# D6 Districts Round 4 v Emory AB

## 1NC

### 1NC K

#### The affirmative’s emphasis on cybersecurity as a solution cedes control to elites who then deem acts legitimate – culminates in the exclusion of all those deemed potential hackers or threats to our techno-utopia

HANSEN AND NISSENBAUM 2009 (Lene, Associate Professor, Director of the Ph.d. Program, Department of Political Science, University of Copenhagen. AND\*\*\* Helen, Professor, New York University, Media, Culture, and Communication & Computer Science, Digital Disaster, Cyber Security, and the Copenhagen School, International Studies Quarterly (2009) 53, 1155–1175)

 As in most academic fields, computer scientists have disagreed on the likelihood of different forms of attacks, and since the field is also cloaked in military or business secrecy, the ‘‘normal’’ follower of these debates learns ‘‘that much is withheld or simply not known, and estimates of damage strategically either wildly exaggerated or understated’’ (Nissenbaum 2005:72). These fluctuations also facilitate a coupling of radical threats with techno-utopian solutions.11 The National Strategy (2003:35) for instance couples a series of securitizations with an exuberant faith in the development of ‘‘highly secure, trust-worthy, and resilient computer systems. In the future, working with a computer, the Internet, or any other cyber system may become as dependable as turning on the lights or the water.’’ Leaving aside that for the majority of the world’s poor, and even for the impoverished American, turning on the light or water may not be entirely dependable, this echoes a technological utopianism that sidesteps the systemic, inherent ontological insecurity that computer scientists consistently emphasize. It also invokes an inherent tension between disaster and utopia as the future of cyber security. The constitution of expert authority in cyber technifications invokes furthermore the tenuous relationship between ‘‘good’’ knowledge and ‘‘bad’’ knowledge, between the computer scientist and the hacker. The hacker, argues Nissenbaum (2004), has undergone a critical shift in Western policy and media discourse, moving from a previous subject position as geeky, apolitical, and driven by the boyish challenge of breaking the codes to one of thieves, vandals, and even terrorists.12 Although ‘‘hackers’’ as well as others speaking on behalf of ‘‘hacktivista’’—the use of hacking for dissident, normatively desirable purposes— have tried to reclaim the term (Deibert 2003), both official and dissident discourse converge in their underscoring of the general securitization of the cyber sector insofar as past political hacker naivety is no longer possible. The privileged role allocated to computer and information scientists within cyber security discourse is in part a product of the logic of securitization itself: if cyber security is so crucial it should not be left to amateurs. Computer scientists and engineers are however not only experts, but technical ones and to constitute cyber security as their domain is to technify cyber security. Technifications are, as securitizations, speech acts that ‘‘do something’’ rather than merely describe, and they construct an issue as reliant upon technical, expert knowledge, but they also simultaneously presuppose a politically and normatively neutral agenda that technology serves. The mobilization of technification within a logic of securitization is thus one that allows for a particular constitution of epistemic authority and political legitimacy (Huysmans 2006:6–9). It constructs the technical as a domain requiring an expertise that the public (and most politicians) do not have and this in turn allows ‘‘experts’’ to become securitizing actors while distinguishing themselves from the ‘‘politicking’’ of politicians and other ‘‘political’’ actors. Cyber security discourse’s simultaneous securitization and technification work to prevent it from being politicized in that it is precisely through rational, technical discourse that securitization may ‘‘hide’’ its own political roots.13 The technical and the securitized should therefore not be seen as opposed realms or disjunct discursive modalities, but as deployable in complex, interlocking ways; not least by those securitizing actors who seek to depoliticize their discourses’ threat and enemy constructions through linkages to ‘‘neutral’’ technologies. A securitization by contrast inevitably draws public attention to what is done in the name of security and this provides a more direct point of critical engagement for those wishing to challenge these practices than if these were constituted as technical.

#### Sanitization of US policy leads to endless violence and imperialism – turns case

Bacevich, 5 -- Boston University international relations professor

[A. J., retired career officer in the United States Army, former director of Boston University's Center for International Relations (from 1998 to 2005), The New American Militarism: How Americans Are Seduced by War, 2005 accessed 9-4-13, mss]

Today as never before in their history Americans are enthralled with military power. The global military supremacy that the United States presently enjoys--and is bent on perpetuating-has become central to our national identity. More than America's matchless material abundance or even the effusions of its pop culture, the nation's arsenal of high-tech weaponry and the soldiers who employ that arsenal have come to signify who we are and what we stand for. When it comes to war, Americans have persuaded themselves that the United States possesses a peculiar genius. Writing in the spring of 2003, the journalist Gregg Easterbrook observed that "the extent of American military superiority has become almost impossible to overstate." During Operation Iraqi Freedom, U.S. forces had shown beyond the shadow of a doubt that they were "the strongest the world has ever known, . . . stronger than the Wehrmacht in r94o, stronger than the legions at the height of Roman power." Other nations trailed "so far behind they have no chance of catching up. ""˜ The commentator Max Boot scoffed at comparisons with the German army of World War II, hitherto "the gold standard of operational excellence." In Iraq, American military performance had been such as to make "fabled generals such as Erwin Rommel and Heinz Guderian seem positively incompetent by comparison." Easterbrook and Booz concurred on the central point: on the modern battlefield Americans had located an arena of human endeavor in which their flair for organizing and deploying technology offered an apparently decisive edge. As a consequence, the United States had (as many Americans have come to believe) become masters of all things military. Further, American political leaders have demonstrated their intention of tapping that mastery to reshape the world in accordance with American interests and American values. That the two are so closely intertwined as to be indistinguishable is, of course, a proposition to which the vast majority of Americans subscribe. Uniquely among the great powers in all of world history, ours (we insist) is an inherently values-based approach to policy. Furthermore, we have it on good authority that the ideals we espouse represent universal truths, valid for all times. American statesmen past and present have regularly affirmed that judgment. In doing so, they validate it and render it all but impervious to doubt. Whatever momentary setbacks the United States might encounter, whether a generation ago in Vietnam or more recently in Iraq, this certainty that American values are destined to prevail imbues U.S. policy with a distinctive grandeur. The preferred language of American statecraft is bold, ambitious, and confident. Reflecting such convictions, policymakers in Washington nurse (and the majority of citizens tacitly endorse) ever more grandiose expectations for how armed might can facilitate the inevitable triumph of those values. In that regard, George W. Bush's vow that the United States will "rid the world of evil" both echoes and amplifies the large claims of his predecessors going at least as far back as Woodrow Wilson. Coming from Bush the war- rior-president, the promise to make an end to evil is a promise to destroy, to demolish, and to obliterate it. One result of this belief that the fulfillment of America's historic mission begins with America's destruction of the old order has been to revive a phenomenon that C. Wright Mills in the early days of the Cold War described as a "military metaphysics"-a tendency to see international problems as military problems and to discount the likelihood of finding a solution except through military means. To state the matter bluntly, Americans in our own time have fallen prey to militarism, manifesting itself in a romanticized view of soldiers, a tendency to see military power as the truest measure of national greatness, and outsized expectations regarding the efficacy of force. To a degree without precedent in U.S. history, Americans have come to define the nation's strength and well-being in terms of military preparedness, military action, and the fostering of (or nostalgia for) military ideals? Already in the 19905 America's marriage of a militaristic cast of mind with utopian ends had established itself as the distinguishing element of contemporary U.S. policy. The Bush administrations response to the hor- rors of 9/11 served to reaffirm that marriage, as it committed the United States to waging an open-ended war on a global scale. Events since, notably the alarms, excursions, and full-fledged campaigns comprising the Global War on Terror, have fortified and perhaps even sanctified this marriage. Regrettably, those events, in particular the successive invasions of Afghanistan and Iraq, advertised as important milestones along the road to ultimate victory have further dulled the average Americans ability to grasp the significance of this union, which does not serve our interests and may yet prove our undoing. The New American Militarism examines the origins and implications of this union and proposes its annulment. Although by no means the first book to undertake such an examination, The New American Militarism does so from a distinctive perspective. The bellicose character of U.S. policy after 9/11, culminating with the American-led invasion of Iraq in March 2003, has, in fact, evoked charges of militarism from across the political spectrum. Prominent among the accounts advancing that charge are books such as The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic, by Chalmers Johnson; Hegemony or Survival: Americas Quest for Global Dominance, by Noam Chomsky; Masters of War; Militarism and Blowback in the Era of American Empire, edited by Carl Boggs; Rogue Nation: American Unilateralism and the Failure of Good Intentions, by Clyde Prestowitz; and Incoherent Empire, by Michael Mann, with its concluding chapter called "The New Militarism." Each of these books appeared in 2003 or 2004. Each was not only writ- ten in the aftermath of 9/11 but responded specifically to the policies of the Bush administration, above all to its determined efforts to promote and justify a war to overthrow Saddam Hussein. As the titles alone suggest and the contents amply demonstrate, they are for the most part angry books. They indict more than explain, and what- ever explanations they offer tend to be ad hominem. The authors of these books unite in heaping abuse on the head of George W Bush, said to combine in a single individual intractable provincialism, religious zealotry, and the reckless temperament of a gunslinger. Or if not Bush himself, they fin- ger his lieutenants, the cabal of warmongers, led by Vice President Dick Cheney and senior Defense Department officials, who whispered persua- sively in the president's ear and used him to do their bidding. Thus, accord- ing to Chalmers Johnson, ever since the Persian Gulf War of 1990-1991, Cheney and other key figures from that war had "Wanted to go back and finish what they started." Having lobbied unsuccessfully throughout the Clinton era "for aggression against Iraq and the remaking of the Middle East," they had returned to power on Bush's coattails. After they had "bided their time for nine months," they had seized upon the crisis of 9/1 1 "to put their theories and plans into action," pressing Bush to make Saddam Hussein number one on his hit list." By implication, militarism becomes something of a conspiracy foisted on a malleable president and an unsuspecting people by a handful of wild-eyed ideologues. By further implication, the remedy for American militarism is self-evi- dent: "Throw the new militarists out of office," as Michael Mann urges, and a more balanced attitude toward military power will presumably reassert itself? As a contribution to the ongoing debate about U.S. policy, The New American Militarism rejects such notions as simplistic. It refuses to lay the responsibility for American militarism at the feet of a particular president or a particular set of advisers and argues that no particular presidential election holds the promise of radically changing it. Charging George W. Bush with responsibility for the militaristic tendencies of present-day U.S. for- eign policy makes as much sense as holding Herbert Hoover culpable for the Great Depression: Whatever its psychic satisfactions, it is an exercise in scapegoating that lets too many others off the hook and allows society at large to abdicate responsibility for what has come to pass. The point is not to deprive George W. Bush or his advisers of whatever credit or blame they may deserve for conjuring up the several large-scale campaigns and myriad lesser military actions comprising their war on ter- ror. They have certainly taken up the mantle of this militarism with a verve not seen in years. Rather it is to suggest that well before September 11, 2001 , and before the younger Bush's ascent to the presidency a militaristic predisposition was already in place both in official circles and among Americans more generally. In this regard, 9/11 deserves to be seen as an event that gave added impetus to already existing tendencies rather than as a turning point. For his part, President Bush himself ought to be seen as a player reciting his lines rather than as a playwright drafting an entirely new script. In short, the argument offered here asserts that present-day American militarism has deep roots in the American past. It represents a bipartisan project. As a result, it is unlikely to disappear anytime soon, a point obscured by the myopia and personal animus tainting most accounts of how we have arrived at this point. The New American Militarism was conceived not only as a corrective to what has become the conventional critique of U.S. policies since 9/11 but as a challenge to the orthodox historical context employed to justify those policies. In this regard, although by no means comparable in scope and in richness of detail, it continues the story begun in Michael Sherry's masterful 1995 hook, In the Shadow of War an interpretive history of the United States in our times. In a narrative that begins with the Great Depression and spans six decades, Sherry reveals a pervasive American sense of anxiety and vulnerability. In an age during which War, actual as well as metaphorical, was a constant, either as ongoing reality or frightening prospect, national security became the axis around which the American enterprise turned. As a consequence, a relentless process of militarization "reshaped every realm of American life-politics and foreign policy, economics and technology, culture and social relations-making America a profoundly different nation." Yet Sherry concludes his account on a hopeful note. Surveying conditions midway through the post-Cold War era's first decade, he suggests in a chapter entitled "A Farewell to Militarization?" that America's preoccupation with War and military matters might at long last be waning. In the mid- 1995, a return to something resembling pre-1930s military normalcy, involving at least a partial liquidation of the national security state, appeared to be at hand. Events since In the Shadow of War appear to have swept away these expectations. The New American Militarism tries to explain why and by extension offers a different interpretation of America's immediate past. The upshot of that interpretation is that far from bidding farewell to militariza- tion, the United States has nestled more deeply into its embrace. f ~ Briefly told, the story that follows goes like this. The new American militarism made its appearance in reaction to the I96os and especially to Vietnam. It evolved over a period of decades, rather than being sponta- neously induced by a particular event such as the terrorist attack of Septem- ber 11, 2001. Nor, as mentioned above, is present-day American militarism the product of a conspiracy hatched by a small group of fanatics when the American people were distracted or otherwise engaged. Rather, it devel- oped in full view and with considerable popular approval. The new American militarism is the handiwork of several disparate groups that shared little in common apart from being intent on undoing the purportedly nefarious effects of the I96OS. Military officers intent on reha- bilitating their profession; intellectuals fearing that the loss of confidence at home was paving the way for the triumph of totalitarianism abroad; reli- gious leaders dismayed by the collapse of traditional moral standards; strategists wrestling with the implications of a humiliating defeat that had undermined their credibility; politicians on the make; purveyors of pop cul- turc looking to make a buck: as early as 1980, each saw military power as the apparent answer to any number of problems. The process giving rise to the new American militarism was not a neat one. Where collaboration made sense, the forces of reaction found the means to cooperate. But on many occasions-for example, on questions relating to women or to grand strategy-nominally "pro-military" groups worked at cross purposes. Confronting the thicket of unexpected developments that marked the decades after Vietnam, each tended to chart its own course. In many respects, the forces of reaction failed to achieve the specific objectives that first roused them to act. To the extent that the 19603 upended long-standing conventions relating to race, gender, and sexuality, efforts to mount a cultural counterrevolution failed miserably. Where the forces of reaction did achieve a modicum of success, moreover, their achievements often proved empty or gave rise to unintended and unwelcome conse- quences. Thus, as we shall see, military professionals did regain something approximating the standing that they had enjoyed in American society prior to Vietnam. But their efforts to reassert the autonomy of that profession backfired and left the military in the present century bereft of meaningful influence on basic questions relating to the uses of U.S. military power. Yet the reaction against the 1960s did give rise to one important by-prod: uct, namely, the militaristic tendencies that have of late come into full flower. In short, the story that follows consists of several narrative threads. No single thread can account for our current outsized ambitions and infatua- tion with military power. Together, however, they created conditions per- mitting a peculiarly American variant of militarism to emerge. As an antidote, the story concludes by offering specific remedies aimed at restor- ing a sense of realism and a sense of proportion to U.S. policy. It proposes thereby to bring American purposes and American methods-especially with regard to the role of military power-into closer harmony with the nation's founding ideals. The marriage of military metaphysics with eschatological ambition is a misbegotten one, contrary to the long-term interests of either the American people or the world beyond our borders. It invites endless war and the ever-deepening militarization of U.S. policy. As it subordinates concern for the common good to the paramount value of military effectiveness, it promises not to perfect but to distort American ideals. As it concentrates ever more authority in the hands of a few more concerned with order abroad rather than with justice at home, it will accelerate the hollowing out of American democracy. As it alienates peoples and nations around the world, it will leave the United States increasingly isolated. If history is any guide, it will end in bankruptcy, moral as well as economic, and in abject failure. "Of all the enemies of public liberty," wrote James Madison in 1795, "war is perhaps the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies. From these proceed debts and taxes. And armies, debts and taxes are the known instruments for bringing the many under the domination of the few .... No nation could preserve its freedom in the midst of continual Warfare." The purpose of this book is to invite Americans to consider the continued relevance of Madison's warning to our own time and circumstances.

#### The Alternative is to reject the 1AC and imagine Whatever Being--Any point of rejection of the sovereign state creates a non-state world made up of whatever life – that involves imagining a political body that is outside the sphere of sovereignty in that it defies traditional attempts to maintain a social identity

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(Anne, “Bio-Sovereignty and the Emergence of Humanity,” Theory & Event, Volume 7, Issue 2, Project Muse)

Can we imagine another form of humanity, and another form of power? The bio-sovereignty described by Agamben is so fluid as to appear irresistible. Yet Agamben never suggests this order is necessary. Bio-sovereignty results from a particular and contingent history, and it requires certain conditions. Sovereign power, as Agamben describes it, finds its grounds in specific coordinates of life, which it then places in a relation of indeterminacy. What defies sovereign power is a life that cannot be reduced to those determinations: a life "that can never be separated from its form, a life in which it is never possible to isolate something such as naked life. " (2.3). In his earlier Coming Community, Agamben describes this alternative life as "whatever being." More recently he has used the term "forms-of-life." These concepts come from the figure Benjamin proposed as a counter to homo sacer: the "total condition that is 'man'." For Benjamin and Agamben, mere life is the life which unites law and life. That tie permits law, in its endless cycle of violence, to reduce life an instrument of its own power. The total condition that is man refers to an alternative life incapable of serving as the ground of law. Such a life would exist outside sovereignty. Agamben's own concept of whatever being is extraordinarily dense. It is made up of varied concepts, including language and potentiality; it is also shaped by several particular dense thinkers, including Benjamin and Heidegger. What follows is only a brief consideration of whatever being, in its relation to sovereign power. / "Whatever being," as described by Agamben, lacks the features permitting the sovereign capture and regulation of life in our tradition. Sovereignty's capture of life has been conditional upon the separation of natural and political life. That separation has permitted the emergence of a sovereign power grounded in this distinction, and empowered to decide on the value, and non-value of life (1998: 142). Since then, every further politicization of life, in turn, calls for "a new decision concerning the threshold beyond which life ceases to be politically relevant, becomes only 'sacred life,' and can as such be eliminated without punishment" (p. 139). / This expansion of the range of life meriting protection does not limit sovereignty, but provides sites for its expansion. In recent decades, factors that once might have been indifferent to sovereignty become a field for its exercise. Attributes such as national status, economic status, color, race, sex, religion, geo-political position have become the subjects of rights declarations. From a liberal or cosmopolitan perspective, such enumerations expand the range of life protected from and serving as a limit upon sovereignty. Agamben's analysis suggests the contrary. If indeed sovereignty is bio-political before it is juridical, then juridical rights come into being only where life is incorporated within the field of bio-sovereignty. The language of rights, in other words, calls up and depends upon the life caught within sovereignty: homo sacer. / Agamben's alternative is therefore radical. He does not contest particular aspects of the tradition. He does not suggest we expand the range of rights available to life. He does not call us to deconstruct a tradition whose power lies in its indeterminate status.21 Instead, he suggests we take leave of the tradition and all its terms. Whatever being is a life that defies the classifications of the tradition, and its reduction of all forms of life to homo sacer. Whatever being therefore has no common ground, no presuppositions, and no particular attributes. It cannot be broken into discrete parts; it has no essence to be separated from its attributes; and it has no common substrate of existence defining its relation to others. Whatever being cannot then be broken down into some common element of life to which additive series of rights would then be attached. Whatever being retains all its properties, without any of them constituting a different valuation of life (1993: 18.9). As a result, whatever being is "reclaimed from its having this or that property, which identifies it as belonging to this or that set, to this or that class (the reds, the French, the Muslims) -- and it is reclaimed not for another class nor for the simple generic absence of any belonging, but for its being-such, for belonging itself." (0.1-1.2). / Indifferent to any distinction between a ground and added determinations of its essence, whatever being cannot be grasped by a power built upon the separation of a common natural life, and its political specification. Whatever being dissolves the material ground of the sovereign exception and cancels its terms. This form of life is less post-metaphysical or anti-sovereign, than a-metaphysical and a-sovereign. Whatever is indifferent not because its status does not matter, but because it has no particular attribute which gives it more value than another whatever being. As Agamben suggests, whatever being is akin to Heidegger's Dasein. Dasein, as Heidegger describes it, is that life which always has its own being as its concern -- regardless of the way any other power might determine its status. Whatever being, in the manner of Dasein, takes the form of an "indissoluble cohesion in which it is impossible to isolate something like a bare life. In the state of exception become the rule, the life of homo sacer, which was the correlate of sovereign power, turns into existence over which power no longer seems to have any hold" (Agamben 1998: 153). / We should pay attention to this comparison. For what Agamben suggests is that whatever being is not any abstract, inaccessible life, perhaps promised to us in the future. Whatever being, should we care to see it, is all around us, wherever we reject the criteria sovereign power would use to classify and value life. "In the final instance the State can recognize any claim for identity -- even that of a State identity within the State . . . What the State cannot tolerate in any way, however, is that the singularities form a community without affirming an identity, that humans co-belong without a representable condition of belonging" (Agamben 1993:85.6). At every point where we refuse the distinctions sovereignty and the state would demand of us, the possibility of a non-state world, made up of whatever life, appears.

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The only War Power authority is the ability to MAKE MILITARY DECISIONS

Bajesky 13 (2013¶ Mississippi College Law Review¶ 32 Miss. C. L. Rev. 9¶ LENGTH: 33871 words ARTICLE: Dubitable Security Threats and Low Intensity Interventions as the Achilles' Heel of War Powers NAME: Robert Bejesky\* BIO: \* M.A. Political Science (Michigan), M.A. Applied Economics (Michigan), LL.M. International Law (Georgetown). The author has taught international law courses for Cooley Law School and the Department of Political Science at the University of Michigan, American Government and Constitutional Law courses for Alma College, and business law courses at Central Michigan University and the University of Miami.)

A numerical comparison indicates that the Framer's intended for Congress to be the dominant branch in war powers. Congressional war powers include the prerogative to "declare war;" "grant Letters of Marque and Reprisal," which were operations that fall short of "war"; "make Rules for Government and Regulation of the land and naval Forces;" "organize, fund, and maintain the nation's armed forces;" "make Rules concerning Captures on Land and Water," "raise and support Armies," and "provide and maintain a Navy." [n25](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n25) In contrast, the President is endowed with one war power, named as the Commander-in-Chief of the Army and Navy. [n26](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n26)¶ The Commander-in-Chief authority is a core preclusive power, predominantly designating that the President is the head of the military chain of command when Congress activates the power. [n27](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n27) Moreover, peripheral Commander-in-Chief powers are bridled by statutory and treaty restrictions [n28](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n28) because the President "must respect any constitutionally legitimate restraints on the use of force that Congress has enacted." [n29](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n29) However, even if Congress has not activated war powers, the President does possess inherent authority to expeditiously and unilaterally react to defend the nation when confronted with imminent peril. [n30](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n30) Explicating the intention behind granting the President this latitude, Alexander Hamilton explained that "it is impossible to foresee or to define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them." [n31](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n31) The Framers drew a precise distinction by specifying that the President was empowered "to repel and not to commence war." [n32](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n32)

#### **Violation – the affirmative does not prohibit the ability of the President to make a military decision in one of the following areas mentioned in the topic – it merely requires a process or disclosure for the President to go through before exercising his commander and chief power**

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### Vote negative –

#### Ground – the negative should be able to say Drone Strikes, Cyber ops, troop invasion and indefinite detention good/bad – This is the core negative topic ground – they get to link turn our disad by saying we still allow authority in one of the areas.

#### Limits – they justify any aff that does transparency or requires a process before implementing a particular war power, – this allows them to apply a process to any particular subsection…

1. Bidirectionality – consultation and oversight mechanisms allow aff’s to defend the status quo by only adding another hoop for the executive to jump through, dont require a fundamental change from existing policy.

### Nuke

Nuclear energy is not “clean” – the meltdown has already happened – their assumptions ignores a quarter century of violence done to Navajo in the four corners – reject their scholarship that glosses over the tragic history of nuclear energy in the US.

Sharpe 2008

(Virginia A., “Policy & Politics: "Clean" Nuclear Energy? Global Warming, Public Health, and Justice”, The Hastings Center Report, Vol. 38, No. 4 (Jul. - Aug., 2008), pp. 16-18, jstor)

One of the reasons the federal government has assumed a large share of the risks associated with nuclear energy is its military incentives, both to ensure a continuing supply of nuclear material for weaponry and to ensure that dis posed material is safely out of the reach of terrorists and others who would use it against the United States. The other reason, as Governor O'Malley and others have maintained, is that it is a "clean" alternative to fossil fuels. But how "clean" is it? The legacy of uranium mining in Navajo lands provides a cautionary tale. Between 1944 and 1986, close to four million tons of uranium was mined on the Navajo homeland in the Four Corners region of Colorado, Utah, New Mexico, and Arizona. Based on Environmental Protection Agency estimates, there are 520 unremediated radioactive mine and mill sites on Navajo lands. These sites, which were operated by pri vate contractors and overlooked by fed eral regulators, were simply abandoned and left open near Navajo homes and water supplies. As a result, for well over a quarter of a century, uranium dust has been inhaled, ingested, and unknowingly mixed with clay to build structures in the Navajo nation with radium levels registering 270 times the EPA standard.4 At one site in Utah, ten thousand gallons of uranium-contaminated water a day was found seeping into the Colorado River.5 EPA studies have also found uranium-contaminated water sources as high as thirty-eight times the safe drinking water level. Many Navajo carry their water from the nearest source for household use, leaving few options to avoid contamination. The effects of these exposures are increasingly coming to light. As Judy Pasternak writes in a recent Los Angeles Times series, "Fifty years ago, cancer rates on the reservation were so low that a medical journal published an article titled 'Cancer Immunity in the Navajo." From the early 1970s to the late 1990s, however, "the cancer death rate on the reservation historically much lower than that of the general U.S. population has doubled." The incidence of stomach cancer in some areas near uranium deposits and mills is fifteen times the national average.6 An occupational health study of Navajo uranium miners concluded that their risk of developing lung cancer is twenty-eight times greater than Navajos not exposed to uranium

**Nuclear colonialism deems native populations only useful for uranium extraction, creating zones of sacrifice only to benefit wealthy nations – their saving of the nuclear power grid upholds global oppression.**

**Kuletz, ‘98**

(Dr. Valerie Kuletz, Resident Scholar, academic research and lecturer at Oregon State University, The Tainted Desert: Environmental and Social Ruin in the American West, pg. 36-37).

The Global Picture

By 1982 uranium production had been greatly curtailed in the Grants Uranium Belt, since even cheaper sources had been found outside the continental United States. The same transnational energy corporations that played so signiﬁcant a role in the creation of the U.S. nuclear landscape are, of course, players in a larger global military economy in which uranium mining remains a requirement for the continuation of nuclear energy and weapons development. The extractive resources that fuel nuclear power are mined in many “Fourth World” lands, demonstrating further that nuclear colonialism follows a global pattern of exploitation. For example, as of 1980 “seventy percent of France’s uranium [came] from Niger and Gabon in west Africa.”3" Transnational energy corporations have reaped maximum proﬁts at the expense of many indigenous populations around the world. The uranium sacriﬁce zone has not been limited to the Grants Uranium Belt in the United States: Signiﬁcantly, large proportions of the uranium production and reserves controlled within the ﬁve developed nations are located either within internal colonies of those nations, such as Indian reservations in the United States and aborigine reserves in Australia, or in colonies or neocolonies which remain controlled by developed nations. All of these are colonies whose resources and labor are being exploited considerably by energy resource corporations. In Australia, it is estimated that 8o percent of all uranium reserves lie on aboriginal lands. Aboriginal people in Australia, like American Indians, were pushed on to the least desirable lands within nations and have been virtually forced into accepting miserable agreements with energy corporations. The 1978 agreement between the aborigines and the companies (Ranger Uranium Agreement) gave the aborigines only 4.25 percent of the revenues of the uranium mine royalties.” For many indigenous communities historically, as well as in many cases today, uranium mining is only a form of resource extraction for export. Because of this, native communities become “raw materials colonies” for the uranium companies and their home nation-states. The following list shows the aboriginal communities with the most signiﬁcant uranium reserves: 1. Australia—particularly the Arnhem Land Area of the Northern Territory, home to a large existing aboriginal community; 2. Canada--particularly in a northern Saskatchewan area inhabited by Cree-Dene Native Americans; 3. Southwest Africa (Namibia) —under South African mining concessions in the “last colony in Africa”; 4. United States—on Navajo, Laguna Pueblo, Havasupai, and Colville Confederated Tribal Lands, along with pre-1848 Hispanic Land Grants at Cebolleta and San Mateo Springs.” Also included are the Sioux lands in the Black Hills of Dakota, and the Spokane Reservation (30 miles upstream from the Yakima Reservation) in the state of Washington. The uranium region forms the ﬁrst layer of the map showing the trans- formation of land under nuclear colonialism. Its story spans forty-plus years of uranium booms and busts, concerns millions of acres, massive environmental pollution still left unreclaimed, and generations of Indians dying of cancer. Behind this landscape stand wealthy corporations, powerful federal agencies such as the Department of Energy (formerly the Atomic Energy Commission) and the Department of Defense, and scientiﬁc centers such as Los Alamos National Laboratory, Lawrence Liver- more Laboratories, and Sandia National Laboratories in Albuquerque. But this particular part of the nuclear landscape does not exist in isolation. It is part of a larger terrain—part of a number of interconnected transformative processes that emerged in the postwar West and Southwest. Marking our entry into the nuclear age, the uranium zones of sacriﬁce were a fundamental part of the emergence of a new technological era that began in the 1940s. They are also the ﬁrst sites in a constellation of toxic sites that are the product of a technological society unwilling to look closely at the human and environmental costs of its maintenance. Without uranium there is no nuclear landscape, no nuclear weapons development, no nuclear energy industry. It underlies the creation of nuclear power centers hidden in the desert—-centers of ﬁrst-rate scientiﬁc research and development. After all, it all began in order to provide the scientists at Los Alamos with the material for making bombs.

### Warming

Climate change is not anthropocentric and isn’t just the extinction of humanity—climate change is a product of white culture and means the extinction of minorities—their neutral representations of climate make warming inevitable

Wynter, ‘07 [2007, Sylvia, Professor Emeritus in Spanish and Romance Languages at Stanford Univeristy, “The Human being as noun? Or being human as praxis? Towards the Autopoietic turn/overturn: A Manifesto,” otl2.wikispaces.com/file/view/The+Autopoetic+Turn.pdf]

For if, as Time magazine reported in January 2007 (Epigraph 2), a U.N. Intergovernmental panel of Natural Scientists, were soon to release "a smoking-gun report which confirms that human activities are to blame for global warming" (and thereby for climate change), and had therefore predicted "catastrophic disruptions by 2100," by April, the issued Report not only confirmed the above, but also repeated the major contradiction which the Time account had re-echoed. This contradiction, however, has nothing to do in any way with the rigor, and precision of their natural scientific findings, but rather with the contradiction referred to by Derrida's question in Epigraph 3—i.e., But who, we? That is, their attribution of the non-natural factors driving global warming and climate change to, generic human activities, and/or to "anthropocentric forcings"; with what is, in effect, this mis-attribution then determining the nature of their policy recommendations to deal with the already ongoing reality of global warming and climate change, to be ones couched largely in economic terms. That is, in the terms of our present mode of knowledge production, and its "perceptual categorization system" as elaborated by the disciplines of the Humanities and Social Sciences (or "human sciences") and which are reciprocally enacting of our present sociogenic genre of being human, as that of the West's Man in its second Liberal or bio-humanist reinvented form, as homo oeconomicus; as optimally "virtuous Breadwinner, taxpayer, consumer, and as systemically over-represented as if it, and its behavioral activities were isomorphic with the being of being human, and thereby with activities that would be definable as the human-as-a-species ones. Consequently, the Report's authors because logically taking such an over-representation as an empirical fact, given that, as highly trained natural scientists whose domains of inquiry are the physical and (purely) biological levels of reality, although their own natural-scientific order of cognition with respect to their appropriate non-human domains of inquiry, is an imperatively self-correcting and therefore, necessarily, a cognitively open/open-ended one, nevertheless, because in order to be natural scientists, they are therefore necessarily, at the same time, middle class Western or westernized subjects, initiated 15 as such, by means of our present overall education system and its mode of knowledge production to be the optimal symbolically encoded embodiment of the West's Man, it its second reinvented bio-humanist homo oeconomicus, and therefore bourgeois self-conception, over-represented as if it were isomorphic with the being of being human, they also fall into the trap identified by Derrida in the case of his fellow French philosophers. The trap, that is, of conflating their own existentially experienced (Western-bourgeois or ethno-class) referent "we," with the "we" of "the horizon of humanity." This then leading them to attribute the reality of behavioral activities that are genre-specific to the West's Man in its second reinvented concept/self-conception as homo oeconomicus, ones that are therefore as such, as a historically originated ensemble of behavioral activitiesas being ostensibly human activities-in-general. This, in spite of the fact that they do historicize the origin of the processes that were to lead to their recent natural scientific findings with respect to the reality of the non-naturally caused ongoing acceleration of global warming and climate change, identifying this process as having begun with the [West's] Industrial Revolution from about 1750 onwards. That is, therefore, as a process that can be seen to have been correlatedly concomitant in Great Britain, both with the growing expansion of the largely bourgeois enterprise of factory manufacturing, as well with the first stages of the political and intellectual struggles the British bourgeoisie who were to spearhead the Industrial Revolution, to displace the then ruling group hegemony of the landed aristocracy cum gentry, and to do so, by inter alia, the autopoetic reinvention of the earlier homo politicus/virtuous citizen civic humanist concept of Man, which had served to legitimate the latter's traditionally landed, political, social and economic dominance, in new terms. This beginning with Adam Smith and the Scottish School of the Enlightenment in the generation before the American, French, and Haitian (slave) revolutions, as a reinvention tat was to be effected in now specifically bourgeois terms as homo oeconomicus/and virtuous Breadwinner. 116 That is as the now purely secular genre of being human, which although not to be fully (i.e., politically, intellectually, and economically) institutionalized until the mid-nineteenth century, onwards, when its optimal incarnation came to be actualized in the British and Western bourgeoisie as the new ruling class, was, from then on, to generate its prototype specific ensemble of new behavioral activities, that were to impel both the Industrial Revolution, as well as the West's second wave of imperial expansion, this based on the colonized incorporation of a large majority of the world's peoples, all coercively homogenized to serve its own redemptive material telos, the telos initiating of global warming and climate change. Consequently, if the Report's authors note that about 1950, a steady process of increasing acceleration of the processes of global warming and climate change, had begun to take place, this was not only to be due to the Soviet Revolution's (from 1917 onwards) forced march towards industrialization (if in its still homo oeconomicus conception, since a march spearheaded by the 116 See the already cited essay by J.G.A. Pocock "symbolic capital," education credentials owning and technically skilled Eastern European bourgeoisie)—as a state-directed form of capitalism, nor indeed by that of Mao's then China, but was to be also due to the fact that in the wake of the range of successful anti-colonial struggles for political independence, which had accelerated in the wake of the Second World War, because the new entrepreneurial and academic elites had already been initiated by the Western educational system in Western terms as homo oeconomicus, they too would see political independence as calling for industrialized development on the "collective bovarysme "117 model of the Western bourgeoisie. Therefore, with the acceleration of global warming and climate change gaining even more momentum as all began to industrialize on the model of homo oeconomicus, with the result that by the time of the Panel's issued April 2007 Report the process was now being driven by a now planetarily homogenized/standardized transnational "system of material provisioning or mode of techno-industrial economic production based on the accumulation of capital; as the means of production of ever-increasing economic growth, defined as "development"; with this calling for a single model of normative behavioral activities, all driven by the now globally (post-colonially and post-the-1989-collapse-of-the-Soviet Union), homogenized desire of "all men (and women) to," realize themselves/ourselves, in the terms of homo oeconomicus. In the terms, therefore, of "its single (Western-bourgeois or ethno-class) understanding" of "man's humanity," over-represented as that of the human; with the well-being and common good of its referent "we"—that, not only of the transnational middle classes but even more optimally, of the corporate multinational business industries and their financial networks, both indispensable to the securing of the Western-bourgeois conception of the common good, within the overall terms of the behavior-regulatory redemptive material telos of ever-increasing economic growth, put forward as the Girardot-type "cure" for the projected Malthusian-Ricardo transumed postulate of a "significant ill" as that, now, ostensibly, of mankind's threatened subordination to [the trope] of Natural Scarcity, this in the reoccupied place of Christianity of its postulate of that "ill" as that of enslavement to Original Sin."' With the result that the very ensemble of behavioral activities indispensable, on the one hand, to the continued hegemony of the bourgeoisie as a Western and westernized transnational ruling class, is the same ensemble of behaviors that is directly causal of global worming and climate change, as they are, on the other, to the continued dynamic enactment and stable replication of the West's second reinvented concept of Man; this latter in response to the latter's existential imperative of guarding against the entropic disintegration of its genre of being human and fictive nation-state mode of kind. Thereby against the possible bringing to an end, therefore, of the societal order, and autopoetic living Western and westernized macro world system in it bourgeois configuration, which is reciprocally the former's (i.e., its genre of being human, and fictive modes of kind's condition of realization, at a now global level. This, therefore, is the cognitive dilemma, one arising directly from the West's hitherto unresolvable aporia of the secular, that has been precisely captured by Sven Lutticken in a recent essay. Despite, he writes, "the consensus that global warming cannot be ascribed to normal fluctuations in the earth's temperature... [the] social and political components of this process have been minimized; man-made nature is re-naturalized, the new (un)natural history presented as fate." And with this continuing to be so because (within the terms, I shall add, of our present "single understanding of man's humanity" and the unresolvable aporia which it continues to enact), "[t]he truly terrifying notion is not that [global warming and climate change] is irreversible, but that it actually might be reversible—at the cost of radically changing the economic and social order..."119 The changing, thereby, of the now globally hegemonic biologically absolute answer that we at present give to the question to who we are, and of whose biohumanist homo oeconomicus symbolic life/death (i.e., naturally selected/dysselected) code's intentionality of dynamic enactment and stable replication, our present "economic and social order" is itself the empirical actualization.

### Econ

American economic prowess pulls everything into its gravitational pull only to exploit and exterminate – make them justify the sanctity of the world economy founded upon US sovereign racism.

Robinson, ‘2000 [2000; Randall Robinson; Penn St. Dickinson School of Law, Distinguished Scholar in Residence, internationally acclaimed author and founder of TransAfrica and the Free South Africa Movement. He is the recipient of numerous humanitarian awards from organizations that include the Congressional Black Caucus, UNICEF, the Southern Christian Leadership Conference, and The King Center; “The Debt: What America Owes to Blacks”]

This is the chilling new face of globalization. The Cold War is over and this is what it was about. Money. Time to harvest the spoils. The wealthy once again dictating to the weak the terms of surrender. Of course it never goes quite like this. In fact, I’ve been coarse in my summary of money’s behavior. It’s rather more like the show that a broker selling real estate limited partnerships put on for me once when he turned up oozing shop-mush about “due diligence,” smoothly producing projection upon projection to prove what great wealth for me would be in the offing once I plunked down my nonrefundable cash. In Africa’s case the spiel may be a tad different, but the substance is similar. First the countries are, in so many words, told by us what they must accept. And then, with a smile, why they might like it. (Even African Americans are recruited to join the business chorus. Congressman Charles Rangel, a Democrat from Harlem, has been one of the African Growth and Opportunity Act’s biggest supporters.) Hundreds of years ago slavers held forth to Africans, whose cooperation they needed, on the specious benefits of the slave trade to (at least some) Africans. Before and after the Berlin Conference of 1884–85, the Europeans who colonized Africa did so by combining raw power with unscrupulous economic deal-making. The victim, already reduced to deference by brute power, is hard put to realize he is being conned. American policy, expressed bilaterally and multilaterally through institutions such as the IMF and the World Bank, is designed to keep Africa poor enough to supply us with cheap commodi-ties and undemanding labor, viable enough to buy our manufactured exports, and unstable enough to provide a market for our guns. It is not enough to lay out cold the terms and conditions of the historically exploitative relationship between the U.S. and Africa. The United States is far and away the wealthiest and most powerful country in the history of the world. Its power wears all the imaginable faces: military, economic, diplomatic, technological, cultural—I could go on here for a time. Its reputation, however, for power, the dazzling knee-buckling aura of it, often seems as potent as the power itself. This near supernatural property has a stunning effect on less influential people living both inside and outside the United States. People, places, issues, traditions, histories, cultures, deities, sports, fashions, fads, fools are important because powerful members of the American Establishment say that they are. Similarly, items omitted from America’s list enjoy a lesser importance—too often, sadly, even in the eyes of those for whom such omitted items form the core of their countries’ national life. America is the sun whose limitless wealth draws impoverished humankind obeisantly into its orbit for warmth and validity. There they are, much of the black and brown world, bowing to an amoral money god that has deemed them irrelevant. Unrequited no matter what. Casualties of inattention and low self-esteem. Power’s disembowelment. I too am a victim. Many of the others, I know.

Representations of savage terrorists as extremists who only want to get the bomb within their Kemp econ impact evidence cannot be separated from historical racism—critiquing faulty assumptions is key to eliminate racist mythologies that justify atrocities.

Sharp, ‘7 [2007, Patrick B. Sharp, Chair, Department of Liberal Studies California State University, Los Angeles, Ph. D. in English University of California, Santa Barbara, M.A. in English University of California, Santa Barbara, B.A. in English (High Honors) University of California, Santa Barbara, American Association of Colleges and Universities Institute on High-Impact Practices and Student Success, University of Vermont, University of Oklahoma Press : Norman, “Savage Perils: Racial Frontiers and Nuclear Apocalypse in American Culture” pdf]

On 29 January 2002, President George W. Bush gave the first post- 9/11 State of the Union address. The United States had invaded Afghanistan and struck at the bases of Al Qaeda, the terrorist organization responsible for the attacks. However, Bush saw a much bigger threat to “the civilized world”: he asserted that an “axis of evil” was “seeking weapons of mass destruction” and urged that the “war on terror” be expanded beyond the borders of Afghanistan.1 The “axis of evil” consisted of Iraq, Iran, North Korea “and their terrorist allies.”2 In the days, months, and years that followed, Bush committed the United States to a wide-ranging series of military operations under the banner of the “war on terror,” a war that eventually led to the controversial invasion and occupation of Iraq. At the heart of Bush’s rhetoric was a basic opposition, a “fight between civilization and terror” that threatened to undermine the “existence of free nations.”3 Time after time, Bush attempted to invoke fear in his audience by warning that technologically backward “terrorists” were close to getting their hands on advanced modern weapons, including that most feared weapon of all, the atomic bomb. Bush’s representation of terrorism bore a striking resemblance to the notion of savagery that once dominated American national discourse. By representing terrorists as the opposite of the “civilized world,” Bush tapped into a rich vein of racism that extended back to the dawn of the United States, when the idea of civilization was intimately connected to the idea of race. Beginning in the 1750s, these two ideas were developed by scientists and intellectuals in Europe and America who were attempting to account for the supposed cultural and biological inferiority of people who were not of European descent.4 The distinction between white civilization and nonwhite savagery became deeply entwined in American colonial discourse and served as a rallying point for white Americans as they pushed the frontier across the continent. By the 1850s, scientists in the United States had developed a theory of human difference known as polygenesis. This theory asserted that different races originated from separate creations and thus constituted separate species. Polygenesis was a product of a society deeply invested in the connection between white superiority and American national identity. The enslavement of African Americans, the war against Mexico, and the repeated atrocities against Native Americans were all justified in part by appealing to the belief in an ongoing racial war between civilization and savagery. If the polygenists were correct, then the nonwhite races were not fully human and did not have a claim to the rights spelled out in the founding documents of the United States. Long after the scientific ideas of the polygenists were rejected, their formulation of race still held currency in the United States. The reason was simple: polygenism was merely one expression of a deeply racist society that was built on the notion of civilized progress replacing savagery.

Too many logical holes for this to be a real advantage – cyber attacks are HIGHLY unlikely – psychological bias means you should be skeptical of their risk calculus and default negative towards higher probability impacts.

Cavelty 12 (Myriam Dunn Cavelty is a faculty member of the Swiss Federal Institute of Technology Center for Security Studies, "The militarisation of cyber security as a source of global tension", http://www.academia.edu/1471717/The\_militarisation\_of\_cyber\_security\_as\_a\_source\_of\_global\_tension, Strategic Trends 2012)

There is no denying that different political,¶ economic, and military conflicts¶ have had cyber(ed) components¶ for a number of years now. Furthermore,¶ criminal and espionage activities¶ involving the use of computers happen¶ every day. It is a fact that cyber¶ incidents are continually causing¶ minor and only occasionally major¶ inconveniences: These may be in the¶ form of lost intellectual property or¶ other proprietary data, maintenance¶ and repair, lost revenue, and increased¶ security costs. Beyond the direct impact,¶ badly handled cyber attacks have¶ also damaged corporate (and government)¶ reputations and have, theoretically¶ at least, the potential to reduce¶ public confidence in the security of¶ Internet transactions and e-commerce¶ if they become more frequent.¶ However, in the entire history of¶ computer networks, there are no examples¶ of cyber attacks that resulted¶ in actual physical violence against¶ persons (nobody has ever died from¶ a cyber incident), and only very few¶ had a substantial effect on property¶ (Stuxnet being the most prominent).¶ So far, cyber attacks have not caused¶ serious long-term disruptions. They¶ are risks that can be dealt with by¶ individual entities using standard¶ information security measures, and¶ their overall costs remain low in comparison¶ to other risk categories such¶ as financial risks.¶ These facts tend to be almost completely¶ disregarded in policy circles.¶ There are several reasons why the¶ threat is overrated. First, as combating¶ cyber threats has become a highly¶ politicised issue, official statements¶ about the level of threat must also be¶ seen in the context of competition for¶ resources and influence between various¶ bureaucratic entities. This is usually¶ done by stating an urgent need¶ for action and describing the overall¶ threat as big and rising.¶ Second, psychological research has¶ shown that risk perception, including¶ the perception of experts, is highly¶ dependent on intuition and emotions.¶ Cyber risks, especially in their¶ more extreme form, fit the risk profile¶ of so-called ‘dread risks’, which are¶ perceived as catastrophic, fatal, unknown,¶ and basically uncontrollable.¶ There is a propensity to be disproportionally¶ afraid of these risks despite¶ their low probability, which translates¶ into pressure for regulatory action of¶ all sorts and the willingness to bear¶ high costs of uncertain benefit.¶ Third, the media distorts the threat¶ perception even further. There is no¶ hard data for the assumption that the¶ level of cyber risks is actually rising¶ – beyond the perception of impact¶ and fear. Some IT security companies¶ have recently warned against overemphasising¶ sophisticated attacks just¶ because we hear more about them.¶ In 2010, only about 3 per cent of all¶ incidents were considered so sophisticated¶ that they were impossible to¶ stop. The vast majority of attackers¶ go after low-hanging fruit, which are¶ small to medium sized enterprises¶ with bad defences. These types of¶ incidents tend to remain under the¶ radar of the media and even law enforcement.¶ Cyber war remains unlikely¶ Since the potentially devastating¶ effects of cyber attacks are so scary, the¶ temptation is very high not only to¶ think about worst-case scenarios,

## 2NC – Agamben

### 2NC – Framework

#### 3. Fiat is not real – we don’t have our hands on the levers of power means that only OUR PERSONAL scholarship is determinate of our politics

Pugliese, 13 -- Macquarie University Cultural Studies professor

[Joseph, Macquarie University MMCCS (Media, Music, Communication and Cultural Studies) research director, State Violence and the Execution of Law: Biopolitcal Caesurae of Torture, Black Sites, Drones, 3-15-13, ebook accessed via EBL on 8-30-13, mss]

A constitutively incomplete scholarship: redactions, foreclosures, fragments

The work that unfolds in the chapters that follow is inscribed by a constitutively incomplete scholarship. This incompleteness is not due to the standard limitations imposed by time, word length and the other practical exigencies that impact on the process of scholarly research. Rather, this incompleteness is constitutive in quite another way. It is an incompleteness determined by the power of the state to impose fundamental omissions of information through the redaction of key documents, through the legal silencing of its agents and through the literal obliteration of evidence. These are all techniques of foreclosure that establish the impossibility of disclosure. In rhetorical terms, the redactions that score the legal texts that I examine operate as aposiopetic ﬁgures; ﬁgures that, in keeping with Greek etymology of the term, demand the keeping of silence. In their liquidation of linguistic meaning, they establish voids of signiﬁcation. Through the process of institutionalized censorship, they order into silence the voices of those subjects who might proceed to name the violence they perpetrated, while also nullifying the voices of the tortured. As rectilinear bars of blackness, the redactions that score the state’s declassiﬁed texts occlude the victims of state violence even as they neatly geometrize the disorder of torn flesh and violated bodies. The slabs of redaction encrypt the disappeared victims of torture in their textual black coffins. As such, they graphically exemplify the obliterative violence of law. These aposiopetic tracts are the textual and symbolic equivalent of the physical violence that is exercised by the state in order to silence its captives. Perhaps the most graphic incarnation of this transpired at Guantanamo, where a detainee, after an interrogation session, ‘began to yell (in Arabic): “Resist, Resist with all your might.”’102 The Interrogation Control Element Chief for Joint Task Force 170# GTMO ordered the detainee to be silenced with duct tape. In their Summarized Witness Statement, an unnamed agent recounts what they witnessed: "˜When I arrived at the interrogation room. I observed six or seven soldiers (or persons I believed were soldiers) laughing and pointing at something inside the room. When I looked inside I noticed a detainee with his entire head covered in duct tape . . . When I asked how he planned to take the tape off without hurting the detainee (the detainee had a beard and longer hair) [redacted] just laughed" The reduction of the detainee to a figure of bondage - short-shackled to the floor and manacled - is not adequate in confirming his status as captive. His face and voice, evidence of his human status, must be physically redacted. The taping of his entire head transmutes him into a faceless papier-machê mannequin. Even the most minimal sign of resistance, such as the exercise of the voice, IIILISI be subju- gated. The corporal economies of torture oscillate between the exercise of violence in order to extort confessions from broken bodies finally rendered docile and the exercise of violence to silence those insurgent bodies that refuse the order to be silent. The duct taping of the head of the detainee emblematizes the deployment of two violent modalities of torture: instrumental and gratuitous. Instrumental violence is produced by the direct application of tools and technologies - such as cables, pliers. electrodes and so on ~ onto the body of the victim in order to inflict pain. In this case the duct taping of the detainee's entire head directly produces a terrifying sense of asphyxiation. Gratuitous violence is a type of supplementary violence that results indirectly, after the fact of the application of instrumental violence. In this instance, the instrumentalized application of duct tape was principally driven by the desire to silence and subjugate the detainee. The ripping off of the duct tape and the tearing of his hair and beard will generate a violence that is wanton, augmenting the pain of having one's facial apertures sealed up. The end result is to confirm the detainee's status as subjugated object of violence. The US government’s power to withhold or destroy information runs the full gamut of censorial practices -- from the ludicrous to the indefensible. The CIA, for example, has exercised an impressive commitment to linguistic probity by insisting on the redaction of such disturbing terms as ‘rot,’ ‘shithole’ and ‘urinal’ from the testimony of one its former interrogators.104 It has also overseen the wholesale destruction of 92 videos that document the torture practices inflicted on their victims; torture practices that allegedly ‘went even beyond those approved by the expansive Yoo and Bybee Torture Memos.’105 These censorial practices have fundamentally determined the very material conditions of possibility of my research. They have produced a complex textual field inscribed by gaps, silences and the contingent fragments of knowledge that have managed to enter the public domain despite the censorial power of the state. And I refer here to the extraordinary work of individuals - such as Bradley Manning, who is himself now a victim of the state`s punitive regime of cruel and degrading punishment - or organizations, such as WikiLeaks, that have defied the censorial power of the state in order to make public texts that document the full extent of the state's violent practices and that compel its witnesses to call it to account. The work of these whistle- blowers and activists evidences the fact that the state is not an impervious monolith of repressive power but that, on the contrary, much as it strives to be unilateral in its actions and monologic in its enunciations, the state cannot completely master its heterogeneous agents or silence its heteroglossic voices. In the chapters that follow, I draw heavily on the texts that document the operations of the state in executing and exceeding its laws. I also, however, take the time to reflect critically on the materiality of the absences that mark my field of study by focusing specifically on the redactions that score a number of the key state documents to which I refer. These redactions, as I argue in Chapter 5, visibly signify both the sovereign power of the state and its insecurity. I read these redactions as techniques designed to manage, control and, where necessary, to obliterate knowledge altogether. In effect, these redactions function to constitute the opposite of epistemology: they generate official systems of unknowing, anti-epistemologies that consign the reading subject to ignorance and unknowledge. Faced with these lacunae, I attempt to unsettle the anti-epistemological practices of redaction by reading the very processes of redaction as symbolic instantiations of state violence: they reproduce, textually, their own figural black sites that effectively occlude the names of the agents responsible for the torture practices, even as they also become the black holes to which are dispatched the victims of such practices. Against the grain, then, I read these black sites of redaction as the textual and symbolic equivalent to the material black site prisons run by the state. The anti-epistemological violence of these sites of redaction works in tandem with the ontological violence that the state visits upon its embodied subjects.

#### 4. No epistemic truth to the 1AC – all of your predictions are terrible

Cavelty 12 (Myriam Dunn Cavelty is a faculty member of the Swiss Federal Institute of Technology Center for Security Studies, "The militarisation of cyber security as a source of global tension", http://www.academia.edu/1471717/The\_militarisation\_of\_cyber\_security\_as\_a\_source\_of\_global\_tension, Strategic Trends 2012)

Putting a number to the cost of any¶ specific malware is a very tricky thing.¶ Attempts to collect significant data or¶ combine them into statistics have failed¶ due to insurmountable difficulties in¶ establishing what to measure and how¶ to measure it. Numbers that are floating¶ around are usually ¶ more or less educated¶ ‘guesstimates’, calculated¶ by somehow adding downtime of machines¶ and the cost for making them¶ malware-free. The same problem applies¶ to Stuxnet. Shortly after the worm was¶ discovered, Symantec estimated that¶ between 15,000 and 20,000 systems¶ were infected. These numbers increased¶ the longer the worm was known. Siemens¶ on the other hand reported that¶ the worm had infected 15 plants with¶ their SCADA software installed, both in¶ and out of Iran. In the end, Symantec¶ set both the damage and the distribution¶ level of the malware to medium.

### 2NC – Link

#### First, Group think Link – only demanding that Obama consult with Congress ensures that political violence and political dissent becomes naturalized. The 1AC is simply an act of appeasement for neo-liberal political strategies. The impact is militarism. Structures of military oppression will still exist so that we can justify OCO for economic means. Guts perm solvency – alt is a prerequisite to political engagement by deconstructing state based political strategies for change.

Gregory 11. Derek Gregory, professor of geography at the University of British Columbia, “The Everywhere War,” he Geographical Journal, Vol. 177, No. 3, September 2011, pg. 246

The question is a good one, but it needs to be directed outwards as well as inwards. For the United States is also developing an offensive capacity in cyberspace, and the mission of CYBERCOM includes the requirement ‘to prepare to, and when directed conduct, full-spectrum military cyberspace opera- tions in order to enable actions in all domains’. This is a programmatic statement, and there are difficult con- ceptual, technical and operational issues to be resolved. The concept of the ‘cyber kill-chain’ has already made its appearance: software engineers at Lockheed Martin have identified seven phases or ‘border-crossings’ in cyberspace through which all advanced persistent intrusions must pass so that, con- versely, blocking an attack at any one of them (dislo- cating any link in the kill-chain) makes it possible ‘to turn asymmetric battle to the defender’s advantage’ (Croom 2011; Holcomb and Shrewsbury 2011). The issues involved are also ethical and legal. Debate has been joined about what constitutes an armed attack in cyberspace and how this might be legally codified (Dipert 2010; Nakashima 2010), and most of all about how to incorporate the protection of civilians into the conduct of cyber warfare. In the ‘borderless realm of cyberspace’ Hughes (2010, 536) notes that the boundary between military and civilian assets – and hence military and civilian targets – becomes blurred, which places still more pressure on the already stressed laws of armed conflict that impose a vital distinction between the two (Kelsey 2008). Pre- paring for offensive operations includes developing a pre-emptive precision-strike capacity, and this is – precisely – why Stuxnet is so suggestive and why Shakarian (2011) sees it as inaugurating ‘a revolution in military affairs in the virtual realm’. Far from ‘carpet bombing’ cyberspace, Gross (2011) describes Stuxnet as a ‘self-directed stealth drone’ that, like the Predator and the Reaper, is ‘the new face of twenty- first century warfare’. Cyber wars will be secret affairs, he predicts, waged by technicians ‘none of whom would ever have to look an enemy in the eye. For people whose lives are connected to the targets, the results could be as catastrophic as a bombing raid but would be even more disorienting. People would suffer, but [they] would never be certain whom to blame.’¶ Contrapuntal geographies¶ I have argued elsewhere that the American way of war has changed since 9/11, though not uniquely because of it (Gregory 2010), and there are crucial continuities as well as differences between the Bush and Obama administrations: ‘The man who many considered the peace candidate in the last election was transformed into the war president’ (Carter 2011, 4). This requires a careful telling, and I do not mean to reduce the three studies I have sketched here to a single interpretative narrative. Yet there are connections between them as well as contradictions, and I have indicated some of these en route. Others have noted them too. Pakistan’s President has remarked that the war in Afghanistan has grave consequences for his country ‘just as the Mexican drug war on US borders makes a difference to American society’, and one scholar has suggested that the United States draws legal authority to conduct military operations across the border from Afghanistan (including the killing of bin Laden, codenamed ‘Geronimo’) from its history of extra-territorial opera- tions against non-state actors in Mexico in the 1870s and 1880s (including the capture of the real Geronimo) (Margolies 2011). Whatever one makes of this, one of the most persistent threads connecting all three cases is the question of legality, which runs like a red ribbon throughout the prosecution of late modern war. On one side, commentators claim that new wars in the global South are ‘non-political’, intrinsically predatory criminal enterprises, that cartels are morphing into insurgencies, and that the origins of cyber warfare lie in the dark networks of cyber crime; on the other side, the United States places a premium on the rule and role of law in its new counterinsurgency doctrine, accentuates the involvement of legal advisers in targeting decisions by the USAF and the CIA, and even as it refuses to confirm its UAV strikes in Pakistan provides arguments for their legality.¶ The invocation of legality works to marginalise ethics and politics by making available a seemingly neutral, objective language: disagreement and debate then become purely technical issues that involve matters of opinion, certainly, but not values. The appeal to legality – and to the quasi-judicial process it invokes – thus helps to authorise a widespread and widening militarisation of our world. While I think it is both premature and excessive to see this as a transformation from governmentality to ‘militariality’ (Marzec 2009), I do believe that Foucault’s (2003) injunction – ‘Society must be defended’ – has been transformed into an unconditional imperative since 9/11 and that this involves an intensifying triangulation of the planet by legality, security and war. We might remember that biopolitics, one of the central projects of late modern war, requires a legal armature to authorise its interven- tions, and that necropolitics is not always outside the law. This triangulation has become such a common- place and provides such an established base-line for contemporary politics that I am reminded of an inter- view with Zizek soon after 9/11 – which for him marked the last war of the twentieth century – when he predicted that the ‘new wars’ of the twenty-first century would be distinguished by a radical uncertainty: ‘it will not even be clear whether it is a war or not’ (Deich- mann et al. 2002).

#### Second, fear rhetoric link – The affirmative’s emphasis on cybersecurity as a solution cedes control to elites who then deem acts legitimate – culminates in the exclusion of all those deemed potential hackers or threats to our techno-utopia. The impact is biopolitical violence. We can target and kill whoever we deem to be a threat to the larger geostrategic existence of the state. Also a DA to the perm – ensures politics is coopted by neoconservative hacks. Alternative is key to reorient political legitimacy to encompass micropolitcal actors.

Hart 11 (Catherine Hart is a masters student in communications at Simon Fraser University, "Mobilizing the Cyberspace Race: the Securitization of the Internet and its Implications for Civil Liberties", Cyber-Surveillance in Everyday Life: An International Workshop, May 12-15, 2011)

In conclusion, given this context, it would appear that while policy may not in itself restrict civil¶ liberties, it promotes the discourse which could facilitate the enactment of restrictive laws. A¶ focus on cybersecurity ‘awareness raising’ with the public can only increase the securitizing¶ discourse around these issues. At the same time, a growing frustration is clear among security¶ advisors with the lack of regulation and the inaction of cybersecurity policy, despite the¶ protection it offers to civil liberties. Regulation might be an unpalatable word for both the left¶ and the right in the U.S., but it is generally accepted that in cases of national emergency, it is¶ sometimes necessary for the government to step in. The history of the discourse of ‘national¶ security’ has demonstrated that exceptional responses can be justified when this discourse is mobilized, and Agamben has warned of the shift in government towards the issuing of¶ exceptional laws rather than the declaration of a state of exception (2005, 21). The PCNAA is a¶ prime example of such an exceptional law which could be employed during a ‘state of¶ emergency’ vaguely defined as a “risk of disruption” to cyberspace, with virtually no limit on its¶ scope or length of effect (ACLU, 2010, 1-2). As the securitization of cyberspace achieves¶ success with wider audiences, I predict an increase in surveillance and control as governments¶ accept the failure of voluntary measures, and legislate emergency responses.

#### Third, legalism link – relying on the US to set an international framework for cyber operations enforces knowledge hierarchies. The impact is imperialism. Maintenance of legal legitimacy and illegitimacy subjugates nonwestern models of legality. Afff forces alternative forms of politics to cede power to the US – turns perm solvency as it legimizes western power strcutures of oppression. Alt is key to make the citizenry indeterminate and resist sovereign control.

Ugo Mattei 3, Alfred and Hanna Fromm Professor of International and Comparative Law, U.C. Hastings; Professore Ordinario di Diritto Civile, Università di Torino A Theory of Imperial Law: A Study on U.S. Hegemony and the Latin Resistance, ic.ucsc.edu/~rlipsch/pol160A/Mattei.pdf

This essay attempts to develop a theory of imperial law that is able to explain postCold War changes in the general process of Americanization in legal thinking. My claim is that “imperial law” is now a dominant layer of world-wide legal systems.1 Imperial law is produced, in the interest of international capital, by a variety of both public and private institutions, all sharing a gap in legitimacy, sometimes called the “democratic deficit.” Imperial law is shaped by a spectacular process of exaggeration, aimed at building consent for the purpose of hegemonic domination. Imperial law subordinates local legal arrangements world-wide, reproducing on the global scale the same phenomenon of legal dualism that thus far has characterized the law of developing countries. Predatory economic globalization is the vehicle, the all-mighty ally, and the beneficiary of imperial law. Ironically, despite its absolute lack of democratic legitimacy, imperial law imposes as a natural necessity, by means of discursive practices branded “democracy and the rule of law,” a reactive legal philosophy that outlaws redistribution of wealth based on social solidarity.2 At the core of imperial law there is U.S. law, as transformed and adapted after the Reagan-Thatcher revolution, in the process of infiltrating the huge periphery left open after the end of the Cold War. A study of imperial law requires a careful discussion of the factors of penetration of U.S. legal consciousness world-wide, as well as a careful distinction between the context of production and the context of reception3 of the variety of institutional arrangements that make imperial law. Factors of resistance need to be fully appreciated as well.¶ I. AMERICAN LAW: FROM LEADERSHIP TO DOMINANCE The years following the Second World War have shown a dramatic change in the pattern of world hegemony in the law. Leading legal ideas, once produced in Continental Civilian Europe and exported through the periphery of the world, are now for the first time produced in a common law jurisdiction: the United States.4 There is little question that the present world dominance of the United States has been economic, military, and political first, and legal only in a more recent moment, so that a ready explanation of legal hegemony can be found with a simple Marxist explanation of law as a superstructure of the economy.5 Nevertheless, the question of the relationship between legal, political, and economic hegemony is not likely to be correctly addressed within a cause-and-effect paradigm.6 Ultimately, addressing this question is a very important area of basic jurisprudential research because it reveals some general aspects about the nature of law as a device of global governance.¶ Observing historical patterns of legal hegemony allows us to critique the distinction between two main patterns of governance through the law (and of legal transplants).7 Scholars of legal transplants have traditionally distinguished two patterns. The first is law as dominance without hegemony, in which the legal system is ultimately a coercive apparatus asserting political and economic power without consent. This area of inquiry and this model have been used to explain the relationship between the legal system of the motherland and that of the colonies within imperialistic colonial enterprises. The opposing pattern, telling a story of consensual voluntary reception by an admiring periphery of legal models developed and provided for at the center, is usually considered the most important pattern of legal transplants. It is described by stressing on the idea of consent within a notion of “prestige.”8¶ Little effort is necessary to challenge the sufficiency of this basic taxonomy in introducing legal transplants. Law is a detailed and complex machinery of social control that cannot function with any degree of effectiveness without some cooperation from a variety of individuals staffing legal institutions. These individuals usually consist of a professional elite which either already exists or is created by the hegemonic power. Such an elite provides the degree of consent to the reception of foreign legal ideas that is necessary for any legal transplant to occur. Hence, the distinction between imperialistic and non-imperialistic transplants is a matter only of degree and not of structure. In order to understand the nature of present legal hegemony, it is necessary to capture the way in which the law functions to build a degree of consent to the present pattern of international economic and political dominance.9¶ In this essay I suggest that a fundamental cultural construct of presumed consent is the rhetoric of democracy and the rule of law utilized by the imperial model of governance, 10 triumphant worldwide together with the neo-American model of capitalism developed by the Reagan and Thatcher revolution early in the 1980s. I argue that the last twenty years have produced the triumph in global governance of reactive, politically irresponsible institutions, such as the courts of law, over proactive politically accountable institutions such as direct administrative apparatuses of the State.11¶ This essay attempts to open a radical revision of some accepted modes of thought about the law as they appear today, at what has been called “the end of history.”12 Its aim is to discuss some ways in which global legality has been created in the present stage of world-wide legal development. It will show how democracy and the rule of law, in the present legal landscape, are just another rhetoric of legitimization of a given international dynamic of power. It will also denounce the present unconscious state in which the law is produced and developed by professional “consent building” elites. The consequences of such unconsciousness are creating a legal landscape in which the law is “naturally” giving up its role of constraining opportunistic behavior of market actors. This process results in the development of faked rules and institutions that are functional to the interests of the great capital and that dramatically enlarge inequality within society. I predict that such a legal environment is unable to avoid tragic results on a global scale such as those outlined in the well-known parable of the tragedy of the commons.13¶ My object of observation is a legal landscape in transition. I wish to analyze this path of transition from one political setting (the local state) to another political setting (world governance) in which American-framed reactive institutions are asserting themselves as legitimate and legitimating governing bodies, which I call imperial law. Imperial law is the product of a renowned alliance between state and economic institutions, a cooperative game in which a very limited number of powerful players are at play.14 While in the ages of colonialism such political battles for international hegemony were mostly carried on with an open use of force and political violence (in such a way that final extensive conflict between superpowers was unavoidable), in the age of globalization and of economic Empire political violence has been transformed into legal violence.

### A2: Legalism Inev/Good

#### Second, the affirmatives faith in the legal system is misplaced. They posit a static form of legality that violently aims to order and control socio-economicly identified populations without accepting inherent difference.

Gordon 87, Robert Gordon, Professor of Law at Stanford, “Unfreezing Legal Reality: Critical Approaches to Law,” Florida State University Law Review, Vol 15 No 3. 1987, lexis

Now a central tenet of CLS work has been that the ordinary discourses of law -- debates over legislation, legal arguments, administrative and court decisions, lawyers' discussions with clients, legal commentary and scholarship, etc. -- all contribute to cementing this feeling, at once despairing and complacent, that things must be the way they are and that major changes could only make them worse. Legal discourse accomplishes this in many ways. First by endlessly repeating the claim that law and the other policy sciences have perfected a set of rational techniques and institutions that have come about as close as we are ever likely to get to solving the problem of domination in civil society. Put another way, legal discourse paints an idealized fantasy of order according to which legal rules and procedures have so structured relations among people that such relations may primarily be understood as instituted by their consent, their free and rational choices. Such coercion as apparently remains may be explained as the result of necessity -- either natural necessities (such as scarcity or the limited human capacity for altruism) or social necessities. For example, in a number of the prevailing discourses, the ordinary hierarchies of workplace domination and subordination are explained: (1) by reference to the contractual agreement of the parties and to their relative preferences for responsibility versus leisure, or risk taking versus security; (2) by the natural distribution of differential talents and skills (Larry Bird earns more as a basketball player because he is better); and (3) by the demands of efficiency in production, which are said to require extensive hierarchy for the purposes of supervision and monitoring, centralization of investment decisions, and so forth. There are always some residues of clearly unhappy [\*199] conditions -- undeserved deprivation, exploitation, suffering -- that cannot be explained in any of these ways. The discourses of law are perhaps most resourceful in dealing with these residues, treating them as, on the whole, readily reformable within the prevailing political options for adjusting the structures of ordinary practices -- one need merely fine tune the scheme of regulation, or deregulation, to correct them. But the prevailing discourse has its cynical and worldly side, and its tragic moments, to offset the general mood of complacency. In this mood it resignedly acknowledges that beyond the necessary minimum and the reformable residues of coercion and misery there is an irreducible, intractable remainder -- due to inherent limits on our capacity for achieving social knowledge, or for changing society through deliberate intervention, or for taking collective action against evil without suffering the greater evil of despotic power. These discourses of legal and technical rationality, of rights, consent, necessity, efficiency, and tragic limitation, are of course discourses of power -- not only for the obvious reasons that law's commands are backed by force and its operations can inflict enormous pain, but because to have access to these discourses, to be able to use them or pay others to use them on your behalf, is a large part of what it means to possess power. Further, they are discourses that -- although often partially constructed, or extracted as concessions, through the pressure of relatively less powerful groups struggling from below -- in habitual practice tend to express the interests and the perspectives of the powerful people who use them. The discourses have some of the power they do because some of their claims sound very plausible, though many do not. The claim, for example, that workers in health-destroying factories voluntarily "choose," in any practical sense of the term, the risks of the workplace in return for a wage premium, is probably not believed by anyone save those few expensively trained out of the capacity to recognize what is going on around them. In addition, both the plausible and implausible claims are backed up in the cases of law and of economics and the policy sciences by a quite formidable-seeming technocratic apparatus of rational justification -- suggesting that the miscellany of social practices we happen to have been born into in this historical moment is much more than a contingent miscellany. It has an order, even if sometimes an invisible one; it makes sense. The array of legal norms, institutions, procedures, and doctrines in force, can be rationally derived from the principles of regard for individual autonomy, utilitarian [\*200] efficiency or wealth creation, the functional needs of social order or economic prosperity, or the moral consensus and historical traditions of the community. There are several general points CLS people have wanted to assert against these discourses of power. First, the discourses have helped to structure our ordinary perceptions of reality so as to systematically exclude or repress alternative visions of social life, both as it is and as it might be. One of the aims of CLS methods is to try to dredge up and give content to these suppressed alternative visions. Second, the discourses fail even on their own terms to sustain the case for their relentlessly apologetic conclusions. Carefully understood, they could all just as well be invoked to support a politics of social transformation instead. n3 Generally speaking, the CLS claims under this heading are that the rationalizing criteria appealed to (of autonomy, functional utility, efficiency, history, etc.) are far too indeterminate to justify any conclusions about the inevitability or desirability of particular current practices; such claims, when unpacked, again and again turn out to rest on some illegitimate rhetorical move or dubious intermediate premise or empirical assumption. Further, the categories, abstractions, conventional rhetorics, reasoning modes and empirical statements of our ordinary discourses in any case so often misdescribe social experience as not to present any defensible pictures of the practices that they attempt to justify. Not to say of course that there could be such a thing as a single correct way of truthfully rendering social life as people live it, or that CLS writers could claim to have discovered it. But the commonplace legal discourses often produce such seriously distorted representations of social life that their categories regularly filter out complexity, variety, irrationality, unpredictability, disorder, cruelty, coercion, violence, suffering, solidarity and self-sacrifice. n4 [\*201] Summing up: The purpose of CLS as an intellectual enterprise is to try to thaw out, or at least to hammer some tiny dents on, the frozen mind sets induced by habitual exposure to legal practices -- by trying to show how normal legal discourses contribute to freezing, and to demonstrate how problematic these discourses are.

### A2 Perm do both

#### 5.) Authority disad – doesn’t question the basis of power, naturalizing violence.

Beier, 11 – McMaster University political science professor

[J. Marshall, "Dangerous Terrain: Re-Reading the Landmines Ban through the Social Worlds of the RMA," Contemporary Security Policy, 32:1, April 2011, 159-175, accessed 9-12-13, mss]

Although turned to a more progressive purpose, the rhetorical /discursive strategies of the landmine ban effect and work through a similar disturbance of sites of responsibility. The success of the mine ban movement owes in no small measure to the marking of antipersonnel landmines as 'bad' weapons - a move that has enabled even states that have widely used mines to join in denouncing them as a humanitarian scourge without simultaneously repudiating recourse to militarized violence more generally. At the campaign level and with the specific practical objective of securing the broadest possible ban on landmines, this was a very well conceived approach. Indeed, had this strategy not been adopted, it is unlikely that the movement would have swayed many - if any - states to the cause. But practically expedient though it may have been, it is also contingent on putting responsibility out of sight. Like errant cruise missiles. landmines intend nothing. What makes them bad, then, speaks not of disposition, but rather a technological limitation resulting in an objective property of indiscriminacy. While this might at first seem suggestive of the need for a technological solution. recall that, in deference to the goal of a com- plete prohibition, the mine ban movement quite rightly worked to foreclose the possi- bility of recourse to "˜smart mines`. Though this might appear to mark it decidedly apart from the war-enabling technologies of the RMA and their part in refashioning the bases of legitimacy in contemporary warfare, the mystification of responsibility so crucial to the ban reveals some disturbing points of intersection. On first gloss, the approach of the mine ban movement seems quite clearly to disavow any recourse to "˜better` technology as a fix for landmine indiscriminacy. The importance of this cannot be overstated since, as has been the case with the RMA, distinguishing between "˜good` and "˜bad` weapons raises the spectre of a like distinction in terms of the conduct of those who use them - a distinction not always well sustained by the actual consequences of their use. In refusing to concede that some mines might be less pernicious than others, therefore, the move- ment simultaneously refused all bases of legitimacy in mine use that might otherwise have been claimed by the technologically advantaged and denied to those less so. But things become rather more problematic when considered from without the narrow context of the landmines issue. While the rhetorical casting of mines as bad proved a remarkably effective strategy in pursuit of a ban, it only makes sense if it in fact is imagined that there are somewhere 'good' weapons. Since it is not killing per se but killing with landmines that is rendered indefensible, the use of other presumably more discriminating weapons is lent a certain legitimacy it might not otherwise have enjoyed. And this is revealing of the important sense in which the core claims of the mine ban contribute to the reproduction of essential ideational bases of the 'new American way of war'. Inviting none of the cynicism about motives that might have attached to a wholly state-led initiative, the central involvement of civil society actors in the mine ban movement - well known and respected peace and human rights advocacy groups among them - both naturalizes and valorizes a much larger constellation of claims to meaningful discriminacy, whether overt or subsumed. Pressing for a ban on landmines thus involved the complete disaggregation of this one issue not only from peace activism in general, but from the more particular realm of disarmament advocacy as well, parcelling it off in such a way as to suggest that there are more effective ways to do the sorts of things landmines are intended to do

#### 6.) Only confronting issues of sovereignty allows us to break free of the circular political practies that entrench militarism

Wadiwel 02 (Dinesh Joesph, completing a doctorate at the University of Western Sydney, 2K2, “Cows and Sovereignty: Biopower and Animal Life” Borderlands E-Journal Vol. 1 # 2 <http://www.borderlandsejournal.adelaide.edu.au/vol1no2_2002/wadiwel_cows.html>)

Such a political program has far reaching consequences, both for Western sovereignty, and the way that the business of politics is conducted. The living population of the earth has inherited a vision of sovereign power, which has spread cancerously into even the most seemingly inaccessible aspects of everyday life. This vision commands all, claims legitimacy for all, and determines the conduct of living for all within its domain. Politics ‘as we know it’ is caught inextricably in the web of sovereign power, in such a way that it seems that modern political debate cannot help but circulate around the same, routine issues: "What is the appropriate legislative response?"; "Is it within the State’s powers to intervene in this particular conflict?"; "How can we ensure the citizen’s rights are maintained in the face of the state?". To challenge such an encompassing and peremptory political discourse — where every question implies the sovereign absolutely, and every decision made refers to life itself — would require the most intensive rethinking of the way in which territory, governance and economy are imagined. In this sense, whilst Agamben’s analysis of bare life, and Foucault’s theory of bio-power, provide a means by which to assess the condition of non-human life with respect to sovereign power, the political project must reach beyond these terms, and embrace an intertwining of the human and the non-human: an intersection which may be found in the animal life shared by both entities.

### 2NC - Alt

#### The alternative enables us to contest knowledge claims and deconstruct political strategies that enforce power hierarchies that structure oppression.

Patricia Hill Collins 90 (Patricia Hill, Distinguished University Professor of Sociology at the University of Maryland, College Park, Former head of the Department of African American Studies at the University of Cincinnati, and the past President of the American Sociological Association Council, Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment, p. 62-65)

A second component of the ethic of caring concerns the appropriateness of emotions in dialogues. Emotion indicates that a speaker believes in the validity of an argument. Consider Ntozake Shange’s description of one of the goals of her work: "Our [Western] society allows people to be absolutely neurotic and totally out of touch with their feelings and everyone else’s feelings, and yet be very respectable. This, to me, is a travesty I’m trying to change the idea of seeing emotions and intellect as distinct faculties." The Black women’s blues tradition’s history of personal expressiveness heals this either/or dichotomous rift separating emotion and intellect. For example, in her rendition of "Strange Fruit," Billie Holiday’s lyrics blend seamlessly with the emotion of her delivery to render a trenchant social commentary on southern lynching. Without emotion, Aretha Franklin’s cry for "respect" would be virtually meaningless. A third component of the ethic of caring involves developing the capacity for empathy. Harriet Jones, a 16-year-old Black woman, explains to her interviewer why she chose to open up to him: "Some things in my life are so hard for me to bear, and it makes me feel better to know that you feel sorry about those things and would change them if you could." Without her belief in his empathy, she found it difficult to talk. Black women writers often explore the growth of empathy as part of an ethic of caring. For example, the growing respect that the Black slave woman Dessa and the white woman Rufel gain for one another in Sherley Anne William’s Dessa Rose stems from their increased understanding of each other’s positions. After watching Rufel fight off the advances of a white man, Dessa lay awake thinking: "The white woman was subject to the same ravishment as me; this the thought that kept me awake. I hadn’t knowed white mens could use a white woman like that, just take her by force same as they could with us." As a result of her newfound empathy, Dessa observed, "it was like we had a secret between us." These components of the ethic of caring: the value placed on individual expressiveness, the appropriateness of emotions, and the capacity for empathy-pervade African-American culture. One of the best examples of the interactive nature of the importance of dialogue and the ethic of caring in assessing knowledge claims occurs in the use of the call-and-response discourse mode in traditional Black church services. In such services both the minister and the congregation routinely use voice rhythm and vocal inflection to convey meaning. The sound of what is being said is just as important as the words themselves in what is, in a sense, a dialogue of reason and emotion. As a result it is nearly impossible to filter out the strictly linguistic-cognitive abstract meaning from the sociocultural psychoemotive meaning. While the ideas presented by a speaker must have validity (i.e., agree with the general body of knowledge shared by the Black congregation), the group also appraises the way knowledge claims are presented. There is growing evidence that the ethic of caring may be part of women’s experience as well. Certain dimensions of women’s ways of knowing bear striking resemblance to Afrocentric expressions of the ethic of caring. Belenky et al. point out that two contrasting epistemological orientations characterize knowing: one an epistemology of separation based on impersonal procedures for establishing truth and the other, an epistemology of connection in which truth emerges through care. While these ways of knowing are not gender specific, disproportionate numbers of women rely on connected knowing. The emphasis placed on expressiveness and emotion in African-American communities bears marked resemblance to feminist perspectives on the importance of personality in connected knowing. Separate knowers try to subtract the personality of an individual from his or her ideas because they see personality as biasing those ideas. In contrast, connected knowers see personality as adding to an individual’s ideas and feel that the personality of each group member enriches a group’s understanding. The significance of individual uniqueness, personal expressiveness, and empathy in African-American communities thus resembles the importance that some feminist analyses place on women’s "inner voice." The convergence of Afrocentric and feminist values in the ethic of caring seems particularly acute. White women may have access to a women’s tradition valuing emotion and expressiveness, but few Eurocentric institutions except the family validate this way of knowing. In contrast, Black women have long had the support of the Black church, an institution with deep roots in the African past and a philosophy that accepts and encourages expressiveness and an ethic of caring. Black men share in this Afrocentric tradition. But they must resolve the contradictions that confront them in searching for Afrocentric models of masculinity in the face of abstract, unemotional notions of masculinity imposed on them. The differences among race/gender groups thus hinge on differences in their access to institutional supports valuing one type of knowing over another. Although Black women may be denigrated within white-male-controlled academic institutions, other institutions, such as Black families and churches, which encourage the expression of Black female power, seem to do so, in part, by way of their support for an Afrocentric feminist epistemology. The Ethic of Personal Accountability An ethic of personal accountability is the final dimension of an alternative epistemology. Not only must individuals develop their knowledge claims through dialogue and present them in a style proving their concern for their ideas, but people are expected to be accountable for their knowledge claims. Zilpha Elaw’s description of slavery reflects this notion that every idea has an owner and that the owner’s identity matters: "Oh, the abominations of slavery! ... Every case of slavery, however lenient its infliction and mitigated its atrocities, indicates an oppressor, the oppressed, and oppression." For Elaw abstract definitions of slavery mesh with the concrete identities of its perpetrators and its victims. African-Americans consider it essential for individuals to have personal positions on issues and assume full responsibility for arguing their validity. Assessments of an individual’s knowledge claims simultaneously evaluate an individual’s character, values, and ethics. African-Americans reject the Eurocentric, masculinist belief that probing into an individual’s personal viewpoint is outside the boundaries of discussion. Rather, all views expressed and actions taken are thought to derive from a central set of core beliefs that cannot be other than personal. "Does Aretha really believe that Black women should get ‘respect, or is she just mouthing the words?" is a valid question in an Afrocentric feminist epistemology. Knowledge claims made by individuals respected for their moral and ethical connections to their ideas will carry more weight than those offered by less respected figures. An example drawn from an undergraduate course composed entirely of Black women which I taught might help to clarify the uniqueness of this portion of the knowledge validation process. During one class discussion I asked the students to evaluate a prominent Black male scholar’s analysis of Black feminism. Instead of severing the scholar from his context in order to dissect the rationality of his thesis, my students demanded facts about the author’s personal biography. They were especially interested in concrete details of his life, such as his relationships with Black women, his marital status, and his social class background. By requesting data on dimensions of his personal life routinely excluded in positivist approaches to knowledge validation, they invoked concrete experience as a criterion of meaning. They used this information to assess whether he really cared about his topic and drew on this ethic of caring in advancing their knowledge claims about his work. Furthermore, they refused to evaluate the rationality of his written ideas without some indication of his personal credibility as an ethical human being. The entire exchange could only have occurred as a dialogue among members of a class that had established a solid enough community to employ an alternative epistemology in assessing knowledge claims. The ethic of personal accountability is clearly an Afrocentric value, but is it feminist as well? While limited by its attention to middle-class, white women, Carol Gilligan’s work suggests that there is a female model for moral development whereby women are more inclined to link morality to responsibility, relationships, and the ability to maintain social ties. If this is the case, then African-American women again experience a convergence of values from Afrocentric and female institutions. The use of an Afrocentric feminist epistemology in traditional Black church services illustrates the interactive nature of all four dimensions and also serves as a metaphor for the distinguishing features of an Afrocentric feminist way of knowing. The services represent more than dialogues between the rationality used in examining bible texts and stories and the emotion inherent in the use of reason for this purpose. The rationale for such dialogues involves the task of examining concrete experiences for the presence of an ethic of caring. Neither emotion nor ethics is subordinated to reason. Instead, emotion, ethics, and reason are used as interconnected, essential components in assessing knowledge claims. In an Afrocentric feminist epistemology, values lie at the heart of the knowledge validation process such that inquiry always has an ethical aim. Alternative knowledge claims in and of themselves are rarely threatening to conventional knowledge. Such claims are routinely ignored, discredited, or simply absorbed and marginalized in existing paradigms, Much more threatening is the challenge that alternative epistemologies offer to he basic process used by the powerful to legitimate their knowledge claims. If the epistemology used to validate knowledge comes into question, then all prior knowledge claims validated under the dominant model become suspect. An alternative epistemology challenges all certified knowledge and opens up the question of whether what has been taken to be true can stand the test of alternative ways of validating truth. The existence of a self-defined Black women’s standpoint using an Afrocentric feminist epistemology calls into question the content of what currently passes as truth and simultaneously challenges the process of arriving at the truth.

## 1NR Case

#### Their naïve hope in the effectiveness of small changes distracts us from how individuals each contribute to warming – turns case – alt solves better.

Kingsnorth, ’12 [Paul Kingsnorth, ; Taken from email interview with Kingsnorth, interview conducted by Wen Stephenson; Wen Stephenson, writer and climate activist, is a contributor to Grist and the Boston Phoenix and has written about climate and culture for the Boston Globe, The New York Times, and Slate; “’I Withdraw’: A talk with climate defeatist Paul Kingsnorth”], Apr 11, 2012 <http://grist.org/climate-energy/i-withdraw-a-talk-with-climate-defeatist-paul-kingsnorth/> ]

I wonder what it is that makes me so “ecocentric,” and you such a humanist? I wonder what fuels my sense of resignation, and my occasional sneaking desire for it all to come crashing down, and what fuels your powerful need for this thing called hope. Whenever I hear the word “hope” these days, I reach for my whisky bottle. It seems to me to be such a futile thing. What does it mean? What are we hoping for? And why are we reduced to something so desperate? Surely we only hope when we are powerless? This may sound a strange thing to say, but one of the great achievements for me of the Dark Mountain Project has been to give people permission to give up hope. What I mean by that is that we help people get beyond the desperate desire to do something as impossible as ‘save the Earth’, or themselves, and start talking about where we actually are, what is actually possible and where we are actually coming from. I don’t think we need hope. I think we need imagination. We need to imagine a future which can’t be planned for and can’t be controlled. I find that people who talk about hope are often really talking about control. They hope desperately that they can keep control of the way things are panning out. Keep the lights on, keep the emails flowing, keep the nice bits of civilisation and lose the nasty ones; keep control of their narrative, the world they understand. Giving up hope, to me, means giving up the illusion of control and accepting that the future is going to be improvised, messy, difficult. The Tim DeChristopher quote which you use approvingly is something which divides us. I admire anyone who can go to prison for their beliefs (well, not anyone, it rather depends what those beliefs are) but I’m of the opinion that the last thing the world needs right now is more “humanitarians.” What the world needs right now is human beings who are able to see outside the human bubble, and understand that all this talk about collapse, decline, and crisis is not just a human concern. When I look to the future, the thing that frightens me most is not climate change, or the possibility of the lights going out in the lit-up parts of the world, it’s that we may keep this ecocidal civilization going long enough to take everything down with it. I feel I have to respond to all of this by giving up hope, so that I can instead find some measure of reality. So I’ve let hope fall away from me, and wishful thinking too, and I feel much lighter. I feel now as if I am able to look more honestly at the way the world is, and what I can do with what I have to give, in the time I have left. I don’t think you can plan for the future until you have really let go of the past.

solves the root cause – status quo environmental movements fail because of white privelege.

Mandell ‘8 [4/1/08, Bekah Mandell is an A.B. from Vassar College; J.D., Boston College Law School; Director of the Champlain Valley Office of Economic Opportunity Fair Housing Project; Father Robert Drinan Family Fund Public Interest Fellow. “Racial Reification and Global Warming: A Truly Inconvenient Truth,” http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1046&context=twlj]

 [\*297]  Fear of eroding the hierarchies that define race explains why politicians and other elites have consistently championed ineffectual "market-based approaches" to global warming. n36 By focusing public and private energy on relatively insignificant individual behavior changes, the Bush administration and other privileged elites are able to maintain the racial hierarchy that consolidates their economic and social power. n37 Politicians know that "[w]ithout white-over-black the state withers away." [n38](http://www.lexisnexis.com.proxy.binghamton.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1300963062371&returnToKey=20_T11559734102&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.307872.8645909542#n38) Therefore, they have a profound incentive to maintain the racial hierarchy. Unsurprisingly, "because th[ese elites] accrue social and economic benefits by maintaining the status quo, they inevitably do." n39 This white consensus to maintain the spatial and mobility hierarchies that reify race is possible because, "[w]hite privilege thrives in highly racialized societies that espouse racial equality, but in which whites will not tolerate being either inconvenienced in order to achieve racial equality . . . or being denied the full benefits of their whiteness . . . ." **n40** With so much white privilege to lose, it becomes clear why even most passionate environmental advocates are far more willing to call for, and make, small non-structural changes in their behavior to ameliorate  [\*298]  global warming, but are unwilling to embrace significant or meaningful actions to address the crisis. n41 Even as global warming is starting to become the subject of increasing media coverage and as more environmental groups call for action to halt the crisis, most activism is limited to changes that maintain the existing spatial, social, economic and legal framework that defines American society. [n42](http://www.lexisnexis.com.proxy.binghamton.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1300963062371&returnToKey=20_T11559734102&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.307872.8645909542#n42) Despite knowing for decades that we have been living unsustainable lifestyles, and "hav[ing] had some intuition that it was a binge and the earth couldn't support it, . . . aside from the easy things (biodegradable detergent, slightly smaller cars) we didn't do much. We didn't turn our lives around to prevent it." n43 Greenhouse emissions reduction challenges have cropped up on websites across the country, encouraging Americans to change their light bulbs, inflate their tires to the proper tire pressure to ensure optimal gas mileage, switch to hybrid cars, run dishwashers only when full, telecommute, or buy more efficient washers and dryers. n44 However, popular emissions challenge web sites are not suggesting that Americans give up their cars, move into smaller homes in more densely populated urban neighborhoods near public transportation, or take other substantive actions to mitigate the global climate crisis. n45 Even Al Gore,  [\*299]  the most famous voice in the climate change movement, reminds his fellow Americans that "[l]ittle things matter . . . buy a hybrid if you can, buy a flex-fuel car if you can. Get a higher mileage car that's comfortable for your needs." [n46](http://www.lexisnexis.com.proxy.binghamton.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1300963062371&returnToKey=20_T11559734102&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.307872.8645909542#n46) "[M]any yuppie progressive 'greens' are the  [\*300]  ones who drove their SUVs to environmental rallies and, even worse, made their homes at the far exurban fringe, requiring massive car dependence in their daily lives," taking residential segregation and racial and spacial hierarchies to previously unimagined dimensions. n47 This focus on maintaining one's privileged lifestyle while making minimal changes reflects the power of the underlying structural impediments blocking a comprehensive response to global climate change in the United States. n48 It is not just political inaction that prevents a meaningful response. Millions of Americans do not demand a change in environmental policy because, just as with political elites, it is against the interests of those enjoying white privilege to take genuine steps to combat climate change. n49 Real climate action would ultimately require relinquishing the spatial, social, and economic markers that have created and protected whiteness and the privilege it confers. [n50](http://www.lexisnexis.com.proxy.binghamton.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1300963062371&returnToKey=20_T11559734102&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.307872.8645909542#n50) Although "we too often fail to appreciate how important race remains as a system for amassing and defending wealth and privilege," the painfully slow reaction of the American public to the growing dangers of global warming highlights just how important racial privilege remains and how reluctant its beneficiaries are to give it up. n51 Elite reformists make meaningful change even more remote as they push for behaviors to tweak, but not to change the existing social, economic, and legal hierarchy in the face of  [\*301]  "problems, [like global warming] that arise to threaten the predominance of the traditionalist, capitalist ruling class." n52

Nuclear extinction is a Eurocentric myth—large parts of the world would be safe

Martin, ’82 [Brian Martin, “Critique of nuclear extinction”, Journal of Peace Research, Vol. 19, No. 4, 1982, pp. 287-300. <http://www.bmartin.cc/pubs/82jpr.html> ]

 (g) White, western orientation. Most of the continuing large-scale suffering in the world - caused by poverty, starvation, disease and torture - is borne by the poor, non-white peoples of the third world. A global nuclear war might well kill fewer people than have died of starvation and hunger-related disease in the past 50 or 100 years.[[22]](http://www.bmartin.cc/pubs/82jpr.html#fn22) Smaller nuclear wars would make this sort of contrast greater.[[23]](http://www.bmartin.cc/pubs/82jpr.html#fn23) Nuclear war is the one source of possible deaths of millions of people that would affect mainly white, rich, western societies (China and Japan are the prime possible exceptions). By comparison, the direct effect of global nuclear war on nonwhite, poor, third world populations would be relatively small. White westerners may tend to identify their own plight with that of the rest of the world, and hence exaggerate the threat of destruction wreaked on their own societies into one for all of humanity. White westerners may also tend to see the rest of the world as vitally dependent on themselves for survival, and hence see catastrophe for all as a result of a nuclear war which destroys 'civilisation'. In practice, poor non-white populations arguably would be better off without the attentions of white, western 'civilisation' - although nuclear war is hardly the way to achieve this. These considerations suggest the importance of strengthening links between peace struggles and struggles for justice, equality and freedom from exploitation in poor countries.

Language matters in the way we relate to terrorism

Collins and Glover, ‘02 (John Collins, Ass. Prof. of Global Studies at St. Lawrence, and Ross Glover, Visiting Professor of Sociology at St. Lawrence University, 2002, Collateral Language, p. 6-7, The Real Effects of Language)

As any university student knows, theories about the “social con­struction” and social effects of language have become a common feature of academic scholarship. Conservative critics often argue that those who use these theories of language (e.g., deconstruc­tion) are “just” talking about language, as opposed to talking about the “real world.” The essays in this book, by contrast, begin from the premise that language matters in the most concrete, im­mediate way possible: its use, by political and military leaders, leads directly to violence in the form of war**,** mass murder (in­cluding genocide), the physical destruction of human commu­nities, and the devastation of the natural environment. Indeed, if the world ever witnesses a nuclear holocaust, it will probably be because leaders in more than one country have succeeded in convincing their people, through the use of political language, that the use of nuclear weapons and, if necessary, the destruction of the earth itself, is justifiable. From our perspective, then, every act of political violence—from the horrors perpetrated against Native Americans to the murder of political dissidents in the So­viet Union to the destruction of the World Trade Center, and now the bombing of Afghanistan—is intimately linked with the use of language. Partly what we are talking about here, of course, are the processes of “manufacturing consent” and shaping people’s per­ception of the world around them; people are more likely to sup­port acts of violence committed in their name if the recipients of the violence have been defined as “terrorists,” or if the violence is presented as a defense of “freedom**.”** Media analysts such as Noam Chomsky have written eloquently about the corrosive ef­fects that this kind of process has on the political culture of sup­posedly democratic societies. At the risk of stating the obvious, however, the most fundamental effects of violence are those that are visited upon the objects of violence; the language that shapes public opinion is the same language that burns villages, besieges entire populations, kills and maims human bodies, and leaves the ground scarred with bomb craters and littered with land mines. As George Orwell so famously illustrated in his work, acts of vio­lence can easily be made more palatable through the use of eu­phemisms such as “pacification” or, to use an example discussed in this book, “targets.” It is important to point out, however, that the need for such language derives from the simple fact that the violence itself is abhorrent. Were it not for the abstract language of “vital interests” and “surgical strikes” and the flattering lan­guage of “civilization” and ‘just” wars, we would be less likely to avert our mental gaze from the physical effects of violence.