural. Though some refer to permaculture as a humanist vision and even a better science (Holmgren, [2002](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0024)) these arguments are often produced to avoid the movement being identified with ecological visions that put ‘other’ beings before humans – e.g. considering humans as a destroyer invasive species and science and technology as evil. However, in the contexts I have been involved in, the accent is put on a commitment to the ‘people’ of earth that inseparably includes nonhuman beings. In other words, without caring for other beings, we cannot care for humans either. Care for the ‘environment’ wouldn’t be a good way to conceptualise permaculture ethics. Coming back to altruism, and how it does not respond better than a utilitarian perspective to how these relations of self/other work, I see these practices as marked by a form of biopolitical ethics attuned to naturocultural awareness. Here, care for one's body-self is not separable from peoplecare and earthcare. In this sense, this movement exemplifies well the interrelationship between the ‘three ecologies’ – of self (body and psyche), the collective, and the earth – that Félix Guattari famously called upon as the urgency for the near future, believing that none could be realisable without the other (Guattari, [2000](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0016)). As Starhawk considers, material-spiritual balance cannot be attained through abstract engagement with caring for the earth. On the contrary, the reference to an ideal earth conduces ‘our spiritual, psychic, and physical health’ to ‘become devitalized and deeply unbalanced’ (Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), p. 6). Conversely, in permaculture trainings there is an insistence on not neglecting the needs of one's body-psyche in the profit of ‘serving’ – burn-out is taken into account as a typical activist sickness. Thus, while activist care of one's self is embedded in obligation towards a collective, it is not considered ‘healthy’, nor even effective, to ground care in an altruistic ethics in the face of catastrophe. As Katie Renz argues permaculture is ‘not some last-ditch effort in the emaciated face of scarcity, but a cultivation of an intimate relationship with one's natural surroundings to create abundance for oneself, for human communities, and the earth’ (Renz, [2003](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0038)). Moreover, the aim is not modest, nor sacrificial, it is not even sustainability it is abundance. The affect cultivated in Earth Activist Trainings is not despondency in front of the impossible, but joy in the hope of possibility. Ultimately, permaculture ethics is a situated ethics. I remember one of the mottos transmitted in the training I attended: ‘It depends’ – is the answer to almost every permaculture question. As such, the actualisation of principles of caring are always created in an interrelated doing with the needs of a place, a land, a neighbourhood, a city, a particular action. Here, ‘personal’ agencies of everyday care are inseparable from their collective ecological significance. It is important to note that permaculture ethics are not only about planting food or raising animals or sustainable building. In the Earth Activist Training tradition, they are also related to public actions of civil disobedience and non violent direct action – ‘illegal’ garden creation, public demonstration of techniques in alter-globalisation oppositional events (Starhawk, [2004](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0043), 2002; see interview with Olhsen in Carlsson, [2008](http://www.tandfonline.com.proxy.uchicago.edu/doi/full/10.1080/13668791003778834#CIT0007), pp. 74–79). More generally, permaculture ethics are thought also as forms of organising – for instance promoting forms of collaborative direct democratic sharing instead of competition. They are not about an abstract external vision of the practices of others. This has consequences for persons who, like me, are reporting these ethical doings in a different context. I am not merely observing these ethics in the making; I am trying to support their ethical obligations. This approach is different from an ethnographical reporting of ethical transformation on the ground: the ethical involves and affects the observer/researcher, in a search for engaging and responding with the transformation – not necessarily with answers. But it is also different from seeking the appropriate philosophical framework that could fit this practice in. The ethical transformation that this observer/researcher endorses is articulated not as norm but as invitation to relate with it. In this spirit I attempt to contribute a conception of a care ethics that communicates with this vision.

#### this politics is immanently unethical and should be rejected prior to any external impact

Enns 04. Diane Enns, professor of philosophy at McMaster University, “Bare Life and The Occupied Body,” Theory and Event, 7:3 1 2004, muse

The refugee therefore provides a limit concept, according to Agamben, demonstrating the inclusion of bare life into politics, as does the euthanized life -- the life judged unworthy of being lived -- the life in limbo, hovering between birth and citizenship or between life and death. The most radical case for Agamben is the Muselmann of the Nazi death camps: the camp inmate who was no longer considered human he was so close to death, "the drowned" as Primo Levi called him, an "anonymous mass of non-men" who marched and laboured in silence, "the divine spark dead in them, already too empty to really suffer."[32](http://muse.jhu.edu.proxy.lib.umich.edu/journals/theory_and_event/v007/7.3enns.html%22%20%5Cl%20%22FOOT32)These men, who marked the limits between the living and dead, described as neither one nor the other, also marked the threshold between the human and the inhuman, the ethical and the unethical. They were beyond dignity and self-respect -- unbearable to look at -- rendering these moral concepts useless.

Agamben claims that this fact of the Muselmann's limit status therefore leads to the loss of the very idea of an ethical limit. For if an ethical concept such as dignity makes no sense for the Muselmann, neither alive nor dead, neither human nor inhuman, then it is not a genuine ethical concept, "for no ethics can claim to exclude a part of humanity, no matter how unpleasant or difficult that humanity is to see."[33](http://muse.jhu.edu.proxy.lib.umich.edu/journals/theory_and_event/v007/7.3enns.html%22%20%5Cl%20%22FOOT33) Indeed, Auschwitz -- a space in which the state of exception became the norm, where law was completely suspended --  marks the end and the ruin of every ethics of dignity and conformity to a norm. The bare life to which human beings were reduced neither demands nor conforms to anything. It itself is the only norm; it is absolutely immanent. And 'the ultimate sentiment of belonging to the species' cannot in any sense be a kind of dignity.[34](http://muse.jhu.edu.proxy.lib.umich.edu/journals/theory_and_event/v007/7.3enns.html%22%20%5Cl%20%22FOOT34)

#### Terrorists aren’t a threat until we construct them as such – causes genocide

**Jackson 5** (Richard, Lecturer in International Politics at the University of Manchester, “Language Power and Politics: Critical Discourse Analysis and the War on Terrorism,” 49th Parallel, <http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm>, dml)

Another ubiquitous feature of the discourse of the ‘war on terrorism’ is the scripting of a perpetual state of threat and danger. As David Campbell has eloquently shown, discourses of danger and foreign threat have been integral in constituting and disciplining American identity as practiced through its foreign policy.[[37]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn37) Collectivities, especially those as disparate and diverse as America, are often only unified by an external threat or danger; in this sense, threat creation can be functional to political life. Historically, the American government has relied on the discourse of threat and danger on numerous occasions: the ‘red scares’ of the native Americans who threatened the spread of peaceful civilization along the Western frontier, the workers’ unrest at the time of the Bolshevik Revolution, and the threat to the American way of life during the cold war; the threat of ‘rogue states’ like Libya, Panama, Iran, North Korea, and Iraq; and the threats posed by the drug trade, the proliferation of weapons of mass destruction, and now of course, terrorism. These discourses of danger are scripted for the purposes of maintaining inside/outside, self/other boundaries—they write American identity—and for enforcing unity on an unruly and (dis)United States.

Of course, there are other more mundane political functions for constructing fear and moral panic: provoking and allaying anxiety to maintain quiescence, de-legitimizing dissent, elevating the status of security actors, diverting scarce resources into ideologically driven political projects, and distracting the public from more complex and pressing social ills.[[38]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn38) This is not to say that terrorism poses no real threat; the dangers can plainly be seen in the images of falling bodies and the piles of rubble at ‘Ground Zero’. Rather, it is to point out that dangers are those facets of social life interpreted as threats (in one sense, dangers do not exist objectively, independent of perception), and what is interpreted as posing a threat may not always correspond to the realities of the actual risk of harm. Illegal narcotics, for example, pose less of a risk than the abuse of legal drugs, but a ‘war on drugs’ makes it otherwise. Similarly, the ‘war on terrorism’ is a multi-billion dollar exercise to protect Americans from a danger that, excluding the September 11, 2001 attacks, killed less people per year over several decades than bee stings and lightening strikes. Even in 2001, America ’s worst year of terrorist deaths, the casualties from terrorism were still vastly outnumbered by deaths from auto-related accidents, gun crimes, alcohol and tobacco-related illnesses, suicides, and a large number of diseases like influenza, cancer, and heart disease. Globally, terrorism, which kills a few thousand per year, pales into insignificance next to the 40,000 people who die every day from hunger, the half a million people who die every year from small wars, the 150,000 annual deaths from increased diseases caused by global warming,[[39]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn39) and the millions who die from AIDS. And yet, the whole world is caught up in the global ‘war on terrorism’ whose costs so far run into the hundreds of billions of dollars. In other words, in a world of multiple threats, many of which pose a far greater risk to individual safety (according to Dr David King, Britain’s chief scientist, global warming is a greater threat to humanity than terrorism), the fact that terrorism is widely seen as posing the greatest and most immediate threat is due to the deliberate construction of a discourse of danger.

The initial construction of the threat of terrorism involved fixing the attacks of 9/11 as the start of a whole new ‘age of terror’, rather than as an extraordinary event, or an aberration (out of 18,000 terrorist attacks since 1968 only a dozen or so have caused more than 100 deaths; high-casualty terrorist attacks are extremely rare and 9/11 was the rarest of the rare). Instead, the attacks were interpreted as the dawning of a new era of terrorist violence that knew no bounds. As Bush stated, ‘All of this was brought upon us in a single day—and night fell on a different world’.[[40]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn40) Vice-President Dick Cheney made it even clearer:

Today, we are not just looking at a *new era in national security policy*, we are actually living through it. The exact nature of *the new dangers* revealed themselves on September 11, 2001 , with the murder of 3,000 innocent, unsuspecting men, women and children right here at home.[[41]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn41)

This construct was only possible by severing all links between this act of terrorism and countless others that had preceded it, and by de-contextualizing it from the history of al Qaeda’s previous attacks. In effect, the events of ‘9/11’ were constructed without a pre-history; they stand alone as a defining day of cruelty and evil (‘infamy’). This break with the past makes it possible to assign it future significance as the start of ‘super-terrorism’, ‘catastrophic terrorism’, or simply ‘the new terrorism’. Logically, if there’s a new super-terrorism, then a new super-war-on-terrorism seems reasonable.

A second feature of this discourse of danger is the hyperbolic language of threat. It is not just a threat of sudden violent death, it is actually a ‘threat to civilization’, a ‘threat to the very essence of what you do’,[[42]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm%22%20%5Cl%20%22_edn42) a ‘threat to our way of life’,[[43]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn43) and a threat to ‘the peace of the world’.[[44]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn44) The notion of a ‘threat to our way of life’ is a Cold War expression that vastly inflates the danger: instead of a tiny group of dissidents with resources that do not even begin to rival that of the smallest states, it implies that they are as powerful as the Soviet empire was once thought to be with its tens of thousands of missiles and its massive conventional army. Moreover, as Cheney reminds us, the threat of terrorism, like the threat of Soviet nuclear weapons, is supremely catastrophic:

The attack on our country forced us to come to grips with the possibility that the next time terrorists strike, they may well be armed with more than just plane tickets and box cutters. The next time they might direct chemical agents or diseases at our population, or attempt to detonate a nuclear weapon in one of our cities. […] *no rational person can doubt* that terrorists would use such weapons of mass murder the moment they are able to do so. […] we are dealing with terrorists […] who are willing to sacrifice their own lives in order to *kill millions* of others.[[45]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn45)

In other words, not only are we threatened by evil terrorists eager to kill millions (not to mention civilization itself, the peace of the world, and the American way of life), but this is a rational and reasonable fear to have. We should be afraid, very afraid: ‘If they had the capability to *kill millions* ofinnocent civilians, do any of us believe they would hesitate to do so?’.[[46]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm%22%20%5Cl%20%22_edn46)

As if this was not enough to spread panic throughout the community, officials then go to great lengths to explain how these same terrorists (who are eager to kill millions of us) are actually highly sophisticated, cunning, and extremely dangerous. As John Ashcroft put it: ‘The highly coordinated attacks of September 11 make it clear that terrorism is the activity of *expertly organized*, *highly* *coordinated* and *wellfinanced* organizations and networks’.[[47]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm%22%20%5Cl%20%22_edn47) Moreover, this is not a tiny and isolated group of dissidents, but ‘there are *thousands of these terrorists* in more than 60 countries’ and they ‘hide in countries around the world to plot evil and destruction’;[[48]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn48) or, like the plot of a popular novel: ‘Thousands of dangerous killers, schooled in the methods of murder, often supported by outlaw regimes, are now spread throughout the world *like ticking time bombs*, set to go off without warning’.[[49]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn49) In other speeches, officials inflate the numbers of the terrorists to ‘*tens* of thousands’ of killers spread throughout the world.

The next layer of fear is the notion that the threat resides within; that it is no longer confined outside the borders of the community, but that it is inside of us and all around us. As Ashcroft constructs it:

The attacks of September 11 were acts of terrorism against America orchestrated and carried out by individuals *living within our borders*. Today's terrorists enjoy the benefits of our free society even as they commit themselves to our destruction. *They live in our communities*—plotting, planning and waiting to kill Americans again […] a conspiracy of evil.[[50]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn50)

Like the ‘red scares’ of the past, the discourse of danger is deployed in this mode to enforce social discipline, mute dissent, and increase the powers of the national security state. It is designed to bring the war home, or, as Bush puts it: ‘And make no mistake about it, we’ve got a war *here* just like we’ve got a war abroad’.[[51]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn51)

In another genealogical link to previous American foreign policy, the threat of terrorism is from a very early stage reflexively conflated with the threat of ‘weapons of mass destruction’ and the ‘rogue states’ who might hand them on to terrorists. According to the discourse, rogue states are apparently eager to assist terrorists in killing millions of Americans. As Bush stated in his now infamous ‘axis of evil’ speech,

States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking *weapons of mass destruction*, these regimes pose a grave and growing danger. *They could provide these arms to terrorists*, giving them the means to match their hatred.[[52]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn52)

This is actually an ingenious discursive sleight of hand which allows America to re-target its military from a war against a tiny group of individual dissidents scattered across the globe (surely an unwinnable war), to territorially defined states who also happen to be the target of American foreign policy. It transforms the ‘war against terrorism’ from a largely hidden and unspectacular intelligence gathering and criminal apprehension program, to a flag-waving public display of awesome military firepower that re-builds a rather dented American self-confidence. Dick Cheney explained it to his colleagues thus: ‘To the extent we define our task broadly, including those who support terrorism, then we get at states. And *it’s easier*to find themthat it is to find bin Laden.’[[53]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn53) Perhaps more importantly, it also allows for the simultaneous pursuit of geo-strategic objectives in crucial regions such as the Middle East under the banner of the ‘war on terrorism’.[[54]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn54)

Instead of reassuring the nation that the attacks were an exceptional and a unique event in a long line of terrorist attacks against America (that have thus far failed to overthrow freedom), the Bush administration chose instead to construct them as the start of a whole new age of terror—the start of a deadly new form of violence directed at Americans, civilized people all over the world, freedom and democracy. The Bush administration could have chosen to publicize the conclusions of the Gilmore Commission in 1999, a Clinton-appointed advisory panel on the threat of WMD falling into the hands of terrorists. Its final report concluded that ‘rogue states would hesitate to entrust such weapons to terrorists because of the likelihood that such a group’s actions might be unpredictable even to the point of using the weapon against its sponsor’, and they would be reluctant to use such weapons themselves due to ‘the prospect of significant reprisals’.[[55]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn55) Condoleeza Rice herself wrote in 2000 that there was no need to panic about rogue states, because ‘if they do acquire WMD—their weapons will be unusable because any attempt to use them will bring national obliteration’.[[56]](http://www.49thparallel.bham.ac.uk/back/issue15/jackson1.htm#_edn56) Instead, officials engaged in the deliberate construction of a world of unimaginable dangers and unspeakable threats; they encouraged social fear and moral panic. Within the suffocating confines of such an emergency, where Americans measure their daily safety by the color of a national terrorist alert scale (reflected in the glow of every traffic light), it seems perfectly reasonable that the entire resources of the state be mobilized in defense of the homeland, and that pre-emptive war should be pursued. It also seems reasonable that national unity be maintained and expressions of dissent curtailed.

The reality effect of scripting such a powerful danger moreover, can be seen in the two major wars fought in two years (followed by costly ongoing ‘security operations’ in each of those states to root out the terrorists), the arrest of thousands of suspects in America and around the world, and the vast sums spent unquestioningly (even by the Democrats) on domestic security, border control and the expansion of the military. Only the ‘reality’ of the threat of terrorism allows such extravagance; in fact, the manner in which the threat has been constructed -catastrophic, ubiquitous and ongoing- normalizes the entire effort. If an alternative interpretation of the threat emerged to challenge the dominant orthodoxy (that it was vastly over-blown, or misdirected, for example), support for the consumption of such massive amounts of resources might be questioned and the political order destabilized. A massive threat of terrorism then, is necessary for the continued viability of the ‘war on terrorism’; writing the threat of terrorism is co-constitutive of the practice of counter-terrorism.

#### Preemption disad—the war on terror requires preempting a nebulous enemy—this accelerates a spiral of warfare

**Massumi 7** (Brian, currently teaching at Université de Montréal, in the Communication Sciences Department, “Potential Politics and the Primacy of Preemption”, Theory & Event 10:2, dml)

Deterrence takes over at the *end* of this same process, when the means of prevention have failed. Deterrence makes use of the same epistemology prevention does, in that it assumes knowability and objective measurability. However, because it starts where prevention ends, it has no margin of error. It must know with certainty because the threat is fully formed and ready to detonate: the enemy has the bomb and the means to deliver it. The imminence of the threat means that deterrence cannot afford to subordinate itself to objects, norms, and criteria passed on to it from other domains. If it did, its ability to respond with an immediacy proportional to the imminence of the threat would be compromised. Since it would not hold the key to its own knowledge, in the urgency of the situation it would be haunted internally by the spectre of a possible incompleteness of the knowledge coming from the outside. Since its operations would be mediated by that outside domain, neither would it hold a direct key to its own actions. Since it would be responding to causes outside its specific purview, it would not be master of its own effects. The only way to have the kind of epistemological immediacy necessary for deterrence is for its process to have its own causeand to hold it fast within itself. The quickest and most direct way for a process to acquire its own cause is for it toproduce one. The easiest way to do this is to take the*imminence* of the very threat prevention has failed to neutralize and make it the foundation of a new process. In other words, the process must take the effect it seeks to avoid (nuclear annihilation) and organize itself around it, as the cause of its very own dynamic (deterrence). It must convert an effect that has yet to eventuate into a cause: a *future cause*. Past causes are in any case already spoken for. They have been claimed as objects of knowledge and operational spheres by a crowded world of other already-functioning formations. Now for a future cause to have any palpable effect it must somehow be able act on the present. This is much easier to do and much less mysterious than it might sound. You start by translating the threat into a clear and present danger. You do this by acquiring a capability to *realize* the threat rather than prevent it. If your neighbor has a nuke, you build the nuclear weaponry that would enable you to annihilate the adversay, even at the price of annihilating yourself by precipitating a "nuclear winter." In fact, the more capable you are of destroying yourself along with your enemy, the better. You can be certain the enemy will follow your lead in acquiring the capability to annihilate you, and themselves as well. The imminent threat is then so imminent on both sides, so immediately present in its menacing futurity, that only a madman or suicidal regime would ever tip the balance and press the button. This gives rise to a unique logic of mutuality: "mutually assured destruction" (MAD). Mutually assured destruction is equilibrium-seeking. It tends toward the creation of a "balance of terror." MAD is certainty squared: to the certainty that there is objectively a threat is added the certainty that it is balanced out. The second certainty is dynamic, and requires maintenance. The assurance must be maintained by continuing to producing the conditions that bring the cause so vividly into the present. You have to keep moving into the dangerous future. You have to race foward it ever faster. You have to build more weapons, faster and better, to be sure that your systems match the lethality of your opponent's, give or take a few half-lives. The process soon becomes self-driving. The logic of mutually assured destruction becomes its own motor. It becomes self-propelling. Now that you've started, you can't very well stop. What began as an epistemological condition (a certainty about what you and your opponent are capable of doing) dynamizes into an ontology or mode of being (a race for dear life). Deterrence thus qualifies as an operative logic, in that it combines its own proprietary epistemology with a unique ontology. For the process to run smoothly, of course, it still needs to mobilize other logics borrowed from other domains. It needs, for example, quantitative measures of destructive load and delivery capacity, a continual intelligence feed, and good geographical data, to mention just a few. The necessary measures are provided by other formations operating in annex domains having their own logics. But this does not compromise deterrence's status as an operative logic because it is not the measures themselves or their specialist logics that count so much as the criterion imposed upon them by the logic of deterrence itself: the quantitative balance necessary to achieve life-defining mutuality. The equilibrium deterrence achieves is not a stable one. It is a metastability, or dynamic equilibrium, built on constant movement. *Deterrence is when a threat is held in futurity by being fully realized as the concretest of possibilities in the present in such a way as to define a self-propelling movement all its own.* Because the threat's futurity is firmly held in the present, it shortcircuits its own effect. It self-deters. This does not mean it ceases to operate as a cause. It means that its causality is displaced. It is no longer in a position to realize its original effect, annihilation. Instead, it becomes the determinant of something else: a race. It remains a cause, to different effect. Deterrence captures a future effect in order to make it the cause of its own movement. It captures an end effect as a means toward its becoming self-causing. It takes an end and makes it the means whereby it makes itself. Its logic succeeds when it closes in on itself to form a self-causal loop. Because it operates in a closed loop, its epistemology is univocal (centered on a single certainty) and its ontology is monolithic (both sides are taken up in a single global movement). It may seem odd to say so, but deterrence can be seen as the apotheosis of humanism in the technoscientific age, in the sense that in the face of the imminent annihilation of the species it still reposes an implicit psychological premise: that an at-least-residual concern for humanity and a minimum of shared sanity can be mobilized to place a limit on conflict. Deterrence does not work across different orders of magnitude. Only powers perceiving themselves to be of potentially equal military stature can mutually assure destruction. Neither does it work if one of the adversaries considers the other inhuman or potentially suicidal (mad in uncapitalized letters). Where the conditions of deterrence are not met, the irruption of a nuclear threat feeds a different operative logic. This is the case today with North Korea. Kim Jong Il's nuclear capabilities will never counterbalance those of the established nuclear powers. In the Western press and policy literature, he is regularly portrayed as unbalanced himself, mad enough to have the inhumanity to come to the point of willing the destruction of his own country. Prevention has failed, and neither the quantitative conditions nor psychological premise necessary for deterrence are in place. In view of this, a different operative logic must be used to understand the current nuclear situation, in North Korea and elsewhere. That logic, of course, is preemption. The superficial condition of the presence of a nuclear threat should not be mistaken for a return to a Cold War logic. Preemption shares many characteristics with deterrence. Like deterrence, it operates in the present on a future threat. It also does this in such as way as to make that present futurity the motor of its process. The process, however, is qualitatively different. For one thing, the epistemology is unabashedly one of *uncertainty*, and not due to a simple lack of knowledge. There is uncertainty because the threat has not only not yet fully formed but, according to Bush's opening definition of preemption, it has not yet even emerged. In other words, the threat is still indeterminately in potential. This is an ontological premise: the nature of threat cannot be specified. It might in some circumstances involve weapons of mass destruction, but in others it will not. It might come in the form of strange white power, or then again it might be an improvised explosive device. The enemy is also unspecifiable. It might come from without, or rise up unexpectedly from within. You might expect the enemy to be a member of a certain ethnic or religious group, an Arab or a Moslem, but you can never be sure. It might turn out be a white Briton wearing sneakers, or a Puerto Rican from the heartland of America (to mention just two well-known cases, those of John Reid and Jose Padilla). It might be an anonymous member of a cell, or the supreme leader of a "rogue" state. The lack of knowledge about the nature of the threat can never be overcome. It is part of what defines the objective conditions of the situation: threat has become proteiform and it tends to proliferate unpredictably. The situation is objectively one in which the only certainty is that threat will emerge where it is least expected. This is because what is ever-present is not a particular threat or set of threats, but the potential for still more threats to emerge without warning. The global situation is not so much threatening as threat *generating*: threat-o-genic. It is the world's capacity to produce *new* threats at any and every moment that defines this situation. We are in a world that has passed from what "the Architect" called the "known unknown" (uncertainty that can be analyzed and identified) to the "unknown unknown" (objective uncertainty). Objective uncertainty is as directly an ontological category as an epistemological one. The threat is known to have the ontological status of indeterminate potentiality.

#### Bioterror rhetoric obscures structural violence and has no basis

Finnegan 11 [Cara A., Associate Professor in the Departments of Speech Communication and Art History at the University of Illinois at Urbana-Champaign Quarterly Journal of Speech Volume 97, Issue 2, 2011 Review Essay: Addressing the Epidemic of Epidemics: Germs, Security, and a Call for Biocriticism View full text Download full text Full access DOI:10.1080/00335630.2011.565785 Cara A. Finnegan pages 224-244 Available online: 29 Apr 2011]

Second, **the proliferation of risk discourses surrounding contagion demands ongoing rhetorical analysis.** Price-Smith, Wald, and Klotz and Sylvester suggest in varying degrees that inaccurate risk perception fuels germ panic that can disrupt economic and social relations. By contrast, the essays in Biosecurity Interventions and Dread stress the mismatch between planning for imagined risks and the empirical data detailing actual infections and known killers. For instance, since 9/11 the US government has spent more than $50 billion on civilian biodefense, representing $2 billion for each known victim of bioterrorism.32 By contrast, tens of thousands of our citizens die each year from medical mistakes and other preventable conditions.33 Given that germ discourses chiefly are configured in terms of risk with tangible personal, political, and economic outcomes, rhetoricians should be playing a greater role in demonstrating the underlying logics, deployments, and outcomes of the discourses of risk—and in disentangling their economic, political, and cultural stakes. By tracking risk constructions surrounding both real and envisioned epidemics, rhetoricians can show how the “communicability” of risks **influences policy** and practice. The anticipatory and imagined aspects of biosecurity planning, with their ubiquitous role plays and risk modeling, simulations and speculations, deserve special scrutiny because these modes of rhetorical invention **drive future political and scientific action.**34 Here, rhetoricians and communication scholars can build on the theoretical work on risk by Ulrich Beck, Anthony Giddens, Joost Van Loon, and Barbara Adam, and add to the rhetorical scholarship of Jeffrey Grabill and Michele Simmons, Robert Danisch, J. Blake Scott, and Beverly Sauers, by tracing the constitution, contestation, elaboration, and consequences of our rhetorics of pathogenic risk.35

### fw

#### Counter-interp – we are budding social critics – we should have to propose a stable advocacy but get to defend it as a critique of the status quo, the neg should have to defend against this critique – McGee and Romanelli say this actualizes the creative potential of debate better than a model of instrumental policymaking because it begins from the problem rather than their model which begins from the solution

**Moten and Harney, 10** – (Fred Moten and Stefano Harney, *Policy and Planning*, http://www.darkmatter101.org/site/2010/04/19/policy-and-planning/)

The hope that Cornel West wrote about in Social Text in 1984[1] was not destined to become policy in 2008. The ones who practiced it, within and against the grain of every imposed contingency, always had a plan. In and out of the depths of Reaganism, against the backdrop and by way of a resuscitory irruption into politics that Jesse Jackson could be said both to have symbolized and quelled, something West indexes as black radicalism, which “hopes against hope…in order to survive in the deplorable present” (p.10-11), asserts a metapolitical surrealism that sees and sees through the evidence of mass incapacity, cutting the despair it breeds. Exuberantly metacritical hope has always exceeded every immediate circumstance in its incalculably varied everyday enactments of the fugitive art of the impossible. This art is practiced on and over the edge of politics, beneath its ground, in animative and improvisatory decomposition of its inert body. It emerges as an ensemblic stand, a kinetic set of positions, but also takes the form of embodied notation, study, score. Its encoded noise is hidden in plain sight from the ones who refuse to see and hear—even while placing under constant surveillance—the thing whose repressive imitation they call for and are. Now, a quarter century after West’s analysis, after an intervening iteration that had the nerve to call hope home while serially disavowing it and helping to extend and prepare its almost total eclipse, the remains of American politics exudes hope once again. Having seemingly lost its redoubled edge while settling in and for the carceral techniques of the possible, having thereby unwittingly become the privileged mode of expression of a kind of despair, hope appears now simply to be a matter of policy. Policy, on the other hand, now comes into view as no simple matter.

By policy we mean not a particular policy, as in company policy or public policy, but rather policy as something in contradistinction to planning. By policy we mean **a resistance to the commons from above, arrayed in the exclusive and exclusionary uniform/ity of imposed consensus**, that both denies and at the very same time seeks to destroy the ongoing plans, the fugitive initiations, the black operations of the multitude.[2] As a resistance from above, policy is a class phenomenon because it is the means to advantage in the post-fordist economy, a means that takes on the character of politics in an economy dominated structurally by immaterial labour. This economy is powered by the constant insistence on a radical contingency producing a steady risk for all organic and non-organic forms, a risk that allows work against risk to be harvested indefinitely.

Policy is the form that opportunism takes in this environment. It is a demonstration of willingness to be made contingent and to make contingent all around you by demonstrating an embrace of the radically extra-economic, political character of command today.[3] It is a demonstration designed to separate you from others, in the interest of a universality reduced to private property that is not yours, for your own survival, for your own advantage in this environment. Opportunism sees no other way, has no alternative, but separates itself by its own vision, its ability to see the future of its own survival in this turmoil against those who cannot imagine surviving in this turmoil (even if they must all the time) and are thus said by policy to lack vision, and in the most extreme cases to be without interests, on the one hand, and in capable of disinterestedness, on the other.[4] Every utterance of policy, no matter its intention or content, is first and foremost a demonstration of one’s ability to be close to the top in the hierarchy of the post-fordist economy. (Thus every utterance of policy on the radical Left is immediately contradiction.)

As an operation from above designed to make the multitude productive for capital, policy must first deal with the fact that the multitude is already productive for itself. **This productive imagination is its genius, it’s impossible, and nevertheless material, collective head**. And this is a problem because plans are afoot, black operations are in effect, and in the undercommons, all the organizing is done. The multitude uses every quiet moment, every peace, every security, every front porch and sundown to plan, to launch, to improvise an operation. It is difficult for policy to deny these plans directly, to ignore these operations, to pretend that those already in motion need to stop and get a vision, to contend that base communities for escape need to believe in escape. And if this is difficult for policy then so too is the next and crucial step, teaching the value of radical contingency, teaching how to participate in change from above. Of course, some plans can be dismissed – plans hatched darker than blue, on the criminal side, out of love. But most will instead require another approach.

So what is left for those who want to dwell in policy? Obviously the most salient and consistent aspect of policy – help and correction. Policy will help. Policy will help with the plan, and even more policy will correct the planners. Policy will discover what is not yet theorized, what is not yet fully contingent, and most importantly what is not yet legible. Policy is correction. Policy distinguishes itself from planning by distinguishing those who dwell in policy and fix things, from those who dwell in planning and must be fixed. This is the first rule of policy. It fixes others. In an extension of Foucault we might say of this first rule that it remains concerned with how to be governed just right, how to fix others in a position of equilibrium, even if this today requires constant recalibration. But the objects of this constant adjustment provoke this attention because they just don’t want to govern at all.

And because such policy emerges materially from post-fordist opportunism, policy must optimally for each policy-maker fix others as others, as those who have not just made an error in planning (or indeed an error by planning) but who are themselves in error. And from the perspective of policy, of this post-fordist opportunism, there is indeed something wrong with the multitude. They are out of joint – instead of constantly positing their position in contingency, they seek solidity, a place from which to plan, some ground on which to imagine, some love on which to count. Nor is this just a political problem from the point of view of policy, but an ontological one. **Seeking fixity, finding a steady place from which to launch a plan, hatch an escape signals a problem of essentialism**, of beings who think and act like they are something in particular, like they are somebody, although at the same time that something is, from the perspective of policy, whatever you say I am.

To get these planners out of this problem of essentialism, this fixity and repose, this security and base, they have to come to imagine they can be more, they can do more, they can change, they can be changed. Because right now, there is something wrong with them. We know there is something wrong with them because they keep making plans. And plans fail. Plans fail because that is policy. Plans must fail because planners must fail. **Planners are static, essential, just surviving**. **They do not see clearly**. **They hear things.** **They lack perspective. They fail to see the complexity**. Planners have no vision, no real hope for the future, just a plan here and now, an actually existing plan.

They need hope. They need vision. They need to have their sights lifted above the furtive plans and night launches of their despairing lives. Vision. Because from the perspective of policy it is too dark in there to see, in the black heart of the multitude. You can hear something, you can feel something, feel people going about their own business in there, feel them present at their own making. But hope can lift them above ground into the light, out of the shadows, away from these dark senses.

Whether the hope is Fanonian redemption or Arendtian revaluation, policy will fix these humans. Whether they lack consciousness or politics, utopianism or common sense, hope has arrived. With new vision, planners will become participants. And participants will be taught to reject essence for contingency, as if planning and improvisation, flexibility and fixity, and complexity and simplicity were opposed within an imposed composition there is no choice but to inhabit, as some exilic home. All that could not be seen in the dark heart of the multitude will be supposed absent as policy checks its own imagination. But most of all they will participate. Policy is a mass effort. Left intellectuals will write articles in the newspapers. Philosophers will hold conferences on new utopias. Bloggers will debate. Politicians will surf. Change is the only constant here, the only constant of policy. Participating in change is the second rule of policy.

Now hope is an orientation toward this participation in change, this participation as change. This is the hope policy gives to the multitude, a chance to stop digging, and start circulating. Policy not only offers this hope, but enacts it. Those who dwell in policy do so not just by invoking contingency but riding it, by in a sense, proving it.

#### By reading this they have shut down the creative potential of this debate, vote them down

**Butler 4**—not Judy

(Judith, *Precarious Life* pg xix-xxi, dml)

**Dissent and debate** **depend upon the inclusion of those who maintain** critical views **of state policy** and civic culture **remaining part of a** larger public discussion **of the value of policies and politics**. To charge those who voice critical views with treason, terroristsympathizing, anti-Semitism, moral relativism, postmodernism, juvenile behavior, collaboration, anachronistic Leftism, is to seek to destroy the credibility not of the views that are held, but of the persons who hold them. **It produces** the climate of fear **in which to voice a certain view is to risk being branded and shamed with a heinous appellation**. To continue to voice one's views under those conditions is not easy, since one must not only discount the truth of the appellation, but brave the stigma that seizes up from the public domain. Dissent is quelled, in part, through threatening the speaking subject with an uninhabitable identification. Because it would be heinous to identify as treasonous, as a collaborator, one fails to speak, or one speaks in throttled ways, in order to sidestep the terrorizing identification that threatens to take hold. This strategy for quelling dissent and limiting the reach of critical debate happens not only through a series of shaming tactics which have a certain psychological terrorization as their effect, but they work as well by pr**oducing what will and will not count as a viable speaking subject and a reasonable opinion within the public domain**. It is precisely because one does not want to lose one's status as a viable speaking being that one does not say what one thinks. Under social conditions that regulate identifications and the sense of viability to this degree, censorship operates implicitly and forcefully. The line that circumscribes what is speakable and what is livable also functions as an instrument of censorship. To decide what views will count as reasonable within the public domain, however, **is to decide what** will **and** will not **count as the public sphere of debate**. And if someone holds views that are not in line with the nationalist norm, that person comes to lack credibility as a speaking person, and the media is not open to him or her (though the internet, interestingly, is). The foreclosure of critique **empties the public domain of debate and** democratic contestation itself, so that debate becomes the exchange of views among the like-minded, and criticism, **which ought to be** central **to any democracy, becomes a** fugitive **and** suspect **activity**. Public policy, including foreign policy, often seeks to restrain the public sphere from being open to certain forms of debate and the circulation of media coverage. One way a hegemonic understanding of politics is achieved is through circumscribing what will and will not be admissible as part of the public sphere itself. Without disposing populations in such a way that war seems good and right and true, no war can claim popular consent, and no administration can maintain its popularity. To produce what will constitute the public sphere, however, it is necessary to control the way in which people see, how they hear, what they see. The constraints are not only on contentcertain images of dead bodies in Iraq, for instance, are considered unacceptable for public visual consumption-but on what "can" be heard, read, seen, felt, and known. The public sphere is constituted in part by what can appear, and the regulation of the sphere of appearance is one way to establish what will count as reality, and what will not. It is also a way of establishing whose lives can be marked as lives, and whose deaths will count as deaths. Our capacity to feel and to apprehend hangs in the balance. But so, too, does the fate of the reality of certain lives and deaths as well as the ability to **think critically and publicly about the effects of war.**

### k

Conditional ethics are bad

**Introna 10 –** Professor of Organization, Technology and Ethics at Lancaster University

(Lucas, “The ‘Measure of a Man’ and the Ethos of Hospitality: Towards an Ethical Dwelling with Technology”, AI and Society Vol 25 no 1, pg 93-102, dml)

It is exactly this simultaneous presence of the Other and all other Others that gives birth to the question of justice. The urgency of justice is an urgency born out of the radical irreducible asymmetry of every ethical relation with the Other. Without such a radical asymmetry, the claim of the Other can always in principle become determined and codiﬁed into a calculation, justice as a calculation and distribution. Thus, justice has its standard, its force, in the ethical proximity of the singular Other. As Levinas (1991[1974], 159) asserts: ‘‘justice remains justice only, in a society where there is no distinction between those close and those far off, but in which there also remains the impossibility of passing by the closest. The equality of all is born by my inequality, the surplus of my duties over my rights. The forgetting of self moves justice’’ (emphasis added). This formulation of the aporia between ethics and justice by Levinas highlights the tension, one may say the profound ‘paradox’ of hospitality in the relation between the quest and the host. We can welcome the guest (the wholly Other) unconditionally but we must simultaneously assert that the host (and all other possible guests) are also, and need also be taken as, radically singular Others. Without this impossible possibility ethics and justice (or rather hospitality) will not have the urgency of an ethics that really matters. Buts what does this mean for Data and all other artiﬁcial beings? 6 Responding to the wholly Other One may respond by claiming that an ethics of hospitality leaves us in a dead-end with nowhere to go. Yes, it does leave one in an impossible possibility but that is exactly its strength. It is when we believe that we have ‘sorted’ ethics out that violence is already present. Conversely, it is when we become unsure, when we are full of questions, when our categories fails us, and we need to think afresh, start all over again, that it becomes possible for us to be open to the questioning appeal of the otherness of the Other, to be truly hospitable. Where does this leave us? What do we concretely do? I will suggest—in following Derrida and Levinas—that an ethics of hospitality could be based on, but not limited to, the following aporia: • The suspension of the law (unconditionally) • Letting the Other speak • Undecidability and impossibility • Justice for all Others (for every third whatsoever) 6.1 The suspension of the law (unconditionally) Derrida (1992) suggests, as was argued above, that it is only when we suspend the law unconditionally (categories, codes, values, etc.) to make a ‘fresh’ judgement, that hospitality becomes possible. If the possibility of becoming unsettled by the otherness of the Other becomes circumvented by the self-evidence of the category, code, reasons, etc., then the law becomes a law onto itself—pure violence. Hospitality demands that we interrogate again and again the implicit judgements—inclusions and exclusions— already implied in the law. In the case of Data, the categories and judgements remained in tact in many interacting ways. It was Data that was on trial, not the humans. It was evident to everybody that he was the ‘lesser’ machine and that they had the right to decide his fate. The right of the humans to decide did not come up for consideration. Furthermore, once the court case started his friends ironically believed that his moral worth was in being ‘like them’. They did not suspend their categories of ‘machine’, ‘person’ and ‘sentience’ and asked the question ‘‘what is it about Data, as Data, that is signiﬁcant’’. One can most certainly question whether Data really did ﬁnd ‘justice’ in being spared because he was almost like them? Without radically unsettling the implicit judgements about ‘‘the measure’’ to be considered ethics did not happen. More generally, our human tendency to treat the inanimate, the artiﬁcial, as our instruments, as being in our service, for our purposes, needs to be suspended unconditionally. Without such as step the possibility of an ethics of hospitality towards all beings is not possible.

#### Sacrifice yourself to the Other

**Jovanovic and Wood 4 – \***Communications/Rhetoric Professors @ Denver University and University of North Carolina respectively

(Spoma and Roy, “Speaking from the Bedrock of Ethics,” Philosophy and Rhetoric Vol 37 no 4, 2004, 317-334, dml)

On September 11, 2001, terrorism touched down in the United States. While millions of us were immobilized and left speechless by what we witnessed live on television, thousands of others in the World Trade Center towers, at the Pentagon, and on three airplanes had no such luxury. They were confronted with a reality few could have ever imagined. One man inside World Trade Center One demonstrates that ethics is a lived response of the type Levinas describes. He was not alone, however. Without advance preparation or rules of conduct to follow, the men and women trapped by evil deeds remind us that ethics is a response to the call of the other. Harry Ramos, forty-six, had just returned to work at his office on the eighty-seventh floor after a week’s absence. Within minutes, the building was shaking violently; he braced himself in a doorway for stability. As light fixtures plummeted to the floor and smoke filled the office, Harry had no idea that a jetliner had just crashed into his building, floors above him. However, he knew enough to know that the survival of his office staff was at stake. Harry, the head trader for a small investment bank, the May Davis Group, was in the throes of pandemonium. Yet, he had to act. With the company.s chief financial officer, Harry marshaled the twelve employees in the office to the stairwell to begin the descent down eighty-seven floors, one step at a time. Harry stationed himself at the end of the line, making sure no one was left behind. .Nine floors down, the stairwell ended. Emerging into a hallway to look for the next flight of stairs, the group saw wires dangling from the cracked ceilings. Sparks popped. Small fires burned everywhere. Office workers were milling in confusion. The smoke was thickening . (Walsh 2001, 1). The scene was not promising. As the group continued down, Harry convinced the stragglers to keep moving. Along the way, Harry also stopped to help strangers make their way into the stairwell. At the fifty-third floor, Harry found Victor who, because of his large size or perhaps his profound fear, found it difficult to move. Together with another May Davis employee, they made it to the thirty-ninth floor by way of stairs and a short elevator ride. At one point, Harry let go of Victor, to walk ahead and survey the situation. .Victor cried out in fear. "Harry, please help," he begged. "Don't worry, we’re not leaving you," Mr. Ramos said. (Walsh 2001, 1). Stopping to rest, the building sadistically shook again, and so the trio picked themselves up and walked down further, to the thirty-sixth floor. There, an exhausted Victor proclaimed his energy was spent, that his legs could not carry his frame another step. A firefighter rushing by yelled at Harry to leave Victor behind and run. But Harry did not move, assuring the large stranger, "Victor, don’t worry. I'm with you." Moments later, on television sets tuned in to the scene from all over the world, we saw the avalanche of cement and glass crush to the ground as the World Trade Center towers came tumbling down. As the buildings col lapsed, so did thousands of lives. What the ordinary men and women like Harry Ramos left behind was not only a memory of good deeds, but also a glimpse into ethics and communication that compels us to answer the call of the other. Harry Ramos demonstrates for us the detectable evidence of the saying in everyday discourse. In Harry's response, we begin to recognize something compelling that makes possible the saying, what Levinas refers to as .the trace.. The trace signifies presence in absence, like how we feel someone's company even after they have left the room or when the amputee continues to experience the ache of a phantom limb. And, there is the trace of God who has "walked the earth" though is no longer directly visible. For Levinas, the trace is the vestige of the infinite. The Levinasian trace is nonphenomenological, signifying without manifesting anything (Peperzak 1997). As such, it resists our attempts to analyze it or identify it conclusively. Yet we continue to search for it in the saying, in the human face, and in responsibility. This quest, says Levinas, is a worthy one, indicative of an ethical life. The trace itself challenges logic and rationality; the trace resists comprehension as it .disturbs the order of the world. (1996b, 62). The difficulty of talking about the trace arises from its "enigmatic, equivocal" features that elude our attempts to name it. Levinas explains, "The infinite then cannot be tracked down like game by a hunter. The trace left by the infinite is not the residue of a presence; its very glow is ambiguous. (1998, 12). The trace, then, is not a sign or a concrete feature but a paradoxical function of sociality (Bergo 1999). The trace is palpable yet not tangible, within our reach yet out of our grasp. David Michael Levin describes Levinas's phenomenology as *tracework,* an obsession-sustained meditation on an admittedly hopeless search for the traces .of primordial responsiveness. . The project is hopeless, but not futile; Levin offers, .since the effort, the attempt itself, carries enormous moral merit. (1998, 349). These are powerful ideas.an ethical subject whose ethics are lodged in a place otherwise than being; an ethic that can be conceived as the condition for dialogue in the saying to another; and the possibility of that saying, overwritten in ontology by the said, coming through still as a trace in discourse .like an unheard question. (Bergo 1999, 155). "Harry, please help me," is surely the call of conscience from one terrified and helpless man to a stranger who befriended him. "Don't worry, we're not leaving you," is just as surely the “here I am.” But the repeat at the end, "Don't worry, I'm with you," turns the "here I am" into a deeply exposed and singular commitment. It is no longer "we" but "I" who will be *with* the man who is not going anywhere in the heart of an inferno.

#### 1AC is a refutation of their value to life claims—no there is no external value, but the struggle for ethics against an unjust world is valuable

**May 5** – writes a lot of K cards

(Todd, “To change the world, to celebrate life: Merleau-Ponty and Foucault on the body”, Philosophy Social Criticism September 2005 vol. 31 no. 5-6 517-531, dml)

For those among us who seek in philosophy a way to grapple with our lives rather than to solve logical puzzles; for those whose reading and whose writing are not merely appropriate steps toward academic advancement but a struggle to see ourselves and our world in a fresher, clearer light; for those who ﬁnd nourishment among impassioned ideas and go hungry among empty truths: there is a struggle that is often waged within us. It is a struggle that will be familiar to anyone who has heard in Foucault’s sentences the stammering of a fellow human being struggling to speak in words worth hearing. Why else would we read Foucault? We seek to conceive what is wrong in the world, to grasp it in a way that offers us the possibility for change. We know that there is much that is, to use Foucault’s word, ‘intolerable’. There is much that binds us to social and political arrangements that are oppressive, domineering, patronizing, and exploitative. We would like to understand why this is and how it happens, in order that we may prevent its continuance. In short, we want our theories to be tools for changing the world, for offering it a new face, or at least a new expression. There is struggle in this, struggle against ideas and ways of thinking that present themselves to us as inescapable. We know this struggle from Foucault’s writings. It is not clear that he ever wrote about anything else. But this is not the struggle I want to address here. For there is, on the other hand, another search and another goal. They lie not so much in the revisioning of this world as in the embrace of it. There is much to be celebrated in the lives we lead, or in those led by others, or in the unfolding of the world as it is, a world resonant with the rhythms of our voices and our movements. We would like to understand this, too, to grasp in thought the elusive beauty of our world. There is, after all, no other world, except, as Nietzsche taught, for those who would have created another one with which to denigrate our own. In short, we would like our thought to celebrate our lives. To change the world and to celebrate life. This, as the theologian Harvey Cox saw, is the struggle within us.1 It is a struggle in which one cannot choose sides; or better, a struggle in which one must choose both sides. The abandonment of one for the sake of the other can lead only to disaster or callousness. Forsaking the celebration of life for the sake of changing the world is the path of the sad revolutionary. In his preface to Anti-Oedipus, Foucault writes that one does not have to be sad in order to be revolutionary. The matter is more urgent than that, however. One cannot be both sad and revolutionary. Lacking a sense of the wondrous that is already here, among us, one who is bent upon changing the world can only become solemn or bitter. He or she is focused only on the future; the present is what is to be overcome. The vision of what is not but must come to be overwhelms all else, and the point of change itself becomes lost. The history of the left in the 20th century offers numerous examples of this, and the disaster that attends to it should be evident to all of us by now. The alternative is surely not to shift one’s allegiance to the pure celebration of life, although there are many who have chosen this path. It is at best blindness not to see the misery that envelops so many of our fellow humans, to say nothing of what happens to sentient nonhuman creatures. The attempt to jettison world-changing for an uncritical assent to the world as it is requires a self-deception that I assume would be anathema for those of us who have studied Foucault. Indeed, it is anathema for all of us who awaken each day to an America whose expansive boldness is matched only by an equally expansive disregard for those we place in harm’s way. This is the struggle, then. The one between the desire for lifecelebration and the desire for world-changing. The struggle between reveling in the contingent and fragile joys that constitute our world and wresting it from its intolerability. I am sure it is a struggle that is not foreign to anyone who is reading this. I am sure as well that the stakes for choosing one side over another that I have recalled here are obvious to everyone. The question then becomes one of how to choose both sides at once. III Maybe it happens this way. You walk into a small meeting room at the back of a local bookstore. There are eight or ten people milling about. They’re dressed in dark clothes, nothing fancy, and one or two of them have earrings or dreadlocks. They vary in age. You don’t know any of them. You’ve never seen them before. Several of them seem to know one another. They are affectionate, hugging, letting a hand linger on a shoulder or an elbow. A younger man, tall and thin, with an open face and a blue baseball cap bearing no logo, glides into the room. Two others, a man and a woman, shout, ‘Tim!’ and he glides over to them and hugs them, one at a time. They tell him how glad they are that he could make it, and he says that he just got back into town and heard about the meeting. You stand a little off to the side. Nobody has taken a seat at the rectangle of folding tables yet. You don’t want to be the ﬁrst to sit down. Tim looks around the room and smiles. Several other people ﬁlter in. You’re not quite sure where to put your hands so you slide them into your jean pockets. You hunch your shoulders. Tim’s arrival has made you feel more of an outsider. But then he sees you. He edges his way around several others and walks up to you and introduces himself. You respond. Tim asks and you tell him that this is your ﬁrst time at a meeting like this. He doesn’t ask about politics but about where you’re from. He tells you he has a friend in that neighborhood and do you know . . . ? Then several things happen that you only vaguely notice because you’re talking with Tim. People start to sit down at the rectangle of tables. One of them pulls out a legal pad with notes on it. She sits at the head of the rectangle; or rather, when she sits down there, it becomes the head. And there’s something you don’t notice at all. You are more relaxed, your shoulders have stopped hunching, and when you sit down the seat feels familiar. The woman at the head of the table looks around. She smiles; her eyes linger over you and a couple of others that you take to be new faces, like yours. She says, ‘Maybe we should begin.’ IV I can offer only a suggestion of an answer here today. It is a suggestion that brings together some thoughts from the late writings of Maurice Merleau-Ponty with those of Foucault, in order to sketch not even a framework for thought, but the mere outlines of a framework. It is not a framework that would seek to ﬁnd the unconscious of each in the writings of the other. Neither thinker ﬁnishes or accomplishes the other. (Often, for example regarding methodology, they do not even agree.) Rather, it is a framework that requires both of them, from their very different angles, in order to be able to think it. My goal in constructing the outlines of this framework is largely philosophical. That is to say, the suggestion I would like to make here is not one for resolving for each of us the struggle of life-celebration and world-changing, but of offering a way to conceive ourselves that allows us to embrace both sides of this battle at the same time. Given the thinkers I have chosen as reference points, it will be no surprise when I say that that conception runs through the body. Let me start with Merleau-Ponty. In his last writings, particularly in The Visible and the Invisible, he offers a conception of the body that is neither at odds nor even entangled with the world, but is of the very world itself. His concept of the ﬂesh introduces a point of contact that is also a point of undifferentiation. The ﬂesh, Merleau-Ponty writes, ‘is the coiling over of the visible upon the seeing body, of the tangible upon the touching body, which is attested in particular when the body sees itself, touches itself seeing and touching the things, such that, astangible it descends among them’.2 We must recall this economy of the ﬂesh before we turn to Foucault. There is, for Merleau-Ponty, a single Being. Our world is of that Being, and we are of our world. We are not something that confronts the world from outside, but are born into it and do not leave it. This does not mean that we cannot remove ourselves from the immediacy of its grasp. What it means is that to remove ourselves from that immediacy is neither the breaking of a bond nor the discovery of an original dichotomy or dualism. What is remarkable about human beings is precisely our capacity to confront the world, to reﬂect upon it, understand it, and change it, while still being of a piece with it. To grasp this remarkable character, it is perhaps worth recalling Gilles Deleuze’s concept of the fold. The world is not composed of different parts; there is no transcendent, whether of God or of subjectivity. The world is one. As Deleuze sometimes says, being is univocal. This oneness is not, however, inert or inanimate. Among other things, it can fold over on itself, creating spaces that are at once insides and outsides, at once different from and continuous with one another. The ﬂesh is a fold of Being in this sense. It is of the world, and yet encounters it as if from a perceptual or cognitive distance. It is a visibility that sees, a tangible that touches, an audible that hears. MerleauPonty writes: There is vision, touch when a certain visible, a certain tangible, turns back upon the whole of the visible, the whole of the tangible, of which it is a part, or when suddenly it ﬁnds itself surrounded by them, or when between it and them, and through their commerce, is formed a Visibility, a Tangible in itself, which belong properly neither to the body qua fact nor to the world qua fact . . . and which therefore form a couple, a couple more real than either of them.3 For Merleau-Ponty, thought and reﬂection do not attach themselves to this ﬂesh from beyond it, but arise through it. As our body is of this world, our thought is of our bodies, its language of a piece with the world it addresses. ‘[I]f we were to make completely explicit the architectonics of the human body, its ontological framework, and how it sees itself and hears itself, we would see the possibilities of language already given in it.’4 This conception of the body as ﬂesh of the world is not foreign to Foucault, although of course the terms Merleau-Ponty uses are not his. We might read Foucault’s politics as starting from here, inaugurated at the point of undifferentiation between body and world. The crucial addition he would make is that that point of undifferentiation is not historically inert. The body/world nexus is inscribed in a history that leaves its traces on both at the same time, and that crosses the border of the ﬂesh and reaches the language that arises from it, and the thought that language expresses. How does this work? V Maybe it doesn’t happen that way. Maybe it happens another way. Maybe you walk into a room at a local community center. The room is large, but there aren’t many people, at least yet. There’s a rectangular table in the center, and everyone is sitting around it. A couple of people look up as you walk in. They nod slightly. You nod back, even more slightly. At the head of the table is someone with a legal pad. She does not look up. She is reading the notes on the pad, making occasional marks with the pen in her right hand. Other people come in and take places at the table. One or two of them open laptop computers and look for an outlet. Eventually, the table ﬁlls up and people start sitting in chairs behind the table. Your feel as though you’re in an inner circle where you don’t belong. You wonder whether you should give up your chair and go sit on the outside with the others who are just coming in now. Maybe people notice you, think you don’t belong there. At this moment you’d like to leave. You begin to feel at once large and small, visually intrusive and an object of scrutiny. You don’t move because maybe this is OK after all. You just don’t know. The room is quiet. A couple of people cough. Then the woman seated at the head of the table looks up. She scans the room as if taking attendance. She says, ‘Maybe we should begin.’ VI Merleau-Ponty’s discussion of the body as ﬂesh is an ontological one. Although he does not see the body as remote from its historical inscription, his discussion does not incorporate the role such inscription plays. For a body to be of the world is also for it to be temporal, to be encrusted in the continuous emerging of the world over time. And this emerging is not abstract; rather, it is concrete. The body/world nexus evolves during particular historical periods. This fold of the ﬂesh, this body, is not nowhere and at any time. It is there, then; or it is here, now. A body is entangled within a web of speciﬁc events and relations that, precisely because it is of this world, are inescapably a part of that body’s destiny. As Merleau-Ponty tells us in Phenomenology of Perception, ‘our open and personal existence rests on an initial foundation of acquired and stabilized existence. But it could not be otherwise, if we are temporality, since the dialectic of acquisition and future is what constitutes time.’5 The medium for the body’s insertion into a particular net of events and relations is that of social practices. Our bodies are not ﬁrst and foremost creatures of the state or the economy, no more than they are atomized wholes distinct from the world they inhabit. Or better, they are creatures of the state and the economy inasmuch as those appear through social practices, through the everyday practices that are the ether of our lives. Social practices are the sedimentation of history at the level of the body. When I teach, when I write this article, when I run a race or teach one of my children how to ride a bicycle, my body is oriented in particular ways, conforming to or rejecting particular norms, responding to the constraints and restraints of those practices as they have evolved in interaction with other practices over time. Through its engagement in these practices, my body has taken on a history that is not of my making but is nevertheless part of my inheritance. It is precisely because, as Merleau-Ponty has written, the body and the world are not separate things but rather in a chiasmic relation that we can think this inheritance. And it is because of Foucault’s histories that we can recognize that this inheritance is granted through speciﬁc social practices. And of course, as Foucault has taught us, social practices are where the power is. It is not, or not simply, at the level of the state or the modes of production where power arises. It is, as he sometimes puts it, at the capillaries. One of the lessons of Discipline and Punish is that, if the soul is the prison of the body, this is because the body is inserted into a set of practices that create for it a soul. These practices are not merely the choices of an individual whose thought surveys the world from above, but instead the fate of a body that is of a particular world at a particular time and place. Moreover, these practices are not merely in service to a power that exists outside of them; they are mechanisms of power in their own right. It is not because Jeremy Bentham disliked the prison population that the Panopticon became a grid for thinking about penal institutions. It is instead because the evolution of penal practices at that time created an opening for the economy of visibility that the Panopticon represented. When Foucault writes that . . . the soul has a reality, it is produced permanently around, on, within the body by the functioning of a power that is exercised on those punished – and, in a more general way, on those one supervises, trains and corrects, over madmen, children at home and at school, the colonized, over those who are stuck at a machine and supervised for the rest of their lives6 his claim is informed by four other ones that lie behind it: that bodies are of a piece with the world, that the body/world nexus is a temporal one, that the medium of that corporeal temporality is the practices a body is engaged in, and that that medium is political as well as social. The last three claims are, of course, of the framework of Foucault’s thought. The ﬁrst one is the ontological scaffolding provided by Merleau-Ponty. And it is by means of all four that we can begin to conceive things so as to be able to choose both world-changing and lifecelebrating at the same time. VII It could happen yet another way. Increasingly, it does. There is no meeting. There are no tables and no legal pads. Nobody sits down in a room together, at least nobody sits down at a place you know about. There may not even be a leaﬂet. Maybe you just got an email that was forwarded by someone you know slightly and who thought you might be interested. At the bottom there’s a link, in case you want to unsubscribe. If you don’t unsubscribe you get more notices, with petitions to sign or times and places for rallies or teach-ins or marches. Maybe there’s also a link for feedback or a list for virtual conversations or suggestions. If you show up, it’s not to something you put together but to something that was already in place before you arrived. How did you decide on this rally or teach-in? You sat in front of your computer screen, stared at it, pondering. Maybe you emailed somebody you know, asking for their advice. Is it worth going? If it’s on campus you probably did. It matters who will see you, whether you have tenure, how much you’ve published. There are no Tims here. You’ve decided to go. If it’s a teach-in, you’ve got plausible deniability; you’re just there as an observer. If it’s a rally, you can stand to the side. But maybe you won’t do that. The issue is too important. You don’t know the people who will be there, but you will stand among them, walk among them. You will be with them, in some way. Bodies at the same time and place. You agree on the issue, but it’s a virtual agreement, one that does not come through gestures or words but through sharing the same values and the same internet connections. As you march, as you stand there, nearly shoulder to shoulder with others of like mind, you’re already somewhere else, telling this story to someone you know, trying to get them to understand the feeling of solidarity that you are projecting back into this moment. You say to yourself that maybe you should have brought a friend along. There are many ways to conceive the bond between world-changing and life-celebrating. Let me isolate two: one that runs from Merleau-Ponty to Foucault, from the body’s chiasmic relation with the world to the politics of its practices; and the other one running back in the opposite direction. The ontology Merleau-Ponty offers in his late work is one of wonder. Abandoning the sterile philosophical debates about the relation of mind and body, subject and object, about the relation of reason to that which is not reason, or the problem of other minds, his ontology forges a unity of body and world that puts us in immediate contact with all of its aspects. No longer are we to be thought the self-enclosed creatures of the philosophical tradition. We are now in touch with the world, because we are of it. Art, for example, does not appeal solely to our minds; its beauty is not merely a matter of the convergence of our faculties. We are moved by art, often literally moved, because our bodies and the work of art share the same world. As Merleau-Ponty says, ‘I would be at great pains to say where is the painting I am looking at. For I do not look at it as I do a thing; I do not ﬁx it in its place. My gaze wanders in it as in the halos of Being. It is more accurate to say that I see according to it, or with it, than that I see it.’7 It is only because my body is a fold of this world that art can affect me so. But this affection is also a vulnerability. As my look can happen according to a work of art, so it can happen according to a social practice. And even more so in proportion as that social practice and its effects are suffused through the world in which I carry on my life, the world my body navigates throughout the day, every day. I do not have a chance to look according to a painting by Cezanne very often; but I do encounter the effects of normalization as it has ﬁltered through the practices of my employment, of my students’ upbringing, and of my family’s expectations of themselves and one another. The vulnerability of the body, then, is at once its exposure to beauty and its opening to what is intolerable. We might also see things from the other end, starting from politics and ending at the body. I take it that this is what Foucault suggests when he talks about bodies and pleasures at the end of the ﬁrst volume of the History of Sexuality. If we are a product of our practices and the conception of ourselves and the world that those practices have fostered, so to change our practices is to experiment in new possibilities both for living and, inseparably, for conceiving the world. To experiment in sexuality is not to see where the desire that lies at the core of our being may lead us; that is simply the continuation of our oppression by other means. Rather, it is to construct practices where what is at issue is no longer desire but something else, something that might go by the name of bodies and pleasures. In doing so, we not only act differently, we think differently, both about ourselves and about the world those selves are inseparable from. And because these experiments are practices of our bodies, and because our bodies are encrusted in the world, these experiments become not merely acts of political resistance but new folds in the body/ world nexus. To construct new practices is to appeal to aspects or possibilities of the world that have been previously closed to us. It is to offer novel, and perhaps more tolerable, engagements in the chiasm of body and world. Thus we might say of politics what Merleau-Ponty has said of painting, that we see according to it. Here, I take it, is where the idea of freedom in Foucault lies. For Foucault, freedom is not a metaphysical condition. It does not lie in the nature of being human, nor is it a warping, an atomic swerve, in the web of causal relations in which we ﬁnd ourselves. To seek our freedom in a space apart from our encrustation in the world is not so much to liberate ourselves from its inﬂuence as to build our own private prison. Foucault once said: There’s an optimism that consists in saying that things couldn’t be better. My optimism would consist rather in saying that so many things can be changed, fragile as they are, bound up more with circumstances than with necessities, more arbitrary than self-evident, more a matter of complex, but temporary, historical circumstances than with inevitable anthropological constraints . . .8 That is where to discover our freedom. IX And what happens from there? From the meetings, from the rallies, from the petitions and the teach-ins? What happens next? There is, after all, always a next. If you win this time – end aid to the contras, divest from apartheid South Africa, force debt-forgiveness by technologically advanced countries – there is always more to do. There is the de-unionization of workers, there are gay rights, there is Burma, there are the Palestinians, the Tibetans. There will always be Tibetans, even if they aren’t in Tibet, even if they aren’t Asian. But is that the only question: Next? Or is that just the question we focus on? What’s the next move in this campaign, what’s the next campaign? Isn’t there more going on than that? After all, engaging in political organizing is a practice, or a group of practices. It contributes to making you who you are. It’s where the power is, and where your life is, and where the intersection of your life and those of others (many of whom you will never meet, even if it’s for their sake that you’re involved) and the buildings and streets of your town is. This moment when you are seeking to change the world, whether by making a suggestion in a meeting or singing at a rally or marching in silence or asking for a signature on a petition, is not a moment in which you don’t exist. It’s not a moment of yours that you sacriﬁce for others so that it no longer belongs to you. It remains a moment of your life, sedimenting in you to make you what you will become, emerging out of a past that is yours as well. What will you make of it, this moment? How will you be with others, those others around you who also do not cease to exist when they begin to organize or to protest or to resist? The illusion is to think that this has nothing to do with you. You’ve made a decision to participate in world-changing. Will that be all there is to it? Will it seem to you a simple sacriﬁce, for this small period of time, of who you are for the sake of others? Are you, for this moment, a political ascetic? Asceticism like that is dangerous. X Freedom lies not in our distance from the world but in the historically fragile and contingent ways we are folded into it, just as we ourselves are folds of it. If we take Merleau-Ponty’s Being not as a rigid foundation or a truth behind appearances but as the historical folding and refolding of a univocity, then our freedom lies in the possibility of other foldings. Merleau-Ponty is not insensitive to this point. His elusive concept of the invisible seems to gesture in this direction. Of painting, he writes: the proper essence of the visible is to have a layer of invisibility in the strict sense, which it makes present as a certain absence . . . There is that which reaches the eye directly, the frontal properties of the visible; but there is also that which reaches it from below . . . and that which reaches it from above . . . where it no longer participates in the heaviness of origins but in free accomplishments.9 Elsewhere, in The Visible and the Invisible, he says: if . . . the surface of the visible, is doubled up over its whole extension with an invisible reserve; and if, ﬁnally, in our ﬂesh as the ﬂesh of things, the actual, empirical, ontic visible, by a sort of folding back, invagination, or padding, exhibits a visibility, a possibility that is not the shadow of the actual but its principle . . . an interior horizon and an exterior horizon between which the actual visible is a partitioning and which, nonetheless, open indeﬁnitely only upon other visibles . . .10 What are we to make of these references? We can, to be sure, see the hand of Heidegger in them. But we may also, and for present purposes more relevantly, see an intersection with Foucault’s work on freedom. There is an ontology of freedom at work here, one that situates freedom not in the private reserve of an individual but in the unﬁnished character of any historical situation. There is more to our historical juncture, as there is to a painting, than appears to us on the surface of its visibility. The trick is to recognize this, and to take advantage of it, not only with our thoughts but with our lives. And that is why, in the end, there can be no such thing as a sad revolutionary. To seek to change the world is to offer a new form of life-celebration. It is to articulate a fresh way of being, which is at once a way of seeing, thinking, acting, and being acted upon. It is to fold Being once again upon itself, this time at a new point, to see what that might yield. There is, as Foucault often reminds us, no guarantee that this fold will not itself turn out to contain the intolerable. In a complex world with which we are inescapably entwined, a world we cannot view from above or outside, there is no certainty about the results of our experiments. Our politics are constructed from the same vulnerability that is the stuff of our art and our daily practices. But to refuse to experiment is to resign oneself to the intolerable; it is to abandon both the struggle to change the world and the opportunity to celebrate living within it. And to seek one aspect without the other – life-celebration without world-changing, world-changing without life-celebration – is to refuse to acknowledge the chiasm of body and world that is the wellspring of both. If we are to celebrate our lives, if we are to change our world, then perhaps the best place to begin to think is our bodies, which are the openings to celebration and to change, and perhaps the point at which the war within us that I spoke of earlier can be both waged and resolved. That is the fragile beauty that, in their different ways, both MerleauPonty and Foucault have placed before us. The question before us is whether, in our lives and in our politics, we can be worthy of it. XI So how might you be a political body, woven into the fabric of the world as a celebrator and as a changer? You went to the meeting, and then to the demonstration. How was it there? Were the bodies in harmony or in counterpoint? Did you sing with your feet, did your voice soar? Did your mind come alive? Did you see possibilities you had not seen before? Were there people whose words or clothes, or even the way they walked hand in hand (how long has it been since you’ve walked hand in hand with someone out in public?) offer you a possibility, or make you feel alive as well as righteous? And how about those people off to the side, the ones on the sidewalk watching? Maybe they just stared, or maybe nodded as you went past. Or maybe some of them shouted at you to stop blocking the streets with your nonsense. Did you recoil within yourself, see yourself as in a mirror, or as the person at Sartre’s keyhole who’s just been caught? Did you feel superior to them, smug in your knowledge? Or did they, too, show you something you might learn from? Are they you at another moment, a moment in the past or in the future? Are they your parents that you have not explained to, sat down beside, or just shared a meal with? That one over there, the old man slightly stooped in the long overcoat: whom does he remind you of? What message might he have unwittingly brought for you? And why does it have to be a demonstration? You go to a few meetings, a few more demonstrations. You write some letters to legislators. You send an email to the President. And then more meetings. The next thing you know, you’re involved in a political campaign. By then you may have stopped asking why. This is how it goes: demonstrations, meetings with legislators, internet contacts. Does it have to be like this? Are demonstrations and meetings your only means? Do they become, sooner or later, not only means but ends? And what kinds of ends? In some sense they should always be ends: a meeting is a celebration, after all. But there are other ends as well. You go to the meeting because that fulﬁlls your obligation to your political conscience. Does it come to that? There are other means, other ends. Other means/ends. Some people ride bicycles, en masse, slowly through crowded urban streets. You want environmentalism? Then have it. The streets are beautiful with their tall corniced buildings and wide avenues. To ride a bike through these streets instead of hiding in the armor of a car would be exhilarating. If enough of you do it together it would make for a pleasant ride, as well as a little lived environmentalism. Would you want to call it a demonstration? Would it matter? There are others as well who do other things with their bodies, more dangerous things. Some people have gone to Palestine in order to put their bodies between the Palestinians and the Israeli soldiers and settlers who attack them. They lie down next to Palestinians in front of the bulldozers that would destroy homes or build a wall through a family’s olive orchard. They feel the bodies of those they are in solidarity with. They smell the soil of Palestine as they lay there. Sometimes, they are harmed by it. A young woman, Rachel Corrie, was deliberately crushed by a US bulldozer operated by an Israeli soldier as she kneeled in front of a Palestinian home, hoping to stop its demolition. To do politics with one’s body can be like this. To resist, to celebrate, is also to be vulnerable. The world that you embrace, the world of which you are a part, can kill you too. And so you experiment. You try this and you try that. You are a phenomenologist and a genealogist. You sense what is around you, attend to the way your body is encrusted in your political involvements. And you know that that sensing has its own history, a history that often escapes you even as it envelops you. There is always more to what you are, and to what you are involved in, than you can know. So you try to keep vigilant, seeking the possibilities without scorning the realities. It’s a difﬁcult balance. You can neglect it if you like. Many do. But your body is there, woven into the fabric of all the other bodies, animate and inanimate. Whether you like it or not, whether you recognize it or not. The only question is whether you will take up the world that you are of, or leave it to others, to those others who would be more than willing to take your world up for you.

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#### Topical version of the aff doesn’t solve the advantages

**Aradau 7**—Senior Lecturer in International Relations at King’s College

(Claudia, “Law transformed: Guantanamo and the ’other’ exception”, Third World Quarterly, 28(3), pp. 489–501, dml)

Therefore, arguing that we should avoid the administrative aspect of law, its situation-dependent decisions, or subject it to forms of review and restraint (judicial review, ombudsman, etc.) does not contest the ‘other’ exception. Reinstating other forms of law as well as democratic procedures can be consonant with the concrete exceptions entailed by the necessities of a situation. What we need to contest is sovereign practices that are effacing the contingency of their own decisions by rooting themselves in concrete realities, the necessities of the given situation and incontestable renderings of what the ‘war on terror’ is.