## 1NC

### T

#### A. Interpretation – debate is a game that requires the aff to have a defense of the USFG increasing restrictions on the war powers authority of the President in one of the following: targeted killing, indefinite detention, offensive cyber operations, and introduction of US armed forces in hostilities

#### --‘resolved’ means to enact a policy by law.

Words and Phrases 64 (Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### --“United States Federal Government should” means the debate is solely about the outcome of a policy established by governmental means

Ericson 3 (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

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

#### Statutory restrictions prohibit actions

Lamont 5 (Michael, Legal Analyst @ Occupational health, "Legal: Staying on the right side of the law," http://www.personneltoday.com/articles/01/04/2005/29005/legal-staying-on-the-right-side-of-the-law.htm#.UgFe\_o3qnoI)

It will be obvious what 'conduct' and 'redundancy' dismissals are. A statutory restriction means that the employee is prevented by law from doing the job - for example, a driver who loses his driving licence. 'Some other substantial reason' means "Parliament can't be expected to think of everything".

The “war powers authority” of the President is his Commander-in-Chief authority

Gallagher, Pakistan/Afghanistan coordination cell of the U.S. Joint Staff, Summer 2011

(Joseph, “Unconstitutional War: Strategic Risk in the Age of Congressional Abdication,” *Parameters*, http://strategicstudiesinstitute.army.mil/pubs/parameters/Articles/2011summer/Gallagher.pdf)

First, consider the constitutional issue of power imbalance. Central to the Constitution is the foundational principle of power distribution and provisions to check and balance exercises of that power. This clearly intended separation of powers across the three branches of government ensures that no single federal officeholder can wield an inordinate amount of power or influence. The founders carefully crafted constitutional war-making authority with the branch most representative of the people—Congress.4

The Federalist Papers No. 51, “The Structure of Government Must Furnish the Proper Checks and Balances Between the Different Departments,” serves as the wellspring for this principle. Madison insisted on the necessity to prevent any particular interest or group to trump another interest or group.5 This principle applies in practice to all decisions of considerable national importance. **Specific to war powers authority**, **the Constitution empowers the legislative branch with the authority to declare war but endows the Executive with the authority to act as Commander-in-Chief.**6 This construct designates Congress, not the president, as the primary decisionmaking body to commit the nation to war—a decision that ultimately requires the consent and will of the people in order to succeed. By vesting the decision to declare war with Congress, the founders underscored their intention to engage the people—those who would ultimately sacrifice their blood and treasure in the effort.

That means the military

Random House Dictionary 2013

(http://dictionary.reference.com/browse/commander+in+chief)

commander in chief

noun, plural commanders in chief.

1.

Also, Commander in Chief. the supreme commander of the armed forces of a nation or, sometimes, of several allied nations: The president is the Commander in Chief of the U.S. Army, Navy, and Air force.

2.

an officer in command of a particular portion of an armed force who has been given this title by specific authorization.

Simualted national security law debates inculcate agency and decision-making skills—that enables activism and avoids cooption

Laura K. Donohue, Associate Professor of Law, Georgetown Law, 4/11/13, National Security Law Pedagogy and the Role of Simulations, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

This enables broad-based resistance to executive overreach and racist war powers authority

Mellor, European University Institute Graduate Student, 13

(Ewan E. Mellor, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs,” Paper Prepared for BISA Conference 2013, http://www.academia.edu/4175480/Why\_policy\_relevance\_is\_a\_moral\_necessity\_Just\_war\_theory\_impact\_and\_UAVs, accessed 10-20-13, CMM)

This section of the paper considers more generally the need for just war theorists to engage with policy debate about the use of force, as well as to engage with the more fundamental moral and philosophical principles of the just war tradition. It draws on John Kelsay’s conception of just war thinking as being a social practice,35 as well as on Michael Walzer’s understanding of the role of the social critic in society.36 It argues that the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.”37 ¶ Kelsay argues that: [T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force . . . citizens who choose to speak in just war terms express commitments . . . [i]n the process of giving and asking for reasons for going to war, those who argue in just war terms seek to influence policy by persuading others that their analysis provides a way to express and fulfil the desire that military actions be both wise and just.38 ¶ He also argues that “good just war thinking involves continuous and complete deliberation, in the sense that one attends to all the standard criteria at war’s inception, at its end, and throughout the course of the conflict.”39 This is important as it highlights the need for just war scholars to engage with the ongoing operations in war and the specific policies that are involved. The question of whether a particular war is just or unjust, and the question of whether a particular weapon (like drones) can be used in accordance with the jus in bello criteria, only cover a part of the overall justice of the war. Without an engagement with the reality of war, in terms of the policies used in waging it, it is impossible to engage with the “moral reality of war,”40 in terms of being able to discuss it and judge it in moral terms. ¶ Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. The just war theorist, as a social critic, must be involved with his or her own society and its practices. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 the just war theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted.42 It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to demonstrate its hypocrisy and to show the gap that exists between its practice and its values.43 The tradition itself provides a set of values and principles and, as argued by Cian O’Driscoll, constitutes a “language of engagement” to spur participation in public and political debate.44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force.46 By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis.¶ Engaging with the reality of war requires recognising that war is, as Clausewitz stated, a continuation of policy. War, according to Clausewitz, is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued.47 Engagement and political debate are morally necessary as the alternative is disengagement and moral quietude, which is a sacrifice of the obligations of citizenship.48 This engagement must bring just war theorists into contact with the policy makers and will require work that is accessible and relevant to policy makers, however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power. By engaging in detail with the policies being pursued and their concordance or otherwise with the principles of the just war tradition the policy-makers will be forced to account for their decisions and justify them in just war language. In contrast to the view, suggested by Kenneth Anderson, that “the public cannot be made part of the debate” and that “[w]e are necessarily committed into the hands of our political leadership”,49 it is incumbent upon just war theorists to ensure that the public are informed and are capable of holding their political leaders to account. To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility. As Walzer has argued, it is precisely because it is “our country” that we are “especially obligated to criticise its policies.”51 ¶ Conclusion ¶ This paper has discussed the empirics of the policies of drone strikes in the ongoing conflict with those associate with al Qaeda. It has demonstrated that there are significant moral questions raised by the just war tradition regarding some aspects of these policies and it has argued that, thus far, just war scholars have not paid sufficient attention or engaged in sufficient detail with the policy implications of drone use. As such it has been argued that it is necessary for just war theorists to engage more directly with these issues and to ensure that their work is policy relevant, not in a utilitarian sense of abdicating from speaking the truth in the face of power, but by forcing policy makers to justify their actions according to the principles of the just war tradition, principles which they invoke themselves in formulating policy. By highlighting hypocrisy and providing the tools and language for the interpretation of action, the just war tradition provides the basis for the public engagement and political activism that are necessary for democratic politics.52

#### The opening of infinite frameworks destroys stasis – agreement on the topic as the starting point for debate creates a platform of argumentative stability that is the crucial foundation for deliberation and makes debate meaningful

O’Donnell 4 (Dr. Tim, Director of Debate – Mary Washington U., “And the Twain Shall Meet: Affirmative Framework Choice and the Future of Debate”, Debater’s Research Guide, http://groups.wfu.edu/debate/MiscSites/ DRGArticles/Framework%20article%20for%20the%20DRG%20final2.doc)

According to the *Oxford English Dictionary,* a framework consists of “a set of standards, beliefs, or assumptions” that govern behavior. When we speak of frameworks in competitive academic debate we are talking about the set of standards, beliefs, or assumptions that generate the question that the judge ought to answer at the end of the debate. Given that there is no agreement among participants about which standards, beliefs, or assumptions ought to be universally accepted, it seems that we will never be able to arrive at an agreeable normative assumption about what the question ought to be. So the issue before us is how we preserve community while agreeing to disagree about the question in a way that recognizes that there is richness in answering many different questions that would not otherwise exist if we all adhered to a “rule” which stated that there is one and only one question to be answered. More importantly, how do we stop talking past each other so that we can have a genuine conversation about the substantive merits of any one question? The answer, I believe, resides deep in the rhetorical tradition in the often overlooked notion of stasis.[[1]](#endnote-1) Although the concept can be traced to Aristotle’s *Rhetoric*, it was later expanded by Hermagoras whose thinking has come down to us through the Roman rhetoricians Cicero and Quintillian. Stasis is a Greek word meaning to “stand still.” It has generally been considered by argumentation scholars to be the point of clash where two opposing sides meet in argument. Stasis recognizes the fact that interlocutors engaged in a conversation, discussion, or debate need to have some level of expectation regarding what the focus of their encounter ought to be. To reach stasis, participants need to arrive at a decision about what the issue is prior to the start of their conversation. Put another way, they need to mutually acknowledge the point about which they disagree. What happens when participants fail to reach agreement about what it is that they are arguing about? They talk past each other with little or no awareness of what the other is saying. The oft used cliché of two ships passing in the night, where both are in the dark about what the other is doing and neither stands still long enough to call out to the other, is the image most commonly used to describe what happens when participants in an argument fail to achieve stasis. In such situations, genuine engagement is not possible because participants have not reached agreement about what is in dispute. For example, when one advocate says that the United States should increase international involvement in the reconstruction of Iraq and their opponent replies that the United States should abandon its policy of preemptive military engagement, they are talking past each other. When such a situation prevails, it is hard to see how a productive conversation can ensue. I do not mean to suggest that dialogic engagement always unfolds along an ideal plain where participants always can or even ought to agree on a mutual starting point. The reality is that many do not. In fact, refusing to acknowledge an adversary’s starting point is itself a powerful strategic move. However, it must be acknowledged that when such situations arise, and participants cannot agree on the issue about which they disagree, the chances that their exchange will result in a productive outcome are diminished significantly. In an enterprise like academic debate, where the goals of the encounter are cast along both educational and competitive lines, the need to reach accommodation on the starting point is urgent. This is especially the case when time is limited and there is no possibility of extending the clock. The sooner such agreement is achieved, the better. Stasis helps us understand that we stand to lose a great deal when we refuse a genuine starting point.[[2]](#endnote-2) How can stasis inform the issue before us regarding contemporary debate practice? Whether we recognize it or not, it already has. The idea that the affirmative begins the debate by using the resolution as a starting point for their opening speech act is nearly universally accepted by all members of the debate community. This is born out by the fact that affirmative teams that have ignored the resolution altogether have not gotten very far. Even teams that use the resolution as a metaphorical condensation or that “affirm the resolution as such” use the resolution as their starting point. The significance of this insight warrants repeating. Despite the numerous differences about what types of arguments ought to have a place in competitive debate we all seemingly agree on at least one point – the vital necessity of a starting point. This common starting point, or topic, is what separates debate from other forms of communication and gives the exchange a directed focus.[[3]](#endnote-3)

#### Effective decision-making outweighs---

#### Effective deliberation is the lynchpin of solving all existential global problems – being relevantly informed is key

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

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

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

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

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

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

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

Trend lines prove the status quo form of political engagement works— this isn’t to say that everything is OK, but that engagement can be effective

Zach Beauchamp, Think Progress, 12/11/13, 5 Reasons Why 2013 Was The Best Year In Human History, thinkprogress.org/security/2013/12/11/3036671/2013-certainly-year-human-history/

Racism, sexism, anti-Semitism, homophobia, and other forms of discrimination remain, without a doubt, extraordinarily powerful forces. The statistical and experimental evidence is overwhelming — this irrefutable proof of widespread discrimination against African-Americans, for instance, should put the “racism is dead” fantasy to bed.

Yet the need to combat discrimination denial shouldn’t blind us to the good news. Over the centuries, humanity has made extraordinary progress in taming its hate for and ill-treatment of other humans on the basis of difference alone. Indeed, it is very likely that we live in the least discriminatory era in the history of modern civilization. It’s not a huge prize given how bad the past had been, but there are still gains worth celebrating.

Go back 150 years in time and the point should be obvious. Take four prominent groups in 1860: African-Americans were in chains, European Jews were routinely massacred in the ghettos and shtetls they were confined to, women around the world were denied the opportunity to work outside the home and made almost entirely subordinate to their husbands, and LGBT people were invisible. The improvements in each of these group’s statuses today, both in the United States and internationally, are incontestable.

On closer look, we have reason to believe the happy trends are likely to continue**.** Take racial discrimination. In 2000, Harvard sociologist Lawrence Bobo penned a comprehensive assessment of the data on racial attitudes in the United States. He found a “national consensus” on the ideals of racial equality and integration. “A nation once comfortable as a deliberately segregationist and racially discriminatory society has not only abandoned that view,” Bobo writes, “but now overtly positively endorses the goals of racial integration and equal treatment. There is no sign whatsoever of retreat from this ideal, despite events that many thought would call it into question. The magnitude, steadiness, and breadth of this change should be lost on no one.”

The norm against overt racism has gone global. In her book on the international anti-apartheid movement in the 1980s, Syracuse’s Audie Klotz says flatly that “the illegitimacy of white minority rule led to South Africa’s persistent diplomatic, cultural, and economic isolation.” The belief that racial discrimination could not be tolerated had become so widespread, Klotz argues, that it united the globe — including governments that had strategic interests in supporting South Africa’s whites — in opposition to apartheid. In 2011, 91 percent of respondents in a sample of 21 diverse countries said that equal treatment of people of different races or ethnicities was important to them.

Racism obviously survived both American and South African apartheid, albeit in more subtle, insidious forms. “The death of Jim Crow racism has left us in an uncomfortable place,” Bobo writes, “a state of laissez-faire racism” where racial discrimination and disparities still exist, but support for the kind of aggressive government policies needed to address them is racially polarized. But there’s reason to hope that’ll change as well: two massive studies of the political views of younger Americans by my TP Ideas colleagues, John Halpin and Ruy Teixeira, found that millenials were significantly more racially tolerant and supportive of government action to address racial disparities than the generations that preceded them. Though I’m not aware of any similar research of on a global scale, it’s hard not to imagine they’d find similar results, suggesting that we should have hope that the power of racial prejudice may be waning.

The story about gender discrimination is very similar: after the feminist movement’s enormous victories in the 20th century, structural sexism still shapes the world in profound ways, but the cause of gender equality is making progress. In 2011, 86 percent of people in a diverse 21 country sample said that equal treatment on the basis of gender was an important value. The U.N.’s Human Development Report’s Gender Inequality Index — a comprehensive study of reproductive health, social empowerment, and labor market equity — saw a 20 percent decline in observable gender inequalities from 1995 to 2011. IMF data show consistent global declines in wage disparities between genders, labor force participation, and educational attainment around the world. While enormous inequality remains, 2013 is looking to be the worst year for sexism in history.

Finally, we’ve made astonishing progress on sexual orientation and gender identity discrimination — largely in the past 15 years. At the beginning of 2003, zero Americans lived in marriage equality states; by the end of 2013, 38 percent of Americans will. Article 13 of the European Community Treaty bans discrimination on the grounds of sexual orientation, and, in 2011, the UN Human Rights Council passed a resolution committing the council to documenting and exposing discrimination on orientation or identity grounds around the world. The public opinion trends are positive worldwide: all of the major shifts from 2007 to 2013 in Pew’s “acceptance of homosexuality” poll were towards greater tolerance, and young people everywhere are more open to equality for LGBT individuals than their older peers.

best\_year\_graphics-04

Once again, these victories are partial and by no means inevitable. Racism, sexism, homophobia, and other forms of discrimination aren’t just “going away” on their own. They’re losing their hold on us because people are working to change other people’s minds and because governments are passing laws aimed at promoting equality. Positive trends don’t mean the problems are close to solved, and certainly aren’t excuses for sitting on our hands.

That’s true of everything on this list. The fact that fewer people are dying from war and disease doesn’t lessen the moral imperative to do something about those that are; the fact that people are getting richer and safer in their homes isn’t an excuse for doing more to address poverty and crime.

But too often, the worst parts about the world are treated as inevitable, the prospect of radical victory over pain and suffering dismissed as utopian fantasy. The overwhelming force of the evidence shows that to be false. As best we can tell, the reason humanity is getting better is because humans have decided to make the world a better place. We consciously chose to develop lifesaving medicine and build freer political systems; we’ve passed laws against workplace discrimination and poisoning children’s minds with lead.

So far, these choices have more than paid off. It’s up to us to make sure they continue to.

### DA

**Critiquing American empire is dangerous whining. Embracing it a recipe for decreasing hegemony**

Kagan 98 – PhD, graduate of Harvard’s Kennedy School of Government, adjunct history professor at Georgetown, senior associate at the Carnegie Endowment for International Peace (Robert, Foreign Policy, “The benevolent empire”)

Those contributing to the growing chorus of antihegemony and multipolarity may know they are playing a dangerous game, one that needs to be conducted with the utmost care, as French leaders did during the Cold War, lest the entire international system come crashing down around them. What they may not have adequately calculated, however, is the possibility that Americans will not respond as wisely as they generally did during the Cold War. Americans and their leaders should not take all this sophisticated whining about U.S. hegemony too seriously. They certainly should not take it more seriously than the whiners themselves do. But, of course, Americans are taking it seriously. In the United States these days, the lugubrious guilt trip of post-Vietnam liberalism is echoed even by conservatives, with William Buckley, Samuel Huntington, and James Schlesinger all decrying American "hubris," "arrogance," and "imperialism." Clinton administration officials, in between speeches exalting America as the "indispensable" nation, increasingly behave as if what is truly indispensable is the prior approval of China, France, and Russia for every military action. Moreover, at another level, there is a stirring of neo-isolationism in America today, a mood that nicely complements the view among many Europeans that America is meddling too much in everyone else's business and taking too little time to mind its own. The existence of the Soviet Union disciplined Americans and made them see that their enlightened self-interest lay in a relatively generous foreign policy. Today, that discipline is no longer present. In other words, foreign grumbling about American hegemony would be merely amusing, were it not for the very real possibility that too many Americans will forget —- even if most of the rest of the world does not —- just how important continued American dominance is to the preservation of a reasonable level of international security and prosperity. World leaders may want to keep this in mind when they pop the champagne corks in celebration of the next American humbling.

**The aff undermines hegemony**

**Nye 10**—prof at Harvard (Joseph, The Future of American Power: Dominance and Decline in Perspective, Foreign Affairs. 89;6, ProQuest,)

Some argue that the United States suffers from "imperial overstretch," but so far, the facts do not fit that theory. On the contrary, defense and foreign affairs expenditures have declined as a share of gdp over the past several decades. Nonetheless, the United States could decline not because of imperial overstretch but because of **domestic underreach**. **Rome rotted from within**, and some observers, noting the sourness of current U.S. politics, project that the United States will lose its ability to influence world events because of **domestic battles over culture**, the collapse of its political institutions, and economic stagnation. This possibility cannot be ruled out, but the trends are not as clear as the current gloomy mood suggests. Although the United States has many social problems-and always has-they do not seem to be getting worse in any linear manner. Some of these problems are even improving, such as rates of crime, divorce, and teenage pregnancy. Although there are culture wars over issues such as same-sex marriage and abortion, polls show an overall increase in tolerance. Civil society is robust, and church attendance is high, at 42 percent. The country's past cultural battles, over immigration, slavery, evolution, temperance, McCarthyism, and civil rights, were arguably more serious than any of today's.

Heg solves great power war and dampens all global violence

Brooks et al 13

Stephen G. Brooks is Associate Professor of Government at Dartmouth College, John Ikenberry is the Albert G. Milbank Professor of Politics and International Affairs at Princeton University in the Department of Politics and the Woodrow Wilson School of Public and International Affairs. He is also a Global Eminence Scholar at Kyung Hee University, William C. Wohlforth is the Daniel Webster Professor in the Department of Government at Dartmouth College, International Security, Winter 2012/2013, "Don’t Come Home, America", MIT Press Journals

Assessing the Security Benefits of Deep Engagement Even if deep engagement’s costs are far less than retrenchment advocates claim, they are not worth bearing unless they yield greater benefits. We focus here on the strategy’s major security benefits; in the next section, we take up the wider payoffs of the United States’ security role for its interests in other realms, notably the global economy—an interaction relatively unexplored by international relations scholars. A core premise of deep engagement is that it prevents the emergence of a far more dangerous global security environment. For one thing, as noted above, the United States’ overseas presence gives it the leverage to restrain partners from taking provocative action. Perhaps more important, its core alliance commitments also deter states with aspirations to regional hegemony from contemplating expansion and make its partners more secure, reducing their incentive to adopt solutions to their security problems that threaten others and thus stoke security dilemmas. The contention that engaged U.S. power dampens the baleful effects of anarchy is consistent with influential variants of realist theory. Indeed, arguably the scariest portrayal of the war-prone world that would emerge absent the “American Pacifier” is provided in the works of John Mearsheimer, who forecasts dangerous multipolar regions replete with security competition, arms races, nuclear proliferation and associated preventive war temptations, regional rivalries, and even runs at regional hegemony and full-scale great power war.72 How do retrenchment advocates, the bulk of whom are realists, discount this benefit? Their arguments are complicated, but two capture most of the variation: (1) U.S. security guarantees are not necessary to prevent dangerous rivalries and conflict in Eurasia; or (2) prevention of rivalry and conflict in Eurasia is not a U.S. interest. Each response is connected to a different theory or set of theories, which makes sense given that the whole debate hinges on a complex future counterfactual (what would happen to Eurasia’s security setting if the United States truly disengaged?). Although a certain answer is impossible, each of these responses is nonetheless a weaker argument for retrenchment than advocates acknowledge. The first response flows from defensive realism as well as other international relations theories that discount the conflict-generating potential of anarchy under contemporary conditions.73 Defensive realists maintain that the high expected costs of territorial conquest, defense dominance, and an array of policies and practices that can be used credibly to signal benign intent, mean that Eurasia’s major states could manage regional multipolarity peacefully without the American pacifier. Retrenchment would be a bet on this scholarship, particularly in regions where the kinds of stabilizers that nonrealist theories point to—such as democratic governance or dense institutional linkages—are either absent or weakly present. There are three other major bodies of scholarship, however, that might give decisionmakers pause before making this bet. First is regional expertise. Needless to say, there is no consensus on the net security effects of U.S. withdrawal. Regarding each region, there are optimists and pessimists. Few experts expect a return of intense great power competition in a post-American Europe, but many doubt European governments will pay the political costs of increased EU defense cooperation and the budgetary costs of increasing military outlays.74 The result might be a Europe that is incapable of securing itself from various threats that could be destabilizing within the region and beyond (e.g., a regional conflict akin to the 1990s Balkan wars), lacks capacity for global security missions in which U.S. leaders might want European participation, and is vulnerable to the influence of outside rising powers. What about the other parts of Eurasia where the United States has a substantial military presence? Regarding the Middle East, the balance begins to swing toward pessimists concerned that states currently backed by Washington— notably Israel, Egypt, and Saudi Arabia—might take actions upon U.S. retrenchment that would intensify security dilemmas. And concerning East Asia, pessimism regarding the region’s prospects without the American pacifier is pronounced. Arguably the principal concern expressed by area experts is that Japan and South Korea are likely to obtain a nuclear capacity and increase their military commitments, which could stoke a destabilizing reaction from China. It is notable that during the Cold War, both South Korea and Taiwan moved to obtain a nuclear weapons capacity and were only constrained from doing so by a still-engaged United States.75 The second body of scholarship casting doubt on the bet on defensive realism’s sanguine portrayal is all of the research that undermines its conception of state preferences. Defensive realism’s optimism about what would happen if the United States retrenched is very much dependent on its particular—and highly restrictive—assumption about state preferences; once we relax this assumption, then much of its basis for optimism vanishes. Specifically, the prediction of post-American tranquility throughout Eurasia rests on the assumption that security is the only relevant state preference, with security defined narrowly in terms of protection from violent external attacks on the homeland. Under that assumption, the security problem is largely solved as soon as offense and defense are clearly distinguishable, and offense is extremely expensive relative to defense. Burgeoning research across the social and other sciences, however, undermines that core assumption: states have preferences not only for security but also for prestige, status, and other aims, and they engage in trade-offs among the various objectives.76 In addition, they define security not just in terms of territorial protection but in view of many and varied milieu goals. It follows that even states that are relatively secure may nevertheless engage in highly competitive behavior. Empirical studies show that this is indeed sometimes the case.77 In sum, a bet on a benign postretrenchment Eurasia is a bet that leaders of major countries will never allow these nonsecurity preferences to influence their strategic choices. To the degree that these bodies of scholarly knowledge have predictive leverage, U.S. retrenchment would result in a significant deterioration in the security environment in at least some of the world’s key regions. We have already mentioned the third, even more alarming body of scholarship. Offensive realism predicts that the withdrawal of the American pacifier will yield either a competitive regional multipolarity complete with associated insecurity, arms racing, crisis instability, nuclear proliferation, and the like, or bids for regional hegemony, which may be beyond the capacity of local great powers to contain (and which in any case would generate intensely competitive behavior, possibly including regional great power war). Hence it is unsurprising that retrenchment advocates are prone to focus on the second argument noted above: that avoiding wars and security dilemmas in the world’s core regions is not a U.S. national interest. Few doubt that the United States could survive the return of insecurity and conflict among Eurasian powers, but at what cost? Much of the work in this area has focused on the economic externalities of a renewed threat of insecurity and war, which we discuss below. Focusing on the pure security ramifications, there are two main reasons why decisionmakers may be rationally reluctant to run the retrenchment experiment. First, overall higher levels of conflict make the world a more dangerous place. Were Eurasia to return to higher levels of interstate military competition, one would see overall higher levels of military spending and innovation and a higher likelihood of competitive regional proxy wars and arming of client states—all of which would be concerning, in part because it would promote a faster diffusion of military power away from the United States. Greater regional insecurity could well feed proliferation cascades, as states such as Egypt, Japan, South Korea, Taiwan, and Saudi Arabia all might choose to create nuclear forces.78 It is unlikely that proliferation decisions by any of these actors would be the end of the game: they would likely generate pressure locally for more proliferation. Following Kenneth Waltz, many retrenchment advocates are proliferation optimists, assuming that nuclear deterrence solves the security problem.79 Usually carried out in dyadic terms, the debate over the stability of proliferation changes as the numbers go up. Proliferation optimism rests on assumptions of rationality and narrow security preferences. In social science, however, such assumptions are inevitably probabilistic. Optimists assume that most states are led by rational leaders, most will overcome organizational problems and resist the temptation to preempt before feared neighbors nuclearize, and most pursue only security and are risk averse. Confidence in such probabilistic assumptions declines if the world were to move from nine to twenty, thirty, or forty nuclear states. In addition, many of the other dangers noted by analysts who are concerned about the destabilizing effects of nuclear proliferation—including the risk of accidents and the prospects that some new nuclear powers will not have truly survivable forces—seem prone to go up as the number of nuclear powers grows.80 Moreover, the risk of “unforeseen crisis dynamics” that could spin out of control is also higher as the number of nuclear powers increases. Finally, add to these concerns the enhanced danger of nuclear leakage, and a world with overall higher levels of security competition becomes yet more worrisome. The argument that maintaining Eurasian peace is not a U.S. interest faces a second problem. On widely accepted realist assumptions, acknowledging that U.S. engagement preserves peace dramatically narrows the difference between retrenchment and deep engagement. For many supporters of retrenchment, the optimal strategy for a power such as the United States, which has attained regional hegemony and is separated from other great powers by oceans, is offshore balancing: stay over the horizon and “pass the buck” to local powers to do the dangerous work of counterbalancing any local rising power. The United States should commit to onshore balancing only when local balancing is likely to fail and a great power appears to be a credible contender for regional hegemony, as in the cases of Germany, Japan, and the Soviet Union in the midtwentieth century. The problem is that China’s rise puts the possibility of its attaining regional hegemony on the table, at least in the medium to long term. As Mearsheimer notes, “The United States will have to play a key role in countering China, because its Asian neighbors are not strong enough to do it by themselves.”81 Therefore, unless China’s rise stalls, “the United States is likely to act toward China similar to the way it behaved toward the Soviet Union during the Cold War.”82 It follows that the United States should take no action that would compromise its capacity to move to onshore balancing in the future. It will need to maintain key alliance relationships in Asia as well as the formidably expensive military capacity to intervene there. The implication is to get out of Iraq and Afghanistan, reduce the presence in Europe, and pivot to Asia— just what the United States is doing.83 In sum, the argument that U.S. security commitments are unnecessary for peace is countered by a lot of scholarship, including highly influential realist scholarship. In addition, the argument that Eurasian peace is unnecessary for U.S. security is weakened by the potential for a large number of nasty security consequences as well as the need to retain a latent onshore balancing capacity that dramatically reduces the savings retrenchment might bring. Moreover, switching between offshore and onshore balancing could well be difficult. Bringing together the thrust of many of the arguments discussed so far underlines the degree to which the case for retrenchment misses the underlying logic of the deep engagement strategy. By supplying reassurance, deterrence, and active management, the United States lowers security competition in the world’s key regions, thereby preventing the emergence of a hothouse atmosphere for growing new military capabilities. Alliance ties dissuade partners from ramping up and also provide leverage to prevent military transfers to potential rivals. On top of all this, the United States’ formidable military machine may deter entry by potential rivals. Current great power military expenditures as a percentage of GDP are at historical lows, and thus far other major powers have shied away from seeking to match top-end U.S. military capabilities. In addition, they have so far been careful to avoid attracting the “focused enmity” of the United States.84 All of the world’s most modern militaries are U.S. allies (America’s alliance system of more than sixty countries now accounts for some 80 percent of global military spending), and the gap between the U.S. military capability and that of potential rivals is by many measures growing rather than shrinking.85 In the end, therefore, deep engagement reduces security competition and does so in a way that slows the diffusion of power away from the United States. This in turn makes it easier to sustain the policy over the long term.

### Case

#### Casualties are way down and drones are far more precise than alternatives---our ev uses the best data

Michael Cohen 13, Fellow at the Century Foundation, 5/23/13, “Give President Obama a chance: there is a role for drones,” The Guardian, http://www.theguardian.com/commentisfree/2013/may/23/obama-drone-speech-use-justified

Drone critics have a much different take. They are passionate in their conviction that US drones are indiscriminately killing and terrorizing civilians. The Guardian's own Glenn Greenwald argued recently that no "minimally rational person" can defend "Obama's drone kills on the ground that they are killing The Terrorists or that civilian deaths are rare". Conor Friedersdorf, an editor at the Atlantic and a vocal drone critic, wrote last year that liberals should not vote for President Obama's re-election because of the drone campaign, which he claimed "kills hundreds of innocents, including children," "terrorizes innocent Pakistanis on an almost daily basis" and "makes their lives into a nightmare worthy of dystopian novels". ¶ I disagree. Increasingly it appears that arguments like Friedersdorf makes are no longer sustainable (and there's real question if they ever were). Not only have drone strikes decreased, but so too have the number of civilians killed – and dramatically so. ¶ This conclusion comes not from Obama administration apologists but rather, Chris Woods, whose research has served as the empirical basis for the harshest attacks on the Obama Administration's drone policy. ¶ Woods heads the covert war program for the Bureau of Investigative Journalism (TBIJ), which maintains one of three major databases tabulating civilian casualties from US drone strikes. The others are the Long War Journal and the New America Foundation (full disclosure: I used to be a fellow there). While LWJ and NAJ estimate that drone strikes in Pakistan have killed somewhere between 140 and 300 civilians, TBIJ utilizes a far broader classification for civilians killed, resulting in estimates of somewhere between 411-884 civilians killed by drones in Pakistan. The wide range of numbers here speaks to the extraordinary challenge in tabulating civilian death rates. ¶ There is little local reporting done on the ground in northwest Pakistan, which is the epicenter of the US drone program. As a result data collection is reliant on Pakistani news reporting, which is also dependent on Pakistani intelligence, which has a vested interest in playing up the negative consequences of US drones. ¶ When I spoke with Woods last month, he said that a fairly clear pattern has emerged over the past year – far fewer civilians are dying from drones. "For those who are opposed to drone strikes," says Woods there is historical merit to the charge of significant civilian deaths, "but from a contemporary standpoint the numbers just aren't there." ¶ While Woods makes clear that one has to be "cautious" on any estimates of casualties, it's not just a numeric decline that is being seen, but rather it's a "proportionate decline". In other words, the percentage of civilians dying in drone strikes is also falling, which suggests to Woods that US drone operators are showing far greater care in trying to limit collateral damage. ¶ Woods estimates are supported by the aforementioned databases. In Pakistan, New America Foundation claims there have been no civilian deaths this year and only five last year; Long War Journal reported four deaths in 2012 and 11 so far in 2013; and TBIJ reports a range of 7-42 in 2012 and 0-4 in 2013. In addition, the drop in casualty figures is occurring not just in Pakistan but also in Yemen. ¶ These numbers are broadly consistent with what has been an under-reported decline in drone use overall. According to TBIJ, the number of drone strikes went from 128 in 2010 to 48 in 2012 and only 12 have occurred this year. These statistics are broadly consistent with LWJ and NAF's reporting. In Yemen, while drone attacks picked up in 2012, they have slowed dramatically this year. And in Somalia there has been no strike reported for more than a year. ¶ Ironically, these numbers are in line with the public statements of CIA director Brennan, and even more so with Senator Dianne Feinstein of California, chairman of the Select Intelligence Committee, who claimed in February that the numbers she has received from the Obama administration suggest that the typical number of victims per year from drone attacks is in "the single digits".¶ Part of the reason for these low counts is that the Obama administration has sought to minimize the number of civilian casualties through what can best be described as "creative bookkeeping". The administration counts all military-age males as possible combatants unless they have information (posthumously provided) that proves them innocent. Few have taken the White House's side on this issue (and for good reason) though some outside researchers concur with the administration's estimates.¶ Christine Fair, a professor at Georgetown University has long maintained that civilian deaths from drones in Pakistan are dramatically overstated. She argues that considering the alternatives of sending in the Pakistani military or using manned aircraft to flush out jihadists, drone strikes are a far more humane method of war-fighting.

#### Tech advances and tighter rules of engagement are substantially reducing civilian casualties---alternatives to drones are worse

Rosa Brooks 13, Professor of Law, Georgetown University Law Center and Bernard L. Schwartz Senior Fellow, New America Foundation, 4/23/13, “The Constitutional and Counterterrorism Implications of Targeted Killing,” <http://www.judiciary.senate.gov/pdf/04-23-13BrooksTestimony.pdf>

\*We do not endorse gendered language

First, critics often assert that US drone strikes are morally wrong because the kill innocent civilians. This is undoubtedly both true and tragic -- but it is not really an argument against drone strikes as such. War kills innocent civilians, period. But the best available evidence suggests that US drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. ¶ Much of the time, the use of drones actually permits far greater precision in targeting than most traditional manned aircraft. Today's unmanned aerial vehicles (UAVs) can carry very small bombs that do less widespread damage, and UAVs have no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more time on target than any manned aircraft. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems.¶ That does not mean civilians never get killed in drone strikes. Inevitably, they do, although the covert nature of most US strikes and the contested environment in which they occur makes it impossible to get precise data on civilian deaths. This lack of transparency inevitably fuels rumors and misinformation. However, several credible organizations have sought to track and analyze deaths due to US drone strikes. The British Bureau of Investigative Journalism analyzed examined reports by "government, military and intelligence officials, and by credible media, academic and other sources," for instance, and came up with a range, suggesting that the 344 known drone strikes in Pakistan between 2004 and 2012 killed between 2,562 and 3,325 people, of whom between 474 and 881 were likely civilians.1 (The numbers for Yemen and Somalia are more difficult to obtain.) The New America Foundation, with which I am affiliated, came up with slightly lower numbers, estimating that US drone strikes killed somewhere between 1,873 and 3,171 people overall in Pakistan, of whom between 282 and 459 were civilians. 2¶ Whether drones strikes cause "a lot" or "relatively few" civilian casualties depends what we regard as the right point of comparison. Should we compare the civilian deaths caused by drone strikes to the civilian deaths caused by large-scale armed conflicts? One study by the International Committee for the Red Cross found that on average, 10 civilians died for every combatant killed during the armed conflicts of the 20th century.3 For the Iraq War, estimates vary widely; different studies place the ratio of civilian deaths to combatant deaths anywhere between 10 to 1 and 2 to 1.4¶ The most meaningful point of comparison for drones is probably manned aircraft. It's extraordinarily difficult to get solid numbers here, but one analysis published in the Small Wars Journal suggested that in 2007 the ratio of civilian to combatant deaths due to coalition air attacks in Afghanistan may have been as high as 15 to 1.5 More recent UN figures suggest a far lower rate, with as few as one civilian killed for every ten airstrikes in Afghanistan.6 But drone strikes have also gotten far less lethal for civilians in the last few years: the New America Foundation concludes that only three to nine civilians were killed during 72 U.S. drone strikes in Pakistan in 2011, and the 2012 numbers were also low.7 In part, this is due to technological advances over the last decade, but it's also due to far more stringent rules for when drones can release weapons.¶ Few details are known about the precise targeting procedures followed by either US armed forces or the Central Intelligence Agency with regard to drone strikes. The Obama Administration is reportedly finalizing a targeted killing “playbook,”8 outlining in great detail the procedures and substantive criteria to be applied. I believe an unclassified version of this should be should be made public, as it may help to diminish concerns reckless or negligent targeting decisions. Even in the absence of specific details, however, I believe we can have confidence in the commitment of both military and intelligence personnel to avoiding civilian casualties to the greatest extent possible. The Obama Administration has stated that it regards both the military and the CIA as bound by the law of war when force is used for the purpose of targeted killing. 9 (I will discuss the applicable law of war principles in section IV of this statement). What is more, the military is bound by the Uniform Code of Military Justice. ¶ Concern about civilian casualties is appropriate, and our targeting decisions, however thoughtfully made, are only as good as our intelligence—and only as wise as our overall strategy. Nevertheless, there is no evidence supporting the view that drone strikes cause disproportionate civilian casualties relative to other commonly used means or methods of warfare. On the contrary, the evidence suggests that if the number of civilian casualties is our metric, drone strikes do a better job of discriminating between civilians and combatants than close air support or other tactics that receive less attention.

**Util is good – maximizing all lives is the only way to affirm equality**

**Cummiskey 90** – Professor of Philosophy, Bates (David, Kantian Consequentialism, Ethics 100.3, p 601-2, p 606, jstor, AG)

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract "social entity." It is not a question of some persons having to bear the cost for some elusive "overall social good." Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Nozick, for example, argues that "to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has."30 Why, however, is this not equally true of all those that we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, one fails to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? We have a duty to promote the conditions necessary for the existence of rational beings, but both choosing to act and choosing not to act will cost the life of a rational being. Since the basis of Kant's principle is "rational nature exists as an end-in-itself' (GMM, p. 429), the reasonable solution to such a dilemma involves promoting, insofar as one can, the conditions necessary for rational beings. If I sacrifice some for the sake of other rational beings, I do not use them arbitrarily and I do not deny the unconditional value of rational beings. **Persons** may **have "dignity**, an unconditional and incomparable value" that transcends any market value (GMM, p. 436), **but**, as rational beings, persons **also** have **a fundamental equality which dictates that some must** sometimes **give way for the sake of others.** The formula of the end-in-itself thus does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration dictates that one sacrifice some to save many. [continues] According to Kant, the objective end of moral action is the existence of rational beings. Respect for rational beings requires that, in deciding what to do, one give appropriate practical consideration to the unconditional value of rational beings and to the conditional value of happiness. Since agent-centered constraints require a non-value-based rationale, the most natural interpretation of the demand that one give equal respect to all rational beings lead to a consequentialist normative theory. We have seen that there is no sound Kantian reason for abandoning this natural consequentialist interpretation. In particular, a consequentialist interpretation does not require sacrifices which a Kantian ought to consider unreasonable, and it does not involve doing evil so that good may come of it. It simply requires an uncompromising commitment to the equal value and equal claims of all rational beings and a recognition that, in the moral consideration of conduct, one's own subjective concerns do not have overriding importance.

#### Aggressive CT to disrupt senior AQ leadership is the key internal link to nuclear terror attacks – need to stop the planning process.

Montgomery 09 – (2009, Evan Braden, Research Fellow, has published on a range of issues, including alliance politics, nuclear terrorism, military doctrine, and political revolutions, Center for Strategic and Budgetary Assessments, MA in Foreign Affairs, PhD Candidate at UVA, “Nuclear Terrorism: Assessing the Threat, Developing a Response,” http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA506768)

The second major implication addresses the demand side of the threat. Speciﬁcally, a critical component of a broader strategy to prevent a nuclear terrorist attack will involve measures **directed at weakening al Qaeda’s leaders and eliminating** — or at the very least restricting — **their sanctuary in the FATA**. Because obtaining or building a nuclear device and delivering it to a target would be a difﬁcult and expensive operation,89 it is highly likely that any credible plot will originate with al Qaeda’s central leadership, whether its operatives attempt to carry out such an attack on their own or instead ﬁnance, organize, and coordinate the efforts of one or more afﬁliates. By themselves, al Qaeda’s various franchises and especially local extremists would likely ﬁnd an attack of this scale beyond their abilities. In fact, the group’s franchises might not even be tasked to help with such a large and important operation, beyond providing limited logistical support. According to Bruce Hoffman, “high value, ‘spectacular’ attacks are entrusted only to al Qaeda’s professional cadre: the most dedicated, committed, and absolutely reliable elements of the movement.”90 Therefore, **to the extent that its sanctuary in the FATA has allowed al Qaeda’s leadership to regain its strength and plan future operations,** the probability that the group might be able to conduct a catastrophic attack at some point in the future has correspondingly increased.

#### Nuclear terror causes accidental US-Russia nuclear war.

Barrett et al. 2013 – (6/28, Anthony, PhD, Engineering and Public Policy from Carnegie Mellon University, Director of Research, Global Catastrophic Risk Institute, Fellow in the RAND Stanton Nuclear Security Fellows Program, Seth Baum, PhD, Geography, Pennsylvania State University, Executive Director, GCRI, Research Scientist at the Blue Marble Space Institute of Science, former Visiting Scholar position at the Center for Research on Environmental Decisions at Columbia University, and Kelly Hostetler, Research Assistant, GCRI, “Analyzing and Reducing the Risks of Inadvertent Nuclear War Between the United States and Russia,” Science and Global Security 21(2): 106-133, pre-print, available online)

War involving significant fractions of the U.S. and Russian nuclear arsenals, which are by far the largest of any nations, **could have globally catastrophic effects** such as severely reducing food production for years,1 potentially leading to collapse of modern civilization worldwide and even the **extinction of humanity**.2 Nuclear war between the United States and Russia could occur by various routes, including accidental or unauthorized launch; deliberate first attack by one nation; and inadvertent attack. In an accidental or unauthorized launch or detonation, system safeguards or procedures to maintain control over nuclear weapons fail in such a way that a nuclear weapon or missile launches or explodes without direction from leaders. In a deliberate first attack, the attacking nation decides to attack based on accurate information about the state of affairs. In an inadvertent attack, the attacking nation mistakenly concludes that it is under attack and launches nuclear weapons in what it believes is a counterattack.3 (Brinkmanship strategies incorporate elements of all of the above, in that they involve intentional manipulation of risks from otherwise accidental or inadvertent launches.4 )

Over the years, nuclear strategy was aimed primarily at minimizing risks of intentional attack through development of deterrence capabilities, though numerous measures were also taken to reduce probabilities of accidents, unauthorized attack, and inadvertent war. For purposes of deterrence, both U.S. and Soviet/Russian forces have maintained significant capabilities to have some forces survive a first attack by the other side and to launch a subsequent counterattack. However, concerns about the extreme disruptions that a first attack would cause in the other side’s forces and command-and-control capabilities led to both sides’ development of capabilities to detect a first attack and launch a counter-attack before suffering damage from the first attack.5

Many people believe that with the end of the Cold War and with improved relations between the United States and Russia, the risk of East-West nuclear war was significantly reduced.6 However, it has also been argued that **inadvertent nuclear war between the United States and Russia has continue**d **to present a substantial risk**.7 While the United States and Russia are not actively threatening each other with war, they have remained ready to launch nuclear missiles in response to indications of attack.8

False indicators of nuclear attack could be caused in several ways. First, a wide range of events have already been mistakenly interpreted as indicators of attack, including weather phenomena, a faulty computer chip, wild animal activity, and control-room training tapes loaded at the wrong time.9 Second, terrorist groups or other actors might cause attacks on either the United States or Russia that resemble some kind of nuclear attack by the other nation by actions such as exploding a stolen or improvised nuclear bomb,10 especially if such an event occurs during a crisis between the United States and Russia.11 A variety of nuclear terrorism scenarios are possible.12 Al Qaeda has sought to obtain or construct nuclear weapons and to use them against the United States.13 Other methods could involve attempts to circumvent nuclear weapon launch control safeguards or exploit holes in their security.14

It has long been argued that the probability of inadvertent nuclear war is significantly higher during U.S.-Russian crisis conditions,15 with the Cuban Missile Crisis being a prime historical example. **It is possible that U.S.-Russian relations will significantly deteriorate in the future, increasing nuclear tensions**. There are a variety of ways for a third party to raise tensions between the United States and Russia, making one or both nations more likely to misinterpret events as attacks.16

#### Rejection of militarism Sanctions Genocide

Willis 95, Professor of Journalism and Director of Concentration in Cultural Reporting and Criticism at NYU, ’95 (Ellen, December 19, The Village Voice)

If intellectuals are more inclined to rise to the discrete domestic issue than the historic international moment, this may have less to do with the decay of the notion of international solidarity than with the decay of confidence in their ability to change the world, not to mention the decay of anything resembling a coherent framework of ideas within which to understand it. Certainly the received ideas of the left, to the extent that a left can still be said to exist, have been less than helpful as a framework for understanding the Bosnian crisis or organizing a response to it. Although the idea of American imperialism explains less and less in a world where the locus of power is rapidly shifting to a network of transnational corporations, it still fuels a strain of reflexive anti-interventionist sentiment whose practical result is paralyzed dithering in the face of genocide. Floating around "progressive" circles and reinforcing the dithering is a brand of vulgar pacifism whose defining characteristic is not principled rejection of violence but squeamish aversion to dealing with it. In the academy in particular, entrenched assumptions about identity politics and cultural relativism promote a view of the Balkan conflict as too complicated and ambiguous to allow for choosing sides. If there is no such thing as universality, if multiethnic democracy is not intrinsically preferable to ethnic separatism, if there are no clear-cut aggressors and victims but merely clashing cultures, perhaps ethnic partition is simply the most practical way of resolving those "implacable ancient rivalries."

### Ballot

Starting politics from the standpoint of an excluded identity-group is a vengeful politics of resentment—it can only position itself reactively against a universal like white supremacy, inevitably re-instantiating the terms of oppression.

Bhambra ‘10

Gurminder K Bhambra, University of Warwick, and Victoria Margree, University of Brighton, “Identity Politics and the Need for a ‘Tomorrow,” academia.edu

2 The Reification of Identity

We wish to turn now to a related problem within identity politics that can be best described as the problem of the reification of politicised identities. Brown (1995) positions herself within the debate about identity politics by seeking to elaborate on “the wounded character of politicised identity’s desire” (ibid: 55); that is, the problem of “wounded attachments” whereby a claim to identity becomes over-invested in its own historical suffering and perpetuates its injury through its refusal to give up its identity claim. Brown’s argument is that where politicised identity is founded upon an experience of exclusion, for example, **exclusion** itself **becomes perversely valorised** in the continuance of that identity. In such cases, group activity operates to **maintain and reproduce** the identity created by injury (exclusion) **rather than** – and indeed, often in opposition to – **resolving the injurious** **social relations** **that generated claims around that identity in the first place**. If things have to have a history in order to have a future, then the problem becomes that of how history is constructed in order to make the future. To the extent that, for Brown, identity is associated primarily with (historical) injury, the future for that identity is then **already determined by the injury “as both bound to the history that produced it and as a reproach to the present which embodies that history**” (ibid 1995: 73). Brown’s suggestion that as it is not possible to undo the past, the focus backwards entraps the identity in reactionary practices, is, we believe, too stark and we will pursue this later in the article. Politicised identity, Brown maintains, “emerges and obtains its unifying coherence through the politicisation of exclusion from an ostensible universal, as a protest against exclusion” (ibid: 65). Its continuing existence **requires** both **a belief in** the **legitimacy of the universal ideal** (for example, ideals of opportunity, and reward in proportion to effort) and enduring exclusion from those ideals. Brown draws upon Nietzsche in arguing that such identities, produced in **reaction** to conditions of disempowerment and inequality, then **become invested in their own impotence through practices of**, for example, **reproach, complaint, and revenge**. These are “reactions” in the Nietzschean sense since they are s ubstitutes for actions or can be seen as negative forms of action. Rather than acting to remove the cause(s) of suffering, that suffering is instead ameliorated (to some extent) through “the **establishment of suffering** as the measure of social virtue” (ibid 1995: 70), and is compensated for by the **vengeful pleasures of recrimination**. Such practices, she argues, stand in sharp distinction to – in fact, provide obstacles to – **practices that would seek to dispel the conditions of exclusion.** Brown casts the dilemma discussed above in terms of a choice between past and future, and adapting Nietzsche, exhorts the adoption of a (collective) will that would become **the “redeemer of history”** (ibid: 72) through its focus on the possibilities of creating different futures. As Brown reads Nietzsche, the one thing that the will cannot exert its power over is the past, the “it was”. Confronted with its impotence with respect to the events of the past, the will is threatened with becoming simply **an “angry spectator”** mired in bitter recognition of its own helplessness. The one hope for the will is that it may, instead, achieve a kind of mastery over that past such that, although “what has happened” cannot be altered, the past can be denied **the power** of continuing to determine the present and future. It is only this **focus on the future**, Brown continues, and the capacity to make a future in the face of human frailties and injustices that **spares us** **from** a rancorous **decline into despair**. Identity politics structured by ressentiment – that is, by suffering caused by past events – can **only** break out of the cycle of “slave morality” by remaking the present **against the terms of the past**, a remaking that requires a “forgetting” of that past. An act of liberation, of self-affi rmation, this “forgetting of the past” requires an “overcoming” of the past that offers identity in relationship to suffering, in favour of a future in which identity is to be defi ned differently. In arguing thus, Brown’s work becomes aligned with a position that sees the way forward for emancipatory politics as residing in a movement away from a “politics of memory” (Kilby 2002: 203) that is committed to articulating past injustices and suffering. While we agree that investment in identities premised upon suffering can function as an obstacle to alleviating the causes of that suffering, we believe that Brown’s argument as outlined is problematic. First, following Kilby (2002), we share a concern about any turn to the future that is fi gured as a complete abandonment of the past. This is because for those who have suffered oppression and exclusion, the injunction to give up articulating a pain that is still felt may seem cruel and impossible to meet. We would argue instead that the “turn to the future” that theorists such as Brown and Grosz call for, to revitalise feminism and other emancipatory politics, need not be conceived of as a brute rejection of the past. Indeed, Brown herself recognises the problems involved here, stating that [since] erased histories and historical invisibility are themselves such integral elements of the pain inscribed in most subjugated identities [then] the counsel of forgetting, at least in its unreconstructed Nietzschean form, seems inappropriate if not cruel (1995: 74). She implies, in fact, that the demand exerted by those in pain may be no more than the demand to exorcise that pain through recognition: “all that such pain may long for – more than revenge – is the chance to be heard into a certain release, recognised into self-overcoming, incited into possibilities for triumphing over, and hence, losing itself” (1995: 74-75). Brown wishes to establish the political importance of remembering “painful” historical events but **with a crucial caveat**: that the purpose of remembering pain is to enable its release. The challenge then, according to her, is to create a political culture in which this project does not mutate into one of **remembering pain for its own sake**. Indeed, if Brown feels that this may be “a pass where we ought to part with Nietzsche” (1995: 74), then Freud may be a more suitable companion. Since his early work with Breuer, Freud’s writings have suggested the (only apparent) paradox that remembering is often a condition of forgetting. The hysterical patient, who is doomed to repeat in symptoms and compulsive actions a past she cannot adequately recall, is helped to remember that traumatic past in order then to move beyond it: she must remember in order to forget and to forget in order to be able to live in the present.7 This model seems to us to be particularly helpful for the dilemma articulated by both Brown (1995) and Kilby (2002), i nsisting as it does that “forgetting” (at least, loosening the hold of the past, in order to enable the future) cannot be achieved without first remembering the traumatic past. Indeed, this would seem to be similar to the message of Beloved, whose central motif of haunting (is the adult woman, “Beloved”, Sethe’s murdered child returned in spectral form?) dramatises the tendency of the unanalysed traumatic past to keep on returning, constraining, as it does so, the present to be like the past, and thereby, disallowing the possibility of a future different from that past. As Sarah Ahmed argues in her response to Brown, “in order to break the seal of the past, in order to move away from attachments that are hurtful, we must first bring them into the realm of political action” (2004: 33). We would add that the task of analysing the traumatic past, and thus opening up the possibility of political action, is unlikely to be achievable by individuals on their own, but that this, instead, **requires** **a “community” of participants** dedicated to the serious epistemic work of remembering and interpreting the objective social conditions that made up that past and continue in the present. The “pain” of historical injury is not simply an individual psychological issue, but stems from **objective social conditions which perpetuate**, for the most part, forms of **injustice and inequality into the present.**

Black liberation’s endless revolution causes permanent passivity towards structural oppression, which turns the case—only beginning from a politics of black redemption can effectuate change.

Andrews ‘10

Kehinde, PhD, University of Birmingham, “Back to Black: Black Radicalism and the Supplementary School Movement”

Black redemption vs. Black liberation

Over the course of conducting the present research study a fault line in Black radical theory and practice has become apparent. What separates Black radicalism from the Black liberal tradition is the rejection of the mainstream and the resultant embracing of Blackness. However, in embracing Blackness there has historically been a split between cultural nationalists on the one hand and Black radicals on the other (Newton, 1974; Ngozi-Brown, 1997). In today‘s society this split is manifest in the difference between **Black redemption** and **Black liberation.** Black redemption is the politics of ‗**loving Blackness**‘ (hooks, 1995; pg.146). Reclaiming Black pride through a process of embracing Blackness has been central to a Black radical critique, embodied in Garvey‘s slogan ‗the Black skin is not a badge of shame but rather a glorious symbol of greatness‘ (Cronon: 1969: pg.4). The redemptive work through which Blackness has been reclaimed has primarily been psychological and cultural. Cross (1971) talked of the Negro-to-Black conversion where people moved through stages of ignorance of Blackness to adopting with a positive, revolutionary Black identity; whilst Rastafarianism is based on returning the mind and body to Africaness (McFarlane, 1998). The politics of redemption is perhaps best summed up in the slogan ―**Black is beautiful**‖ and was a necessary step for Black people due to the destruction of Blackness during enslavement and colonialism. Black redemption is a **central and fundamental** **force** of Black radicalism. Within the Lumumba school the politics of Black redemption were highly evident. The impact of stepping into the classroom has been noted in Chapter Seven, with the positive images of Africa and strong representations of Blackness. A lot of emphasis was placed on redeeming Blackness in the sessions, when Kamili or Kemi would tell the students to take pride in being Black and find strength within it. The Black history lessons too, formed a redemptive politics where we would teach the history of Black people to instil pride in the students (Graham, 2001). It is also not just for the benefit of the young, with Black studies also being run for adults to engage in their history. The Black-led nature of the learning environment could be seen as redemptive politics, in that it allowed for the students to see Black people in positions of power and therefore redeem Blackness. A major feature of the Uhuru Organisation is connecting Blackness back to Africa and this can be seen in the celebration of Kwanzaa. Kwanzaa has been discussed in Chapters Three and Six. In the Lumumba school there was no focus on Christmas, rather Kwanzaa and its seven principles. I also attended a Kwanzaa event organised by the Uhuru Organisation in the local community. Chapter Six detailed a discussion between myself and Henry about the effectiveness and purpose of the Kwanzaa celebration. Henry used to be involved with Uhuru and explained that the staunch Black nationalism of the organisation in the past had rejected Kawanzaa outright. Henry had distanced himself from Uhuru precisely because of their shift towards what he perceived as a more cultural nationalist position. It was, therefore, surprising that after the event Henry was so positive about Kwanzaa. Seeing Black people come together in a positive acclamation of each other was a moving experience for him. It is here where we can see the evolution of the debate towards notions of Black redemption and liberation, and see the need for a combination of the two. Black liberation refers to the active movement of the community toward changing material conditions. Black liberation is the call for politics and action necessary to destroy the structures of racism**, or at least to shield ourselves from them**. Revolution is the only logical endpoint of Black liberation. However, the radical claim for Black revolution in the West has been all but rescinded, crushed by the reality that such demands are never going to be met. This represents the fundamental challenge to Black radicalism, the seeming impossibility of the task. Black radical theory of capitalist oppression and racism as inherent to the system, can be akin to **staring into an abyss**. **The problem is so large that it can seem as if there is nothing we can do about it.** CRT‘s approach to this has been to almost bury its head in the sand and say we should march on singing into the fire. Black redemption offers us salvation of the self **by taking pride in and expressing our Blackness.** In talking to people about Black radicalism they are often turned off by what they perceive as the negativity of it all. When we argue that society is racist, and things have not necessarily changed for the better over the last four decades, people see us stuck in the past and blaming ―Whitey‖ for our problems. They do not see any hope of redemption, let alone prospects for liberation. The problem with much of the Black radical movement is that we have neglected **the difficult questions** of how to change society and instead relied on the panacea of a redemptive cultural politics. Black redemption is absolutely necessary to any project of Black liberation, but it cannot be all that we do. There is no use ‗loving Blackness‘ if we do nothing to improve the lives and futures of Black people. The biggest success of Black radicalism has been the reclamation of Blackness and finding redemption in who we are. The challenge for the future is how to use this redemption to create a movement that can bring significant changes to the position of Black people across the globe.

Ballots are not productive currency—the aff turns them into palliatives that displace positive political projects in favor of the existing system

Brown 95—prof at UC Berkeley (Wendy, States of Injury, 21-3)

For some, fueled by **opprobrium toward** **regulatory norms** or other mo- dalities of domination, the language of "resistance" has taken up the ground vacated by a more expansive practice of freedom. For others, it is the discourse of “empowerment” that carries the ghost of freedom's valence ¶ 22¶. Yet as many have noted, insofar as resistance is an effect of the regime it opposes on the one hand, and insofar as its **practitioners often seek to void it of normativity to differentiate it** from the (regulatory) nature of what it opposes on the other, it is **at best** politically rebellious; **at worst**, politically amorphous. Resistance stands **against**, **not for**; it is re-action to domination, rarely willing to admit to a desire for it, and it is **neutral** with regard to possible political direction. Resistance is in no way constrained to a radical or emancipatory aim. a fact that emerges clearly as soon as one analogizes Foucault's notion of resistance to its companion terms in Freud or Nietzsche. Yet in some ways this point is less a critique of Foucault, who especially in his later years made clear that his political commitments were not identical with his theoretical ones (and un- apologetically revised the latter), than a sign of his misappropriation. For Foucault, resistance **marks the presence of power** and expands our under- standing of its mechanics, but it is in this regard an analytical strategy rather than an expressly political one. "Where there is power, there is resistance, and yet. or rather consequently, **this resistance is never in a position of exteriority to power**. . . . (T]he strictly relational character of power relationships . . . depends upon a multiplicity of points of resis- tance: these play the role of adversary, target, support, or handle in power relations.\*39 This appreciation of the extent to which resistance is by no means inherently subversive of power also reminds us that it is only by recourse to a very non-Foucaultian moral evaluation of power as bad or that which is to be overcome that it is possible to equate resistance with that which is good, progressive, or seeking an end to domination. ¶ If popular and academic notions of resistance attach, however weakly at times, to a tradition of protest, the other contemporary substitute for a discourse of freedom—“empowerment”—would seem to correspond more closely to a tradition of **idealist reconciliation**. The language of resistance implicitly acknowledges the extent to which protest always transpires inside the regime; “empowerment,” in contrast, registers the possibility of generating one’s capacities, one’s “self-esteem,” one’s life course, without capitulating to constraints by particular regimes of power. But in so doing, contemporary discourses of empowerment **too often signal** **an oddly adaptive** **and harmonious relationship with domination** insofar as they locate an individual’s sense of worth and capacity in the register of individual feelings, a register implicitly **located on some- thing of an other worldly plane** **vis-a-vis** social and **political power**. In this regard, despite its apparent locution of resistance to subjection, contem- porary discourses of empowerment partake strongly of liberal solipsism—the radical decontextualization of the subject characteristic of¶ 23¶ liberal discourse that is **key to the fictional sovereign individualism of liberalism**. Moreover, in its almost exclusive focus on subjects’ emotional bearing and self-regard, empowerment is a formulation that **converges with a regime’s own legitimacy needs** in masking the power of the regime.¶ This is not to suggest that talk of empowerment is always only illusion or delusion. It is to argue, rather, that while the notion of empowerment articulates that feature of freedom concerned with action, with being more than the consumer subject figured in discourses of rights and eco- nomic democracy, contemporary deployments of that notion also **draw so heavily on an undeconstructed subjectivity** that they risk establishing a wide chasm between the (experience of) empowerment and an actual **capacity to shape the terms of political, social, or economic life**. Indeed, the possibility that one can “feel empowered” without being so **forms an important element of** **legitimacy** for the antidemocratic dimensions of liberalism.

This reactionary impulse is the condition of possibility for all violence—we must transcend exclusive identities and victimization.

Enns 12

Dianne, Professor of Philosophy at McMaster University, The Violence of Victimhood

These are responses to suffering that may at the same time prevent the conditions that lead to further suffering, opening **possibilities rather than burning bridges,** crossing over to the other, like the acrobat refusing to look at "the separation." These individuals and groups reject the worldview of the victim, literally or figuratively laying down their arms. This is not a passive refusal but an act of political will, ignited by the very pragmatic need for a bearable life. To lay down our arms means **to refuse the dictated terms of the fight**, **exit the ring**, **reject the means of defense provided**. While this appears to leave us powerless or defenseless—the other cheek turned in a display of utter passivity—it only does so if we haven't rejected the binary terms on which the power struggle is waged. **It is not the power of the sword that the victimized need**, **or the power of a moral authority** granted to the victim, but the power of political will—a power that can arise spontaneously out of shared vulnerability. It may be an act of civil disobedience, dissent, or the slow, patient work of changing attitudes—of "reviving the person inside the suit of armor"°7—in any case, the operative principle is a refusal to march blindly to the drummer's beat without reflection**, collective deliberation**, or judgment. This is the political work that we must never "neutralize": the cultivation of civil coexistence—**of communities** of fate—**that refuse violent solutions to conflict. To prevent the conditions that lead to war**—**and** the **normalization of** politics as **violence**—we need to elaborate alternatives that embrace neither consensus and unity as **Utopian peace nor dissensus and conflict** as violence. As Balibar puts it, we have to defend politics against "the twin enemies of extreme violence and consensus."00 Obedience could be worse than intolerance in situations of rising political unrest, and disobedience more important than reconciliation. In a discussion of what peoples of the former Yugoslavia need, for example, Boris Buden states unequivocally that it isn't truth commissions or reconciliation programs. The region has undergone a "depoliticization” that no truth of the past will eradicate. To repoliticize would mean to "invent a new form of political solidarity" that transcends their national, ethnic, and religious identities—a public life that includes political argument and contestation,43 not merely, as Buruma puts it, "the soothing rhetoric of healing.'"11 Disagreement, disobedience, conflict— these are indispensable ingredients in the practical work of politics and its necessary conditions. This claim does not contradict the demand to lay down one's arms. Conflict need not lead to violence. But to be vigilant against the incursion of a politics defined by the terms of war requires above all a vigilance against becoming immune to empathy and its effects. For Remarque's Paul Baumer, restoring his enemy to humanity occurs too late. We need to ward off the process of dehumanizing one's enemy before it begins. **We are already too late** **when identities are formed on the basis of** political **ideologies and** when **victims are granted an unquestioned moral authority**. To prevent the conditions of war, we must learn to see ourselves through the eyes of others.

Identity is only ever a confirmation of contingent relationships, not metaphysics. A politics that places a shared commitment to remedying injustice can avoid securitizing difference and reactionary politics that culminate in passivity.

Bhambra ‘10

Gurminder K Bhambra, University of Warwick, and Victoria Margree, University of Brighton, “Identity Politics and the Need for a ‘Tomorrow”

1 Exclusionary Politics

It is **inexcusable** to build analyses of historical experience around exclusions, exclusions that stipulate, for instance, that only women can understand feminine experience, only Jews can understand Jewish suffering, only formerly colonial subjects can understand colonial experience (Said 1993: 35). The idea of a politics underpinned by solidarities based on “sameness” has a long history in the critical tradition. Marx’s initial conceptualisation of the standpoint of the proletariat (albeit, significantly different from those of subsequent developments of standpoint epistemology) has been used by feminist theorists as well as those arguing for a post-colonial perspective in terms of the subaltern, and, more recently, for a dalit standpoint (Hartsock 1984, Guha 1983, Rege 1998, 2000). However, while using identity as the basis of political action has been seen to be powerful (and effective), it has also increasingly become seen as problematic. The exclusionary politics of movements such as **black** **power**, much **radical and lesbian feminism**, and latterly, movements for **ethnic purity** and/or religious integrity, for example, have yielded a deep concern with the programme of separation and isolationism that such movements are often seen to be based upon. For many critics, more troubling still has been the usually accompanying claim that only women can be feminists, or only black people can work against racism, or only dalits against caste oppression, and so on. A position which states that **only those who have experienced an injustice can understand and thus act effectively** up**on** **it** seems to rest upon an **essentialist theory of identity** which assumes that the possibility of knowledge about particular situations is restricted to one’s possession of the relevant (seemingly) irreducible traits (being female, black, dalit, and so forth). Arguably, one consequence of these separatist tendencies is that they perpetuate the individualist fallacy that oppressive social relationships can be reformed **by particular subjects** **without** the **broader** **agreement** of others who, together, constitute the **social relations** within which the injustices are embedded. But even where the limitations of a purely exclusionary form of identity politics are recognised, many theorists continue, nevertheless, to argue for a form of “strategic essentialism” (Fuss 1989, Spivak 2003) suggesting that where structures of inequality overlap with categories of identity, then a politics based on those identities is both liberatory and necessary (Bramen 2002). In our view, however, the claim for a “strategic essentialism” remains fraught with problems, for at least three reasons. First, it establishes an epistemological division between those who assert a particular identity in advancing political claims and the observer who is sympathetic to those claims but “recognises” the limitations of basing such claims on a putative identity.1 There is something highly problematic in claiming to support a political movement from the basis of being able to “see” something that the individuals constituting the movement do not see, and in then not engaging with them with regard to this. This sets the observer up in a privileged position vis-à-vis other members of the movement and thus makes solidarity difficult to achieve.2 Second, the claim for “strategic essentialism” posits solidarity, that is, collective identification around a particular standpoint, as a prerequisite for collective action to address perceived injustices. This is as against recognising that solidarities can also emerge through the actions taken to correct particular injustices and can include those who recognise the injustice as the reason for action while not directly being disadvantaged themselves. Third, the assertion of “strategic essentialism” generally occurs in the context of claiming justice through an appeal to the wider community but with no explanation as to why the wider community ought to honour this claim for justice, especially when it is often not deemed possible for them to constitute a part of the movement itself. There is a requirement of inclusivity then – in terms of demanding acceptance of the validity of the claims made – at the same time, as an assertion of its impossibility across what are posited as irreducible, essential traits (for a fuller discussion see Holmwood 1995). The arguments of this paper start out from a broad agreement that developing a politics from the basis of occupying a **particular social position** or having a **specific** (singular) **identity** is problematic for the reasons identified above, as well as for covertly legitimating – “absolving and forgiving”, in Said’s (1993: 35) words – the **ignorance of those whose understanding and actions are** necessary **for countering social injustices**. It has to be recognised that issues exist between people and are not in people: that is, problems of social injustice occur in the relationships through which subjectivities are produced and thus, all those implicated in those relationships are involved in their address. For example, sexism is not a problem for women to deal with alone, but is a problem situated in the contemporary relationships of **social and material inequalities** and requires mutual engagement for its address. This is an address which we consider is best served by the solidarities generated as a consequence of the activities around perceived injustices (that is, solidarities generated through the political movements of people working towards equality, justice) as opposed to those activities having to rely on **assumed preexisting solidarities** (that is, being female, gay, black, dalit, etc). This is **not** an argument for movements against specific injustices or inequalities to be subsumed within a wider (say, socialist) movement but, rather, an argument for movements to be **conceived** inclusively as movements where membership is not restricted to those presumed to suffer the injustice or inequality. As such, a question arises as to what would happen if the “identity” in “identity politics” were rethought along the lines of the solidarities that are generated around the address of injustices rather than the solidarity that is presumed to ensue from being the victim of an injustice. Defending “identity” against a variety of critiques from the academic left, Bramen (2002) asserts that identity can also be productive in its construction of moral and other communities. Our question, however, would be why such communities – sites of resistance and the discovery of political agency – need to be constructed around **essentialising rhetoric and restricted** (this is the implication) to those who suffer the injustice. Indeed, Bramen herself recognises that “identity politics certainly has its limitations, primarily in terms of prescribing modes of behaviour that pressure individuals to conform to certain standards of authenticity” (2002: 7-8). And this surely is a real problem; that essentialist rhetoric establishes belonging to a community, and thus identity, on the basis of presumed shared attributes or experiences that are imagined to be irreducible. As such, not only may the **community itself become oppressive** to those who do not share those attributes, or who wish to articulate experiences that differ from those expressed by the majority, but the community itself may be weakened in its resistance to **other forms of oppression** by the distraction of its **internal policing against difference.** We suggest that **alternative models of identity and community are required** from those put forward by essentialist theories, and that these are offered by the work of two theorists, Satya M ohanty and Lynn Hankinson Nelson. Mohanty’s ([1993] 2000) post-positivist, realist theorisation of identity suggests a way through the impasses of essentialism, while avoiding the excesses of the postmodernism that Bramen, among others, derides as a proposed alternative to identity politics. For Mohanty ([1993] 2000), identities must be understood as **theoretical constructions** that enable subjects to read the world in particular ways; as such, substantial claims about identity are, in fact, implicit explanations of the social world and its constitutive relations of power. Experience – that from which identity is usually thought to derive – **is not something that simply occurs**, or announces its meaning and signifi cance in a self-evident fashion: rather, experience is always a work of interpretation that is collectively produced (Scott 1991). Mohanty’s work resonates with that of Nelson (1993), who similarly insists upon the communal nature of meaning or knowledge-making. Rejecting both foundationalist views of knowledge and the postmodern alternative which announces the “death of the subject” and the impossibility of epistemology, Nelson argues instead that, it is not individuals who are the agents of epistemology, but **communities**. Since it is not possible for an individual to know something that another individual could not also (possibly) know, it must be that the ability to make sense of the world proceeds from shared conceptual frameworks and practices. Thus, it is the community that is the generator and repository of knowledge. Bringing Mohanty’s work on identity as theoretical construction together with Nelson’s work on epistemological communities therefore suggests that, “identity” is one of the knowledges that is produced and enabled for and by individuals in the context of the communities within which they exist. The post-positivist reformulation of “experience” is necessary here as it privileges understandings that emerge through the processing of experience in the context of **negotiated premises** about the world, over experience itself producing self-evident knowledge (self-evident, however, only to the one who has “had” the experience). This distinction is crucial for, if it is not the experience of, for example, sexual discrimination that “makes” one a feminist, but rather, the paradigm through which one attempts to **understand acts of sexual discrimination**, then it is not necessary to have actually had the experience oneself in order **to make the identification “feminist”**. If being a “feminist” is not a given fact of a particular social (and/or biological) location – that is, being designated “female” – but is, in Mohanty’s terms, an “achievement” – that is, something worked towards through a process of analysis and interpretation – then two implications follow. First, that not all women are feminists. Second, that feminism is something that is “achievable” by men.3 While it is accepted that experiences are not merely theoretical or conceptual constructs which can be transferred from one person to another with transparency, we think that there is something **politically self-defeating** about insisting that one can only understand an experience (or then comment upon it) if one has actually had the experience oneself. As Rege (1998) argues, to privilege knowledge claims on the basis of direct experience, or then on claims of authenticity, can lead to a **narrow identity politics** that **limits** the **emancipatory potential** of the movements or organisations making such claims. Further, if it is not possible to understand an experience one has not had, then **what point is there in listening to each other?** Following Said, such a view seems to authorise privileged groups to **ignore** the **discourses of disadvantaged ones, or,** we would add, to **place exclusive responsibility for addressing injustice with the oppressed themselves**. Indeed, as Rege suggests, reluctance to speak about the experience of others has led to an assumption on the part of some white feminists that “confronting racism is the sole responsibility of black feminists”, just as today “issues of caste become the sole responsibility of the dalit women’s organisations” (Rege 1998). Her argument for a dalit feminist standpoint, then, is not made in terms solely of the experiences of dalit women, but rather a call for others to “educate themselves about the histories, the preferred social relations and utopias and the struggles of the marginalised” (Rege 1998). This, she argues, allows “**their cause**” to become “**our cause**”, not as a form of appropriation of “their” struggle, but through the transformation of subjectivities that enables a recognition that **“their” struggle is also “our” struggle**. Following Rege, we suggest that social processes can facilitate the understanding of experiences, thus making those experiences the possible object of analysis and action for all, while recognising that they are not **equally** available or **powerful for all subjects**.4 Understandings of identity as **given and essential**, then, we suggest, need to give way to understandings which accept them as **socially constructed** and **contingent** on the work of particular, overlapping, epistemological communities that agree that this or that is a viable and recognised identity. Such an understanding avoids what Bramen identifi es as the postmodern excesses of “post-racial” theory, where in this “world without borders (“racism is real, but race is not”) one can be anything one wants to be: a black kid in Harlem can be Croatian-American, if that is what he chooses, and a white kid from Iowa can be Korean-American” (2002: 6). Unconstrained choice is not possible to the extent that, as Nelson (1993) argues, the concept of the epistemological community requires any individual knowledge claim to sustain itself in relation to standards of evaluation that already exist and that are social. Any claim to identity, then, would have to be recognised by particular communities as valid in order to be successful. This further shifts the discussion beyond the limitations of essentialist accounts of identity by recognising that the communities that confer identity are constituted through their shared epistemological frameworks and not necessarily by shared characteristics of their members conceived of as irreducible.5 Hence, the epistemological community that enables us to identify ourselves as feminists is one that is built up out of a broadly agreed upon paradigm for interpreting the world and the relations between the sexes: it is not one that is premised upon possessing the physical attribute of being a woman or upon sharing the same experiences. Since at least the 1970s, a key aspect of black and/or postcolonial feminism has been to identify the problems associated with such assumptions (see, for discussion, Rege 1998, 2000). We believe that it is the identification of injustice which calls forth action and thus allows for the construction of healthy solidarities. 6 While it is accepted that there may be important differences between those who recognise the injustice of disadvantage while being, in some respects, its beneficiary (for example, men, white people, brahmins), and those who recognise the injustice from the position of being at its effect (women, ethnic minorities, dalits), we would privilege the importance of a **shared political commitment to equality** as the basis for negotiating such differences. Our argument here is that thinking through identity claims from the basis of understanding them as epistemological communities **militates against exclusionary politics** (and its associated problems) since the emphasis comes to be on participation in a shared epistemological and political project as **opposed to** notions of **fixed characteristics** – the focus is on the activities individuals participate in rather than the characteristics they are deemed to possess. Identity is thus defined further as a function of activity located in particular social locations (understood as the complex of objective forces that influence the conditions in which one lives) rather than of nature or origin (Mohanty 1995: 109-10). As such, the communities that enable identity should not be conceived of as “imagined” since they are produced by very real actions, practices and projects.

#### The aff’s protest against racism takes place from a safe distance—this maintains ideology

Carlson, 99 – Professor of Law (David Gray and Benjamin N. Cardozo School of Law Columbia Law Review November, 1999)

Schlag presents a dark vision of what he calls "the bureaucracy," which crushes us and controls us. It operates on "a field of pain and death." n259 It deprives us of choice, speech, n260 and custom. n261 As bureaucracy cannot abide great minds, legal education must suppress greatness through mind numbing repetition. n262 In fact, legal thought is the bureaucracy and cannot be distinguished from it. n263 If legal thought tried to buck the bureaucracy, the bureaucracy would instantly crush it. n264 Schlag observes that judges have taken "oaths that require subordination of truth, understanding, and insight, to the preservation of certain bureaucratic governmental institutions and certain sacred texts." n265 Legal scholarship and lawyers generally n266 are the craven tools of bureaucracy, and those who practice law or scholarship simply serve to justify and strengthen the bureaucracy. "If there were no discipline of American law, the liberal state would have to invent it." n267 "Legal thinkers in effect serve as a kind of P.R. firm for the bureaucratic state." n268 Legal scholarship has sold out to the bureaucracy: Insofar as the expressions of the state in the form of [statutes, etc.] can be expected to endure, so can the discipline that so helpfully organizes, rationalizes, and represents these expressions as intelligent knowledge. As long as the discipline shows obeisance to the authoritative legal forms, it enjoys the backing of the state... Disciplinary knowledge of law can be true not because it is true, but because the state makes it true. n269 Scholarship produces a false "conflation between what [academics] celebrate as 'law' and the ugly bureaucratic noise that grinds daily in the [\*1946] [ ] courts...." n270 Scholarship "becomes the mode of discourse by which bureaucratic institutions and practices re-present themselves as subject to the rational ethical-moral control of autonomous individuals." n271 "The United States Supreme Court and its academic groupies in the law schools have succeeded in doing what many, only a few decades ago, would have thought impossible. They have succeeded in making Kafka look naive." n272 Lacanian theory allows us to interpret the meaning of this anti-Masonic vision precisely. Schlag's bureaucracy must be seen as a "paranoid construction according to which our universe is the work of art of unknown creators." n273 In Schlag's view, the bureaucracy is in control of law and language and uses it exclusively for its own purposes. The bureaucracy is therefore the Other of the Other, "a hidden subject who pulls the strings of the great Other (the symbolic order)." n274 The bureaucracy, in short, is the superego (i.e., absolute knowledge of the ego), n275 but rendered visible and projected outward. The superego, the ego's stern master, condemns the ego and condemns what it does. Schlag has transferred this function to the bureaucracy. As is customary, n276 by describing Schlag's vision as a paranoid construction, I do not mean to suggest that Professor Schlag is mentally ill or unable to function. Paranoid construction is not in fact the illness. It is an attempt at healing what the illness is - the conflation of the domains of the symbolic, imaginary, and real. n277 This conflation is what Lacan calls "psychosis." Whereas the "normal" subject is split between the three domains, the psychotic is not. He is unable to keep the domains separate. n278 The symbolic domain of language begins to lose place to the real domain. The psychotic raves incoherently, and things begin to talk to [\*1947] him directly. n279 The psychotic, "immersed in jouissance," n280 loses desire itself. Paranoia is a strategy the subject adopts to ward off breakdown. The paranoid vision holds together the symbolic order itself and thereby prevents the subject from slipping into the psychotic state in which "the concrete 'I' loses its absolute power over the entire system of its determinations." n281 This of course means - and here is the deep irony of paraonia - that bureaucracy is the very savior of romantic metaphysics. If the romantic program were ever fulfilled - if the bureaucracy were to fold up shop and let the natural side of the subject have its way - subjectivity would soon be enveloped, smothered, and killed in the night of psychosis. n282 Paranoid ambivalence toward bureaucracy (or whatever other fantasy may be substituted for it) is very commonly observed. Most recently, conservatives "organized their enjoyment" by opposing communism. n283 By confronting and resisting an all-encompassing, sinister power, the subject confirms his existence as that which sees and resists the power. n284 As long as communism existed, conservatism could be perceived. When communism disappeared, conservatives felt "anxiety" n285 - a lack of purpose. Although they publicly opposed communism, they secretly regretted its disappearance. Within a short time, a new enemy was found to organize conservative jouissance - the cultural left. (On the left, a similar story could be told about the organizing function of racism and sexism, which, of course, have not yet disappeared.) These humble examples show that the romantic yearning for wholeness is always the opposite of [\*1948] what it appears to be. n286 We paranoids need our enemies to organize our enjoyment. Paranoid construction is, in the end, a philosophical interpretation, even in the clinical cases. n287 As Schlag has perceived, the symbolic order of law is artificial. It only exists because we insist it does. We all fear that the house of cards may come crashing down. Paradoxically**, it is this very "anxiety" that shores up the symbolic**. The normal person knows he must keep insisting that the symbolic order exists precisely because the person knows it is a fiction. n288 The paranoid, however, assigns this role to the bureaucracy (and thereby absolves himself from the responsibility). Thus, paranoid delusion allows for the maintenance of a "cynical" distance between the paranoid subject and the realm of mad psychosis. n289 In truth**, cynicism toward bureaucracy shows nothing but the unconfronted depth to which the cynic is actually committed to what ought to be abolished.**

## 2NC

Gerald Graff, University of English& Education, University of Illinois at Chicago, Clueless in Academe: How Schooling Obscures The Life of The Mind, ‘3, p. 11-12

But an even more important point that some readers of my work have missed is that the ultimate motivation of my argument for teaching the conflicts is the need to clarify academic culture, not just to resolve spats among academics or cultural factions. My assumption is that an institution as rife with conflicts as the American school and college can clarify itself only by making its ideological differences coherent. But even if our cultural and educational scene were a less contentious place than it is, the centrality of controversy to learning would still need to be stressed. For there exists a deep cognitive connection between controversy and intelligibility. John Stuart Mill pointed up the connection when he observed that we do not understand our own ideas until we know what can be said against them. In Mill's words, those who "have never thrown themselves into the mental position of those who think differently from them ... do not, in any proper sense of the word, know the doctrine which they themselves profess."9 In other words, our very ability to think depends on contrast-on asking "as opposed to what?" This "dialogical" or contrastive character of human cognition has long been a given of modern thought, but the academic curriculum with its self isolated courses has yet to reflect it. When schooling is bad or dull, it is often because the curriculum effaces this element of contrast or as-opposed-to-whatness from students' view. the academic habit of evading conflict helps obscure the life of the mind.

Minteer, Human Dimensions of Biology Faculty – School of Life Sciences @ Arizona State University, ‘5

(Ben, “Environmental Philosophy and the Public Interest: A Pragmatic Reconciliation,” *Environmental Values* 14, p. 37–60)

The correct conclusion to draw here, however, is not that intrinsic value of nature claims are rendered irrelevant; rather, it is that they must be placed within a larger normative and policy context in order to be truly effective. While intrinsic value arguments can certainly be a part of the reasoning process that defines the public good in addressing serious environmental problems like anthropogenic global climate change, they will gain more salience and policy relevance, I believe, if they are advanced within the broader framework of public interest discourse. Among other things, this speaks to environmental philosophersʼ adoption of a more open and accommodating stance within environmental value discussions. Environmental philosophers should be prepared to make compelling and intelligent arguments for engaging in a truly democratic inquiry into the public interest in environmental policy debates, and these arguments should not entail an exclusivist or ideological endorsement of anthropocentrism or non-anthropocentrism as an absolutist metaphysical position. Moreover, there is ample room in the Deweyan model for environmentally-cast articulations of the public interest. For instance, environmental philosophers can inform public discussions of what is in the public interest by evoking environmental values that citizens share as a part of a common cultural inheritance, and to which large numbers of the public express loyalty (e.g., Sagoff 1988, Dunlap and Mertig 1992, Kempton et al. 1995). Philosophers, that is, can substantively flesh out the public interest by articulating widely shared environmental values in deliberative contexts as constituting the legitimate public interest in specific situations. Once more, there is no reason why this process is not open to claims supporting the intrinsic value of nature, since these now are properly viewed as reasons for the public interest in a certain context or issue, with the public interest offered as a normative justification for adopting a certain environmental policy. Although environmental ethicists (and environmentalists generally) cannot be guaranteed that our arguments will always carry the day, we should be supportive of efforts to give such claims a fair hearing, and confident enough of their validity and persuasiveness that we are willing to enter into public debate and ʻtake our chancesʼ. Likewise, we should also be willing to consider the possibility that, as difficult as it might be for a scholarly profession that prides itself on ʻgetting it rightʼ, we might sometimes be wrong.¶ The pragmatic, democratic view of the public interest I am defending here departs from many current environmental philosophersʼ presumptions that appeals to the public interest are necessarily antagonistic to the promotion of various environmentalist ends and the justification of robust environmental policy. For example, Holmes Rolston – perhaps the most prominent environmental philosopher writing today – suggested a few years ago that claims to democracy and public values in environmental cases will only result in a power struggle, one which may pretend to be democratic (or in the public interest) but will ultimately be determined by bargaining power and presumably, by unfettered economic might (Rolston 1998: 356). Rolstonʼs apparent adherence to the pluralist, interest-group model of democracy here renders him incapable of seeing how an alternative process of open deliberation and cooperative social inquiry can transform preferences and reveal shared public values able to justify preservationist, or at any rate non-exploitationist, environmental policies.

Martin Lewis, Assistant Professor at George Washington, ‘92 *Green Delusions* p. 258

A majority of those born between 1960 and 1980 seem to tend toward cynicism, and we can thus hardly expect them to be converted en masse to radical doctrines of social and environmental salvation by a few committed thinkers. It is actually possible that a radical education may make them even more cynical than they already are. While their professors may find the extreme relativism of subversive postmodernism bracingly liberating, many of today's students may embrace only the new creed's rejection of the past. Stripped of leftist social concerns, radical postmodernism's contempt for established social and political philosophy—indeed, its contempt for liberalism—may well lead to right-wing totalitarianism. When cynical, right-leaning students are taught that democracy is a sham and that all meaning derives from power, they are being schooled in fascism, regardless of their instructors' intentions. According to sociologist Jeffrey Goldfarb (1991), cynicism is the hallmark—and main defect—of the current age. He persuasively argues that cynicism's roots lie in failed left- and right-wing ideologies—systems of thought that deductively connect "a simple rationalized absolute truth ... to a totalized set of political actions and policies" (1991:82). Although most eco-radicals are anything but cynical when they imagine a "green future," they do take a cynical turn when contemplating the present political order. The dual cynical-ideological mode represents nothing less than the death of liberalism and of reform. Its dangers are eloquently spelled out by Goldfarb (1991:9): "When one thinks ideologically and acts ideologically, opponents become enemies to be vanquished, political compromise becomes a kind of immorality, and constitutional refinements become inconvenient niceties.

#### SHELBY 7 – Tommie Shelby, Professor of African and African American Studies and of Philosophy at Harvard, 2007, We Who Are Dark: The Philosophical Foundations of Black Solidarity

Even if it were possible lo effectively mobilize a multicorporatist Black Power program without running afoul of democratic values or compromising broader egalitarian concerns, this form of black solidarity may not be pragmatically desirable because of factors that are exogenous to black communities. Thus far I have discussed this program without much consideration for how other ethnoracial groups would be likely to respond to its institutional realization. It is reasonable to assume that Black Power politics would engender a counter mobilization on the part of nonblacks, and not Just whites, seeking to protect their own interests. Indeed, if Carmichael and Hamilton were correct about the essentially ethnic basis of American politics, we should fully expect this kind of resistance. With increased political centralization and organizational autonomy, openly aimed at advancing black interests, we would also likely see a rise in white nationalism, where some whites increase their collective power through greater group self-organization and solidarity, as they have often done in the past and, to some extent, continue to do even now. Such resistance would not come solely from racists, however. Some potential allies would also be alienated by this nationalist program and may consequently become (further) disillusioned with the ideal of racial integration, indifferent to black problems, or disaffected from black people. Nonblacks would naturally view their relegation to "supporting roles" within black political organizations as a sign that their help in the struggle for racial justice is unneeded or unwanted; that their commitment to racial justice is in question; that blacks are more concerned with advancing their group interests than with fighting injustice; or that blacks do not seek a racially integrated society. Moreover, because those who have status and exercise power within institutions generally have a stake in preserving these institutional structures**,** even if they no longer serve the goals for which they were initially established, nonblacks have well-founded reasons to worry that black political organizations may, through sheer inertia or opportunism, become ends in themselves. Thus, although institutional autonomy might increase the organizational independence of blacks, the overall power of the group could be reduced because of isolation from other progressive forces. This situation would be particularly disastrous for blacks who live in minority-black electoral districts, for they cannot elect effective political representation without the support of like-minded nonblack citizens.

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

Probyns piece is a mixture of affective fallacy, argument by authority, and bald ad hominem. There's a pattern here: precisely the tendency to personalize argument and to foreground what Wendy Brown has called "states of injury." Probyn says, for example, that she "felt ostracized by the books content and style." Ostracized? Argument here is seen as directly harming persons, and this is precisely the state of affairs to which I object. Argument is not injurious to persons. Policies are injurious to persons and institutionalized practices can alienate and exclude. But argument itself is not directly harmful; once one says it is, one is very close to a logic of censorship. The most productive thing to do in an open academic culture (and in societies that aspire to freedom and democracy) when you encounter a book or an argument that you disagree with is to produce a response or a book that states your disagreement. But to assert that the book itself directly harms you is tantamount to saying that you do not believe in argument or in the free exchange of ideas, that your claim to injury somehow damns your opponent's ideas.

When Probyn isn't symptomatic, she's just downright sloppy. One could work to build up the substance of points that she throws out the car window as she screeches on to her next destination, but life is short, and those with considered objections to liberalism and proceduralism would not be particularly well served by the exercise. As far as I can tell, Probyn thinks my discussion of universalism is of limited relevance (though far more appealing when put, by others, in more comfortingly equivocating terms), but she's certain my critique of appeals to identity is simply not able to accommodate the importance of identity in social and political life. As I make clear throughout the book, and particularly in my discussion of the headscarf debate in France, identity is likely to be at the center of key arguments about life in plural democracies; my point is not that identity is not relevant, but simply that it should not be used to trump or stifle argument.

In closing, I'd like to speak briefly to the question of proceduralism's relevance to democratic vitality. One important way of extending the proceduralist arguments put forth by Habeimas is to work on how institutions and practices might better promote participation in democratic life. The apathy and nonparticipation plaguing democratic institutions in the United States is a serious problem, and can be separated from the more romantic theoretical investments in a refusal to accept the terms of what counts as argument, or in assertions of inassimilable difference. With respect to the latter, which is often glorified precisely as the moment when politics or democracy is truly occurring, I would say, on the contrary democracy is not happening then-rather, the limits or deficiencies of an actually existing democracy are making themselves felt. Acknowledging struggle, conflict, and exclusion is vital to democracy, but insisting that exclusion is not so much a persistent challenge for modern liberal democracies but rather inherent to the modern liberal-democratic political form as such seems to me precisely to remain stalled in a romantic critique of Enlightenment. It all comes down to a question of whether one wants to work with the ideals of democracy or see them as essentially normative in a negative sense: this has been the legacy of a certain critique of Enlightenment, and it is astonishingly persistent in the left quarters in the academy. One hears it clearly when Robbins makes confident reference to liberalisms tendency to ignore "the founding acts of violence on which a social order is based." One encounters it in the current vogue for the work of Giorgio Agamben and Carl Schmitt. Saying that a state of exception defines modernity or is internal to the law itself may help to sharpen your diagnoses of certain historical conditions, but if absolutized as it is in these accounts, it gives you nothing but a negative diagnostic and a compensatory flight to a realm entirely other-the kind of mystical, Utopian impulse that flees from these conditions rather than confronts and fights them on terms that derive from the settled-if constantly evolving-normative basis of democratic modernity. If one is outraged by the flagrant disregard of democratic procedures in the current U.S. political regime, then one needs to be able to coherently say why democratic procedures matter, what principles underwrite them, and what historical movements and institutions have helped us to secure and support them. Argument as a critical practice and as a key component of democratic institutions and public debate has a vital role to play in such a task.

Gert Biesta et al 9, professor of Education and Director of Research at the School of Education, University of Stirling, Susan Verducci , Assistant Professor at the Humanities Department at San José State University, and Michael S. Katz, professor of philosophy and education at San Jose State, Education, Democracy and the Moral Life, 2009, p. 105-107

This example not only shows why the issue of inclusion is so prominent in the deliberative model. It also explains why the deliberative turn has generated a whole new set of issues around inclusion. The reason for this is that deliberation is not simply a form of political decision-making but first and foremost a form of political communication. The inclusion question in deliberative democracy is therefore not so much a question about who should be included - although this question should be asked always as well. It is first and foremost a question about who is able to participate effectively in deliberation. As Dryzek aptly summarises, the suspicion about deliberative democracy is "that its focus on a particular kind of reasonable political interaction is not in fact neutral, but systematically excludes a variety of voices from effective participation in democratic politics" (Dryzek, 2000, p.58). In this regard Young makes a helpful distinction between two forms of exclusion: external exclusion, which is about "how people arc [actually] kept outside the process of discussion and decision-making", and internal exclusion where people are formally included in decision-making processes but where they may find, for example, "that their claims are not taken seriously and may believe that they are not treated with equal respect" (Young, 2000, p.55). Internal exclusion, in other words, refers to those situations in which people "lack effective opportunity to influence the thinking of others even when they have access to fora and procedures of decision-making" (ibid.) which can particularly be the outcome of the emphasis of some proponents of deliberative democracy on "dispassionate, unsituatcd, neutral reason" (ibid. p.63). To counteract the internal exclusion that is the product of a too narrow focus on argument, Young has suggested several other modes of political communication which should be added to the deliberative process not only to remedy "exclusionary tendencies in deliberative practices" but also to promote "respect and trust" and to make possible "understanding across structural and cultural difference" (ibid. p.57). The first of these is greeting or public acknowledgement. This is about "communicative political gestures through which those who have conflicts . .. recognize others as included in the discussion, especially those with whom they differ in opinion, interest, or social location" (ibid., p.61; emphasis in original). Young emphasises that greeting should be thought of as a starting-point for political interaction. It "precedes the giving and evaluating of reasons" (ibid., p.79) and does so through the recognition of the other parties in the deliberation. The second mode of political communication is rhetoric and more specifically the affirmative use of rhetoric (ibid., p.63). Although one could say that rhetoric only concerns the form of political communication and not its content, the point Young makes is that inclusive political communication should pay attention to and be inclusive about the different forms of expression and should not try to purify rational argument from rhetoric. Rhetoric is not only important because it can help to get particular issues on the agenda for deliberation. Rhetoric can also help to articulate claims and arguments "in ways appropriate to a particular public in a particular situation' (ibid., p.67; emphasis in original). Rhetoric always accompanies an argument by situating it "for a particular audience and giving it embodied style and tone" (ibid., p.79). Young's third mode of political communication is narrative or storytelling. The main function of narrative in democratic communication lies in its potential "to foster understanding among members of a polity with very different experience or assumptions about what is important" (ibid., p.71). Young emphasises the role of narrative in the teaching and learning dimension of political communication. "Inclusive democratic communication", so she argues, "assumes that all participants have something to teach the public about the society in which they dwell together" and also assumes "that all participants are ignorant of some aspects of the social or natural world, and that everyone comes to a political conflict with some biases, prejudices, blind spots, or sterco-types" (ibid., p.77).It is important to emphasise that greeting, rhetoric and narrative are not meant to replace argumentation. Young stresses again and again that deliberative democracy entails "that participants require reasons of one another and critically evaluate them" (ibid., p.79). Other proponents of the deliberative model take a much more narrow approach and see deliberation exclusively as a form of rational argumentation (e.g. Bcnhabib, 1996) where the only legitimate force should be the "forceless force of the better argument" (Habermas). Similarly, Dryzck, after a discussion of Young's ideas,1 concludes that argument always has to be "central to deliberative democracy" (Dryzek, 2000, p.7l). Although he acknowledges that other modes of communication can be present and that there are good reasons to welcome them, their status is different "because they do not have to be present" (ibid., emphasis added). For Dryzek, at the end of the day, all modes of political communication must live up to the standards of rationality. This does not mean that they must be subordinated to rational argument “but their deployment only makes sense in a context where argument about what is to be done remains central” (ibid., p.168).

Jensen 05 Robert Jensen, Texas University Journalism Professor, Nowar Collective Founder, 2005, The Heart of Whiteness, p.78-87

I'm all for diversity and its institutional manifestation, multiculturalism. But we should be concerned about the way in which talk of diversity and multiculturalism has proceeded. After more than a decade of university teaching and political work, it is clear to me that a certain kind of diversity-talk actually can impede our understanding of oppression by encouraging us to focus on the cultural and individual, rather than on the political and structural. Instead of focusing on diversity, we should focus on power. The fundamental frame for pursuing analyses of issues around race, ethnicity, gender, sexuality, and class should be not cultural but political, not individual but structural. Instead of talking about diversity in race, class, gender, and sexual orientation, we should critique white supremacy, economic inequality in capitalism, patriarchy, and heterosexism. We should talk about systems and structures of power, about ideologies of domination and subordination—and about the injuries done to those in subordinate groups, and the benefits and privileges that accrue to those in dominant groups. Here's an example of what I mean: A professor colleague, a middle-aged heterosexual white man, once told me that he thought his contribution to the world—his way of aiding progressive causes around diversity issues—came by expanding his own understanding of difference and then working to be the best person he could he. He said he felt no obligation to get involved in the larger world outside his world of family and friends, work and church. In the worlds in which he found himself personal and professional, he said he tried to be kind and caring to all, working to understand and celebrate difference and diversity. There are two obvious problems with his formulation, one concerning him as an individual and one concerning the larger world. First, without a connection to a political struggle, it is difficult for anyone to grow morally and politically. My own experience has taught me that it is when I am engaged in political activity with people across identity lines that I learn the most. It is in those spaces and those relationships that my own hidden prejudices and unexamined fears emerge, in situations in which comrades whom I trust call hold me accountable. Without that kind of engagement, I rarely get to levels of honesty with people that can propel me forward. The colleague in question saw himself as being, as the cliché goes, a sensitive new age guy, but from other sources I know that he continued to behave in sexist ways in the classroom. Because he had no connection to a feminist movement—or any other liberatory movement where women might observe his behavior and he in a position to hold him accountable— there was no systematic way for him to correct his sexist habits. His self-image as a liberated man was possible only because he made sure he wasn't in spaces where women could easily challenge him. The second problem is that if everyone with privilege — especially the levels of privilege this man had—decided that all they were obligated to do in the world was to be nice to the people around them and celebrate diversity, it is difficult to imagine progressive social change ever taking place. Yes, we all must change at the micro level, in our personal relationships, if the struggle for justice is to move forward. But struggle in the personal arena is not enough; it is a necessary but not sufficient criterion for change. Lots of white people could make significant progress toward eliminating all vestiges of racism in our own psyches—which would be a good thing—without it having any tangible effect on the systems and structures of power in which white supremacy is manifested. It would not change the ways in which we benefit from being white in that system. It doesn't mean we shouldn't "work on" ourselves, only that working on ourselves is not enough. It is possible to not be racist (in the individual sense of not perpetrating overtly racist acts) and yet at the same time fail to be antiracist (in the political sense of resisting a racist system). Being not-racist is not enough. To he a fully moral person, one must find some way to be antiracist as we Because white people benefit from living in a white-supremacist society, there is an added obligation for us to struggle against the injustice of that system. The same argument holds in other realms as well. Men can be successful at not being sexist (in the sense of treating women as equals and refraining from sexist behaviors) but fail at being antisexist if we do nothing to acknowledge the misogynistic sys- tern in which we live and try to intervene where possible to change that system. The same can be said about straight people who are relatively free of antigay prejudice but do nothing to challenge heterosexism, or about economically privileged people who do nothing to confront the injustice of the economic system, or about U.S. citizens who don't seek to exploit people from other places but do nothing to confront the violence of the U.S. empire abroad. We need a political and structural, rather than a cultural and individual, framework. Of course we should not ignore differences in cultural practices, and individuals should work to change themselves. But celebrating cultural differences and focusing on one's own behavior are inadequate to the task in front of us. I have been clearer on that since September 11, 2001 after which George W. Bush kept repeating "Islam is a religion of peace," reminding Americans that as we march off on wars of domination we should respect the religion of the people we are killing. Across the United States after 9/11, people were saying, "I have to learn more about Islam."

Martin **Kramer**, editor of the Middle East Quarterly and past director of the Moshe Dayan Center for Middle Eastern and African Studies at Tel Aviv University, 20**01** "Ivory Towers on Sand: The Failure of Middle Eastern Studies in America" The Washington Institute for Near East Policy

¶ Even more humiliating to the guild was the growing prominence of in- dependent journalists and writers. Said had derided the journalists in Covering Islam, and a general contempt for them pervaded the academy. Rashid Khalidi, while president of MESA, vented a widespread resentment against the influence of journalists and writers. “[On the] level of policy and public discourse,” he wrote to MESA members, “we who actually know something about the Middle East, and have been there, and know the languages, are largely ignored, while ill-informed sensationalists like Steven Emerson and Robert D. Kaplan hog the headlines and grace the podiums of think-tanks and lecture halls.”12 In fact, many journalists were extremely well informed (and well travelled), and even controversial ones often unearthed impor- tant information. But whatever one thought of the journalists on Middle Eastern beats, their rise had been made easier by the deliberate refusal of academics to engage the press.¶ Roger Owen personified this retreat. In the midst of another Middle East crisis, Owen found time to write a short piece—for an Egyptian weekly. There he rationalized his disengagement from the American debate. “Given the very narrow political parameters which govern any policy towards the Middle East,” he wrote, there was “little mileage to be gained by running campaigns to convince those in Washington.” As for the media, “journalists who try to find out my opinions are so ignorant themselves that I cannot reasonably trust any of them to report what I try to say correctly.” Owen’s conclusion? “It is better, for the moment, to spend my time with those of my students who are troubled and upset by both the crisis itself and by having to experience it here in these unfriendly surroundings. University teach-ins and workshops will follow.”13 (For the A. J. Meyer Professor of Middle East- ern History at Harvard, those “unfriendly surroundings” were these United States.) Countless academics made the same choice Owen did. It was much easier to huddle with student disciples, who constituted a subordinate class, indebted to and dependent on their professors in every conceivable way. Unlike journalists, they would hang on every word uttered by their mentors. After all, their careers might depend on it.¶ The crisis in Middle Eastern studies arose partly from this self-imposed isolation, and the loss of an ability to communicate beyond the field—some- thing at which the pioneers of the field had excelled. The new guard, dancing to every new academic tune, found it ever more difficult to communicate with other Americans who had an interest in the region. Perhaps this was inevitable: the academics were intent upon winning legitimacy within the disci- plines, even if this dictated obeisance to the gods of theory and shunning the vulgar media. But the disciplines, it turned out, were not so easily appeased.

Walsh, University of Wisconsin-Madison political science professor, ‘8

[Katherine Cramer, *Talking about Race : Community Dialogues and the Politics of Difference*, elibrary, 197-199, ISBN: 9780226869070, accessed 2-19-10)

The investigations of intergroup dialogue in this study nevertheless present reasons to be cautious about how useful deliberative approaches can be in the realm of race relations. Even in these dialogues, not all participants are scrutinized to the same degree. These dialogues are a site in which conventional notions of authority are contested, but they seem at times to confer legitimacy on people of color without simultaneously requiring whites to assume an equal role in the exchange. In order for these dialogues to serve as a site in which motives and perceptions are open to scrutiny by listeners, everyone needs to contribute—people of dominant racial categories as well as people from marginalized racial groups. As suggested in the previous chapter, if whites mainly listen and only people of color speak, then the dialogues are not actually an exchange or a collective attempt to move a community forward.24 If only members of marginalized racial groups take on the role of speaker and are seldom in the role of listener, this may not constitute power over the conversation so much as a peculiar status. In such a situation, only their views—not the views of members of dominant racial groups—are subject to scrutiny. This reduces the potential of this public talk to serve as community- and actionproducing discussion. As Susan Bickford explains, Exempting some from listening (either implicitly or explicitly) can stifle the vitality of political interaction, and could also result in a kind of patronizing hierarchy of citizenship: certain citizens cannot be expected to exercise certain responsibilities and thus are somehow lacking, not wholly mature citizens. ... If I regard you as exempted from listening because of your oppression, I certainly am not regarding you as a partner in political action. It is as though I am doing something for you, rather than our acting together—or on a collective level, as though we are letting them into our public, rather than creating one together through speaking and listening.25 Intergroup dialogue needs to be civil enough for people to talk and share views. But for it to constitute a joint project, a credible joint attempt by people to understand their community and take steps to improve it, it has to involve the scrutiny of all participants.

### A.T Law Bad

Law itself is not bad, it can be violent and it can restrain violence but skills are key either way – especially when it’s topical to restrict TK!!!

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

### dillon

This ev is a straw person—it’s cut from a book review, which concludes that Wake’s vision of state violence isn’t even accurate

Dillon 12

Ph.D. candidate in American Studies at the University of Minnesota.

(“State of White Supremacy: Racism, Governance, and the United States” (Book Review) August 28, 2012, http://www.darkmatter101.org/site/2012/08/28/book-review-state-of-white-supremacy-darkmatter-journal/)

These critiques of the state are powerfully extended by the work of Andrea Smith and João H. Costa Vargas in the book’s final section. Smith continues the collection’s critique of the law by observing that “genocide has never been against the law in the United States” because “Native Genocide has been expressly sanctioned as the law” (231). Like Rodríguez, Smith argues for a politics of abolition and undoing rather than reform and inclusion. In her analysis of hate crimes legislation, Smith argues that instead of making racialized and gendered violence illegal (given that racialized and gendered violence is already executed through the law in the prison, reservation, and the ghetto), we must make our organizing, theorizing, and teaching against the law. If the state is foundational to racialized, gendered, and heterosexist violence, then the state should not be the mediator of pain and grievance because “the state is now going to be the solution to the problem it created in the first place” (232). The work of João H. Costa Vargas complements this analysis by making clear the ways the law produces anti-black genocide. For Vargas, the black diaspora is a “geography of death” where the premature and preventable deaths of black people are authorized by a “cognitive matrix” that systematically renders black life devalued. Vargas would surely understand the preventable deaths produced by the medical industry as a form of genocide, namely because intent is not central to his theorization of the concept. Instead, creating or tolerating conditions that produce mass-based uneven vulnerability to premature death is genocidal, making white supremacy itself a genocidal project. Accordingly, genocide is at the core of our ethical standards, is foundational to modern politics, and is central to our cognitive apparatuses (269). To challenge genocide we must undo the epistemologies that support systems of value and disposability and make possible the slow deaths that are the “condition of possibility for our present subjectivities and modern politics” (269).

**[Wake’s card ends]**

These important challenges to dominant (and leftist) understandings of race, subjectivity, the law, the state, and knowledge are what make this text significant, and are at the heart of its intervention into critical studies of race and power. However, the collection is inconsistent with the interventions it makes in contemporary critical scholarship. A number of the essays simply repeat well-known and well-worn arguments about race in the United States. For example, post-colonial and feminist scholars have long argued that liberalism is an intensely racialized and gendered project. Indeed, one of the collection’s most profound shortcomings is its inability to analyze white supremacy as always and already colluding with gender, sexuality, capitalism, and heteropatriarchy. While the work of Smith, James, and Junaid Rana considers the complicities between race, gender, and sexuality, many of the essays treat white supremacy as analytically distinguishable from other formations of power. For at least the last 40 years, feminists of color have argued that race, gender, class, sexuality, and the state are interlocking and colluding mechanisms of power. Thus, women of color feminism names the ways multiply determined difference is simultaneously central to and yet incessantly disavowed in the production and reproduction of capital, the state, and the law. In other words, white supremacy is not, nor has it ever been, isolated or separated from the operations of gender, sexuality, and capital. The absent insights of these scholars, in addition to more recent work in queer studies that deploys queer of color critique, is a major shortcoming of the collection.[5] Nevertheless, the collection could provide a powerful teaching tool for sociology, American studies, political science, and cultural studies, in addition to providing an urgent call for scholars to center white supremacy in their research and classrooms.

## 1NR

### 2NC O/V

**And it’s key to maintain rights – empirics like Bosnia and Kosovo prove**

**Ignatieff 03, Director of the Carr Center at the Kennedy School of Government at Harvard** (Michael, Hamilton Spectator, January 18)

Regime change also raises the difficult question for Americans of whether their own freedom entails a duty to defend the freedom of others beyond their borders. Yet it remains a fact -- as disagreeable to those left wingers who regard American imperialism as the root of all evil as it is to the right-wing isolationists, who believe that the world beyond our shores is none of our business -- that there are many peoples who owe their freedom to an exercise of American military power. It's not just the Japanese and the Germans who became democrats under the watchful eye of Generals MacArthur and Clay. There are the Bosnians whose nation survived because American air power and diplomacy forced an end to a war the Europeans couldn't stop. There are the Kosovars who would still be imprisoned in Serbia, if not for Gen. Wesley Clark and the Air Force. The list of people whose freedom depends on American air and ground power also includes the Afghans and, most inconveniently of all, the Iraqis. The moral evaluation of empire gets complicated when one of its benefits might be freedom for the oppressed. Iraqi exiles are adamant: even if the Iraqi people might be the immediate victims of an American attack, they would also be its ultimate beneficiaries. Whenever it has exerted power overseas, America has never been sure whether it values stability -- which means not only political stability but also the steady, profitable flow of goods and raw materials -- more than it values its own rhetoric about democracy. When the two values have collided, American power has come down heavily on the side of stability, for example, toppling democratically elected leaders from Mossadegh in Iran to Allende in Chile. Next door in Iran, America had backed stability over democracy, propping up the autocratic rule of the shah, only to reap the whirlwind of an Islamic fundamentalist revolution in 1979 that delivered neither stability nor real democracy. Does the same fate await an American operation in Iraq? International human rights groups such as Amnesty International are dismayed at the way both the British government of Tony Blair and the Bush administration are citing the human rights abuses of Hussein to defend the idea of regime change. Certainly British and U.S. governments maintained a dishonourable silence when Hussein gassed the Kurds in 1988. Yet human rights groups seem more outraged by the prospect of action than by the abuses they once denounced. The fact that states are late and hypocritical in adopting human rights does not deprive them of the right to use force to defend them. The disagreeable reality for those who believe in human rights is that there are some occasions -- and Iraq may be one of them -- when war is the only real remedy for regimes that live by terror. The choice is one between two evils, between containing and leaving a tyrant in place and the targeted use of force, which will kill people but free a nation from the tyrant's grip.

#### Limited imperialism is way better than the alternative to it

#### Kaplan, 3/19 [Robert D., chief geopolitical analyst for Stratfor, and a national correspondent for The Atlantic, “In Defense of Empire,” <http://www.theatlantic.com/magazine/archive/2014/04/in-defense-of-empire/358645/?utm_content=buffer97fc7&utm_source=twitter.com>, ALB

In June 1941, during the festival of Shavuot, a mob of Arab soldiers and tribesmen led a pogrom in the Jewish quarter of Baghdad, murdering well over 180 men, women, and children. The pogrom, known locally as the Farhud (“looting”), was documented by the late Baghdadi Jew and Middle East specialist Elie Kedourie in his 1970 book The Chatham House Version and Other Middle-Eastern Studies. Kedourie blamed British authorities for failing to protect the Jews, despite having taken over responsibility for Mesopotamia from the Ottoman Empire more than two decades earlier. He explained that the Jews could “cheerfully acknowledge” the “right of conquest,” whether exercised by the Ottomans or by the British, because “their history had taught them that there lay safety.” But the British failure to enforce the law and provide imperial order was the kind of transgression that ethnic and religious minorities could ill afford: traditionally, imperialism itself, most notably that of the Hapsburgs and the Ottomans, had protected minorities from the tyranny of the majority. It wasn’t imperialism per se that Kedourie railed against, but weak, ineffectual imperialism.¶ To be sure, the British had their hands full in Mesopotamia in 1941: given the tendency of the Arab masses toward anti-Western and anti-Zionist ideologies (a tendency that was itself at least in part a reaction to British dominance), colonial authorities were desperate to keep Nazi influence out of the Middle East. As a result, the British ambassador opted for a lighter hand when at a certain point he ought to have used a heavier one. Be that as it may, what is not at issue, as Kedourie correctly stated, is the responsibility that conquest historically carried with it.¶ Throughout history, governance and relative safety have most often been provided by empires, Western or Eastern. Anarchy reigned in the interregnums. To wit, the British may have failed in Baghdad, Palestine, and elsewhere, but the larger history of the British Empire is one of providing a vast armature of stability, fostered by sea and rail communications, where before there had been demonstrably less stability. In fact, as the Harvard historian Niall Ferguson has argued, the British Empire enabled a late-19th- and early-20th-century form of globalization, tragically interrupted by a worldwide depression, two world wars, and a cold war. After that, a new form of globalization took root, made possible by an American naval and air presence across large swaths of the Earth, a presence of undeniably imperial dimensions. Globalization depends upon secure sea lines of communication for trade and energy transfers: without the U.S. Navy, there’d be no globalization, no Davos, period.¶ But imperialism is now seen by global elites as altogether evil, despite empires’ having offered the most benign form of order for thousands of years, keeping the anarchy of ethnic, tribal, and sectarian war bands to a reasonable minimum. Compared with imperialism, democracy is a new and uncertain phenomenon. Even the two most estimable democracies in modern history, the United States and Great Britain, were empires for long periods. “As both a dream and a fact the American Empire was born before the United States,” writes the mid-20th-century historian of westward expansion Bernard DeVoto. Following their initial settlement, and before their incorporation as states, the western territories were nothing less than imperial possessions of Washington, D.C. No surprise there: imperialism confers a loose and accepted form of sovereignty, occupying a middle ground between anarchy and full state control.¶ Ancient empires such as Rome, Achaemenid Persia, Mauryan India, and Han China may have been cruel beyond measure, but they were less cruel and delivered more predictability for the average person than did anything beyond their borders. Who says imperialism is necessarily reactionary? Athens, Rome, Venice, and Great Britain were the most enlightened regimes of their day. True, imperialism has often been driven by the pursuit of riches, but that pursuit has in many cases resulted in a hard-earned cosmopolitanism. The early modern empires of Hapsburg Austria and Ottoman Turkey were well known for their relative tolerance and protection of minorities, including the Jews. Precisely because the Hapsburg imperialists governed a mélange of ethnic and religious groups stretching from the edge of the Swiss Alps to central Romania, and from the Polish Carpathians to the Adriatic Sea, they abjured ethnic nationalism and sought a universalism almost postmodern in its design. What followed the Hapsburgs were mono-ethnic states and quasi-democracies that persecuted minorities and helped ease the path of Nazism.¶ All of these empires delivered more peace and stability than the United Nations ever has or probably ever could. Consider, too, the American example. The humanitarian interventions in Bosnia and Kosovo, and the absence of such interventions in Rwanda and Syria, show American imperialism in action, and in abeyance.¶

### A2: ! outweigh

Impact can’t outweigh – they can’t solve it cuz don’t resolve all structures – even if heg declines – racism can still exist – bigots won’t stop being bigots

**Other states won’t follow your transition—they will just exploit US weakness**

**Murray 97**, - Professor Politics at the University of Wales, 1997 (Alastair Reconstructing Realism: Between Power Politics and Cosmopolitan Ethics, p. 181-2)

This highlights the central difficulty with Wendt's constructivism. It is not any form of unfounded idealism about the possibility of effecting a change in international politics. Wendt accepts that the intersubjective character of international institutions such as self-help render them relatively hard social facts. Rather, What is problematic is his faith that such chance, if it could be achieved, implies progress. Wendt's entire approach is governed by the belief that the problematic elements of international politics can be transcended, that the competitive identities which create these elements can be reconditioned, and that the predatory policies which underlie these identities can be eliminated. Everything in his account, is up for gabs: there is no core of recalcitrance to human conduct which cannot be reformed, unlearnt, disposed of. This venerates a stance that so privileges the possibility of a systemic transformation that it simply puts aside the difficulties which it recognises to be inherent in its achievement. Thus, even though Wendt acknowledges that the intersubjective basis of the self-help system makes its reform difficult, this does not dissuade him. He simply demands that states adopt a strategy of 'altercasting', a strategy which 'tries to induce alter to take on a new identity (and thereby enlist alter in ego's effort to change itself) by treating alter as if it already had that identity'. Wendt's position effectively culminates in a demand that the state undertake nothing less than a giant **leap of faith**. The fact that its opponent might not take its overtures seriously. might not be interested in reformulating its own construction of the world. **or might** simply **see such an opening as a weakness to be exploited.** are completely discounted. The prospect of achieving a systemic transformation simply outweighs any adverse consequences which might arise from the effort to achieve it. Wendt ultimately appears, in the final analysis, to have overdosed on 'Gorbimania'.

**Democracy and economic liberalization checks their impacts**

**O’Kane 97  (“Modernity, the Holocaust, and politics”, Economy and Society, February, ebsco)**

Chosen policies cannot be relegated to the position of immediate condition (Nazis in power) in the explanation of the Holocaust.  Modern bureaucracy is not ‘intrinsically capable of genocidal action’ (Bauman 1989: 106).  Centralized state coercion has no natural move to terror.  In the explanation of modern genocides it is chosen policies which play the greatest part, whether in effecting bureaucratic secrecy, organizing forced labour, implementing a system of terror, harnessing science and technology or introducing extermination policies, as means and as ends. As Nazi Germany and Stalin’s USSR have shown, furthermore, those chosen policies of genocidal government turned away from and not towards modernity.  The choosing of policies,however, is not independent of circumstances.  An analysis of the history of each case plays an important part in explaining where and how genocidal governments come to power and analysis of political institutions and structures also helps towards an understanding of the factors which act as obstacles to modern genocide.  But it is not just political factors which stand in the way of another Holocaust in modern society.  Modern societies have not only pluralist democratic political systems but also economic pluralism where workers are free to change jobs and bargain wages and where independent firms, each with their own independent bureaucracies, exist in competition with state-controlled enterprises.  In modern societies this economic pluralism both promotes and is served by the open scientific method.  By ignoring competition and the capacity for people to move between organizations whether economic, political, scientific or social, Bauman overlooks crucial but also very ‘ordinary and common’ attributes of truly modern societies.  It is these very ordinary and common attributes of modernity which stand in the way of modern genocides.

### A2: we about here

**Even if they just talk about here – you need to support heg in academia – it plays a key role in supporting or ending US military policy – empirics prove – their criticism destroys support for Heg which causes it’s inevitably collapse – so we access our Turn – BUT they don’t access solvency because they don’t change BROADER OVERALL foreign policy**

**Patterson 07**—Frmr Lt. Col, USAF (Robert, War Crimes: The Left's Campaign to Destroy Our Military and Lose the War on Terror, 7-10,)

In my years serving as military aide to President Bill Clinton, when I carried the "nuclear football" and thus had to shadow the president at all hours, I gained an intimate understanding of how he and other Democratic leaders regarded the armed forces. Not only didn't the Left understand military culture, they regarded it with utter disdain. Still, that alone did not explain the Left's subversive behavior in the War on Terror. It was only on my return from Iraq that I had something of an epiphany. Sitting in the Baghdad airport waiting for a massive sandstorm to pass, I engaged in a conversation with another American who sat nearby, waiting for the same flight. It turned out she was an official for the United Nations. Quickly our discussion moved to the horrific bombing of the day before: an indescribably evil terrorist had crashed his explosive-laden car into a crowd of Iraqi children who were receiving candy from a U.S. soldier, !,.illing twenty-seven. "Why do the soldiers do that?" the woman asked me in her Madonna-like faux-British accent. "They must know that sort of thing only attracts the terrorists. I wish they wouldn't do that to those children." I was stunned. She was blaming the U.S. soldier for the deaths of the children! AI Qaeda's car-bombing thugs had dictated the time and the place for their murders, and their evil scheme had claimed the lives of innocent Iraqi children and a caring American soldier. But this American official did not direct her anger at the terrorists. Instead she indicted the U.S. soldier who was compassionately passing out candy to poor Iraqi kids. It was then that I realized why America's liberals could fail to process, or even acknowledge, the remarkable achievements in the Middle East, including the liberation of millions of oppressed people: They are so blinded by their pathological hatred for their own nation that **defeatism is their only recourse**. They cannot credit the United States and its armed forces with success because, to them, America and especially the U.S. military are the real enemy. After 9/1 1, the question that dominated the national discourse was: Why do they hate us? That question referred , of course, to the radical Islamic world, but as has become clear in the succeeding yea rs, it could apply just as easily to the American Left. In this time of national crisis, the Left has formed what my friend and colleague David Horowitz, a former left-wing activist, caUs an "Unholy Alliance" with our Islamofascist enemies." America, unfortunately, has overlooked this **internal threat**, when in fact it represents the greatest obstacle to our success in the War on Terror. This conflict is, as we knew it would be from the beginning, a long and arduous struggle, but seeing it through to victory is our only option if we want to preserve the freedoms the Islamofascists so detest. Yet every day that passes, the Left saps more of our nation's will to fight. This is no accident. The Left's campaign against America's War on lerror is a weiJ-coordinated, well-financed operation tJ1at involves individuals and institutions from all parts of our society. Leading Democratic politicians, major media outlets, academia, popular culture, and a host of deep-pocketed radical organizations combine to form a Fifth Column that undermines our military's heroic efforts in this global campaign. **The frightening reality is that the United States will not win the war against radical Islam unless and until we defeat the enemy within.** IN BED WITH THE ENEMY Throughout the Cold War, leftist Communist sympathi.zers and fellow America-haters across politics, academia, media, and the popular culture united in their opposition to the United States. Thev, sided with the Communist states of the Soviet Union, China, Cuba, North Korea, and Nicaragua, not to mention tinpot dictators in Uganda, Libya, and Iraq. The leadership and vision of President Ronald Reagan shatten~ d their dreams by causing the collapse of the Soviet Union and the rest of tJ1c Communist bloc. Still, the Left continues to see their country through the "hammer and sickle" lens. **They see America as racist**, sexist, repressively capitalistic, imperialist, and "too Christian". With the horrific events of 9/ll, the Left had an opportunity to change course. lt was simple: they could reembracc the progressive patriotism of Franklin Delano Roosevelt, Harrv Truman, v , <~nd John F. Kenned)', or they could continue to oppose the U.S. military and disregard freedom, capitalism, and democracy. Predictably and sadly, they chose the laner. The ''D'' in Democrat more than ever represents ''defeatism'' and ''disdain" defeat for America and disdain for its uniformed forces. The Jist of offenders is long but includes Nancy Pelosi, John Murtha, Harry Reid, Hillary Clinton, Ted Kennedy, and John Kerry, to name a few. Liberals believe that an antiwar movement will bring them political capital, as it did during Vietnam. By inflating Vietnam into the symbol of American imperialism, leftists achieved their real goals- power in Washington, D.C. (where they could cripple the war machine) and control of the **nation's universities** and editorial offices. The costs of their shameless agenda were horrifying. Not only were 58,000 Americans killed in Vietnam, but after the Left's ceaseless protests finally convinced America's leaders to pull out of a war they were winning militarily, some 2.5 million Vietnamese and Cambodians were murdered under Communist regimes. It did not have to be that way. North Vietnamese General Staff officer Colonel Bui Tin later credited the American antiwar movement with the Communist victory over U.S. forces. **'Through dissent and protest;**' Tin said, **the U**nited **S**tates "**lost the ability to mobilize a will to win."**13 North Vietnamese General Yo Nguyen Giap agreed. "We were not strong enough to drive out a halfmillion American troops, but that wasn't our aim;' he said. "Our intention was to break the will of the American government to continue the war."" That is exactly what happened. And now our Islamofascist enemies want history to repeat itself. Jn a July 2005 letter to al Qaeda's then-leader in Iraq, Abu Musab ai-Zarqawi, bin Laden's second in command, Ayman al-Zawahiri, remarked, "The aftermath of the collapse of American power in Vietnam-and how they ran and left their agents- is noteworthy.'' Thus Zawahiri reminded his top terrorist in Iraq that "more than half of this battle is taking place in the battlefield of the media." And that "we are in a media battle in a race for the heart and minds of our Umma [Muslim population].'''5 Having lost one war for America already, the Left-led by many who came of age during Vietnam-is once again shamelessly exploiting for political gain an armed conflict and the deaths of brave American soldiers. Leftists announced their willingness to unite with the jihadists early on. Propagandist filmmaker Michael Moore declared, "The Iraqis who have risen up against the occupation are not 'insurgents' or 'terrorists' or 'the enemy.' They are the REVOLUTION, the Minutemen, and their numbers will grow-and they will win. Get it, Mr. Bush?"'6

### SV

**Heg decreases structural violence – alternatives are worse**

Thomas P.M. **Barnett 11**, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat, worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, September 12, 2011, “The New Rules: The Rise of the Rest Spells U.S. Strategic Victory,” World Politics Review, online: <http://www.worldpoliticsreview.com/articles/9973/the-new-rules-the-rise-of-the-rest-spells-u-s-strategic-victory>

Structural violence- rooted in pessismism

First the absurdity: A few of the most over-the-top Bush-Cheney neocons did indeed promote a vision of U.S. primacy by which America shouldn't be afraid to wage war to keep other rising powers at bay. **It was a nutty concept then**, and it **remains a nutty concept today**. But since it feeds a lot of major military weapons system purchases, especially for the China-centric Air Force and Navy, don't expect it to disappear so long as the Pentagon's internal budget fights are growing in intensity. ¶ Meanwhile, the Chinese do their stupid best to fuel this outdated logic by building a force designed to keep America out of East Asia just as their nation's dependency on resources flowing from unstable developing regions skyrockets. With America's fiscal constraints now abundantly clear, the world's primary policing force is pulling back, while that force's implied successor is nowhere close to being able to field a similar power-projection capacity -- and never will be. So with NATO clearly stretched to its limits by the combination of Afghanistan and Libya, a lot of future fires in developing regions will likely be left to burn on their own. We'll just have to wait and see how much foreign commentators delight in that G-Zero dynamic in the years ahead. ¶ That gets us to the original "insult": the U.S. did not lord it over the world in the 1990s. Yes, it did argue for and promote the most rapid spread of globalization possible. But **the "evil" of the Washington Consensus** only yielded the **most rapid growth of a truly global middle class that the world has ever seen**. Yes, we can, in our current economic funk, somehow cast that development as the "loss of U.S. hegemony," in that the American consumer is no longer the demand-center of globalization's universe. But this is without a doubt the most amazing achievement of U.S. foreign policy, surpassing even our role in World War II. ¶ Numerous world powers served as global or regional hegemons before we came along, **and their record on economic development was painfully transparent**: **Elites got richer, and the masses got poorer**. Then America showed up after World War II and engineered an international liberal trade order, one that was at first admittedly limited to the West. But within four decades it went virally global, and now for the first time in history, more than half of our planet's population lives in conditions of modest-to-mounting abundance -- **after millennia of mere sustenance**. ¶ You may choose to interpret this as some sort of cosmic coincidence, but the historical sequence is undeniable: **With its unrivaled power, America made the world a far better place**. ¶ That spreading wave of global abundance has reformatted all sorts of traditional societies that lay in its path. Some, like the Chinese, have adapted to it magnificently in an economic and social sense, with the political adaptation sure to follow eventually. Others, being already democracies, have done far better across the board, like Turkey, Indonesia and India. But there are also numerous traditional societies where that reformatting impulse from below has been met by both harsh repression from above and violent attempts by religious extremists to effect a "counterreformation" that firewalls the "faithful" from an "evil" outside world.¶ Does this violent blowback constitute the great threat of our age? Not really. As I've long argued, this "friction" from globalization's tectonic advance is merely what's left over now that great-power war has gone dormant for 66 years and counting, with interstate wars now so infrequent and so less lethal as to be dwarfed by the civil strife that plagues those developing regions still suffering weak connectivity to the global economy. ¶ Let's remember what the U.S. actually did across the 1990s after the Soviet threat disappeared. It went out of its way to police the world's poorly governed spaces, battling rogue regimes and answering the 9-1-1 call repeatedly when disaster and/or civil strife struck vulnerable societies. **Yes, playing globalization's bodyguard made America public enemy No. 1 in the eyes of its most violent rejectionist movements**, including al-Qaida, but we made the effort because, in our heart of hearts, we knew that this is what blessed powers are supposed to do. ¶ Some, like the Bush-Cheney neocons, were driven by more than that sense of moral responsibility. They saw a chance to remake the world so as to assure U.S. primacy deep into the future. The timing of their dream was cruelly ironic, for it blossomed just as America's decades-in-the-making grand strategy reached its apogee in the peaceful rise of so many great powers at once. Had Sept. 11 not intervened, the neocons would likely have eventually targeted rising China for strategic demonization. Instead, they locked in on Osama bin Laden. The rest, as they say, is history. ¶ The follow-on irony of the War on Terror is that its operational requirements actually revolutionized a major portion of the U.S. military -- specifically the Army, Marines and Special Forces -- in such a way as to redirect their strategic ethos from big wars to small ones. It also forged a new operational bond between the military's irregular elements and that portion of the Central Intelligence Agency that pursues direct action against transnational bad actors. The up-front costs of this transformation were far too high, largely because the Bush White House stubbornly refused to embrace counterinsurgency tactics until after the popular repudiation signaled by the 2006 midterm election. But the end result is clear: **We now have the force we actually need to manage this global era**.¶ But, of course, **that can all be tossed into the dumpster** if we convince ourselves that our "loss" of hegemony was somehow the result of our own misdeed, instead of being our most profound gift to world history. Again, we grabbed the reins of global leadership and patiently engineered not only the **greatest redistribution -- and expansion -- of global wealth ever seen,** but also the **greatest consolidation of global peace ever seen**. ¶ Now, if we can sensibly realign our strategic relationship with the one rising great power, China, whose growing strength upsets us so much, then in combination with the rest of the world's rising great powers we can collectively wield enough global policing power to manage what's yet to come. ¶ As always, **the choice is ours**.

### War on Upswing

**Their ev cites data like Uppsala Conflict data – that’s wrong**

**Busby 12**

Josh Busby, is an Assistant Professor at the LBJ School of Public Affairs at the University of Texas-Austin, The Duck of Minerva (don't worry - it's legit), January 3, 2012, "Get Real! Chicago IR guys out in force", http://duckofminerva.blogspot.com/2012/01/get-real-chicago-ir-guys-out-in-force.html

Monteiro's piece “Unrest Assured: Why Unipolarity Is Not Peaceful” basically takes issue with Bill Wohlforth's earlier work on unipolarity and tries to ask a slightly different question. Rather than assess whether unipolarity is stable, he tries to evaluate whether it is peaceful. And his answer is that unipolarity is not at all peaceful and much less peaceful than other periods and then seeks to explain why. Is Unipolarity Peaceful? As evidence, Monteiro provides metrics of the number of years during which great powers have been at war. For the unipolar era since the end of the Cold War, the United States has been at war 13 of those 22 years or 59% (see his Table 2 below). Now, I've been following some of the discussion by and about Steven Pinker and Joshua Goldstein's work that suggests the world is becoming more peaceful with interstate wars and intrastate wars becoming more rare. I was struck by the graphic that Pinker used in a Wall Street Journal piece back in September that drew on the Uppsala Conflict Data, which shows a steep decline in the number of deaths per 100,000 people. How do we square this account by Monteiro of a unipolar world that is not peaceful (with the U.S. at war during this period in Iraq twice, Afghanistan, Kosovo) and Pinker's account which suggests declining violence in the contemporary period? Where Pinker is focused on systemic outcomes, Monteiro's measure merely reflect years during which the great powers are at war. Under unipolarity, there is only one great power so the measure is partial and not systemic. However, Monteiro's theory aims to be systemic rather than partial. In critiquing Wohlforth's early work on unipolarity stability, Monteiro notes: Wohlforth’s argument does not exclude all kinds of war. Although power preponderance allows the unipole to manage conflicts globally, this argument is not meant to apply to relations between major and minor powers, or among the latter (17). So presumably, a more adequate test of the peacefulness or not of unipolarity (at least for Monteiro) is not the number of years the great power has been at war but whether the system as a whole is becoming more peaceful under unipolarity compared to previous eras, including wars between major and minor powers or wars between minor powers and whether the wars that do happen are as violent as the ones that came before. Now, as Ross Douthat pointed out, Pinker's argument isn't based on a logic of benign hegemony. It could be that even if the present era is more peaceful, unipolarity has nothing to do with it. Moreover, Pinker may be wrong. Maybe the world isn't all that peaceful. I keep thinking about the places I don't want to go to anymore because they are violent (Mexico, Honduras, El Salvador, Nigeria, Pakistan, etc.) As Tyler Cowen noted, the measure Pinker uses to suggest violence is a per capita one, which doesn't get at the absolute level of violence perpetrated in an era of a greater world population. But, if my read of other reports based on Uppsala data is right, war is becoming more rare and less deadly (though later data suggests lower level armed conflict may be increasing again since the mid-2000s). The apparent violence of the contemporary era may be something of a presentist bias and reflect our own lived experience and the ubiquity of news media. Even if the U.S. has been at war for the better part of unipolarity, the deadliness is declining, even compared with Vietnam, let alone World War II.

**Statistics go neg – they’re gonna read a card that says Heg causes war – our ev answers that and says evne if it causes SOME violence – it decreases OVERALL violence**

**Owen 11** [John Owen, Associate professor in the University of Virginia's Department of Politics, recipient of fellowships from the Olin Institute for Strategic Studies at Harvard, and the Center for International Security and Cooperation at Stanford, and the Center of International Studies at Princeton, PhD in international relations from Harvard, February 11, 2011, “Don’t Discount Hegemony, [www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/](http://www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/)]

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us? Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that violent conflict around the world has been decreasing in fits and starts since the Second World War. When it comes to violent conflict among and within countries, things have been getting better. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological. Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A. But the most important “nuclear-peace” claim has been about mutually assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another. Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now. Regarding the downward trend in international war, Professor Mack is friendlier to more palatable theories such as the “democratic peace” (democracies do not fight one another, and the proportion of democracies has increased, hence less war);the interdependence or “commercial peace” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in civil wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries). These are all plausible mechanisms for peace. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars. We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically American hegemony. A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that for the global economy to remain open—for countries to keep barriers to trade and investment low—one powerful country must take the lead. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant. There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that American hegemony might just be a deep cause of the steady decline of political deaths in the world. How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history. The answer is that U.S. hegemony might just be a deeper cause of the proximate causes outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) render violence irrational. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has prodded other countries to embrace the market capitalism that entails economic openness and produces sustainable economic growth. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth. Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and left market capitalism the best model. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, eliminated the superpowers’ incentives to feed civil violence in the Third World.) What we call globalization is caused in part by the emergence of the United States as the global hegemon.

**History proves hegemony solves war**

**Drezner 05** [Daniel, Gregg Easterbrook, Associate Professor of International Politics at the Fletcher School of Law and Diplomacy at Tufts University, “War, and the dangers of extrapolation,” may 25]

Daily explosions in Iraq, massacres in Sudan, the Koreas smakestaring at each other through artillery barrels, a Hobbesian war of all against all in eastern Congo--combat plagues human society as it has, perhaps, since our distant forebears realized that a tree limb could be used as a club. But here is something you would never guess from watching the news: War has entered a cycle of decline. Combat in Iraq and in a few other places is an exception to a significant global trend that has gone nearly unnoticed--namely that, for about 15 years, there have been steadily fewer armed conflicts worldwide. In fact, it is possible that a person's chance of dying because of war has, in the last decade or more, become the lowest in human history. Is Easterbrook right? He has a few more paragraphs on the numbers: The University of Maryland studies find the number of wars and armed conflicts worldwide peaked in 1991 at 51, which may represent the most wars happening simultaneously at any point in history. Since 1991, the number has fallen steadily. There were 26 armed conflicts in 2000 and 25 in 2002, even after the Al Qaeda attack on the United States and the U.S. counterattack against Afghanistan. By 2004, Marshall and Gurr's latest study shows, the number of armed conflicts in the world had declined to 20, even after the invasion of Iraq. All told, there were less than half as many wars in 2004 as there were in 1991. Marshall and Gurr also have a second ranking, gauging the magnitude of fighting. This section of the report is more subjective. Everyone agrees that the worst moment for human conflict was World War II; but how to rank, say, the current separatist fighting in Indonesia versus, say, the Algerian war of independence is more speculative. Nevertheless, the Peace and Conflict studies name 1991 as the peak post-World War II year for totality of global fighting, giving that year a ranking of 179 on a scale that rates the extent and destructiveness of combat. By 2000, in spite of war in the Balkans and genocide in Rwanda, the number had fallen to 97; by 2002 to 81; and, at the end of 2004, it stood at 65. This suggests the extent andintensity of global combat is now less than half what it was 15 years ago. Easterbrook spends the rest of the essay postulating the causes of this -- the decline in great power war, the spread of democracies, the growth of economic interdependence, and even the peacekeeping capabilities of the United Nations. Easterbrook makes a lot of good points -- most people are genuinely shocked when they are told that even in a post-9/11 climate, there has been a steady and persistent decline in wars and deaths from wars. That said, what bothers me in the piece is what Easterbrook leaves out. First, he neglects to mention the biggest reason for why war is on the decline -- there's a global hegemon called the United States right now. Easterbrook acknowledges that "the most powerful factor must be the end of the cold war" but he doesn't understand why it's the most powerful factor. Elsewhere in the piece he talks about the growing comity among the great powers, without discussing the elephant in the room: the reason the "great powers" get along is that the United States is much, much more powerful than anyone else. If you quantify power only by relative military capabilities, the U.S. is a great power, there are maybe ten or so middle powers, and then there are a lot of mosquitoes.[If the U.S. is so powerful, why can't it subdue the Iraqi insurgency?--ed. Power is a relative measure -- the U.S. might be having difficulties, but no other country in the world would have fewer problems.] Joshua Goldstein, who knows a thing or two about this phenomenon, made this clear in a Christian Science Monitor op-ed three years ago: We probably owe this lull to the end of the cold war, and to a unipolar world order with a single superpower to impose its will in places like Kuwait, Serbia, and Afghanistan. The emerging world order is not exactly benign – Sept. 11 comes to mind – and Pax Americana delivers neither justice nor harmony to the corners of the earth. But a unipolar world is inherently more peaceful than the bipolar one where two superpowers fueled rival armies around the world. The long-delayed "peace dividend" has arrived, like a tax refund check long lost in the mail. The difference in language between Goldstein and Easterbrook highlights my second problem with "The End of War?" Goldstein rightly refers to the past fifteen years as a "lull" -- a temporary reduction in war and war-related death. The flip side of U.S. hegemony being responsible for the reduction of armed conflict is what would happen if U.S. hegemony were to ever fade away. Easterbrook focuses on the trends that suggest an ever-decreasing amount of armed conflict -- and I hope he's right. But I'm enough of a realist to know that if the U.S. should find its primacy challenged by, say, a really populous non-democratic country on the other side of the Pacific Ocean, all best about the utility of economic interdependence, U.N. peacekeeping, and the spread of democracy are right out the window. UPDATE: To respond to a few thoughts posted by the commenters: 1) To spell things out a bit more clearly -- U.S. hegemony important to the reduction of conflict in two ways. First, U.S. power can act as a powerful if imperfect constraint on pairs of enduring rivals (Greece-Turkey, India-Pakistan) that contemplate war on a regular basis. It can't stop every conflict, but it can blunt a lot of them. Second, and more important to Easterbrook's thesis, U.S. supremacy in conventional military affairs prevents other middle-range states -- China, Russia, India, Great Britain, France, etc. -- from challenging the U.S. or each other in a war. It would be suicide for anyone to fight a war with the U.S., and if any of these countries waged a war with each other, the prospect of U.S. intervention would be equally daunting. 2) Many commenters think what's important is the number of casualties, not the number of wars. This is tricky, however, because of the changing nature of warfighting and medical science. Compared to, say, World War II, wars now have far less of an effect on civilian populations. Furthermore, more people survive combat injuries because of improvements in medicine. These are both salutory trends, but I dunno if that means that war as a tool of statecraft is over -- if anything, it makes the use of force potentially more attractive, because of the minimization of spillover effects.

### Thayer

**Hegemony is crucial to response to natural disasters – reduces suffering**

**Thayer 07** – Professor of Political Science at the University of Minnesota

[Bradley A. American Empire: A Debate. Routledge Press: Taylor and Francis Group, NY. Page # below in < >]

The U.S. military is the earth's "911 force"—it serves as the world's police; it is the global paramedic, and the planet's fire department. Whenever there is a natural disaster, earthquake, flood, typhoon, or tsunami, the United States assists the countries in need. In 1991, when flooding caused by cyclone Marian killed almost 140,000 people and left 5 million homeless in Bangladesh, the United States launched Operation Sea Angel to save stranded and starving people by supplying food, potable water, and medical assistance. U.S. forces are credited with saving over 200,000 lives in that operation. In 1999, torrential rains and flash flooding in Venezuela killed 30,000 people and left 140,000 homeless. The United States responded with Operation Fundamental Response, which brought water purification and hygiene equipment saving thousands. Also in 1999, Operation Strong Support aided Central Americans affected by Hurricane Mitch. That hurricane was the fourth-strongest ever recorded in the Atlantic and the worst natural disaster to strike Central America in the twentieth century. The magnitude of the devastation was tremendous, with about 10,000 people killed, 13,000 missing, and 2 million left homeless. It is estimated that 60 percent of the infrastructure in Honduras, Nicaragua, and Guatemala was destroyed. Again, the U.S. military came to the aid of the people affected. It is believed to have rescued about 700 people who otherwise would have died, while saving more from disease due to the timely arrival of medical supplies, food, water, blankets, and mobile shelters. In the next phase of Strong Support, military engineers rebuilt much of the infrastructure of those countries, including bridges, hospitals, roads, and schools. On the day after Christmas in 2004, a tremendous earthquake and tsunami occurred in the Indian Ocean near Sumatra and killed 300,000 people. The United States was the first to respond with aid. More importantly, Washington not only contributed a large amount of aid, $350 million, plus another $350 million provided by American citizens and corporations, but also—only days after the tsunami struck—used its military to help those in need. About 20,000 U.S. soldiers, sailors, airmen, and marines responded by providing water, food, medical aid, disease treatment and prevention, as well as forensic assistance to help identify the bodies of those killed. Only the U.S. military could have accomplished this Herculean effort, and it is important to keep in mind that its costs were separate from the $350 million provided by the U.S. government and other money given by American citizens and corporations to relief organizations like the International Committee of the Red Cross/Red Crescent. The generosity of the United States has done more to help the country fight the war on terror than almost any other measure. Before the tsunami, 80 percent of Indonesian opinion was opposed to the United States; after it, 80 percent had a favorable opinion of the United States. In October 2005, an enormous earthquake struck Kashmir, killing about 74,000 people and leaving 3 million homeless. The U.S. military responded immediately, diverting helicopters fighting the war on terror in nearby Afghanistan to bring relief as soon as possible. To help those in need, the United States provided about $156 million in aid to Pakistan; and, as one might expect from those witnessing the generosity of the United States, it left a lasting impression about the United States. Whether in Indonesia or Kashmir, the money was well spent because it helped people in the wake of disasters, but it also had a real impact on the war on terror. <44-45>

# Case

### Life

**Gotta focus on maintaining life – any existence is better than nothing – moral obligation to give future generations a chance to live**

**Kateb 92, Professor of Politics at Princeton University, (George, The Inner Ocean, pg. 141)**

But neither of these responses will do in the nuclear situation. To affirm existence as such is to go beyond good and evil; it is to will its perpetual prolongation for no particular reason. To affirm existence is not to praise it or love it or find it good. These responses are no more defensible than their contraries—no more defensible than calling exis­tence absurd, or meaningless, or worthless. All such responses are appro­priate only for particulars. Existence does not have systemic attributes amenable to univocal judgments. At least some of us cannot accept the validity of revelation, or play on ourselves the trick of regarding existence as if it were the designed work of a personal God, or presume to call it good, and bless it as if it were the existence we would have created if we had the power, and think that it therefore deserves to exist and is justifia­ble just as it is. No: these argumentative moves are bad moves; they are hopeless stratagems. The hope is to go beyond the need for reasons, to go beyond the need for justifying existence, and in doing so to strengthen, not weaken, one's attachment. Earthly existence must be preserved whatever we are able or unable to say about it. There is no other human and natural existence. The alternative is earthly nothingness. Things are better than nothing; anything is better than nothing.

**No one’s life is ever valueless cuz there’s always meaning – gotta focus on allowing everyone to live**

**Bernstein 02** (Richard J., Vera List Prof. Phil. – New School for Social Research, “Radical Evil: A Philosophical Interrogation”, p. 188-192)

This is precisely what Jonas does in The Phenomenon of Life, his rethinking of the meaning of organic life. He tealizes that his philosophical project goes against many of the deeply embedded prejudices and dogmas of contemporary philosophy. He challenges two well-entrenched dogmas: that there is no metaphysical truth, and that there is no path from the "is" to the "ought". To escape from ethical nihilism, we must show that there is a metaphysical ground of ethics, an objective basis for value and purpose in being itself. These are strong claims; and, needless to say, they are extremely controversial. In defense of Jonas, it should be said that he approaches this task with both boldness and intellectual modesty. He frequently acknowledges that he cannot "prove" his claims, but he certainly believes that his "premises" do "more justice to the total phenomenon of man and Being in general" than the prevailing dualist or reductionist alternatives. "But in the last analysis my argument can do no more than give a rational grounding to an option it presents as a choice for a thoughtful person — an option that of course has its own inner power of persuasion. Unfortunately I have nothing better to offer. Perhaps a future metaphysics will be able to do more." 8 To appreciate how Jonas's philosophical project unfolds, we need to examine his philosophical interpretation of life. This is the starting point of his grounding of a new imperative of responsibility. It also provides the context for his speculations concerning evil. In the foreword to The Phenomenon of Life, Jonas gives a succinct statement of his aim. Put at its briefest, this volume offers an "existential" interpretation of biological facts. Contemporary existentialism, obsessed with man alone, is in the habit of claiming as his unique privilege and predicament much of what is rooted in organic existence as such: in so doing, it withholds from the organic world the insights to be learned from the awareness of self. On its part, scientific biology, by its rules confined to the physical, outward facts, must ignore the dimension of inwardness that belongs to life: in so doing, it submerges the distinction of "animate" and "inanimate." A new reading of the biological record may recover the inner dimension — that which we know best -- for the understanding of things organic and so reclaim for psycho-physical unity of life that place in the theoretical scheme which it had lost through the divorce of the material and the mental since Descartes. p. ix) Jonas, in his existential interpretation of bios, pursues "this underlying theme of all of life in its development through the ascending order of organic powers and functions: metabolism, moving and desiring, sensing and perceiving, imagination, art, and mind — a progressive scale of freedom and peril, culminating in man, who may understand his uniqueness anew when he no longer sees himself in metaphysical isolation" (PL, p. ix). The way in which Jonas phrases this theme recalls the Aristotelian approach to bios, and it is clear that Aristotle is a major influence on Jonas. There is an even closer affinity with the philosophy of nature that Schelling sought to elaborate in the nineteenth century. Schelling (like many post- Kantian German thinkers) was troubled by the same fundamental dichotomy that underlies the problem for Jonas. The dichotomy that Kant introduced between the realm of "disenchanted" nature and the realm of freedom leads to untenable antinomies. Jonas differs from both Aristotle and Schelling in taking into account Darwin and contemporary scientific biology. A proper philosophical understanding of biology must always be compatible with the scientific facts. But at the same time, it must also root out misguided materialistic and reductionist interpretations of those biological facts. In this respect, Jonas's naturalism bears a strong affinity with the evolutionary naturalism of Peirce and Dewey. At the same time, Jonas is deeply skeptical of any theory of evolutionary biology that introduces mysterious "vital forces" or neglects the contingencies and perils of evolutionary development.' Jonas seeks to show "that it is in the dark stirrings of primeval organic substance that a principle of freedom shines forth for the first time within the vast necessity of the physical universe" (PL 3). Freedom, in this broad sense, is not identified exclusively with human freedom; it reaches down to the first glimmerings of organic life, and up to the type of freedom manifested by human beings. " 'Freedom' must denote an objectively discernible mode of being, i.e., a manner of executing existence, distinctive of the organic per se and thus shared by all members but by no nonmembers of the class: an ontologically descriptive term which can apply to mere physical evidence at first" (PL 3). This coming into being of freedom is not just a success story. "The privilege of freedom carries the burden of need and means precarious being" (PL 4). It is with biological metabolism that this principle of freedom first arises. Jonas goes "so far as to maintain that metabolism, the basic stratum of all organic existence, already displays freedom — indeed that it is the first form freedom takes." 1 ° With "metabolism — its power and its need — not-being made its appearance in the world as an alternative embodied in being itself; and thereby being itself first assumes an emphatic sense: intrinsically qualified by the threat of its negative it must affirm itself, and existence affirmed is existence as a concern" (PL 4). This broad, ontological understanding of freedom as a characteristic of all organic life serves Jonas as "an Ariadne's thread through the interpretation of Life" (PL 3). The way in which Jonas enlarges our understanding of freedom is indicative of his primary argumentative strategy. He expands and reinterprets categories that are normally applied exclusively to human beings so that we can see that they identify objectively discernible modes of being characteristic of everything animate. Even inwardness, and incipient forms of self; reach down to the simplest forms of organic life. 11 Now it may seem as if Jonas is guilty of anthropomorphism, of projecting what is distinctively human onto the entire domain of living beings. He is acutely aware of this sort of objection, but he argues that even the idea of anthropomorphism must be rethought. 12 We distort Jonas's philosophy of life if we think that he is projecting human characteristics onto the nonhuman animate world. Earlier I quoted the passage in which Jonas speaks of a "third way" — "one by which the dualistic rift can be avoided and yet enough of the dualistic insight saved to uphold the humanity of man" (GEN 234). We avoid the "dualistic rift" by showing that there is genuine continuity of organic life, and that such categories as freedom, inwardness, and selfhood apply to everything that is animate. These categories designate objective modes of being. But we preserve "enough dualistic insight" when we recognize that freedom, inwardness, and selfhood manifest themselves in human beings in a distinctive manner. I do not want to suggest that Jonas is successful in carrying out this ambitious program. He is aware of the tentativeness and fallibility of his claims, but he presents us with an understanding of animate beings such that we can discern both continuity and difference.' 3 It should now be clear that Jonas is not limiting himself to a regional philosophy of the organism or a new "existential" interpretation of biological facts. His goal is nothing less than to provide a new metaphysical understanding of being, a new ontology. And he is quite explicit about this. Our reflections [are] intended to show in what sense the problem of life, and with it that of the body, ought to stand in the center of ontology and, to some extent, also of epistemology. . . The central position of the problem of life means not only that it must be accorded a decisive voice in judging any given ontology but also that any treatment of itself must summon the whole of ontology. (PL 25) The philosophical divide between Levinas and Jonas appears to be enormous. For Levinas, as long as we restrict ourselves to the horizon of Being and to ontology (no matter how broadly these are conceived), there is no place for ethics, and no answer to ethical nihilism. For Jonas, by contrast, unless we can enlarge our understanding of ontology in such a manner as would provide an objective grounding for value and purpose within nature, there is no way to answer the challenge of ethical nihilism. But despite this initial appearance of extreme opposition, there is a way of interpreting Jonas and Levinas that lessens the gap between them. In Levinasian terminology, we can say that Jonas shows that there is a way of understanding ontology and the living body that does justice to the nonreducible alterity of the other (l'autrui). 14 Still, we might ask how Jonas's "existential" interpretation of biological facts and the new ontology he is proposing can provide a metaphysical grounding for a new ethics. Jonas criticizes the philosophical prejudice that there is no place in nature for values, purposes, and ends. Just as he maintains that freedom, inwardness, and selfhood are objective modes of being, so he argues that values and ends are objective modes of being. **There is a basic value inherent in organic being, a basic affirmation, "The Yes' of Life**" (IR 81). 15 "**The self-affirmation of being becomes emphatic in the opposition of life to death. Life is the explicit confrontation of being with not-being**. . . . The 'yes' of all striving is here sharpened by the active `no' to not-being" (IR 81-2). Furthermore — and this is the crucial point for Jonas — **this affirmation of life that is in all organic being has a binding obligatory force upon human beings**. This blindly self-enacting "yes" gains obligating force in the seeing freedom of man, who as the supreme outcome of nature's purposive labor is no longer its automatic executor but, with the power obtained from knowledge, can become its destroyer as well. He must adopt the "yes" into his will and impose the "no" to not-being on his power. But precisely this transition from willing to obligation is the critical point of moral theory at which attempts at laying a foundation for it come so easily to grief. Why does now, in man, that become a duty which hitherto "being" itself took care of through all individual willings? (IR 82). We discover here the transition from is to "ought" — from the self-affirmation of life to the binding obligation of human beings to preserve life not only for the present but also for the future. But why do we need a new ethics? The subtitle of The Imperative of Responsibility — In Search of an Ethics for the Technological Age — indicates why we need a new ethics. Modern technology has transformed the nature and consequences of human ac-tion so radically that the underlying premises of **traditional ethics are no longer valid**. For the first time in history human beings possess the knowledge and the power to destroy life on this planet, including human life. Not only is there the new possibility of total nuclear disaster; there are the even more invidious and threatening possibilities that result from the unconstrained use of technologies that can destroy the environment required for life. The major transformation brought about by modern technology is that the consequences of our actions frequently exceed by far anything we can envision. Jonas was one of the first philosophers to warn us about the unprecedented ethical and political problems that arise with the rapid development of biotechnology. He claimed that this was happening at a time when there was an "ethical vacuum," when there did not seem to be any effective ethical principles to limit ot guide our ethical decisions. In the name of scientific and technological "progress," there is a relentless pressure to adopt a stance where virtually anything is permissible, includ-ing transforming the genetic structure of human beings, as long as it is "freely chosen." We need, Jonas argued, a new categorical imperative that might be formulated as follows: "Act so that the effects of your action are compatible with the permanence of genuine human life"; or expressed negatively: "Act so that the effects of your action are not destructive of the future possibility of such a life"; or simply: "**Do not compromise the conditions for an indefinite continuation of humanity on earth**"; or again turned positive: "In your present choices, include the future wholeness of Man among the objects of your will." (IR 11)

### SV

**War turns domestic and structural violence**

**Bulloch 08**

*Millennium - Journal of International Studies May 2008 vol. 36 no. 3 575-595*

Douglas Bulloch, IR Department, London School of Economics and Political Science.

He is currently completing his PhD in International Relations at the London School of Economics, during which time he spent a year editing Millennium: Journal of International Studies

But the idea that poverty and peace are directly related presupposes that wealth inequalities are – in and of themselves – unjust, and that the solution to the problem of war is to alleviate the injustice that inspires conflict, namely poverty. However, it also suggests that poverty is a legitimate inspiration for violence, otherwise there would be no reason to alleviate it in the interests of peace. It has become such a commonplace to suggest that poverty and conflict are linked that **it rarely suffers any examination**. To suggest that war causes poverty is to utter **an obvious truth,** but to suggest the opposite is – on reflection – quite **hard to believe.** War is an expensive business in the twenty-first century, even asymmetrically. And just to examine Bangladesh for a moment is enough at least to raise the question concerning the actual connection between peace and poverty. The government of Bangladesh is a threat only to itself, and despite 30 years of the Grameen Bank, Bangladesh remains in a state of incipient civil strife. So although Muhammad Yunus should be applauded for his work in demonstrating the efficacy of micro-credit strategies in a context of development, it is not at all clear that this has anything to do with resolving the social and political crisis in Bangladesh, nor is it clear that this has anything to do with resolving the problem of peace and war in our times. It does speak to the Western liberal mindset – as Geir Lundestad acknowledges – but then perhaps this exposes the extent to which the Peace Prize itself has simply become an award that reflects a degree of Western liberal wish-fulfilment. It is perhaps comforting to believe that **poverty causes violence,** as it serves to endorse a particular kind of concern for the developing world that in turn regards all problems as fundamentally economic rather than deeply – and potentially radically – political.

#### Violence domestically doesn’t explain or cause war and genocide because of significant differences in the degree of intentionality

Bradby & Hundt 10 – Hannah Bradby, Co-Director of the Institute of Health at the University of Warwick, Lecturer in Sociology at Warwick Medical School, and Gillian Lewando Hundt, Professor of Social Sciences in Health at the University of Warwick, 2010, “Introduction,” in Global perspectives on war, gender and health: the sociology and anthropology of suffering, p. 5-6

Far from being a uniquely horrific activity Scheper-Hughes (2002) views genocide as an extension of the dehumanising processes identifiable in many daily interactions. Drawing on analysis of the holocaust as the outcome of the general features of modernity, Scheper-Hughes posits a ‘genocidal continuum’ that connects daily, routine suffering and concomitant insults to a person’s humanity with genocide (Scheper-Hughes 2002: 371). The institutional ‘destruction of personhood’, as seen in the withdrawal of humane empathy from the poor or the elderly, creates the conditions which eventually make genocide possible. The argument that conditions of modernity including western rational legal metaphysics facilitate genocide has been criticised as too unifying and as conferring ‘super-eminence’ on the holocaust (Rose 1996: 11). The holocaust has become a crucial emblem through which we have sought to understand subsequent violence, wars and genocides. But the centrality of the holocaust in developing European thinking around conflict and suffering has made the resultant theoretical perspectives difficult to apply in non-European settings and in instances where conflict is less focussed around a clash of ideology. While the scale of the death toll of the holocaust should continue to shock, as should the organised nature of the attempted destruction of Jews, Roma, Gays and the disabled, there is very little to be gained in comparing scales or forms of suffering. It should be possible to use the study of the holocaust to inform understanding of other genocides in the context of other wars, to interrogate the link between war and suffering and to think through gendered perspectives without essentialising gender or making it the only explanatory variable. This collection does not primarily seek to add to the discussion of the role of the holocaust in theories of human suffering. Our chapters are, however, an unfortunate witness to the fact that despite contemporary hopes and the scale of combatant and non-combatants deaths, the two World Wars were not the wars to end all wars. Rather wars, and their associated suffering, have been ongoing ever since, both in Europe and beyond. War and Medicine While structural approaches can problematise a division between intentional and unintentional suffering, intentionality is nonetheless crucial to the contradictory relationship that war and medicine have with suffering. War is an organised conflict between two military groups and armed conflict is bound to be accompanied by suffering. Although ‘rules of engagement’ and the rhetoric of ‘targeted interventions’ deploying ‘surgical strikes’ suggest that ‘unnecessary’ blood shed can be avoided, war entails suffering, even if this is restricted to combatants. A limited, or targeted war is an oxymoron since war tends to be found in company with the other horsemen of the apocalypse, that is, pestilence, famine and death. Moreover, while the effect of war on soldiers is closely monitored by both sides, the disproportionate way in which the apocalyptic horsemen affect non-combatants and particularly those who are already disempowered such as women, the old and the young, has been less subject to scrutiny.

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)