# Round 5—Aff vs MoState BR

## 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.

**Linearity fails.**

**Bernstein et al 2k.** Steven Bernstein,Richard Ned Lebow, Janice Gross Stein and Steven Weber**,***University of Toronto, The Ohio State University, University of Toronto and University of California at Berkeley***. “***God Gave Physics the Easy Problems”* European Journal of International Relations2000; 6; 43

A deep irony is embedded in the history of the scientific study of international relations. Recent generations of scholars separated policy from theory to gain an intellectual distance from decision-making, in the belief that this would enhance the 'scientific' quality of their work. But five decades of well-funded efforts to develop theories of international relations have produced precious little in the way of useful, high confidence results. Theories abound, but few meet **the most relaxed** 'scientific' tests of validity. Even the most robust generalizations or laws we can state - war is more likely between neighboring states, weaker states are less likely to attack stronger states - **are close to trivial**, have important exceptions, and for the most part stand outside any consistent body of theory. A generation ago, we might have excused our performance on the grounds that we were a young science still in the process of defining problems, developing analytical tools and collecting data. This excuse is neither credible nor sufficient; there is no reason to suppose that another 50 years of well-funded research would result in anything resembling a valid theory in the Popperian sense. We suggest that **the nature, goals and criteria for judging social science theory should be rethought**, if theory is to be more helpful in understanding the real world. We begin by justifying our pessimism, both conceptually and empirically, and argue that the quest for *predictive* theory rests on a mistaken analogy between physical and social phenomena. Evolutionary biology is a more productive analogy for social science. We explore the value of this analogy in its 'hard' and 'soft' versions, and examine the implications of both for theory and research in international relations.2 We develop the case for forward 'tracking' of international relations on the basis of local and general knowledge as an alternative to backward-looking attempts to build deductive, nomothetic theory. We then apply this strategy to some emerging trends in international relations. This article is not a nihilistic diatribe against 'modern' conceptions of social science. Rather, it is a plea for constructive humility in the current context of attraction to deductive logic, falsifiable hypothesis and large-n statistical 'tests' of narrow propositions. We propose a practical alternative for social scientists to pursue in addition, and in a complementary fashion, to 'scientific' theory-testing. *Newtonian Physics: A Misleading Model* Physical and chemical laws make two kinds of predictions. Some phenomena - the trajectories of individual planets - can be predicted with a reasonable degree of certainty. Only a few variables need to be taken into account and they can be measured with precision. Other mechanical problems, like the break of balls on a pool table, while subject to deterministic laws, are inherendy unpredictable because of their complexity. Small differences in the lay of the table, the nap of the felt, the curvature of each ball and where they make contact, amplify the variance of each collision and lead to what appears as a near random distribution of balls. Most predictions in science are probabilistic, like the freezing point of liquids, the expansion rate of gases and all chemical reactions. Point predictions appear possible only because of the large numbers of units involved in interactions. In the case of nuclear decay or the expansion of gases, we are talking about *trillions* of atoms and molecules. In international relations, even more than in other domains of social science, it is often **impossible** to assign metrics to what we think are relevant variables (Coleman, 1964: especially Chapter 2). The concepts of **polarity**, relative power and the **balance of power** are among the most widely used independent variables, **but there are no commonly accepted definitions or measures** for them. Yet without consensus on definition and measurement, almost every statement or hypothesis will have too much wiggle room to be 'tested' decisively against evidence. What we take to be dependent variables fare little better. Unresolved controversies rage over the definition and evaluation of **deterrence outcomes**, and about the criteria for **democratic** **governance** and their application to specific countries at different points in their history. Differences in coding for even a few cases have significant implications for tests of theories of deterrence or of the democratic peace (Lebow and Stein, 1990; Chan, 1997). The lack of consensus about terms and their measurement is **not merely the result of** intellectual anarchy or **sloppiness** - although the latter cannot entirely be dismissed. Fundamentally, **it has more to do with the arbitrary nature of the concepts themselves.** Key terms in physics, like mass, temperature and velocity, refer to aspects of the physical universe that we cannot directly observe. However, they are embedded in theories with deductive implications that have been verified through empirical research. Propositions containing these terms are legitimate assertions about reality because their truth-value can be assessed. Social science theories are for the most part built on **'idealizations'**, that is, on concepts that cannot be anchored to observable phenomena through rules of correspondence. Most of these terms (e.g. rational actor, balance of power) are not descriptions of reality but **implicit 'theories'** about actors and **contexts that do not exist** (Hempel, 1952; Rudner, 1966; Gunnell, 1975; Moe, 1979; Searle, 1995: 68-72). The inevitable differences in interpretation of these concepts lead to different predictions in some contexts, and these outcomes may eventually produce widely varying futures (Taylor, 1985: 55). **If** problems of definition, measurement and coding could be resolved, we **would still find it** difficult, if not **impossible, to construct large enough samples** of comparable cases to permit statistical analysis. It is now almost generally accepted that in the analysis of the causes of wars, the **variation across time and the complexity of the interaction** among putative causes make the likelihood of a general theory **extraordinarily low**. Multivariate theories run into the problem of negative degrees of freedom, yet international relations rarely generates data sets in the high double digits. Where larger samples do exist, they often group together cases that differ from one another in theoretically important ways.3 Complexity in the form of multiple causation and equifinality can also make simple statistical comparisons misleading. But it is hard to elaborate more sophisticated statistical tests until one has a deeper baseline understanding of the nature of the phenomenon under investigation, as well as the categories and variables that make up candidate causes (Geddes, 1990: 131-50; Lustick, 1996: 505-18; Jervis, 1997). Wars - to continue with the same example - are similar to chemical and nuclear reactions in that they have underlying and immediate causes. **Even when all the underlying conditions are present**, these processes generally require a catalyst to begin. Chain reactions are triggered by the decay of atomic nuclei. Some of the neutrons they emit strike other nuclei prompting them to fission and emit more neutrons, which strike still more nuclei. Physicists can calculate how many kilograms of Uranium 235 or Plutonium at given pressures are necessary to produce a chain reaction. They can take it for granted that if a 'critical mass' is achieved, a chain reaction will follow. This is because trillions of atoms are present, and at any given moment enough of them will decay to provide the neutrons needed to start the reaction. In a large enough sample, catalysts will be present in a statistical sense. **Wars involve relatively few actors.** Unlike the weak force responsible for nuclear decay, their catalysts are probably **not inherent properties** of the units. Catalysts may or may not be present, and their **potentially random distribution** relative to underlying causes makes it **difficult to predict when or if an appropriate catalyst will occur**. If in the course of time underlying conditions change, reducing basic incentives for one or more parties to use force, catalysts that would have triggered war will no longer do so. This uncertain and evolving relationship between underlying and immediate causes **makes point prediction extraordinarily difficult**. **It also makes more general statements about the causation of war problematic**, since we have **no way of knowing** what wars would have occurred in the presence of appropriate catalysts. It is probably impossible to define the universe of would-be wars or to construct a representative sample of them. Statistical inference requires knowledge about the state of independence of cases, but in a practical sense that knowledge is often **impossible to obtain in the analysis of international relations**. Molecules do not learn from experience. People do, or think they do. Relationships among cases exist in the minds of decision-makers, which makes it **very hard to access that information reliably** and for more than just a very small number of cases. We know that expectations and behavior are influenced by experience, one's own and others. The deterrence strategies pursued by the United States throughout much of the Cold War were one kind of response to the failure of appeasement to prevent World War II. Appeasement was at least in part a reaction to the belief of British leaders that the deterrent policies pursued by the continental powers earlier in the century had helped to provoke World War I. Neither appeasement nor deterrence can be explained without understanding the context in which they were formulated; **that context is ultimately a set of mental constructs.** We have descriptive terms like 'chain reaction' or 'contagion effect' to describe these patterns, and hazard analysis among other techniques in statistics to measure their strength. But neither explains how and why these patterns emerge and persist. The broader point is that the relationship between human beings and their environment is not nearly so reactive as with inanimate objects. Social relations are not clock-like because the **values** and **behavioral repertories** of actors are not fixed; people have memories, learn from experience and undergo shifts in the vocabulary they use to construct reality. Law-like relationships - even if they existed - could not explain the most interesting social outcomes, since these are precisely the outcomes about which actors have the most incentive to learn and adapt their behavior. *Any* regularities would be 'soft'; they would be the outcome of processes that are embedded *Overcoming Physics Envy* The conception of **causality** on which deductive-nomological models are based, in classical physics as well as social science, requires empirical invariance under specified boundary conditions. The standard form of such a statement is this - given A, B and C, if X then (not) Y.4 This kind of bounded invariance can be found in **closed** **systems**. Open systems can be influenced by **external** **stimuli**, and their structure and causal mechanisms evolve as a result. Rules that describe the functioning of an open system at time T do not necessarily do so at T + 1 or T + 2. The boundary conditions may have changed, rendering the statement irrelevant. Another axiomatic condition may have been added, and the outcome subject to multiple conjunctural causation. There is no way to know this *a priori* from the causal statement itself. Nor will **complete** **knowledge** (if it were possible) about the system at time T necessarily **allow us to project its future course of development.** In a practical sense, **all social systems** (and many physical and biological systems) are open. Empirical invariance does not exist in such systems, and seemingly probabilistic invariances may be causally unrelated (Harre and Secord, 1973; Bhaskar, 1979; Collier, 1994; Patomaki, 1996; Jervis, 1997). **As physicists readily admit, prediction in open systems, especially non-linear ones, is difficult, and often impossible**. The risk in saying that social scientists can 'predict' the value of variables in past history is that the value of these variables is already known to us, and thus we are not really making predictions. Rather, we are trying to convince each other of the logic that connects a statement of theory to an expectation about the value of a variable that derives from that theory. As long as we can establish the parameters within which the theoretical statement is valid, which is a prerequisite of generating expectations in any case, this 'theorytesting' or 'evaluating' activity is not different in a logical sense when done in past or future time.5

#### 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

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(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—in no way does this mean we do not switch sides

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(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.

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#### Counter-interp – we are budding social critics – we should have to propose a stable advocacy in the direction of the topic 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.**

Salter 85. M.G. Salter, lecturer in criminal law at the University of Birmingham, “The Rule of Power in the Language of Law,” The Liverpool Law Review Vol.VII(1) [1985] pg. 45

Through this linguistic patterning of administered time, the student is kept under the continual assessment of normalising judgments that examine, compare and contrast in order to accumulate a knowledge. Even the measurers are themselves externally measured, graded and assessed. Between staff, considerations of tactics determine aspects of discourse. Rarely is complete openness and honesty strategic.

Power also operates through legal discourse to assemble specific relations between people through individualising and collectivising them into pre-given categories. We can see this within the landlord tenant relationship. Even in their legal battles and formal agreements the relations between landlords and tenants are pre-determined through such notions as property, ownership and possessory rights. These shape the formation of intentions and the consequences of action. Legal battles for "student rights", "tenants rights" or those for blacks, consumers and women, take place upon a language already worked by power and for which the determination of what "tenancy'~ "rights" etc.~ means has already happened.

It is therefore inadequate to see these effects of power as mere rituals without penetrating deeper into the rules of operation that make possible and govern such elements of discourse. These rules set up an order of succession between different speakers' contributions, they determine who has the right to follow whom~ to interrupt, overrule~ qualify remarks~ re-interpret in "the light of broader policy considerations" and which positions may be taken upon what has been said by previous speakers and the status of statements made. Power also determines the effect of these modifications upon the subsequent authority of the overruled speaker.

Not only is the "who" prescribed in advance, but the "how" of these overrulings, qualifications, re-interpretations etc. If a statement by the Attorney-General over the use of the Emergency Powers legislation during violent strikes and unlawful picketing is subsequently to be qualified, this cannot be done in just any fashion. Power thus enforces what it has already established as the "proper" manner of any qualification. This has already pre-defined what specific element can~ in that particular qualifying discourse~ be related to what other~ if it is to count as a successful use of a particular ritualised tactic. Breach of these rules established under certain laws of co,possibility leads not to a successful "qualification" of the Attorney-General's earlier statement~ but to something else -perhaps an unintended public humiliation of a senior member of government.

In our academic discourse the power of the legal professions to impose a particular form and content for "their" qualification has already structured the occasion of any possible discourse. Both inside and outside academia power has already declared which qualified person, occupying which certified occupation for how many years can give an authoritative rendition of any particular law. (8) Also it pre-determines from what place this must be offered and according to which rituals of circumstance - accompanying gestures, style and body positions - to maintain the authority of the speaker. (9)

A law of compossibility has then laid down rules whose historical interplay determine why the appearance and disappearance of a particular discourse could not have occurred otherwise. The effects of their operation is to assemble and hold together not only a particular legal theme, but also a group of subjects whose status empowers them to speak and command an audience upon this theme. For example, the legality of bail conditions imposed upon pickets is not a theme for anyone at any time or place. Whether student, lecturer, defence lawyer, trade union leader or picket, mastery of these rules by the subject they create within the field they open up is a pre-condition for successful practical action within it. This is certainly true when the sites are the adversarial, and therefore highly tactical, atmospheres of court rooms, television debates or picket lines.

Such mastery and command does not make a person master of the rules themselves. It is still power that is heard when language speaks; they are no-onets personal possession or plaything. They are outcomes of chosen practices they themselves have made possible. It does not then appear to be a question of a "ruling class" which owns and therefore has certain power at its free disposal consciously to secure its rule over a dominated class. If anything the relationship is that power rules through establishing the meaning of particular social relationships. One has power like one has a cold, i.e. we are had by it and must make the best of it, develop resistance, fight the symptoms that aggravate us, discover, understand and use its effects to our advantage. No-one is exempt. The unfinished rituals power establishes generate our legal and ethical codes as well as the social relationships of their field of application. These relationships themselves create potentially violent tensions whose threat and reality support the widely felt need for such codes and law.

Power operates as much through the understanding as the speaking of legal discourse. Thus even the individual's understanding of law is made to "run on time" according to preset and administered rhythms. The intelligibility of laws governing, say, official secrets and labour relations, are constantly established through what is written and said in and about them. This constituted intelligibility is not in itself dependent upon administrative and labour practices. Instead, the dependency of its theme is articulated through language which makes constant but selective use of these relations. It does so in order to lay down a way in which these relations can be authoritatively addressed through it. As a lawyer I should be able to understand these laws better than those to whom they directly apply. Of course, it is a different matter to consider what this established intelligibility then means for administrators and trade unionists.

Power therefore delimits and holds together a select audience for particular legal discourses. The authoritative legal version which I may attempt to render is cornered by a particular profession and expressed upon non-legal and external practices such as journalism~ trade unionism, policing, law courts and prisons. From such constituted/constituting sources legal discourse has inscribed upon it~ and inserted within it~ an implicit philosophy of life, system of ethics and criteria for "sound judgement". These are not essentially or exclusively legal in character, but are bound up with the evolution of modernist societies and their struggles with unaccountable feudal and royal power. For example, the struggle for the rule of law has always been a power-struggle between competing potential law makers, for access to and control over law making machinery and then for the gaining of universal social recognition of the laws that have been made. There can also be a struggle within academia between and among students and lecturers over the weight given to purely academic matters, research, professional training etc., that occur against external government financial and relevancy criteria.

#### Bare life low—limits uniquely trigger it—voter for fairness

**Hyvönen 11**—University Tampere School of Management

(Ari-Elmeri, “POLITICS OF BOUNDARIES, BOUNDARIES OF POLITICS: Examining Political Communities with Arendt and Rorty”, <http://tutkielmat.uta.fi/pdf/gradu05489.pdf>, dml)

In relation to the competing theories, it was argued that the combined Arendtian-Rortian perspective can question the deadlock between the two existing, almost incommensurable thought-paradigms. From the perspective built in the present work, the p‘ost-structural ’criticism of Critical Theory is certainly correct in pointing out the dangers of its universalist outlook, and its overly consensus-and-validity-emphasizing way of looking at political discourse. At the same breath, we must also abstain from the opposite tenden- cy to escape the muddy waters of political reality into a formal, metaphysical analysis and to averse from an idea of political debate and institutional approaches altogether. The Arendtian-Rortian position devel- oped above is not a third way, an easy middle ground, between these two positions. It calls not for a compromise between the existing positions, but by acknowledging the strengths and weaknesses of both positions, it seeks to go beyond their horizon. That is, it seeks to approach the topic from an altogether **different angle**, urging us to start from where we are, from current institutions, and trying to ameliorate them, **increasing their inclusivism** **and** creating more possibilities for action. Political space will always have territorial-cum-institutional limits**, but we must constantly try to overcome** the form **and** the shape **of its present embodiments**, assessing them from the point of view of the idea of democratic and cosmo- politan existence. On this basis, we can re-approach the research questions that were set in the introduction. Firstly, in Arendts’ and Rortys’ conceptualizations, ethical-political communities are not merely political surround- ings or environments for individuals – they form the basis (but do not determine) for the use of judg- ment, **the ability to communicate**, and the ability to form beliefs. They are the primary openings from which things gain their meanings. Thus, **a life that is deprived of the possibility for speech and action**, like that of the stateless, **is a life that has been imposed to** one of the worst kinds of cruelty known. Both writers also envision a constellation of various communities, instantiating different ethical/political tasks on different scales. Moreover, even though limited communities are the main locus for politics, ethical- political communities should not delimit their membership **based on any** pre-given or n‘atural **’attribute**. Democracy works most effectively at the immediate level, but just for this **reason a great deal of atten- tion must be paid to the** institutional arrangements **that ensure the communication and responsiveness between different levels**. It is of utmost ethical and political urgency **that those who are kept out from public discourse**, **excluded from the community in the sense that** they are not taken as participants in public deliberation**, are listened to**. Refugees, for instance, are not to be taken as voiceless victims, but as potentially active participants in political deliberation, voicing from their own perspective what kind of aid and what kind of rights they should be granted. Paraphrasing Arendt, we could speak of a right to demand rights, a right that is the minimal step that needs to be taken before we can even talk about a right to have rights.

#### Our interp accesses the breadth of education --- that is more significant

**Colander and McGoldrick, 9 (**David, Professor of Economics at Middlebury College, and KimMarie, , professor of economics in the University of Richmond, *Liberal Education*, Vol. 95, No. 2 “The Economics Major and Liberal Education,” Spring)

The success or failure of a liberal education, or an undergraduate major, depends far more on how the educational process influences students’ passion for learning than it does on what specifically they learn. A successful liberal education creates a lifelong learner, and classroom instruction is as much a catalyst for education as it is the education itself. Because passion for learning carries over to other fields and areas, the catalyst function of education does not depend on content. Academic departments tend to focus on both the need for depth in the field and the need for specialized training as a component of liberal education. The push for depth over breadth by disciplinary scholars is to be expected. Just as a Shakespeare scholar is unlikely to be passionate about teaching freshman composition, a scholar of classical game theory is unlikely to be passionate about teaching general economic principles within the context of an interdisciplinary consideration of broad themes. Because breadth is not usually associated with research passion by disciplinary specialists, and because a college is a collection of disciplinary specialists, breadth often gets shortchanged; it is interpreted as “superficial.” But in reality, breadth pertains to the nature of the questions asked. It involves asking questions that are unlikely to have definitive answers—“big-think” questions that challenge the foundations of disciplinary analysis. By contrast, depth involves asking smaller questions that can be answered—“little-think” questions that, too often, involve an uncritical acceptance of the assumptions upon which research is built. Questions and areas of study have two dimensions: a research dimension and a teaching dimension. The disciplinary nature of both graduate education and undergraduate college faculties leads to an emphasis on “research questions,” which tend to be narrow and in-depth, and a de-emphasis on “teaching questions,” which tend to involve greater breadth. Economics has its own distinctive set of teaching questions: Is capitalism preferable to socialism? What is the appropriate structure of an economy? Does the market alienate individuals from their true selves? Is consumer sovereignty acceptable? Do statistical significance tests appropriately measure significance? It is worthwhile to teach such “big-think” questions, but because they do not fit the disciplinary research focus of the profession, they tend not to be included in the economics major. This is regrettable, since struggling with “big-think” questions helps provoke a passion for learning in students and, hence, can be a catalyst for deeper student learning. It is similarly worthwhile to expose students to longstanding debates within the field. For example, Marx considered the alienation created by the market to be a central problem of western societies; Hayek argued that the market was necessary to preserve individual freedom; and Alfred Marshall argued that activities determine wants and, thus, wants cannot be considered as primitives in economic analysis. Such debates are highly relevant for students to consider as they study economics within the context of a liberal education. But these kinds of debates are not actively engaged as part of cutting-edge research, which instead tends to focus either on narrow questions that can be resolved through statistical analysis or on highly theoretical questions that exceed the level of undergraduate students.

#### limits are bad

#### A) Prevents holistic education

**Miller,** Professor of Philosophy**, 98** George D, Negotiating toward truth: the extinction of teachers and students, Google Book

Compartmentalization prevents students from seeing the whole. When students are given only a focalized view of reality, then they become more alienated . I would like to expand on this alienation. The alienation arises, on the one hand, from drawing solutions from this compartmentalized solutions that do not work. Education fails to develop holistic perspectives on issues. Secondly, compartmentalized education retards solidarity. We only see our neck of the woods. We don't see how our neck of the woods interacts with other necks of the woods and how the necks of the woods are similar. Compartmentalized learning narrows perspectives.

#### b) Critical thinking

**Miller,** Professor of Philosophy**, 98** George D, Negotiating toward truth: the extinction of teachers and students, Google Book

The fact that the oppressed cannot perceive themes does not mean that themes are absent. It only means that the themes are deeply suppressed by the oppressors. The banking concept of education allows for only a fragmented perspective on reality. Critical thinking grasps interconnections and the whole. We know by understanding the relationship between the whole and the parts. This understanding illuminates limit-situations.

### case—war on terror good

#### 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.

**Indefinite detention increases terrorism—multiple mechanisms**

Martin **Scheinin**, Professor, International Law, “Should Human Rights Take a Back Seat in Wartime?” REAL CLEAR WORLD, interviewed by Casey L. Coombs, 1—11—**12**, [www.realclearworld.com/articles/2012/01/11/national\_defense\_authorization\_act\_scheinin\_interview-full.html](http://www.realclearworld.com/articles/2012/01/11/national_defense_authorization_act_scheinin_interview-full.html), accessed 8-21-13.

CLC: As a world leader and active promoter of universal human rights, **the practice of indefinite detention without charge would** seem to **clash with U.S. ideals**. Could you comment on this contradiction? MS: **One of the main lessons learned in the** international **fight against terrorism is that counter-terrorism professionals** have gradually **come to learn and admit that human rights violations are not an acceptable shortcut** in an effective fight against terrorism. **Such measures** tend to **backfire in multiple ways**. **They** result in legal problems by **hamper**ing **prosecution, trial and punishment**. **The use of torture is a clear example** here. **They** also tend to **alienate** the **communities with which authorities should be working** in order **to** detect and **prevent terrorism**. And **they add to causes of terrorism,** both **by perpetuating "root causes" that involve the alienation of communities and by providing "triggering causes" through which bitter individuals** make the morally inexcusable decision to **turn to** methods of **terrorism.** The NDAA is just one more step in the wrong direction, by aggravating the counterproductive effects of human rights violating measures put in place in the name of countering terrorism. CLC: Does the NDAA afford the U.S. a practical advantage in the fight against terrorism? Or might the law undermine its global credibility? MS: **It is hard to see any practical advantage gained through the NDAA**. It is just another form of what I call symbolic legislation, enacted because the legislators want to be seen as being "tough" or as "doing something." The law is written as just affirming existing powers and practices and hence not providing any meaningful new tools in the combat of terrorism. By constraining the choices by the executive, **it** nevertheless **hampers e**ffective counter-terrorism work, including criminal investigation and prosecution, as well as **international counter-terrorism cooperation**, markedly in the issue of closing the Guantanamo Bay detention facility. Hence, **it carries the risk of distancing** the **U**nited **S**tates **from its closest allies and the international community generally**. And of course **these kinds of** legal **provisions are** always **open for bad faith copying by repressive governments that will use them for their own political purposes**.

#### The war on terror marks a new mode of ecological destruction—its weaponization of entomology precedes a spread of empire devastating to both human and apiary ecologies

**Kosek 10**—UC Berkeley

(Jake, “ECOLOGIES OF EMPIRE: On the New Uses of the Honeybee”, Cultural Anthropology Volume 25, Issue 4, pages 650–678, November 2010, dml)

Insights gleaned from watching honeybee interactions have helped me map the changing contours of apiary ecology under U.S. empire. Most U.S. politicians, of course, avoid the language of imperialism. Even so, under the George W. Bush administration, some officials began to slip: “**We’re an Empire now**,” said one senior Bush administration official, “and when we act, we create our own reality. And while you’re studying that reality—judiciously as you do—we will act again, creating other new realities, which you can study too. That is how things will sort out. We are history's actors … and you, all of you, will be left to study what we do.”4 Efforts of empire building, although often hidden, **have clearly been consequential to different ecologies and species**; some are transformed while others are destroyed—through bombings, depleted uranium, landmines, or massive infrastructure development. But more than simply being influenced by these political transformations, species and ecologies are integrated into empire building itself. Material ecologies take the form of political aspirations and **serve imperial efforts in ways that transform ecologies and species**. It is this integration of ecology into new forms of empire building that I am interested in here. **The honeybee dwells in a** shifting biopolitical terrain, where nature and culture are being refigured, where humans and nonhumans are being remade by discourses and material practices in the war on terror.3 Many scholars have maintained that **the politics of nature and the human–nonhuman divide are** central **to the war on terror** (see Asad 2007; Butler 2006, 2009; Devji 2009; Gregory 2004). This essay draws from literature on the cultural politics of nature, as well as from science and technology studies, to understand emerging **insectoid forms of warfare** under the Bush and Barack H. Obama administrations. BEES IN WAR, FROM ANTIQUITY TO THE WAR ON TERROR There is a long history of writing on insects, both as models and as metaphors for human sociality, morality, and politics. From fighting ants to racialized lice to industrious bees, the size, sociality, and ubiquitous presence of insects has made them a source and site for creative and scholarly writing. There is renewed interest among anthropologists and scholars in kindred disciplines about the role insects play in human sociality (i.e., Raffles 2010; Sleigh 2006). And insects are more than metaphors. Timothy Mitchell's (2002)“Can the Mosquito Speak?” explores the consequential materiality of the mosquito in social and landscape transformation in Egypt. Joseph Masco (2004) analyzes how the monstrous radioactively mutated ants of the cold war movie Them! bespeak anxieties about the fate of humanity in the nuclear age. And Hugh Raffles 's Insectopedia (2010) offers a range of explorations of the complex and intimate relationships between humans and insects. If animals are human Others, insects are the Others of animals, intimately involved in our lives but much maligned. **Insects are** powerful sites and sources **for the production of human nature**. The environs of insects are also **an intimate part** of changing ecologies of empire. Much has been written about green imperialism (Crosby 1986; Grove 1995). Scholars have traced how colonial endeavors have transformed landscapes, how gardens serve as spatial and taxonomic representations of race, hierarchy, and territorial ambitions (Mukerji 1997) and form the basis of nature governance (Drayton 2000; Matless 1998) through imperial practices of the science of “improving” the world. Schiebinger (1993, 2004) explores these histories and rhetorics of gender, race, and empire through the science of botany, while McClintock (1995) and Stoler (2001, 2008; Cooper and Stoler 1997) demonstrate that **nature is central to the** violence **and** geography **of imperial projects**. **The honeybee has** served as an archetype **for understanding human collective society**, the subject of treatises by apiarists and scientists as well as by philosophers, kings, sociologists, criminologists, physicists, and poets (Crane 1999; Preston 2006). These cultural texts of bees are often marshaled to aid in making claims about human collective behavior. These understandings in turn **influence our relationship with the honeybee**, **whether we understand the bee as a bucolic part of nature or as a** domesticated workhorse. The political, economic, and cultural histories through which bees are made intelligible are entangled with how humans breed, select, and relate to them. The frameworks humans have mobilized to understand the “races” of bees, the organization of bee labor, “gender” in bee society, or the character of hierarchy in bee worlds have been inscribed—sometimes quite materially—into bees’ biology.5 To treat the bee as a wild and instinct-driven object of a nature apart **is to erase the political and military history of honeybees’ biology**. Bees have been used in warfare since antiquity, when hives were dropped on invading armies or launched into fortified tunnels, caves, forts, and bases. The well-documented decline in the honeybee population during the late Roman Empire is now believed to be because of their extensive use in warfare. In the 16th century, a multiarmed catapult launched hives at enemy fortresses like a windmill. **The entomology and etymology of the bee are** intertwined in war. The word bombard comes from bombos, which in Greek means bee, making an association between the threatening hum of an angry swarm and incoming projectiles (Lockwood 2008). In World War I, the bee became central to the war machine not as a projectile but as a source of beeswax that was used to coat almost all ammunition. As explained in a 1944 article in Popular Science,“How Science Made a Better Bee,”“Amazing new discoveries [new breeding technologies] bring improvement to nature's masterpiece, enabling the busy little insect to do a better job for war” (Sinks 1944:8). The bee is not alone among insects in serving militarized campaigns and torture. The Emir of Bukhara used beetles to eat the flesh of his prisoners (Lockwood 2008). Massive research projects took place during World War II in Germany, Japan, Russia, and the United States, when hundreds of millions of insects were cultivated and tens of millions of beetles and mosquitoes were deployed to infest crops, soldiers, and civilians (Lockwood 2008). General Ishii Shiro released hundreds of millions of infected insects across China during World War II, causing the deaths of tens of thousands of people (Lockwood 2008). In the Korean War, U.S. airplanes dropped plague-infested fleas on North Korea and later used mosquitoes, wasps, and bees as part of torture techniques against the Vietcong in Vietnam. The Cold War also saw crop-eating beetles dropped on Vietnam, North Korea, and Cuba, along the way fostering research that transformed modern entomology (Lockwood 2008; Tucker and Edmund 2004). In the war on terror, the Bush administration approved the practice of placing bees and spiders in confinement boxes as part of the torture of U.S. detainee Abu Zubaydah (Scherer 2009).6 Anthropologists have long investigated how the science and practice of ecology became **intertwined in broader questions of cultural politics** of nature and difference (Moore et al. 2003; Comaroff and Comaroff 2001). These works call attention to the connection between ecologies and empire primarily in the 18th and 19th centuries. In this essay, I place such works in dialogue with other studies that have attended to the political economy behind the production of living organisms (Franklin 2007; Haraway 1989, 1991; Schrepfer and Scranton 2004; Vivanco 2001; Zylinska 2009). If insects have long been recruited and bred for military purposes, **the honeybee has now been enlisted in novel modes of material production in war**. The amorphous character of the war on terror requires its own way of seeing and producing knowledge about an enemy that is difficult to identify (Rumsfeld 2001a). The enemy's lack of coherence—institutionally, ideologically, and territorially—**makes the search for the enemy central to the politics of the war on terror**, both in maintaining that there is an enemy and in demonstrating the connections, coherence, and intention of the terrorists. This has produced the possibility that terrorists are anywhere, making anyone a potential target or suspect. Objects themselves take on the possibility of being implicated in terrorism: a lost piece of luggage; an 0oddly parked van; a suspicious looking individual.7 How then to discern the intent of individuals, animals, and objects? We must know them, see beyond them, look inside them, and listen past what they claim for something inside, something more deeply hidden. As U.S. Secretary of Defense Donald Rumsfeld stated, “The war on terror requires new technologies of warfare but even more importantly new technologies of surveillance” (2001a). U.S. intelligence agencies made humans and nonhumans speak (cf. Latour 2004). Intelligence gathering was not just limited to psychologists, sociologists, lawyers, and military planners, but came to include biologists, anthropologists, epidemiologists, and even entomologists.8 Rather than being used simply as weapons of war, **bees have become involved in the search for what is beyond the reach of human senses**. The behavior and physiology of bees **have become** instrumental **in extending the capacity of the human senses**. Bees have become zoosensors (cf. Connor 2005). The deployment of bees, or what military scientists call “six-legged soldiers” (Lockwood 2008), has resulted in new and intimate relationships. Experts have inscribed economic and military designs into the honeybee's nervous system, migration patterns, and community relations. There is a new bee managerialism. The capacities of bees for detection and intelligence gathering have been harnessed. As Homeland Security states, they are “deploying bees as efficient and effective homeland security detective devices.”9

#### Analyzing the apiary aspect of the war on terror is critical to rupturing the social and military management of both the human and the non-human—our questioning of the human breaks away from the entomological dynamics of the status quo that posits certain bodies as vulnerable

**Kosek 10**—UC Berkeley

(Jake, “ECOLOGIES OF EMPIRE: On the New Uses of the Honeybee”, Cultural Anthropology Volume 25, Issue 4, pages 650–678, November 2010, dml)

Geography and technology separate individual action from technologies, enabling the U.S. military and the CIA to compromise the sovereignty of other nations in new ways. The bee helps make unmanned air vehicles more beelike, becoming more effective semiautonomous actors, distancing themselves from the human in such a way that legal and moral codes are skirted and attacks are more lethal. Mimetic relationships are not simply about imitation or representations of the real, but simultaneously a means for the production of alterity (Taussig 1993) and distinction (Caillois 1984; and see Butler 2006). Algorithms that purport to copy the animal (the bee) are being used as the strategic answer to barbaric aggression. **The bee has also become a model for understanding the behavior of human soldiers**. Techniques of communication and decentered coordination offer advantages in fighting an enemy. This pattern of collective behavior has become embedded within new “autonomous” technology that itself mimics other species. Civilization's relationship to the nature of the bee and the swarm **is one of imitation** and, as one military strategist put it, “of deep respect for a complex system” (Edwards 2000). **These are the new zoological consequences of the war on terror's** remaking of animal–human natures and apiary ecologies. TOWARD A POLITICAL ENTOMOLOGY Karl Marx famously drew the line between the human and the nonhuman on the back of the bee. He wrote that “what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality” (Marx 1990:284). For Marx the nonhuman does not engage in planning. Ironically, in war it is this exact attribute of the bee—**the absence of planning, even intentionality**—**that is** at the heartof its usefulness in modern warfare **as a flexible, decentralized, adaptive form**. Here, the shifting limits of animal and human are again remade, and we reach the limits of historical materialism, where political agency is reduced to the agency of human actors. If these nonhuman bodies matter, they matter not as agents with Marx's intentionality or through “agency” as commonly conceived. Rather, they matter as what Jane Bennett (2010) refers to **as “vibrant matter,” possessing a vitality intrinsic to materiality**, which is always a human-nonhuman working assemblage. Objects and animals are not just passive stuff, or machines, or divinely infused matter, or independent actors. The concept of “vibrant matter” allows us to **avoid treating objects and animals as if they are animated largely** (solely) **through human production** (by being mixed with labor). Rather, the materiality of objects and animals can be apprehended as part of politics without being attributed an “agency” that has to do with nonhuman intentionality or a politics simply animated by human practice. The bee is being remade**, both materially and symbolically, creating a crisis in a relationship thousands of years old that has lead to a dramatic drop in the populations of bees**. Understanding apiary politics requires a critical natural history of the honeybee, one attentive to the political economy of industrial agriculture, to the chemistry and molecular biology of international chemical corporations, as well as to genetic laboratories searching for the bee's “social gene” (Robinson and Ben-Shahar 2002). A critical natural history of the bee also requires attention to the instrumentation of the bee as a means of tracking and tracing the boundaries of dangerous subjects and suspect objects. **These new uses of the honeybee are part of a remaking of its material body, as well as the new ecological contours of empire**. These ecologies of empire matter**, for they constitute the materials from which future** bodies**,** technologies**, and** relationships **will be forged**. What is the legacy for bees and humans in their work as technological instruments of espionage and architects of the military strategies of the United States? How might we better understand these militarized ecologies? These questions emerge as part of **a larger natural history of modern warfare**, a part that is woefully absent from much of the scholarly work on the cultural politics of nature and the animal. At the same time that Homeland Security officials fret about the implications of honeybee colony collapse disorder with regard to national food security, **the sociality of bees has become a model for both** human strategic military behavior **and algorithms for technologies** that make enemy human bodiesmore vulnerable. This vulnerability and these remakings are part of the seemingly disparate modern lives of the honeybee, even as these remakings are also the product of earlier political formations and biological materialities. **Even as bees are mutilated in the name of the war on terror, they are also enlisted** to make humans killable. There is a long history of people being imagined as unloved animals in times of war: from the “lice” of Nazi Germany (Raffles 2010) to the Hutu “cockroaches” of Rwanda (Copeland 2004) to the creatures that live in the swamp of today's war on terror (Rumsfeld 2001a, 2001b; see also Rhem 2001). There is also the history of soldiers becoming animals that are seen as super human (Deleuze and Guattari 1980). In either case, these human transgressions matter (Agamben 2004; Deleuze and Guattari 1980; Weizman 2007). **The nature and boundaries of the human have become** a central part of the war on terror**: the animal is part of the discursive terrain on which** certain bodies are made killable **and** others are celebrated as super human. **What it means to be human is a product of the shifting cartography of what it is to be animal**. Looking at the relationship between bees and humans thus reveals **the far-reaching “**zoological consequences**” of war**. Metaphors of the swarm clearly matter, but they matter most as they are materialized in the software of unmanned aerial vehicles and in breeding programs that remake modern bee exoskeletons and digestive tracts. They also come to matter **in the new practices of warfare and its consequences** living beings, human and animal. **A** new political entomology, or more broadly, a critical natural history, **might start exploring the material consequences of insectoid becomings** that are often left out of political and social theory that reckons with animal becomings.

### politics

#### Economic rationality imposes a violent calculative logic on an irrational world – this makes violence and collapse inevitable

**Bifo 11** – Whit Whitmore’s pen name

(Franco “Bifo” Berardi, *After the Future* pg 110-114 (of my copy), dml)

The fantastic collapse that has shaken the global economy since September 2008 has opened a new phase in the history of the world. After some months of amazement and confusion, media, political institutions and economists have started to repeat the self-reassuring mantra: recovery is coming soon. I do not know what will happen next, but I think that the word recovery means very little in the current situation. What is sure, in my opinion, is that the workers will not recover if neoliberal ideology is not abandoned, and if the myth of growth is not substituted with a new kind of narration. Unemployment is rising everywhere and salaries are falling. And the huge debt accumulated for the rescue of the banks is weighing upon the future of society. More than ever, economic rationality is at odds with social rationality. Economic science is not part of the solution to the crisis: it is the source of the problem. On July 18th 2009 the headline of The Economist read: “What went wrong with economics?” The text is an attempt to downplay the crisis of the Economics profession, and of economic knowledge. For neoliberal economists the central dogma of growth, profit and competition cannot be questioned, because it is identified with the perfect mathematical rationality of the market. And belief in the intrinsic rationality of the market is crucial in the economic theology of neoliberalism. But the reduction of social life to the rational exchange of economic values is an obsession that has nothing to do with science. It’s a political strategy aimed to identify humans as calculating machines, aimed to shape behavior and perception in such a way that money becomes the only motivation of social action. But it is not accurate as a description of social dynamics, and the conflicts, pathologies, and irrationality of human relationships. Rather, it is an attempt at creating the anthropological brand of homo calculans that Foucault (2008) has described in his seminar of 1979/80, published with the title The Birth of Biopolitics. This attempt to identify human beings with calculating devices has produced cultural devastation, and has finally been showed to have been based upon flawed assumptions. Human beings do calculate, but their calculation is not perfectly rational, because the value of goods is not determined by objective reasons, and because decisions are influenced by what Keynes named animal spirits. “We will never really understand important economic events unless we confront the fact that their causes are largely mental in nature,” say Akerlof and Shiller (2009: 1) in their book Animal Spirits, echoing Keynes’s assumption that the rationality of the market is not perfect in itself. Akerlof and Shiller are avowing the crisis of neoliberal thought, but their critique is behave. Numbers cannot make the beast lie down and be quiet or sit up and do tricks. At best, economics is a neurosis of money, a symptom contrived to hold the beast in abeyance…. Thus economics shares the language of psychopathology – inflation, depression, lows and highs, slumps and peaks, investments and losses. (Sordello 1983) From the age of the enclosures in England the economic process has been a process of production of scarcity (scarcification). The enclosures were intended to scarcify the land, and the basic means of survival, so that people who so far had been able to cultivate food for their family were forced to become proletarians, then salaried industrial workers. Capitalism is based on the artificial creation of need, and economic science is essentially a technique of scarcification of time, life and food. Inside the condition of scarcity human beings are subjected to exploitation and to the domain of profit-oriented activity. After scarcifying the land (enclosures) capitalism has scarcified time itself, forcing people who don’t have property other than their own life and body, to lend their life-time to capital. Now the capitalist obsession for growth is making scarce both water and air. Economic science is not the science of prediction: it is the technique of producing, implementing, and pushing scarcity and need. This is why Marx did not speak of economy, but of political economy. The technique of economic scarcification is based on a mythology, a narration that identifies richness as property and acquisition, and subjugates the possibility of living to the lending of time and to the transformation of human activity into salaried work. In recent decades, technological change has slowly eroded the very foundations of economic science. Shifting from the sphere of production of material objects to the semiocapitalist production of immaterial goods, the Economic concepts are losing their foundation and legitimacy. The basic categories of Economics are becoming totally artificial. The theoretical justification of private property, as you read in the writings of John Locke, is based on the need of exclusive consumption. An apple must be privatized, if you want to avoid the danger that someone else eats your apple. But what happens when goods are immaterial, infinitely replicable without cost? Thanks to digitalization and immaterialization of the production process, the economic nomos of private property loses its ground, its raison d’etre, and it can be imposed only by force. Furthermore, the very foundation of salary, the relationship between time needed for production and value of the product, is vanishing. The immaterialization and cognitivization of production makes it almost impossible to quantify the average time needed to produce value. Time and value become incommensurable, and violence becomes the only law able to determine price and salary. The neoliberal school, which has opened the way to the worldwide deregulation of social production, has fostered the mythology of rational expectations in economic exchange, and has touted the idea of a selfregulation of the market, first of all the labor-market. But self-regulation is a lie. In order to increase exploitation, and to destroy social welfare, global capitalism has used political institutions like the International Monetary Fund and the World Trade Organization, not to mention the military enforcement of the political decisions of these institutions. Far from being self-regulated, the market is militarily regulated. The mythology of free individuals loyally competing on the base of perfect knowledge of the market is a lie, too. Real human beings are not perfect rational calculating machines. And the myth of rational expectations has finally crashed after the explosion of the real estate mortgage bubble. The theory of rational expectation is crucial in neoliberal thought: the economic agents are supposed to be free to choose in a perfectly rational way the best deal in selling and buying. The fraud perpetrated by the investment agencies has destroyed the lives of millions of Americans, and has exposed the theoretical swindle. Economic exchange cannot be described as a rational game, because irrational factors play a crucial role in social life in general. Trickery, misleading information, and psychic manipulation are not exceptions, but the professional tools of advertisers, financial agents, and economic consultants. The idea that social relationships can be described in mathematical terms has the force of myth, but it is not science, and it has nothing to do with natural law. Notwithstanding the failure of the theory, neoliberal politics are still in control of the global machine, because the criminal class that has seized power has no intention of stepping down, and because the social brain is unable to recompose and find the way of self-organization. I read in the New York Times on September 6th 2009: After the mortgage business imploded last year, Wall Street investment banks began searching for another big idea to make money. They think they may have found one. The bankers plan to buy “life settlements,” life insurance policies that ill and elderly people sell for cash, depending on the life expectancy of the insured person. Then they plan to “securitize” these policies, in Wall Street jargon, by packaging hundreds of thousands together into bonds. They will then resell those bonds to investors, like big pension funds, who will receive the payouts when people with the insurance die. The earlier the policyholder dies, the bigger the return, though if people live longer than expected investors could get poor returns or even lose money. Imagine that I buy an insurance policy on my life (something I would absolutely not do). My insurer of course will wish me a long life, so I’ll pay the fee for a long time, while he should pay lots of money to my family if I die. But some enlightened finance guru has the brilliant idea of insuring the insurer. He buys the risk, and he invests on the hope that I die soon. You don’t need the imagination of Philip K. Dick to guess the follow up of the story: financial agents will be motivated to kill me overnight. The talk of recovery is based on necronomy, the economy of death. It’s not new, as capitalism has always profited from wars, slaughters and genocides. But now the equation becomes unequivocal. Death is the promise, death is the investment and the hope. Death is the best future that capitalism may secure. The logic of speculation is different from the logic of spectacle that was dominant in late-modern times. Spectacle is the mirrorization of life, the transfer of life in the mirror of spectacular accumulation. Speculation is the subjugation of the future to its financial mirror, the substitution of present life with future money that will never come, because death will come before. The lesson that we must learn from the first year of the global recession is sad: neoliberal folly is not going away, the financial plungers will not stop their speculation, and corporations will not stop their exploitation, and the political class, largely controlled by the corporate lobbies, is unwilling or unable to protect society from the final assault. In 1996 J. G. Ballard (1996: 188) wrote: “the most perfect crime of all – when the victims are either willing, or aren’t aware that they are victims”. Democracy seems unable to stop the criminal class that has seized control of the economy, because the decisions are no longer made in the sphere of political opinion, but in the inaccessible sphere of economic automatism. The economy has been declared the basic standard of decision, and the economists have systematically identified Economy with the capitalist obsession of growth. No room for political choice has been left, as the corporate principles have been embedded in the technical fabric of language and imagination.

### drones

Krasmann 12. Susanne Krasmann, prof. Dr, Institute for Criminological Research, University of Hamburg, “Targeted Killing and Its Law: On a Mutually Constitutive Relationship,” Leiden Journal of International Law (2012), 25, pg. 678

The legal debate on targeted killing, particularly that referring to the US practice, has increased immensely during the last decade and even more so very recently, obviously due to a ‘compulsion of legality’.87 Once this state practice of resorting to the use of lethal force has been recognized as systematically taking place, it needs to be dealt with in legal terms. Whether this is done in supportive or critical terms, the assertion of targeted killing as a legal practice commences at this point. This is due to the fact that the law, once invoked, launches its own claims.

To insist on disclosing ‘the full legal basis for targeted killings’; on criteria, legal procedures, and ‘access to reliable information’ in order to render governmental action controllable; or on legal principles to be applied in order to estimate the necessity and proportionality of a concrete intervention at stake,88 not only involves accepting targeted killing as a legitimate subject of debate in the first place. It requires distinctions to be made between, for example, a legitimate and an illegitimate target. It invokes the production of knowledge and the establishment of pertinent rules. Indeterminate categories are to be determined and thus established as a new reading of positive law. The introduction of international human rights standards into the debate, for example, clearly allows limits to be set in employing the pre-emptive tactic. As Wouter Werner has shown with regard to the Israeli High Court of Justice’s decision on the legality of targeted killing operations,89 this may well lead, for example, to recognizing the enemy as being not ‘outlaws’ but, instead, combatants who are to be granted basic human rights. Subsequently, procedural rules may be established that restrict the practice and provide criteria for assessing the legality of concrete operations.90 At the same time, however, targeted killing is recognized as a legitimate tactic in the fight against terrorism and is being determined and implemented legally.91

When framed within the ‘theatre of war’, targeted killing categorically seems to be justifiable under the legal principles of necessity, proportionality, discrimination, and the avoidance of unnecessary suffering. This is true as long as one presupposes in general terms, as the juridical discourse usually does, both a well-considered pro- ceeding along those principles92 and, accordingly, that targeted killing, by its very nature, is a ‘calculated, precise use of lethal force’.93 Procedural rules, like the ‘pro- portionality test’, that are essentially concerned with determination, namely with specifying criteria of intervention for the concrete case or constellation, certainly provide reliability by systematically inciting and provoking justifications. Their application therefore, we may say, contributes to clarifying a controversial norm- ative interpretation, but it will never predict or determine how deliberation and justification translate into operational action. The application of procedural rules does not only notoriously remain ‘indeterminate’,94 but also produces its own truth effects. The question of proportionality, for example, is intrinsically a relational one. The damage that targeting causes is to be related to the anticipated military ad- vantage and to the expected casualties of non-targeted operations. Even if there are ‘substantial grounds to believe’ that such an operation will ‘encounter significant armed resistance’,95 this is a presumption that, above all, entails a virtual dimension: the alternate option will never be realized. According to a Foucauldian perspective, decisions always articulate within an epistemic regime and thus ‘eventualize’ on the political stage.96 There is, in this sense, no mere decision and no mere meaning; and, conversely, there is no content of a norm, and no norm, independent of its enforcement.97 To relate this observation to our problem at hand means that, rather than the legal principles’ guiding a decision, it is the decision on how to proceed that constitutes the meaning of the legal principle in question. The legal reasoning, in turn, produces a normative reality of its own, as we are now able to imagine, comprehend, and assess a procedure and couch it in legal terms.

This is also noticeable in the case of the Osama bin Laden killing. As regards the initial strategy of justification, the question of resistance typically is difficult to establish ex post in legal terms. Such situations are fraught with so many possible instances of ambiguous behaviour and risk, and the identification of actual behav- iour as probably dangerous and suspicious may change the whole outcome of the event.98 But, once the public found itself with little alternative but to assume that the prospect of capturing the subject formed part of the initial order, it also had to assume that the intention was to use lethal force as a last resort. And, once the public accepts the general presumption that the United States is at war with the terrorist organization, legal reasoning about the operation itself follows and constitutes a rationale shaping the perception of similar future actions and the exercise of governmental force in general.99 Part of this rationale is the assumption, as the president immediately pointed out in his speech, that the threat of al Qaeda has not been extinguished with bin Laden. The identification of a threat that emanates from a network may give rise to the question of whether the killing of one particular target, forming part of a Hydra, makes any sense at all.100 Yet, it equally nourishes the idea that the fight against terrorism, precisely because of its elusiveness, is an enduring one, which is exactly the position the United States takes while considering itself in an armed conflict with the terrorist organization. Targeting and destroying parts of a network, then, do not destroy the entire network, but rather verify that it exists and is at work. The target, in this sense, is constituted by being targeted.101 Within the rationale of the security dispositif, there continue to be threats and new targets. Hence, at work is a transformation of laws through practice, rather than their amendment.

Giorgio Agamben maintains that a legal norm, because abstract, does not stipulate its application.102 ‘Just as between language and world . . . there is no internal nexus’ between them. The norm, in this sense, exists independent of ‘reality’. This, according to Agamben, allows for the norm in the ‘state of exception’ both to be applied with the effect of ‘ceasing to apply’103 – ‘the rule, suspending itself, gives rise to the exception’104 – and to be suspended without being abolished. Although forming part of and, in fact, being the effect of applying the law, the state of exception, in Agamben’s view, disconnects from the norm. Within a perspective on law as practice, by contrast, there is no such difference between norm and reality. Even to ignore a pertinent norm constitutes an act that has a meaning, namely that the norm is not being enforced. It affects the norm. Targeted killing operations, in this sense, can never be extra-legal.105 On the contrary, provided that illegal practices come up systematically, they eventually will effectuate the transformation of the law. Equally, the exception from the norm not only suspends the norm, transforming it, momentarily or permanently, into a mere symbol without meaning and force, but at the same time also impinges upon the validity of that norm. Moreover, focus on the exception within the present context falls short of capturing a rather gradual transitional process that both resists a binary deciphering of either legal or illegal and is not a matter of suspending a norm. As practices deploying particular forms of knowledge, targeted killing and its law mutually constitute each other, thus re-enforcing a new security dispositif. The appropriate research question therefore is how positive law changes its framework of reference. Targeted killing, once perceived as illegal, now appears to be a legal practice on the grounds of a new understanding of international law’s own elementary concepts. The crux of the ‘compulsion of legality’ is that legality itself is a shifting reference.

Seen this way, the United States does not establish targeted killing as a legal practice on the grounds of its internationally ‘possessing’ exceptional power. Rather the reverse; it is able to employ targeted killing as a military tactic, precisely because this is accepted by the legal discourse. As a practice, targeted killing, in turn, reshapes our understanding of basic concepts of international law. Any dissenting voice will now be heard with more difficulty, since targeted killing is a no longer an isolated practice but, within the now establishing security dispositif, appears to be appropriate and rational. To counter the legal discourse, then, would require to interrupt it, rather than to respond to it, and to move on to its political implications that are rather tacitly involved in the talk about threats and security, and in the dispute about targeted killing operations’ legality.